



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

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

Extreme Events and Social Relations. Crises Research and Policy Reception

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

Issue 65/2020

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

Published during the lockdown and “social distancing” measures imposed by governments worldwide to counter the spread of the covid-19 pandemic, the current Issue 65/2020 of the *Revista de Științe Politice. Revue des Sciences Politiques* raises awareness on old and new challenges imposed by extreme events on social relations by focusing on crises research and policy reception.

The combination of theoretical reviews and analytical displays of research results triggers a strong scientific expression and academic discipline. Featuring an improved design and a special focus on supporting innovative methodological displays, the current Issue 65/2020 of the *Revista de Științe Politice. Revue des Sciences*

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Editors' Note

Politiques takes an authentic outlook on examining events, attitudes or processes that have shaped politics and policy outcomes across different phases of historical crises.

The relativization of history is a seminal topic for research. The approach of the “denazification affairs” imagology crisis in the Polish public discourse through qualitative content analysis uncovers “images of post-war Austria” in the article “Relativization of the history by the Austrian Socialists in Polish comments” (author: Agnieszka Kisztełińska-Węgrzyńska).

Content analysis of documentary sources was also administered in the article “*The political evolution of Tulcea County (1944-1947)*” (author: Valentina-Maria Enache) merging qualitative and quantitative dimensions to account for the political life of a specific administrative-territorial unit with a special focus on the evolution of the existing political parties in that specific area during a tumultuous period in contemporary history that witnessed a profound crisis of democratic values with Communism instalment in Romania.

Another document analysis complemented by historical and comparative methods was applied in the article “The influence and role of the United States of America in ensuring the military security of Central and Eastern Europe” (author: Dawid Sawa) to warrant for the measures and actions deployed against regional destabilisation and security crisis.

Food security is another dimension of stability and security. Emphasising the security of lending in agriculture, the article entitled “Analyzing non-performing assets in agricultural loans: A case study of India” (authors: Iqbal Thonse Hawaldar, Cristi Spulbar, Loksha, Ramona Birau, Cristian Rebegea) analyses data gathered from both the borrowers and the lenders installments to draw a distinctive image of the Indian financial credit market and the country’s prospects for sustainable development and economic growth.

Sustaining economic growth can be achieved through sound financial policies and by harnessing the skilled workforce. Focusing on a different geographical market, the article entitled “*The status of Highly Skilled Migrants in the European Union. Case Study: Opportunities for "Law" Graduates in the European Union Labor Market*” (author: Cristina Ilie Goga) studies the gains and losses of the migration phenomenon for destination countries and countries of origin in terms of “brain gain” and “brain drain”. During the refugees, migrants and asylum-seekers international crisis, a systematic approach of the migration “cost-benefit ratio” throughout EU Member States is most welcome and invites the reader to a thorough examination of cross-border and cross-sectoral EU policies.

In terms of policy-making quality and efficiency, the article entitled “*The Emergence of the Normative Inflationary Phenomenon in the Post-Communist Period*” (author: Claudia Mădălina Burci) considers the effects of excessive regulation on human rights protection. Approaching the normative inflation crisis through the teleological interpretation method, the article renders visible the origins and effects of normative inflation within the post-communist society.

Following the fall of Communism, countries of the former ideological block witnessed a profound financial crises which were tackled through different monetary policies. The study of monetary and financial crises has seen an appreciable attention in recent works. The article entitled “*Considerations Regarding the Monetary Policy Strategies Promoted by the Central and East European Countries after the Communism Collapse*” (author: Monica-Ionelia Mărgărit) discusses the inflation targeting views and

Editors' Note

monetary policy strategies of Central Banks and governments of Central and East European Countries.

Resuming on the financial crises, the article *“A Retrospective of Previous Financial Crises Based on a Methodical Analysis of the Inevitable Extreme Events”* (authors: Muhammad Zahid Naeem, Cristi Spulbar, Ramona Birau, Abdullah Ejaz, Elena Loredana Minea) dwelves on a matrix of statistical and mathematical reports to account for the prospects of the banking activity and of international financial markets in the age of globalization and of extreme events.

The latest decades have sought for solutions to the macro-economic downfall and sectoral effects of recent banking and financial crises. Prospects on the legal issues surrounding employment and industrial relations are considered throughout the article entitled *“Employment and Industrial Relations: Legal Politics in New Europe. Comparing the Cases of Bulgaria and Estonia”* (authors: Veselin Vasilev, Miroslav Manev). The article pin-points the subtleties of employment and industrial relations policy-making against the wider context of two democratic societies.

Within a democratic landscape, the free access to justice and the legality aspects regarding civil proceedings are accounted for in the article entitled *“Free Access to Justice in Civil matters in Post-Communist Europe”* (author: Mihaela Cătălina Scafeș (Opran)). The exercise of rights and liberties is interpreted along the “effectiveness of free access to justice” with regard to procedural aspects in a democratic social and political order.

Placing the discussion from the angle of comparative law, the article entitled *“Conflict of Interest Inside a Company – a Vision of Comparative Law within a Democratic Society”* (author: Răzvan Scafeș) studies the legal measures meant to identify the conflict of interest and to balance “company will” and “individual will”.

Within a globalized world, the technological advancements of the IT&C industry have boosted the possibilities of the education sector. The article entitled *“Teaching the Digital Natives”* (author: Costina Denisa Bărbuceanu) brings into discussion the huge opportunities enhanced by digital literacy for the personal and professional development of students and teachers struggling against the teaching system crisis.

The evolution of digitalisation and the increase in the use of social media have led to sound effects on student-teacher interaction. The effects on students' perception of literary works are discussed in the article entitled *“Social Media Technology: An Effect of the EFL Students' Attitude towards Pride and Prejudice”* (authors: May H. Srayisah Al-Kubaisi, Abdulrazzaq Mohsin S. Al-Rubaye).

However, the digitalisation and online consumption have to be met with a focus on enlarging Internet advantages and confining the risks. This focus is systematically pursued in the article entitled *“A Systematic Literature Review Searching for a Comprehensive Dynamic Model of Parental Digital Mediation Strategies”* (author: Anda Anca Rodideal).

The current issue 65/2020 of the *Revista de Științe Politice. Revue des Sciences Politiques* thus invites its readers and contributors to create a more connected research on extreme events and social relations, especially in terms of crises limitation and research and policy reception.

Wishing you all the best,

The Editors



ORIGINAL PAPER

Relativization of the History by the Austrian Socialists in Polish Comments

Agnieszka Kisztelińska-Węgrzyńska¹⁾

Abstract

Austrian socialists and their attitude to the past, or neglect that took place in the 1970s and 1980s, were gradually appearing in the Polish public sphere due to reprints from foreign press services. The aim of the study was to determine whether and to what extent the topic of Austrian denazification occurred in communist Poland, whether the Poles were interested in the problem of settlements and how they commented on them. Research questions focus on: the quality of comments on the group of Austrian socialists in the Polish public sphere; perpetuating the images of post-war Austria in the Polish public discourse; circumstances in which denazification affairs were described, as well as the historical and political background of this process. The research method adopted was content analysis in the qualitative dimension. The population (data corpus) is press, journals, serial and archival documents. The subject of the study were Polish comments on the denazification process in Austria, and in particular the socialist influence on its course. With reference to the times of the Second World War in Austria, for a few decades, one rhetoric vision prevailed, but from time to time an alternative vision was formulated. In the Polish public discourse, references to this alternative vision do not occur. The applied “metaphorical scenarios” referred to by Polish publicists speak about situations of “healing” the state by the first generation of politicians involved in the creation of the Second Republic. Austrians were defined as victims in the great community of victims, without the need to explain the Holocaust.

Keywords: *Modern Austria; Bruno Kreisky; Austrian Socialists; Polish public discourse.*

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Relativization of the History by the Austrian Socialists in Polish Comments

Introduction

Austrian socialists and their attitude towards the past, or neglect, which took place in the 70s and 80s of the twentieth century, appeared in the Polish public space gradually through reprints from foreign press services. The aim of the study was to determine whether and to what extent this topic occurred in communist Poland, whether Poles were interested in the problem of Austrian accounts and how they commented on them. Research questions focus on: the quality of commentary on the environment of Austrian socialists in the Polish public space until 1989; recording images of post-war Austria in Polish public discourse; the circumstances in which denazification scandals were described, as well as the historical and political background of this process.

The research method adopted was content analysis in the qualitative dimension. The population (data corpus) is press, journals, serial and archival documents. Research sample: multi-stage selection: 1st stage: layered, 2nd stage: systematic random. Unit of analysis: single archival material, single press material.

The subject of the study were Polish comments on the denazification process in Austria, and in particular the influence of socialists on its course. Following Karol Franczak, it was assumed that "commenting is differently attributing one or another sense to the communicative meaning in which one participates. The possibility of presenting a 'wording' means that the participant interprets the situation of which he or she is speaking or is part of it in such a way" (Franczak, 2013:15).

The most important questions were concerned with reflections on the participation of Austria in World War II by socialists. Others: did the Poles think that Austria played the role of "Hitler's first victim"? Did Austria pay compensation to victims of the regime? Why were they, for reasons that could not be justified in any way, reduced to a minimum, or in many cases did not exist at all? Did socialists participate of limiting trials against Nazi criminals? Did the socialists call for those who survived to return to their homeland? Did they comment regarding news that in the mid-1970s four former NSDAP members were in Kreisky's new government? Did Polish public discourse present information on arbitrarily suspended investigations against suspects of murder and assistance in the murder in 1970-1973. Did Polish journals present the trial against Vinzenz Gogel in 1972 who was responsible for the crimes in Mauthausen and Ebensee? How Poles have seen Kreisky-Wiesenthal affair in 1975 (October-November)? Did the case of Fred Sinowatz and the Walter Reder case (March 6, 1985) occur? How did Polish discourse present Kurt Waldheim's case and the presidential election (March-June 1986)?

The Ministries of Home Affairs and Justice have been socialists since 1961 (except 1966-1970). Christian Broda was reluctant to submit documents provided by the Center. According to Szymon Wiesenthal, Chancellor Kreisky influenced the return of the ex-Nazis to the Austrian political scene (Sporrer&Steiner, 1993: 285). He said before the 1970 election that former NSDAP members had access to all state offices if they had not committed any crime. When in 1970 Interior Minister Otto Rösch took over the ministry, he reduced the number of people in Department 18 dealing with Nazi crimes from 11 to 5 (Kulesza, 2013: 238). In 1970, Minister Leopold Gratz stated - at the Jewish Documentation Center in Vienna it was expanded to include a private police force who spy everywhere. In his opinion, due to this type of work, the visit of Austrian parliamentarians to the Netherlands ended in fiasco.

On November 9, 1969, Felix Slavik, the deputy mayor of Vienna, during his stay in Israel, gave an interview - in our ranks "there is not a single once active Nazi officer". In response to these words, Wiesenthal said that there were two such persons in the immediate chancellor's environment - Alfred Schachner - Blazizek - chairman of the SPÖ (Austrian Socialist Party) faction in the Styrian national parliament, as well as deputy head of national authorities and Hans Czettel - chairman of the SPÖ organization in Lower Austria. When April 21, 1970, Kreisky formed the first government, he handed over the agriculture department to Hans Öllinger, who belonged to the SS. After press articles in May 1970, although Öllinger stepped down, his successor Oskar Weihs, as well as Interior Minister Otto Rösch, Minister for Construction Josef Moser and Minister for Communication Josef Fröchbauer were likewise exposed. At that time, regular and open attacks on the Documentation Center began (Sporrer & Steiner, 1993: 272).

Conditions in which Polish comments regarding Austrian accounts were created

At a time when the Polish state was looking for international allies on the road to recognizing Poland's western border, the Austrian socialist party with its program of openness to cooperation with all countries was an attractive political partner. Comments on the political activities of the socialists entering the coalition, the activities of the socialist presidents and the reforms proposed by this environment were presented in a positive context. They were often compared with the conservative actions of the Austrian People's Party or the Austrian Freedom Party. Information was repeatedly provided regarding the work of socialists on a socially beneficial budget, work for social reform, increase in expenditure on education, culture, housing goals, agricultural development, and political involvement resulting in the proper functioning of the party coalition. For example – "This project was approved by the socialists and in this way the crisis in the coalition was temporarily overcome" (Kozeński, 1970: 221).

In a similar vein, a press release from the presidential election was prepared: "The election of Franz Jonas, a widely acclaimed activist in the country and abroad, as the highest office in the state also proves that most Austrian society understands perfectly what political balance means. Since the head of government here is traditionally a member of the Austrian People's Party, the president of the state has always been a socialist since the country's liberation in 1945" (Austria, 1968: 8). In the Polish press in the second half of the 1960s, we read strong support for socialist political ambitions. Election results were commented on as "promising, reliable, satisfying". Rather, the group's progressive nature was pointed out, and in the event of the disappearance of the activities of the communist party, systematically losing faint support, it was written about the Socialist Party as its heir. Among the political conditions in which Polish ideas about Austria were shaped, they dominated until the 1970s. Fears of the country's integration with Western European structures, then the phrase "Cold Anschluss" and the subject of post-war Polish-Austrian material claims were used. The Austrian claim against Poland included mainly claims for the takeover of industrial enterprises and land property, rights to real estate, claims for movables left in Poland. At the same time, reference was made to art. 27 of the State Treaty. The Polish side verified the sum of Austrian claims coming in to 1964 for USD 120 million. It was considered that the amount was inflated because the Austrians filed claims for which Poland was not liable: war damage, loss of movable property lost during war operations, bank accounts and savings deposits in German credit institutions in Poland, claims of

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newly-Austrians - people who received Austrian citizenship after Austria regained independence after April 27, 1945, and before 1938 they did not have this citizenship (Archives [AMSZ], Dep. IV Austria, z. 17, w.1, t. 6). This category includes former Germans and Volksdeutsch resettled to Austria. The Polish side applied the practice of deducting 40% from the real economic destruction of the country against the real value of property. Therefore, it was considered that the value of Austrian claims should not exceed approx. USD 3.5 million (AMSZ, Dep. IV Austria, z. 17, w.1, t. 6). In the statement of Prime Minister Cyrankiewicz regarding the claims of April 1965, we read: "I did not stand as close to these matters as Kreisky, who stated that those interested in damages pressed him very much. Nobody pressed us to ask Austria about its global sum of claims. Although there was some pressure from the Austrian ambassador interested in regulating this problem - which is in the interest of full standardization. We will consider and try to find solutions possible for both parties. Austria has a good school of compromise, which can help here" (AMSZ, Gabinet Ministra, z. 17, w.3, t. 25).

In March 1970, during the parliamentary elections, the socialist party won the first time in Austrian history. However, the advantage was small: 82 seats for SPÖ, 79 for ÖVP (Austrian Peoples Party), five for FPÖ (Austrian Freedom Party). Kreisky tried without success to restore the coalition. He finally decided to establish a minority government, and appointed the non-party Rudolf Kirchschräger as the minister of foreign affairs (K. K., 1970: no. 13). Undoubtedly, the electoral success belonged to Bruno Kreisky, who had run the party since 1966. Polish comments highlighted the strong personality of the politician and the social support he possessed. Among the few criticisms of the election, Western press reports cited: "The truth of the socialist slogans was not even believed by the son of socialist leader Peter Kreisky, a radical youth activist" (K. K., 1970: no. 13). However, the subject of settlements with the past was not referred to at that time. In 1970, SPÖ repeated her success in the presidential election - for the second time her candidate Franz Jonas won by winning against the non-party Kurt Waldheim. As a result of disputes between the SPÖ and the FPÖ, whose nationalist demands have caused problems, two parties have renounced their seats and new elections have been announced. In 1971, the Socialists again won the majority. Much was written in Poland at the time about the victory of socialists, showing the achievements in bilateral relations to date, visits by politicians, parliamentarians, economic agreements, and stressing the pro-social political program (Lechański, 1997: 51).

Examples of commented events

Fifty years after the German army entered Austria, this event was shown in the Polish press based on the diaries of socialist leader Bruno Kreisky. In the text about the assessment of Anschluss we read: "The image of those March days of 1938 is distorted by the fact that only people were cheering in the streets and squares, and millions of those who remained at home or closed the windows, or even prepared to appear resistance" (Kreisky, 1988: 9). It was further stated that in 1946 there were 536,662 national socialists registered in Austria and if their families were added, the support for this option numbered over one million Austrians. Referring to the statement of former Chancellor Bruno Kreisky, the course of Anschluss was approximated (Kreisky, 1988: 9). Attention was paid to the mechanisms that were to help the Nazis in the occupation of Austria. The chancellor not only defended his compatriots, but also showed political sentiment and the involvement of circles opposing Hitler's policy. "We appreciate the

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Embassy's efforts in counteracting the hostile Austrian press outbreaks and in exposing the anti-Polish activities of nationalist and Zionist circles in Austria, e.g. the Wiesenthal Center" (AMSZ, Dep. IV Austria, z. 17, w.1, t. 6).

The document prepared by Department IV of the Ministry of Foreign Affairs reads: "The thesis about the "cold Anschluss" is getting closer to reality every year. Officially, and it is hard to assume that unofficially, the Austrian side tolerates this and did not anticipate this trend". Data on the growth of German exports in Austria, expansion of German capital inflow in the media, real estate, tourism and hotel sectors were also given (AMSZ, Dep. IV Austria, z. 17, w.1, t. 6).

In the Polish public space, it was emphasized that relations with the Austrian People's Party were not as close as with the Austrian Socialist Party, but were correct and in any case closer than relations with the embassies of other Eastern countries (AMSZ, Dep. IV Austria, z. 17, w.1, t. 6). Good examples of cooperation with socialists included, for example, the visit of Vice-Chancellor Pitterman to Poland (he was then the chairman of the party), a visit to Austria of a delegation of Polish trade unions with Loga - Sowiński, as well as a trip to Auschwitz of a group of 500 Austrian socialists. This trip was in the opinion of Polish officials: "a mass anti-Nazi demonstration, acquiring special propagandistic significance. Pittermann officially said goodbye to those leaving by giving a speech" (AMSZ, Dep. IV Austria, z. 17, w.1, t. 6).

Bruno Kreisky choosing from the tradition of the Habsburg monarchy what strengthened the new national identity of the state did not completely cut off from the past. "Kreisky knows well what is to blame for the national tradition. He restored the Austrians' national identity. Today, a young man in Vienna or Graz, asked who he is, will not answer with an Austrian German, but simply an Austrian" (Podkowiński, 1981: 124).

As reported in a biographical note from 1973: "Many people in Austria do not like Kreisky, some for his Jewish origin and others for his factory origin, others for his kind of anti-Semitism". The director of the famous Jewish Documentation Center in Vienna Wiesenthal was to call "the Jewish fascist" (AMSZ, Dep. IV, Austria, z. 47/77, w. 7). Similar comments were given by PAP's (Polish Press Agency) Documentary Notebooks (Kancierz, 1973: 17). During the scandal, the Jewish community in Vienna organized a meeting to support Wiesenthal, only a few people came. According to Wiesenthal, there was concern about an escalation of anti-Semitic sentiment in Austria. In 1975, the case of the deputy to the National Council appeared, the chairman of the parliamentary faction of the FPÖ Friedrich Peter, former commander of the assault group on the Eastern Front. Friedrich Peter was considered a candidate for vice chancellor in 1975. In November 1975, the head of the Jewish Documentation Center in Vienna - Simon Wiesenthal filed accusations against Kreisky against about the Nazi past of the FPÖ leader Friedrich Peter. As a soldier of the 1st SS brigade, he pacified Russian villages at the rear of the Eastern Front during World War II. Kreisky was to receive materials regarding the past of the candidate for vice chancellor before the election. After consulting with President Kirchschräger, he decided to keep them secret in fear of the election result.

Although the Polish Press Agency wrote about the Friedrich Peter case, Polish newspapers commented on the course of the election campaign of autumn 1975 and avoided taking up the subject of settlements. The socialist electoral success has been extensively written, noting the leadership position, political programs, economic indicators and international response. Commenting on the political achievements of the

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socialists, it was written – “politicians of the international format, experienced chess players, creators of a positive campaign, experienced players” (Ramotowski, 1975: 5). The text from December 1975 was prepared in a similar tone. At that time, the Kreisky-Wiesenthal scandal gained momentum, meanwhile Janusz Moszczeński, after Interpres, wrote details about economic reforms about socialists: “the strongest party, they are fighting for non-partisan supporters, advocates of optical ideological ideology, proponents of respecting property rights and authors of clever moves” (Moszczeński, 1975: 5).

In an article on socialists, Marian Podkowiński referred to the history of interwar Austria and stated “many Austrians were drawn to the swastika. Precisely because in 1934 the workers said” no “and thousands of them paid for it with their lives or exile, camps and misery, as well as a result of exile activities such politicians as Kreisky - Austria was included in the countries annexed by Hitler, so belonging to the anti-fascist coalition” (Podkowiński, 1981: 125). “Someone once wondered in Vienna why ex-Nazis or anti-Semites, which are not lacking in Austria, are voting for Kreisky. Answer: they think that they are doing their own denazification. It is true that Kreisky has saved many Austrians from not having a pleasant time with their past (Podkowiński, 1981: 125)”. However, he adds: “At the same time, school textbooks on history were revised under his rule, while no such search was carried out in Germany, despite the fact that this recommendation was signed by eminent historians from Poland and Germany” (Podkowiński, 1981: 124).

In Polish scientific commentaries it was noted that Austria had benefited from the delay in concluding the State Treaty. The German assets that remained on the territory of this country visibly strengthened the economic potential, while the ban on economic integration with Germany opened new possibilities and prospects for cooperation with neutral or Eastern countries. All draft treaty proposals at international conferences had to address economic issues and compensation for war losses. At that time, the topic of Austria's participation in the course of World War II and the guilt it repeatedly returned. Socialists have consistently strengthened the image of Hitler's first victim, preventing any debate (Zbiór, 1949: 782). Selected countries, not only Austria most interested, took advantage of the free interpretation of the entries of both the Moscow conference in 1943 and the Potsdam Agreements in the post-war period, leaving the subject of settling the war past to future generations.

Four days after the parliamentary election in November 1975, the head of the Jewish Documentation Center in Vienna - Szymon Wiesenthal, filed charges against Kreisky for secrecy about the Nazi past of the FPÖ leader - Friedrich Peter. As a soldier of the 1st SS Brigade, he pacified Russian villages at the rear of the Eastern Front during World War II. Kreisky was to receive materials regarding the past of the candidate for vice chancellor before the election. After consulting with President Kirchschräger, he decided to keep them secret in fear of the election result. There was a sharp polemic. The chancellor, who received Wiesenthal's allegations as a personal attack, proposed to resolve the dispute in court, he was to renounce his mandate. At the same time, he threatened that he had Wiesenthal's incriminating material, and he summed up all of his campaign as slander propagated at home and abroad, undermining Austria's reputation. Wiesenthal withdrew his complaint and at the same time pointed out that conducting the current investigation of war criminals in a country with a selective attitude towards the past and a disastrously functioning judiciary was out of the question (Wiesenthal, 1993: 280-289). In Poland, it was written very modestly (Zeszyty, 1975:18). Only one text in

PAP materials referred to the alleged cooperation of the Austrian government with the Polish security ministry, which was to provide documents incriminating Wiesenthal. There is no mention in Polish research relating to his intelligence activities of cooperation with Austria and the transfer of exchanged documents in this regard. Szymon Wiesenthal, after many years, assessed in his memoirs the Chancellor's accusation as an attempt to manipulate German material belonging to the Gestapo (Wiesenthal, 1993: 280).

Commenting on the consequences of the Waldheim scandal, it was written: 1. The rise of anti-American sentiment is in the hands of socialists. 2. The government is in solidarity with the president. 3. The People's Party and Mock have failed. 4. In the long run, the situation is favorable to socialists. They warned against Waldheim's choice and will use it in the next election. Socialists will promote themselves as caring for the interests and prestige of the Austrian state. 5. Politicians will try to show solidarity with the president while alleviating the effects of political isolation (AMSZ, Dep. IV, z. 18/89, w. 6). Differentiation was seen in the reactions of political party representatives. From demands to take legal action against the USA (ÖVP), purge of charges against an international commission (FPÖ), to step down from the office of the KPA, SPÖ - youth.

The Polish authorities support Austrian efforts to change the American decision to place President Waldheim as "Wachlist". Minister Olechowski admitted: "We are aware of the complex situation in which the president befriended us, but also the Austrian government found themselves as a result of decisions taken by the US government. We remember President Waldheim mainly in Poland as a long-term, UN Secretary General, who enjoys great international authority. We value his work to strengthen the UN system and the contribution and commitment to maintaining world peace. We would like Austria to end this difficult matter for her" (AMSZ, Dep. IV, z. 18/89, w. 6).

Cases of refusing to participate in the ceremonies patronized by President Waldheim were described. At that time, already retired Chancellor Kreisky criticized the American decision and stated: "the interest of the state as a whole is more important than the office of president." When socialist youth protested in Mauthausen: "We want an anti-fascist president," and the police intervened unsuccessfully. Poland has written about devastated Jewish cemeteries in Austria. That was an example of anger came from Austrian citizens. Polish authorities said that kind of anger was reasonable. (AMSZ, Dep. IV, z. 18/89, w. 6).

In a note of the Embassy of the Republic of Poland of May 31, 1987, when writing about reactions to the Waldheim scandal, attention was drawn to the condition of the president: "he is mentally depressed and suffers morally", the situation "affects his physical condition", "in the Ministry of Foreign Affairs he is hated", in the US personalities Jewish people are against Reagan's decision for fear of anti-Jewish demonstrations. Anti-Semitism has intensified in Austria alone. Commenting on the discussions in Austria about the future of the Vranitzky-Mock coalition, the need to step down was "for the good of the republic". According to Poles, these statements came from intellectuals, people of culture and from the socialists. Haider as a leader of FPÖ criticized Waldheim for his lack of determination to refute the charge (AMSZ, Dep. IV, z. 18/89, w. 6).

Without comment, information was published that in March 1987 Belgium and Switzerland refused to participate President Waldheim in planned international events. Examples of countries that canceled planned meetings with Waldheim were mentioned,

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as well as situations in which the president was stigmatized. Pointing to reactions within Austria, attention was paid to the common front in defense of the president, or situations in which he was treated unfairly: “the publication by the Jerusalem Post of a forged letter by Mock to Margaret Thatcher regarding the possibility of W.'s resignation due to health” (AMSZ, Dep. IV, z. 18/89, w. 6).

Incorporation of Kurt Waldheim into the so-called Watchlist - a list of unwanted people in the US because he is accused of cooperating with national socialism. The issuing of this decision on April 27, 1987 caused a shock to Austrian public opinion. Although the Americans emphasized that this concerns Waldheim as a private individual, not the president of the state, he forced Austrian politicians to take a position. Jörg Haider argued that this was unacceptable, collective blaming the entire generation of soldiers in Austria. Most politicians say that this decision will bring economic losses and weaken Austria's position on the international stage. Attention was paid to invitations sent to the president from Arab countries: Jordan, Egypt, United Arab Emirates (AMSZ, Dep. IV, z. 18/89, w. 6).

According to the employees of the Polish embassy, “it should be anticipated that the World Jewish Congress will not abandon the actions envisaged against Waldheim and post-fascist elements in Austria, and neutralizing anti-Austrian moods and rebuilding prestige will be one of the basic but not easy directions of the future government” (Nowakowski, 1986: 9).

During the debate around the Waldheim affair, fragments of Kreisky's memories were published, which referred to both Anschluss and the subject of accounts as seen from the perspective of the former socialist leader. The negative political effects of German aggression in 1938 were emphasized in the text and the conditions in which the Austrians, occupied by Wehrmacht, lived at that time. Austrian comments were eagerly cited at the time – “you must finally mark the past with a thick line” (Nowakowski, 1986: 9).

If we read about Austrian denazification debates, it is only thanks to correspondence between influential dignitaries or employees of the Polish embassy in Austria. Commenting on the consequences of the Waldheim scandal, it was written: 1. The rise of anti-American sentiment is in the hands of socialists. 2. The government is in solidarity with the president. 3. The People's Party and Alois Mock have failed. 4. In the long run, the situation is favorable to socialists. They warned against Waldheim's choice and will use it in the next election. Socialists will promote themselves as caring for the interests and prestige of the Austrian state. 5. Politicians will try to show solidarity with the president while alleviating the effects of political isolation (AMSZ, Dep. IV, z. 18/89, w. 6). Differentiation was seen in the reactions of political party representatives. From demands to take legal action against the USA (ÖVP), purge of charges before an international commission (FPÖ), to step down from the office of the KPA, SPÖ - youth organization.

Conclusions and verification of hypotheses

During the research the following hypotheses were positively verified: 1. Polish comments on Austrian accounts published until 1989 were in line with the dominant Austrian discourse; 2. The positive image of the Second Austrian Republic - Poland's political and economic partner, promoted in the Polish public sphere after 1970, negated the need to write about the problem of settlements; 3. The scandals related to the lack of settlements in Austria commented on in Poland did not have a defined political

background; 4. Negative comments on Austrian accounts were avoided, reducing the problem to several individual cases and emphasizing the responsibility of the German people for crimes committed during World War II; 5. The scandals related to the lack of settlements were not identified with the Austrian socialist community.

In relation to World War II, one rhetorical vision dominated in Austria for several decades, but from time to time an attempt was made to formulate an alternative vision. There are no references to this alternative vision in Polish public discourse. The "metaphorical scenarios" used by Polish journalists refer to situations of "healing" the state by the first generation of politicians involved in the creation of the Second Republic. The Austrians were defined as injured in the great community of victims without having to explain the Holocaust. According to Ruth Wodak and Rudolf de Cillia, the discourse of the perceived victims thus "colonized" public debate about the past. "Colonization" concerned not only the victim, but also that all atrocities committed during the war had the same meaning - without indicating reasons, motives or guilty parties (Wodak, de Cillia, 2007: 345).

The dominant vision of the past in Austria was strengthened by several governments of the so-called grand coalition. After the war, two parties, SPÖ ÖVP, worked out a compromise historical narrative. An occasion to strengthen it was anniversary celebrations, taking the form of "official commemoration". In Polish public space, the narrative of the "first victim" has been strengthened at the individual level as part of the official discourse. Family memory played an important role here, including "cumulative heroization" where "good stories" and individual memories (emigrants or citizens persecuted as a result of the Anschluss) gained importance above all (Wodak, Krzyżanowski, 2011: 54).

Austria struggled with a kind of amnesia before the first billing debates appeared. At the same time, in the post-war history of this country one can see the practice of blurring traces of the past, which was often accompanied by the practices of institutionalization of public forgetfulness. Its basic goal can be easily understood - the favoring of the electorate by political parties and forcing national reconciliation (AMSZ, D. IV Austria, z. 1/84, w. 3). Furthermore:

- associations with the "nation" were avoided and the focus was on republican values;
- it was argued that after years of unrest, Austria is trying to join the group of European democracies;
- there was widespread fear of disclosing any shameful facts about participation in Nazi crimes, as National Socialist conviction was not limited to members of the former NSDAP;
- denazification did not interfere with soliciting the votes of former fascists;
- mashing practices referred to the theory of collective "denial";
- continuous recurrence was identified with the guilt strategy.

In the course of the development of the debate on Kurt Waldheim's past, the dispute was becoming increasingly more ethical. Supporters of the future president began to identify him with all of Austria, while foreign critics were associated with conspiracy theory. Thus, the "campaign" against Waldheim began to mean a "campaign" against Austria. The strategy most often used by Polish defenders of Waldheim was denying responsibility and appealing to the "obeying orders" rhetoric. The technique of referring to higher reasons was also used. Accusations of the World Jewish Congress appeared in this rhetoric as "monstrous wickedness".

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The second group of “explanations” (accounts) were “excuses”, i.e. a kind of argument in which the accused party agreed with the negative qualification of the assessed act, but at the same time shirked responsibility for this act. Among the most commonly used “excuses” can be mentioned: the transfer of guilt, primarily to the Nazis, Germans and the structure of a totalitarian state. Another was the “accusation of someone else”, including the Allied and then occupying forces. “Personalization” as a rejection of collective responsibility. When we say that a concrete person is responsible, we give his or her name that could be the excuse for the whole community. Only few persons were responsible not we. Only selected individuals were guilty, not the entire nation, and collective responsibility was unacceptable. “Annulment of accusations” when the attackers present the accusations in an exaggerated and unacceptable way, the goal of these actions is immediate political gain (Wodak, 1991:70).

In the case of the scandal involving Friedrich Peter, a “role reversal” mechanism was used, i.e. condemning the condemners. Excerpts from Wiesenthal's discredit were cited, whose allegations against Peter were interpreted so that the prosecutor himself was suspected. Other macro-exclusion strategies were also used - accusations trivialized as to whether the “thick line” policy was used. In Polish public space, quotations were readily used to describe Austrian accounts. The use of certain statements consisted of invoking someone else's statement in extenso and made it possible to distance the responsibility of those who used the quote.

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ORIGINAL PAPER

The Political Evolution of Tulcea County (1944-1947)

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Abstract

The events that took place after August 23, 1944 made the political life in Tulcea County not to differ in a broad way from that of the rest of the country, but to nevertheless have some specific accents. The present study is based on the research undertaken at the County Directorate of Tulcea National, but also at the Central Historical National Archives. By using data provided by the archival documents, given the small number of scientific studies dedicated to the area for describing the mentioned period, as well as of general papers and, based on the research methods such as qualitative and quantitative analysis of the mentioned documentary sources, the study tries to capture the specific accents of the political life in Tulcea County between August 23, 1944-1947. At the same time, the study tries to describe the evolution and organizational activity of the Communist Party in Tulcea county during 1944-1947.

Keywords: *The Romanian Communist Party; the Social Democratic Party; the Ploughmen Front; the Single Labour Front; the Block of Democratic Parties; national minorities.*

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Introduction

The political evolution of Tulcea County cannot be detached, between August 23, 1944-1947, by the national context.

In this respect, the official historiography of the communist period reveals to us that on August 23, 1944, on the radio, starting with 10:00 pm, King Mihai began his proclamation: "In the most difficult hour of our history, I considered, in full agreement with my people that there is only one way to save the country from total catastrophe" (Vianu, Constantin, Zorin, & Bădescu, 1976: 162-163). In fact, the withdrawal from the alliance with the Axis Powers and the end of the war with the United Nations were announced. The event happened after the insurrection plan was applied and Marshal Antonescu and his government members were arrested, and the army and the guards created by the communists occupied the most important strategic points in the Capital (Vianu, Constantin, Zorin, & Bădescu, 1976: 162). On this occasion, the King also announced the end of the dictatorship and gave assurances that the new government would "signify the beginning of a new era, in which the rights and freedoms of all citizens will be guaranteed and respected" (Vianu, Constantin, Zorin, & Bădescu, 1976: 163). By Royal Decree No. 1626 of August 31, 1944, which repealed in force, even if only partially, the Constitution of March 1923, finds its legitimacy and multi-party system (Rădulescu & Bitoleanu, 1998: 452). However, in the months that followed, things were severely disturbed by the provisions of the Armistice Convention of September 12, 1944, provisions by which Romania became "an occupied country, subject to political subordination and economic robbery by the USSR" (Ciachir, 1996: 324-325). In essence, the Armistice Convention was "more than a capitulation, it was a legalization by the Great Allies of Romania's occupation and Sovietization¹" (Ciachir, 1996: 324-325).

The advancement of the Soviet army on our territory did nothing but create "premises for the liquidation of democracy" (Rădulescu & Bitoleanu, 1998: 452), and Stalin's efforts to join the Communist Party in the negotiations for the exit from the war and then in the "exercise of power" resulted in the "activation of communist organizations throughout the country" and "the establishment of cooperation links with the historical parties, in the direction of changing the foreign policy as well as the internal political framework" (Rădulescu & Bitoleanu, 1998: 456).

Thus, since the beginning of 1944, various alliances between political parties were formed, which were aimed at achieving certain political objectives.

¹The Sovietization of Romania was the consequence of "two political processes" carried out during the Second World War, processes that represented in fact the "decisive factors" of Romania's entry into the Soviet sphere of influence and then the occupation of the country by the Red Army.

In this respect, the two political processes, according to the authors of the book *Sovietization of Romania. Anglo-American Perceptions (1944-1947)*, are "illustrated" by Churchill's statements from October 1944, and Stalin, from April 1945, as follows: Churchill told Stalin, on a visit to Moscow: "Let's regulate our affairs in the Balkans. Your armies are in Romania and Hungary. We have interests, missions and agents there. (...) As for England and Russia, what would you say about ninety percent for you in Romania, and us to have ninety percent in Greece and each of us fifty in Yugoslavia?" (Chiper, Constantiniu, & Pop, 1993: 8-9).

"In April 1945, Stalin, in a discussion with the Yugoslav delegation, led by Tito, told his guests:" This war is not like that of the past. Everyone occupying a territory also imposes its own social system. Each imposes its own social system, as far as its army is advancing" (Chiper, Constantiniu, & Pop, 1993:8-9).

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In this regard, we can recall the coalition of the Democratic National Bloc, which was set up on June 20, 1944, from the National Liberal Party, the Peasant National Party, the Social Democratic Party, and on September 26, 1944, the Platform Project of the National Democratic Front would be published, which was joined by SDP and RCP, trade unions, the Ploughmen Front, the Hungarian People's Union and other organizations. Only a few days after the platform was published, the National Democratic Front was set up, which "launched a sustained struggle for the conquest of power" (Scurtu, 2005: 102-107).

In April 1944, the setting up of the Single Labour Front took place, following which in almost all the enterprises of the country the local committees of the Single Labour Front were set up (Țuțui & Aron, 1971: 65). In the files of the Central Committee of the RCP, Single Labour Front was characterized as "the engine of mobilization, organization and leadership of all the democratic and anti-Hitler forces for the national liberation of the people under the yoke of the German invaders and the country traitors" (Romanian Central National Historical Archives, fund Central Committee of the Romanian Communist Party, dossier no. 103/1944: 2). The plan of the Communist Party joining the "forces of the democratic parties" which led to the withdrawal of our country from the war, on August 23, 1944, was strongly criticized by Ana Pauker and Vasile Luca. The two claimed that it would have been much better "if the overthrow of the dictatorship had been left solely to the Soviet army," as it would have "made it possible for the working class to take over immediately the power without going through the co-operation phase with the bourgeois parties" (Ionescu, 1994: 103).

The activity of the political parties in Tulcea County and the taking over of the political power by the Romanian Communist Party.

The advancement of the Soviet army on the territory of Romania made the Romanian Communist Party, which had around 1000 members in the whole country, begin to activate. However, Victor Frunză said that "the communist party governed, but did not exist", even after August 23, "when not only its legal existence was proclaimed, but it also participated in the government" (Frunză, 1990: 201-202).

From the excerpts of some informative reports of the Tulcea County Committee of the Romanian Labour Party from 1945, the situation from the communist party in Tulcea County emerges, which had no members on August 23, 1944, but only supporters. Later, the number of members increased rapidly, reaching 800, of which 711 were Russian-Lipovans, 88, Romanians, and a single Turk, organizing cells in the county communes within a very short time. The cells were organized in the communes: Agighiol, Beștepe, Cataloi, Cășla, Domnița Maria, I.G. Duca, Sarinasulf, Pardina, Frecăței, Somova, Parcheș (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 2/1945: 1-2).

Against the background of the Soviet occupation, we can see how "gradually (...) but surely, the entire administration will reach the representatives of RCP" (Cojoc, 2001: 37). Thus, on December 3, 1945, according to a report drafted by the Lieutenant-Colonel of the Commandment of Tulcea Gendarmerie Legion, Bencu Gheorghe, the Communist Party of Tulcea organized a rally in order to install the head of the RCP organization, the lawyer Olteanu Dumitru, as prefect. As a result, since December 3, 1944, in the Prefecture, the representatives of the communist guard were installed, in large number, "armed with machine guns", and in the Prefecture 12 machine guns which were installed in different rooms were brought. Following that on December 4, 1944, the

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former prefect Mihai Ionescu was replaced, while Olteanu Dumitru remained the prefect of Tulcea County.

It is worth noting, according to the report mentioned, that the whole blow was organized by the Soviet Command, which, on December 3, 1944 had “a large number of sentries around the Command, on three lines and with reserves” (County Directorate of Tulcea National Archives, fund The Gendarmerie Legion of Tulcea County, dossier no. 25/1945: 85).

In this period, “a lot of RCP embedded organizations played their roles that were distributed, such as the Ploughmen Front and the National People’s Party” (Rădulescu & Bitoleanu, 1998: 458). The Ploughmen Front began its activity in Tulcea County on October 15, 1944 (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Ploughmen Front, dossier no. 2/1944: 5), followed by the establishment of a “section” at Slava Cercheză on November 22, 1944 (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Ploughmen Front, dossier no. 3/1944: 1), and in Telița on November 29, 1944 (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Ploughmen Front, dossier no. 1/1944: 2). After Petru Groza the rightful founder of this party became head of the government, the activity of the Ploughmen Front began to gain more consistency (Rădulescu & Bitoleanu, 1998: 458), having as duties: *intensification of propaganda actions in the rural area, formation of new instructors and creation of Cooperatives* (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Ploughmen Front, dossier no. 2/1944: 5-6). Thus, the number of members registered in the Ploughmen Front had reached about 15004 in Tulcea County, of which 3933 were from Tulcea, 3758 from Topolog, 3131 from Babadag, and 821 from Sulina (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Ploughmen Front, dossier no. 2/1944: 9). “Its power of influence and pressure resulted from the fact that it held most of the offices of mayors appointed in the rural communes as interlocutors of the Communist Party” (Rădulescu & Bitoleanu, 1998: 459).

The Ploughmen Front was the most popular organization, the committee of which consisted of peasant farmers, but as soon as RCP had seized all power, the Ploughmen's Front was maintained for a period of time as political decoration until its dissolution in 1953. Thus, even though the Communists took over the government since March 1945, RCP still needed to strengthen their power in order to face future elections (Rădulescu & Bitoleanu, 1998: 458). In this respect, the records of the time reveal to us that in 1945, the Communist Party of Tulcea was organized into 5 sectors. Sector 1 consisted of a cell, which had 44 members. The second sector consisted of a neighbourhood cell, which had 33 members and 6 cells of enterprises, of which 4 cells of the “port-transport”, which had 106 members, the police cell had 11 members, and the enterprise cell of wood production had 7 members. The third sector had two neighbourhood cells, with 58 members and two other cells of enterprises, with 62 members. The fourth sector had two neighbourhood cells, with 70 members and two enterprise cells, with 27 members. The fifth sector, on the other hand, consisted of only one cell, which had 27 members. Therefore, in the city of Tulcea the communist party had 445 members, of which 335 were Slavic, 92 were Romanians, 14 Jews, 1 Greek, 2 Turks and one Macedonian (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 2/1945: 4).

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Although, the members of the communist party in Tulcea County were intensely active in the county, managing to attract many members in a very short time, their activity was severely criticized by the representatives of the Communist Party in Bucharest, because although Tulcea County had 60 activists, the work was very weak, everything remaining at the level “of discussions”. The proof of the very poor work also resulted from the small number of communist members from the villages. Therefore, in the rural area, in order to attract the peasants on their side, they started the campaign for carrying out the agrarian reform. In this regard, we find out that on February 14, 1945, an Assembly of the Democratic National Front was held, where street demonstrations took place and people shouted: “Down the government, we want an Democratic National Front government!” (County Directorate of Tulcea National Archives, fund The Gendarmerie Legion of Tulcea County, dossier no. 23/1945: 27). This happened after the manifesto launched on the initiative of the Central Committee of the RCP was published on February 10, 1945, by the Ploughmen Front - by which the peasant masses were called “to occupy immediately the land of the lords, without waiting for the law of agrarian reform which the reactionary majority in the government” did not want to draft (Hartia & Dulea, 1960: 41-42). From a report of the Ploughmen Front, from August 1945, we find that: the land reform in Tulcea County “had a more special application”, as 1083 hectares in Tulcea, 550 hectares in Babadag, 1433 hectares in Topolog, and 684 hectares in Măcin were confiscated. The confiscated land was divided to 1667 inhabitants, as follows: in Tulcea, 515 inhabitants, in Babadag, 263, 542, in Topolog, and 347 in Măcin (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Ploughmen Front, dossier no. 2/1944: 5-6). Even after the beginning of the implementation of the agrarian reform and the campaigns carried out by the communists in the rural area of Tulcea County, on December 15, 1945, the numerical situation of division of the rural population into political parties, according to a report of the Legion of Gendarmes Tulcea, was far below the expectation of communists, because, at that time, RCP amounted to a total of 24% of the rural population. The Ploughmen Front, 19%, the Social Democratic Party, 7%, the Peasant Party, 15%, the Liberal Party, 14%, and 21% of the population was “non-oriented” (County Directorate of Tulcea National Archives, fund The Gendarmerie Legion of Tulcea County, dossier no. 23/1945: 603). This was one of the reasons why Nicolae Ceausescu was sent to Constanța, in the second part of February 1946. Nicolae Ceausescu’s mission was to consolidate the communist party in Tulcea and Constanța counties, but also to calm the population from the area, because of the citizens of Russian ethnicity, from Tulcea County, who, despite the fact that they were pro-communists, demanded the joining of Dobrogea to the USSR, a fact that brought concern to the Dobrogea population. At the meeting of the Dobrogea Party Regional Office, from March 14, 1946, Ceausescu drew the attention of the communists from Tulcea, by criticizing all the political activities carried out by the communists in Tulcea County. According to him, in order to remedy the disastrous situation in the county, all the attention had to be directed towards “the treacherous elements of Tulcea”, but especially towards Mantu (he was a member of the Party of Titel Petrescu), who could also penetrate and influence the working masses to the detriment of the communist party (Coman, 2013: 657). Although, in April 1944 the establishment of the Single Labour Front took place between SDP and RCP, and after August 23, 1944, along with other satellite parties the National Democratic Front was formed, they did not ensure a good understanding between the parties. Thus, in Tulcea the relations between SDP and RCP were tensed, because the communists saw the SDP as a “minor” political party. In

this respect, the evidence is represented by the party's files, which reveal that, during the meetings of the SLF, social democrats reproached the communists for wanting to be treated "equally" (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 2/1945: 3), considering that on November 21, 1944 the SDP had succeeded to considerably increase the number of members and the activity of the party (by creating the group of socialist teachers). Of the 650 teachers of Tulcea County, a number of 540 supported the setting up of village sections, creating party sections in 68 communes. Even in these conditions, the Communists never missed the opportunity to insult the Social Democrats, by calling them "fascists" (County Directorate of Tulcea National Archives, fund Tulcea County Organization of the Social Democratic Party, dossier no. 1/1945: 84). Things did not improve much even in 1946 when the SDP reached 3500 members recruited from among the small rural and city bourgeoisie. However, the Social Democratic Party, in Tulcea County was fragmented into two, respectively the "right wing", which was hostile to RCP (had most members) and, "the left wing", which was close to RCP. The "right wing" of the party, in which the teachers, led by Mantu were active was guided by the indications and conceptions of Titel Petrescu, SDP President. Meanwhile, the "left wing", a minority in the county and made of workers, militated for the establishment of the Single Labour Party (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 16/1946: 69). Noticing this conflicting situation between SDP and RCP within the SLF, Nicolae Ceaușescu together with members of the Dobrogea Party Regional Office, stated that a "serious work of clarification" of the social democratic members from Tulcea must start, who "due to the weaknesses" of the communists, the SDP representatives (the adherents of Titel Petrescu's party, who promoted the individual participation in the elections) did not respond to the RCP proposal to participate on the common lists in the elections. In order to solve this situation, the members of the Dobrogea Party Regional Office tried by various means to attract on the communist side the members of the Social Democratic Party from Tulcea County, in order to create the Single Labour Front in Tulcea (Coman, 2013: 657). As a result of this fact, on July 15, 1946, both the SDM members (Petcu I. and Ionescu I.) and the RCP members (Rambu Ioan and Onescu Pavel) met during a Single Labour Front meeting, which had on the agenda "the consolidation of the Single Labour Front" and the "activization" within the Block of Democratic Parties. The members of the Social Democratic Party said that the Single Labour Front could not be consolidated until the members of the Communist Party comply with the decisions and promises made within the Single Labour Front, which were until then "only on paper". For this reason, the SDP County Committee threatened, during the meeting, that it will stop discussing (within the Single Labour Front) until the situation of the town hall in Sulina would be resolved. After long conflicting discussions, the decision to appoint a SDP member (Ursu) as mayor in Sulina was made, precisely in order not to "destroy the unity of the working class". Seeing that the RCP members showed openness to their proposals, the SDP members informed them that, at the Teachers' Congress on July 21, 1946, to be held in Bucharest, the SDP representatives would be Agachi and Zaharia. They had to support the affiliation to the General Labour Confederation (professional mass organization), as a result of the vote given by the Teaching Union Committee from Tulcea, to the motion that, in fact, allowed the transformation of the Teachers' Association into the Trade Unions. A Union that will join the General Labour Confederation. Following this meeting, on October 21, 1946, Vasile Vâlcu, P. Onescu

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and Avram Filicencu (from the RCP), Ion Petcu, Florin Calafeteanu, Anton Muratiu (from the SDP) met, and unanimously adopted the decision to replace the deputy mayor of Tulcea, Gh. Buga (SDP), with Anton Muratiu, also a social democrat, because he insulted the SDP (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 14/1946: 21-25).

In the county, the Single Labour Front was beginning to expand. Thus, on March 31, 1946, the members of the Committee of the Social Democratic Party and of the RCP of Sulina decided on the establishment of the Local Single Labour Front composed of the following: RCP delegate: Dei Andrei, Cazacliu Petre, Covaliov Alempi; SDP Delegate: Boerenco Ivan, Eremia Gheorghe, Ene Stan. On June 1, 1946, RCP and SDP members from Babadag City met at the RCP headquarters, with the participation of Marinică Ion from Tulcea County Organization of SDP, and Filat Simion from the RCP. They decided to establish the Single Labour Front in Babadag, and the composition of the SLF Committee was as follows: SDP: Tanase Dumitru, Iordan Obreşcu, Ion Mihail; RCP: Mihăilescu Mihai, Vasile Anghel, Pricop Gubrei (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 14/1946: 15-26). By gradually eliminating the opposition, RCP “has paved the way towards the single ruling party”, following the merger, in fact the forced absorption, with SDP, led since 1946 by the pro-communist party (Rădulescu & Bitoleanu, 1998: 458). While, on June 12, 1946, in the communist party of Tulcea County, 7000 members were registered, with 36 party cells in Tulcea City (of which: “20 neighbourhood ones, 9 of enterprise and 7 of institutions”) and 94 cells in the county (Coman, 2013: 666), at the end of September of the same year, the number of members increased to 8936, being organized into 41 cells in cities and 138 cells in villages (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 16/1946: 81).

From a RCP information note on the activity of Political Parties and mass organizations in Tulcea County it appears that the decisions of the Moscow conference determined the creation of the National Peasant Party - Anton Alexandrescu in the county. The “organizer of the party” from Tulcea was lawyer Nistor Dumitru. Nistor Dumitru was formerly a Manist and used to be the mayor of Tulcea (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 16/1946: 69-72).

The creation of the Peasant National Party - Anton Alexandrescu was seen by the communists as “something good”, especially if within the party “members from the peasant masses” were to be registered. At the same time, the creation of the peasant party, in the communists’ view, “had a special significance for the county”, “as well as for the Romanian democracy”, which aimed at “strengthening the Democratic National Front”. Despite the huge expectations, the activity of organization of the peasant party in the county was very weak (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 16/1946: 71). Another party existing in Tulcea County, during the period studied, was the National Democratic Party. The party was established by the General in reserve Popescu Corbea, “a collaborator of the Antonescu’s supporters” during the war, and he also held the position of prefect in Transnistria. The co-opting of the members in the party took place from among the former fighters of the two world wars. In Tulcea County, the party was created by the reserve commander, from the navy, Jijea Adam. With only a few members in Isaccea, the party’s political activity was non-existent. At national level, the

Minister of Home Affairs from that time, Teohari Georgescu, asked the Council of Ministers to terminate this party, because the President of the party, General Popescu “was a notorious fascist”.

During the period studied for the National Liberal Party-Tătărescu the most important local achievement of this Party, in the communists’ view, was the installation of Gioga Mihail as prefect of the county. He was distributed in accordance with the decisions of the government, which granted this party a number of 11 prefectures in the country, and Tulcea was one of them. Until the Prefect was installed, we could not talk about a National Liberal Party organization in the county, but once it was installed, a significant number of members were co-opted, especially from among the Macedonian population. When taking over the office, the Prefect said “he understands to cooperate with the Democratic Parties and that he will pay special attention to workers and their interests” (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 16/1946: 70-71). The proof of this fact can be found in a Report of the one year anniversary of the government of Dr. Petru Groza, in Tulcea, Report drafted by the Head of the Press Section, Schwartz Zissu. From it, we find out that a spectacular street event took place, attended by the parties and Political Organizations that made up, at that time, the Democratic Concentration Government Dr. Petru Groza, followed by an endless column of unionized workers. At the event, from the National-Liberal Party (Gh. Tătărescu), M. Gioga took the floor, as prefect of the county. During this, M. Gioga, said that “the Romanian people have confidence in the great work of democracy consolidation along with the Great United Nations, with the Soviet Union, lovers of peace and freedom, at the forefront” (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 14/1946: 7). Cahu Mihai spoke on behalf of the National People’s Party, who declared that “March 6, 1945 is a day of the victory of the people against the reaction led by Maniu and Brătianu”. On behalf of the RCP and on behalf of the RCP Central Committee Nicolae Ceausescu spoke, who said that march 6, 1945 meant for the RCP, “a day of victory of the Romanian people against the reaction that, one more time sought to stop the historical march of the people released on August 23, 1944 by the glorious Red Liberating Army”. At the same time, Nicolae Ceaușescu, also pointed out that March 6, 1946 was “the day in which his wish to participate with all his love and determination to strengthen democracy and to create a lasting peace among the people comes true” (County Directorate of Tulcea National Archives, fund Tulcea County Committee of the Romanian Labour Party, dossier no. 14/1946: 7). The event was also attended by the representative of the army, Lieutenant Stroe, lawyer Nistor Dumitru (from National Peasant Party - Anton Alexandrescu), Vintilă Voinea (from the Ploughmen Front).

In Tulcea County, there were also the National Liberal Party-Brătianu and the National Peasants’ Party - Maniu. In addition, the minorities sought to support the new authorities, “a conduct from which they expected the defense of their specific interests”, precisely in order to adapt to changing realities (Rădulescu & Bitoleanu, 1998: 459). Consequently, at the county level, there were the following committees: *the Russian National Liberation Committee* (Dobrogea wanted to join the USSR), *the Russian-Ukrainian Democratic Committee*, *the Greek Democratic Committee*, *the Armenian Democratic Committee*, *the Tulcea Sub-branch* (Rădulescu & Bitoleanu, 1998: 459). On November 19, 1946, when the parliamentary elections were held, the turnout was of 91% per region, and the votes cast for the Block of Democratic Parties totalled 87% in

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Tulcea County out of the total number of voters who had the right to vote. As a result of the election results, according to a report drafted by the Gendarmes Legion of Tulcea, the idea of falsification of the elections occurred, as many voters in Tulcea County who had the right to vote, were omitted from the electoral lists, being thus unable to express their vote. At the polling stations in Tulcea County, the delegates and the assistants of the opposition assistants were also removed from polling station offices. Due to these facts, the population of the county expressed great dissatisfaction with the way in which these elections were conducted, considering, in this respect, that they were neither free nor objective, because by removing the delegates and assistants from the office election, the result could be modified very easily (County Directorate of Tulcea National Archives, fund The Gendarmerie Legion of Tulcea County dossier no. 60/1946: 189; Gheramidoglu, 2014: 128-130).

The period August 1945-1946 “showed that the country could be ruled without a king, and the decisions of the Moscow Conference emphasized that the sovereign could not exercise one of his important prerogatives, namely the removal of the government which he had appointed on March 6, 1945” (Scurtu, 2011: 95). 1947 marked the “definitive stay” of the regime imposed on March 6, 1945 and ended with “the change of the state form” (Giurescu, Ștefănescu, & Țiu, 2010: 22). As a result, one will see “how the country with the fewest communists became the country with the most numerous communist party” (Boia, 2016: 9).

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ORIGINAL PAPER

The Influence and Role of the United States of America in Ensuring the Military Security of Central and Eastern Europe

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Abstract

The aim of the article is to present a military threat in the region of Central and Eastern Europe and measures to prevent the war. The author outlines alternatives showing that the security of this area largely depends on the presence of the American forces. Destabilisation of Ukraine and annexation of Crimea by Russia is not only a threat to Kiev but to the whole Central and Eastern Europe. For Central and Eastern Europe, the possible merger of Russia and Belarus is dangerous. Donald Trump's administration is involved in security issues in Central and Eastern Europe. NATO summit in Poland in 2016 was to take the appropriate steps in response to Russia's aggressive policy. It was agreed that the North Atlantic Alliance states would allocate more money in defence. This idea, pushed by the Moscow, does not have full support in Minsk. Since the United States is a key country in NATO, many countries over the last few decades have sought to be „protected” by it. The decision of the permanent presence of the American troops on Polish territory is only one of the elements of ensuring security, not only of this country, but of the whole region. Other measures should continue to be implemented to increase it. The following methods will be used in the text: document analysis (books, journalism, internet), historical and comparative method.

Keywords: *military security; USA; Russia; army.*

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Imperial policy of the Russian Federation as threat to the stability of Central and Eastern Europe

Since the beginning of the 21st century, the actions of the Kremlin and Vladimir Putin have been coordinated and thought-out actions, aimed at causing confusion and division of the European continent. The example could be the European Union, which cannot present a unified position on energy policy. Moscow plays with the states, pursuing a policy that will be consistent, inter alia, with their national interests, often without considering other entities. In this case, the Nord Stream gas pipeline, which connects the Federal Republic of Germany and the Russian Federation, makes European solidarity a contractual and theoretical issue, on which there are no sound grounds, taking into consideration rather individual projects.

Why should one be afraid of Russia? The answer is very complex. First of all, the Kremlin's actions are aimed at reactivating the Soviet Union, an example of which is the attempt to connect the Russian Federation with Belarus. If this happens, then Central and Eastern Europe may border with two places with the capital in Moscow.

The second reason is the powerful espionage network, which may consist of outgoing Russians who search a better perspective of their existence.

Lucas states, that "The Russian diaspora's presence in the West reflects one of the great triumphs (...). [F]or Russia's spymasters, targets and means of espionage overlap in this diaspora." (Lucas, 2013: 102-103). In most cases Moscow controls its citizens giving them a false sense of freedom and the scope of said freedom depends closely to their willingness to cooperate. This way Moscow was able to create a great number of individuals who became spies without actually knowing it. Nowadays, people from Russia are free to travel abroad, study, live or even get marry there and this gives a great opportunity to collect information almost about each aspect of life. Being a part of another society, these people are able to steal and transfer gathered information to Moscow, who can use them against its opponents. There is no way to escape or to object because being a Russian obligate to serve the country and if there is no will to cooperate Moscow is able to bully or even blackmail its citizens (Lucas, 2013: 102-103). It clearly points to far-reaching goals that result in the holistic destabilization of the Western world. The introduction of chaos is conducive to Moscow, because it can implement all its previously set tasks. Thus, geopolitics and geostrategy are changing.

The third reason refers to Russia's actions towards the Ukrainian state, which are oriented not only to 2014. A comprehensive action plan could have appeared already at the beginning of the 21st century. In this place the presidential election in 2004 and the event called the Orange Revolution should be recalled. How to understand it? Chodakiewicz is of the opinion, that "It was an endeavour to put the nation on par with the Baltics in terms of democratic development. It dealt a serious, if not yet lethal, blow to post-Communism." (Chodakiewicz, 2013: 301). In the name of the Orange Revolution many opposites have arisen at different levels. The aura of the whole event was compared with the emotions accompanying the period of struggle for independence in the years 1988 - 1992, however, society began to show some bipolarity. It can be said that the revolution was taking place on several levels. Oligarchic and post-communist circles opposed each other. The country was divided east and west, nationalists stood against post-communists. Although not all the elders opposed the revolution, and not all the younger ones supported it, a clear division was established between the approach of young and old. The Orange Revolution has also become an opportunity to express citizens' dissatisfaction with bureaucracy.

The Influence and Role of the United States of America in Ensuring the Military...

The mentioned event of 2004 was a reaction to powerful violence, threats against candidates and large-scale election fraud. The supporters of the Orange camp were afraid that Viktor Yanukovich, the man of the communist nomenclature, would be the obvious choice and the next head of the Ukrainian state. Those who acted dynamically at lower levels were concerned about the assassination attempt that was carried out on Yushchenko. It is worth noting, that he was the main presidential candidate in September 2004. At that time, in the country there was a national mobilization of students and youth members. The most powerful optimism was present in western Ukraine and the most important event related to the Orange Revolution took place in the capital city. It was in Kiev that peacefully minded crowds gathered to protest against post-communist actions. When the information about Yanukovich's majority in the election appeared, it was demanded to recount the votes and to repeat the election. The protesters put forward a list of proposals of an economic, social and cultural nature. Among them, the most significant were the transparency of the public life and the fight against corruption. Taking a position against communism or anti-communism was the determinant of almost everyone. The election was repeated, and Yushchenko became the president in January 2005, thus the supporters of the Orange Revolution changes could declare Ukraine's victory (Chodakiewicz, 2013:301-302). Viktor Yanukovich appears in Russian policy in 2013 – 2014, when he rejects the possibility of rapprochement with the European Union. Protests in Kiev led to an even greater division of Ukraine, into pro-Western and pro-Russian parts. The consequence of the escalation of this division was the annexation of Crimea in 2014, which obviously affects not only the military security of Ukraine, but also the countries of Central and Eastern Europe.

In the context of aggression or ruthless attack and a panacea, which is an alliance of member states within the North Atlantic Alliance Marszałek states, that “the potential opponents may be both traditional states and other entities (...) which have sufficient capabilities and methods (...) There is (...) no doubt that, cooperation and coordination, appear to be fully justified and desirable” (Marszałek, 2013: 32, own translation).

The USA foreign policy during the presidency of Donald Trump

Foreign policy can be seen as the interaction of two matters - the external priorities, which must or at least should be the result of the internal social views. Such a combination, although difficult but possible, requires long and continuous consultative work, as a result of which a uniform position emerges. The form of a given policy depends, among others, on who is currently ruling the country. The example could be the administration of Barack Obama, who until 2014 (destabilization on the territory of Ukraine and the annexation of Crimea) largely focused on the Asian continent. Apart from the mentioned area, Donald Trump's office is oriented on what is happening in Europe, with particular emphasis on the Central and Eastern region. Another issue concerns the social moods within a given entity. If citizens think that foreign policy is going in the wrong direction, then the authorities change their priorities, thus wanting to show that they are listening to the social voice.

What are President Trump's priorities in foreign policy? Paterson notes, that “in many ways, President Trump's policies mimic those of Republican Presidents Reagan and Bush (...). His foreign policy preference is motivated by U.S. unilateralism (...)” (Paterson, 2018: 39-40). Unlike his predecessor, Trump focuses exclusively on the politics of his own country, showing less interest in international organizations such as

the United Nations or the International Criminal Court. He prefers individuality, without becoming dependent on various groups. In his own policy, however, he does not stay away from contacts with other leaders, such as Putin, Al-Sisi, Duterte or Erdogan.

The conduct of a specific foreign policy is the responsibility of each state and it must be in line with the priorities which result, for example, from the electoral program. Current world events revise some of the statements in the above quote and cause a redefinition of the approach of the President of the United States himself to even countries such as Russia. The new US president also means new allied expectations of entities included in Central and Eastern Europe.

The United States of America and the North Atlantic Pact as a guarantor of military security

The US responsibility for military security has not always been so obvious. It was caused by thinking that Europe drew conclusions from the devastating World War II, which was to result in the formation of European Communities unifying countries, mainly economically. However, no external threats were foreseen, which have been gaining momentum since the end of the 20th century.

Since the Marshall Plan came into force, the United States has positioned itself as a proponent of the process of European integration, which appeared to be the most practical and appropriate method of maintaining the stability on the European continent. The Americans believed that the level of political integration is asymmetrical to the dynamic development of the common market. The aim of the United States was to create a politically and militarily strong Europe as an ally that could become an area consolidating international order under their leadership. This continent was to support democracy, the rule of law, fight for respect for human rights and cooperation aimed at peace and global security. Only an integrated Europe could take the real responsibility, leading to political and military relief for the USA (Popowski, 2014:99).

The European countries set the economic aspect as their priority, since it was the most important in the context of integration. It was designed in the 1950s, leading to the formation of a common internal market, which covered coal, steel, and brought peaceful nuclear utility. The defensive issue along with defensive policy were not considered as the essence of the European project for a long time. In the first period of existence, the European Communities could not be treated by the US as a partner in an important field of security, because it was only after 1970 that the entities belonging to it started cooperating in the context of foreign policy under the project: European Political Cooperation. The opportunity to talk within the institution about political and economic issues in the field of security, excluding defence, does not begin until the 80's. A bold attempt from the early 1950s to form European troops within the European Defence Community (EWO) ended in failure due to the opposition of the French National Assembly in 1954 to the ratification of the treaty signed by France, Germany, Italy, Belgium, the Netherlands and Luxembourg. As a result, the problem of re-arming Germany, which was important for Americans, was unable to solve. It was significant considering the possibility of implementing the Korean variant in Europe, i.e. the surprising aggression of the Soviet Union, which would recall the outbreak of the Korean War in 1950. The establishment of the Western European Union (WEU) in 1955 – military alliance – helped to solve the problem of rearmament Germany by implementing a system of controlling upper limits of militarization and the number of armed forces. The first major dispute between the United States and European countries

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on the security has been completed. The Americans were of the opinion that the establishment of the German army was an indispensable element in relation to the policy of prevention, while European countries were uncertain about the opportunity for the creation of German military units, being aware that it was this country that caused the outbreak of World War I and World War II (Podraza, 2017:12).

The North Atlantic Pact, of which the USA is the main component, determines the security of the entire organization. Europe is the area that is particularly vulnerable, namely its central-eastern part.

In the context of improving security not only of the United States but also of Europe, George W. Bush, who was pushing for the construction of the missile shield in Poland and the Czech Republic, should be mentioned. Such action would secure not only these two countries, but also the entire Central and Eastern region.

Thinking of the deployment of components of the missile system, the USA seriously considered the European area. This would undoubtedly work in favour of the United States' defence assets against a possible ballistic missile attack from the Middle East, and would also increase Europe's defence capability, and thus the security of the North Atlantic Pact, by strengthening transatlantic solidarity, thereby uniting American and European interests in the field of said security. In addition, the transfer of knowledge and information in the field of new technologies, or the opportunity for the North Atlantic Pact to use the American detection system infrastructure as a part of the futuristic NATO defensive system is the obvious benefit. Placing elements of the anti-missile shield on the European continent would have deterred potential aggressors from developing the arsenal of ballistic missiles, or enforcing them from other countries. This would allow better implementation of the proliferation policy tasks set by the USA and Europe (Danielewska 2008:114). Danielewska notes, that "the proposal (...) concerned a battery of interceptors (...) in the underground launchers and a tracking radar (...). The placement of the first of these elements was planned in Poland, the second - in the Czech Republic" (Danielewska 2008:114, own translation).

Currently, there are no elements of the missile shield in Central and Eastern Europe – is it worth returning to this idea? Undoubtedly, any action improving and thus increasing the security of the state is desirable and appropriate, which is why the missile shield project should be restored. Each sovereign state should have the right to make decisions in accordance with its own national interest. In addition to this, a consensus needs to be developed in the context of the defence of various entities, while maintaining a balance related to the national interest of each country.

Comfort and the sense of security in Central and Eastern Europe significantly weakened after the activities of the Russian Federation. In this regard, it is necessary to mention not only the military aspect, but also an extensive hacker activity that significantly weakens the IT system of the given country. However, sticking to the military thread, Popowski notes, that "under the influence of events in Ukraine, Europeans and Americans have realized that transatlantic structures (...) are at greater risk than previously assumed" (Popowski 2014:103, own translation). Aggression against Ukraine has shown how much threatened are the values that have, until now, been recognized as widespread in Europe. In his policy, Putin unintentionally led to close cooperation between NATO and the European Union (Popowski 2014:103).

Banasik claims, that "the crisis in Ukraine has prompted the Alliance not only to raise readiness for collective defence, but also to verify NATO's defence mechanisms (...). In the context of the operations in Crimea (...) one can ask whether the Alliance is

prepared for such activities” (Banasik 2015:56, own translation). Due to the new form of operations that are far from open military operations, it should be noted that they are more difficult to recognize and qualify as potentially threatening. Such activities took place during operations in Crimea and, having gained the name of a new war, made recognition of the actual aggressor difficult (Banasik, 2015:56). The question related to the readiness and response to the actions of a potential aggressor is very justified, especially in the context of a possible consolidation of the North Atlantic Pact. The fact that currently no country must deal with this problem is extremely positive, but one should always be prepared for a dramatic scenario that obviously does not have to happen.

Taking into consideration the fact, that the North Atlantic Pact is seen as an enemy, nowadays it is extremely difficult to reach an agreement in the fight against terrorism. John McCain, the Senator of the Republican Party as well as the candidate for president in 2008, expressed his opinion on the aggressive attitude of the Russian Federation, claiming that this country, using force against its neighbours and energy blackmail, is like a fuel institution that creates the appearance of a state (Leszczyński, 2016: 97).

What are the capabilities of the organization mentioned above? Leszczyński notes, that “(...) Alexander Vershbow reminded that NATO is also a nuclear power capable of responding adequately to Russia, if its leaders decided to use weapons of mass destruction” (Leszczyński 2016:99, own translation). Analysis of actions, in this case, of Putin and an attempt to identify his intentions in order to prepare actions adequate to the situation turns out to be crucial (Leszczyński, 2016:99). A strong and decisive response from this representative of the North Atlantic Alliance is dictated by the unbelievably aggressive intensity of the Russian Federation action. Although, the dialogue is very important, the attacker must be aware that in the name of global order protection there is a group of countries or international organizations that are determined to fight for peace.

The development of the North Atlantic Pact is designated by meetings of its countries leaders. These meetings do not have a predetermined schedule. Recently, they have taken place about every twenty-four months, although in the long history of the Alliance there have been longer periods of downtime (e.g. the Cold War period). There were also opposite situations, when the frequency of these events was more intensified (four meetings took place in 1989–1991). The reason for this was the willingness of the North Atlantic Pact to undertake proper adaptation measures, setting out new NATO tasks in the new post-Cold War reality beyond collective defence. During the NATO summit in Warsaw, five sessions were held at the level of heads of state and heads of government. The first meeting was to discuss the main defence strategies of the Alliance and to refine the details of the presence of troops on the eastern flank. The next session concerned cooperation between NATO and Russia, as well as potential threats from the East. The third raised the issue of cooperation with Afghanistan and funding for Afghan security forces. The fourth meeting focused on southern activities and migration issues. The last session was devoted to the support of Ukraine (Pietrzak & Soloch, 2016: 13-14). Especially, the last session is crucial, not only for Ukraine, but also for the whole Central and Eastern Europe, and the deterrence and defence are a clear signal to Russia that this area is prepared. It should be also remembered that both the United States and the entire North Atlantic Pact must be vigilant not only in the military aspect, because the potential threat may at first look like a provocative act.

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At present, the United States is putting a certain dam on the imperial aspirations of today's Russia, because any aggression on the territory where American soldiers are located can be used, or even treated as a way to unleash a military conflict. Thus, Moscow will not take aggressive measures, fearing of the clash with Washington. The presence of American troops in Poland will greatly weaken aggressive actions towards this country, excluding it from Russia's military range (Kamiński & Kuczyński 2019:9). Kamiński and Kuczyński are of the opinion, that “this project constitutes a response to the situation in the west, as Russian President Vladimir Putin was the first one to make a move when expanding his country's military capabilities in the vicinity of NATO's borders” (Kamiński & Kuczyński 2019: 9-10). According to the authors, the creation of an American base in Poland should be considered in the category of defence activities. The last few years have shown that abstaining from this kind of action leaves Moscow free in its movements, encouraging more and more intrusive steps. Russia's expansion seems to be a matter of time, and US troops in Poland will not have any influence on this. However, additional armed forces will undoubtedly strengthen NATO's defence potential on the eastern flank (Kamiński & Kuczyński, 2019: 9-10).

Poland belongs to the eastern flank, which the Americans decided to strengthen in 2014 by implementing the Atlantic Resolve operation (“Wojska USA w Polsce,” 2019). It means the presence of both the US Army and the North Atlantic Pact in the indicated area in order to conduct the exercises, and the possibility of unrestricted movement and taking specific actions. In this operation, it is also important that the US does not forget about its obligations in the context of security – sending clear impulses to authenticate the military strength of the US and NATO (Sheffer, 2018: 2). In other words, it is important to support European allies in relation to the Russian invasion of Ukraine. Units designated for this operation arrive for nine-month shifts, and armies exchange in a smooth manner (“Wojska USA w Polsce,” 2019). As it can be seen, “construction of the base in Redzikowo, which will be one of the European points of the American missile defence system, is underway” (“Wojska USA w Polsce,” 2019, own translation). Thus, Poland as an important location contributes to increasing the security of both Warsaw, but also the countries of the region, as it was mentioned earlier.

Conclusion

The concern of every authority should and must be the sovereignty of the state. Anxiety and difficult times force to take specific actions of the broader nature of prevention. Military exercises and the constant presence of the US Army in Poland contribute to an increased sense of security in this case especially in the area of Central and Eastern Europe. In order for the protection to be fully comprehensive, there is a need for multi-pronged measures, which cannot be temporary, because, in this case, the destabilization actions of Russia, directly or indirectly affecting the security of the said region, lasts for about ten years. Vigilance and modernization of armies, in this case concerning the European continent, must constantly be in progress. One cannot disregard signals or symptoms, otherwise what was a priority and challenge for the ancestors of the countries of the aforementioned area, for modern generations may already become a history. The negligence in the context of the military actions of a potential aggressor, which in the area of Central and Eastern Europe is the Russian Federation, is the worst thing that can happen. Inaction demobilizes and causes that thinking about security is only in the sphere of illusion, which is why continuous

improvement, caution and careful observation of the actions of the opponent or opponents is so important.

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ORIGINAL PAPER

Analyzing non-performing assets in agricultural loans: A case study of India

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Abstract

The main aim of this research paper is to examine non-performing assets in agricultural loans in India. The agricultural sector is a major pillar of the Indian economy, it represents the primary source of livelihood for about 58% of its population. Agricultural loans are very important in order to achieve technological development in agriculture and implicitly to reduce costs and use sustainable strategies. The data sample was collected from 80 lenders (bank managers) and 1167 borrowers of agriculture credit of Dakshina Kannada district in India. The empirical results are relevant and contribute to a better understanding of the impact of non-performing assets in agricultural loans on a sustainable economic growth in India.

Keywords: *Agricultural Loans; Non-Performing Assets; Regional Rural Bank (RRBs); Economic Growth.*

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Introduction

Non-performing assets in agricultural loans is very important, especially in the global economic context. The agricultural sector is essential in India because it represents the primary source of livelihood for about 58% of its population. In other words, the characteristics of this country are very representative in the context of the research topic. Global systemic challenges related to unsustainable economic growth, demographic dynamics, urbanization, disease and pandemics, accelerating climate change and environmental degradation, technological innovation progress, sharp decline of biodiversity, all make it even more difficult to achieve long-term sustainable development. A very important strategy should focus on the absolute decoupling of economic growth from environmental degradation. Lokesha, Hawaldar and Ishwara (2017) suggested that the success of Green Revolution in Indian agriculture is also influenced by the credit support to agricultural sector for purchase of inputs like fertilizers, seeds and required equipments in right time although the productivity and efficiency of this sector depends on the timely availability of funds at reasonable cost. Official statistics provided by India Brand Equity Foundation (2019) revealed that Gross Value Added by agriculture, forestry and fishing is estimated at Rs 18.53 trillion (US\$ 271.00 billion) in FY18.

Literature review

Zhou, Chen and Li (2018) highlighted that agricultural SMEs usually experience difficulties obtaining loans from banks when they do not have credit records and their business sizes are small, but when sales are realized, firms receive profit after procurement cost is deducted. Sarma and Pais (2011) argued that lenders impose high interest rates to farmers, blocking them from accessible financing, which contributes to financial exclusion in the agricultural financial market. According to Spulbar and Birau (2019) it is a very important prerequisite for a country, particular an emerging country such as India, to have a viable banking system in order to achieve sustainable economic growth. Moreover, Antle and Diagana (2003) suggested that sustainable agricultural development remains an elusive goal, particularly in many of the poorest regions of the world because difficult access to capital for farmers can be an obstacle to the implementation of sustainable agricultural technologies and practices. Trivedi et al. (2019) investigated the performance of the banking system in India and argued that is a highly diversified sector that includes various public and private banks, both co-operative and non-cooperative. Lokesha and Hawaldar (2019) suggested that the effectiveness of agricultural credit system depends on the utilization of credit funds by the borrowers considering the fact that in India, banks (commercial, cooperative and regional rural banks) are required to find innovative ways of reaching out to farmers, especially small and medium ones in order to improve the performance of agriculture for inclusive growth and poverty reduction.

Kim (2005) provided some useful empirical results for the future credit risk modeling efforts for agricultural loan portfolios, such as : net cash income is a significant leading indicator to default, and the credit risk model should be segmented by commodity and geographical location. Krishnamurthy (2008) conducted a research study on farm credit in India and revealed that there was severe family pressure for the small and medium farmers and in case of large farmers it was reported that low price of the crops had come in their way of repayment, while the low marketable surplus was quoted by small farmers who availed term loans. However, Kundid Novokmet and Marinović

(2016) suggested that solvency issues cannot be resolved on the basis of extra liquidity, whereas liquidity issues can be solved only partially in the case of the solvent banks.

Ahmed Ud-din (2010) examined the priority sector lending by the commercial banks in India and found that there is a 97 per cent variation in the bank financing of agriculture in the study area, which was explained by independent variables like mounting over dues, interest rate, credit-deposit ratio, branch expansion and volume of business, but also found that the value of mounting over dues, credit deposit ratio and branch expansion are positive and statistically significant with the priority sector lending. Rajeev and Mahesh (2010) found that the problem of non performing assets (NPA) has received considerable attention after the liberalisation of the financial sector in India And concluded that the decline in NPA is mainly due to the awareness on the problem of bad loans at the bank level and it remains true that NPA in the priority sector is still higher than that of the non-priority sector. Kaur and Silony (2011) suggested that the recovery procedure of the banks should be strengthened by organizing recovery camps with the support of the local government and concluded that the creation of awareness among beneficiaries about the importance of prompt repayment, fixing recovery targets, regular visits to the borrowers, sending notices to them, taking strict actions in case of default and setting up a separate cell for recovery of priority sector loans were instrumental to reduce NPAs in this sector.

Jain et. al (2012) stated that the stricter regulations on NPA reduced bad loans in the Indian banks which are conscious about default accounts and proper measures are taken when an account has the potential to become NPA considering that the gross NPA percentage on gross advances as well as total assets has declined from 14.3 per cent and 6.3 per cent in 2004 to 5.2 per cent and 2.5 per cent in 2011 respectively. Kumar (2013) empirically demonstrated that cooperative banks discriminate against lower caste borrowers and stated that the majority of the respondents (91.5%) have a repayment obligation of less than Rs.10,000, while it was found that 63.3% made the repayment out of the income of the other members in the family, 12.2% find their own income generated (using the micro-credit) and the income of others in the family as source for repayment and 9.4% made repayment out of their own other income since credit is provided mainly through cooperative and commercial banks.

Research methodology and data analysis

The empirical databases are collected from primary and secondary sources. The empirical framework includes 80 bank managers and 1167 borrowers of agriculture credit of Dakshina Kannada district in India. The subjects were selected for the purpose of conducting the research study. This is the primary data collected for empirical analysis. The bank managers are selected from 50 public sector, 11 private sector, 5 Regional Rural Bank (RRBs) and 14 cooperative banks operating in Dakshina Kannada district in India. A pilot test was run using the lead bank manager (D.K) and five bank managers from three public sector banks, one private sector, one cooperative and one regional rural bank in India in order to verify the validity and applicability of the questionnaires.

The research methodology also includes testing the validity reliability of the questionnaires so Cronbach's alpha was applied in this regard. The results were 0.76 for borrower's questionnaire and 0.834 for lender's questionnaire. The Multi Stage Disproportionate Sampling method has been applied for the purpose of collecting information from both the borrowers and the lenders.

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The statistical sample of selected respondents was selected based on the percentage of total borrowers of agricultural credit. Moreover, the statistical sample of selected banks is based on the agricultural credit granted by them. A total of 1,282 questionnaires were distributed personally and all questionnaires were collected. However, there have been certain situations in which few questions were not answered by the respondents. In these cases such unfilled questionnaires were not considered for empirical evidence. Statistically, the response rate was 91%.

Empirical results

Non Performing Assets (NPA) in agriculture credit represent one of the biggest problems in banks in case of all types of credit and it is more in agriculture credit. In this direction, banks have taken enough measures to minimize NPA. In this context, the researcher has formulated hypothesis that, there is significant difference among the different types of banks in management of non performing assets in agriculture credit.

Hypothesis 1 :

H₁-There is a significant difference among different types of banks in the management of non performing assets in the agriculture credit.

Table no. 1 Information on difficulties in recovery of agriculture credit

Difficulties	Type of banks					Test	p value
	Public	Private	Coop	RRB	Total		
Yes	30	7	3	8	48	Fishers exact test	0.991 NS
	60.0%	63.6%	60.0%	57.1%	60.0%		
No	20	4	2	6	32		
	40.0%	36.4%	40.0%	42.9%	40.0%		
Total	50	11	5	14	80		
	100%	100%	100%	100%	100%		

Source: Primary data; *not significant

The effectiveness of agriculture credit depends on the recovery of credit granted by the banks and it is found that 60 per cent of the banks faced difficulties in recovery of agriculture credit. 63.6 per cent of private sector banks, 60 per cent of cooperative and public sector banks and 57.1 per cent of RRBs faced difficulties in recovery of agriculture credit. There is no significant difference among the different types of banks in facing difficulties in agriculture credit system as Fishers exact test $p=0.991>0.05$.

Table no. 2 Kind of difficulties in recovery of agriculture credit

Difficulties	Type of banks					Test	P Value
	Public	Private	Coop	RRB	Total		
Interference of political	2	0	1	0	3	Fishers exact test	0.274 NS
	6.7%	.0%	33.3%	.0%	6.3%		
Debt waiver policy of	25	7	1	8	41		
	83.3%	100.0%	33.3%	100%	85.4%		
Improper refinance	2	0	1	0	3		
	6.7%	.0%	33.3%	.0%	6.3%		
Trade union influence	1	0	0	0	1		
	3.3%				2.1%		
Total	50	11	5	14	80		
	100%	100%	100%	100%	100%		

Source: Primary data

It is found that 85.4 per cent of the banks stated that the debt waiver policy of government, 6.3 per cent of the banks stated that the interference of political leaders and improper refinance facilities and 2.1 per cent of the banks stated that the trade union influence is the difficulty in recovery of agriculture credit. 100 per cent of private sector bank and RRBs, 83.3 per cent of public sector banks and 33.3 per cent of cooperative banks stated that the debt waiver policy of government is the difficulty in recovery of agriculture credit. 33.3 per cent of cooperative banks and 6.7 per cent of public sector banks stated that the interference of political leaders and improper refinance facilities are the difficulties in recovery of agriculture credit. There is no significant difference among the different types of banks in facing difficulties in agriculture credit system as Fishers exact test $p=0.274>0.05$.

Table no. 3 Actions taken in case of default in repayment of agriculture credit installments

Actions	Type of banks					Test	p value
	Public	Private	Coop	RRB	Total		
Notice	29	10	3	13	55	Fishers exact test	0.011 S
	58.0%	90.9%	60.0%	92.9%	68.8%		
Legal action	1	1	0	0	2		
	2.0%	9.1%	.0%	.0%	2.5%		
Banking norms	20	0	2	1	23		
	40.0%	.0%	40.0%	7.1%	28.8%		
Total	50	11	5	14	80		
	100%	100%	100%	100%	100%		

Source: Primary data; S =significant

Right actions taken by the banks minimize the default in repayment of agriculture credit installments and it is found that 68.8 per cent of the banks served notice, 28.8 per cent of the banks have taken actions as per banking norms and 2.5 per cent of the banks have taken legal action in case of default in repayment of agriculture credit installments. 92.9 per cent of RRBs, 90.9 per cent of private sector banks, 60 per cent of cooperative banks and 58 per cent of public sector banks served notice in case of default in repayment of agriculture credit installments. 40 per cent of public sector and cooperative banks have taken actions as per banking norms in case of default in repayment of agriculture credit installments. There is significant difference in actions taken among the different types of banks in case of default in repayment of agriculture credit installments as Fishers exact test $p=0.011<0.05$.

Table no. 4 Information on NPA in agriculture credit

NPA	Type of banks					Test	p value
	Public	Private	Coop	RRB	Total		
Yes	31	7	3	9	50	Fishers exact test	0.998 NS
	62.0%	63.6%	60.0%	64.3%	62.5%		
No	19	4	2	5	30		
	38.0%	36.4%	40.0%	35.7%	37.5%		
Total	50	11	5	14	80		
	100%	100%	100%	100%	100%		

Source: Primary data

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It is observed that 62.5 per cent of the banks had NPA in agriculture credit. 64.3 per cent of RRBs (Regional Rural Bank), 63.6 per cent of private sector banks, 62 per cent of public sector banks and 60 per cent of cooperative banks had NPA in agriculture credit. There is no significant difference among the different types of banks for NPA in agriculture credit as Fishers exact test $p=0.998>0.05$.

Table no. 5 Causes of NPA in agriculture credit

Causes	Type of banks					Test	p value
	Public	Private	Coop	RRB	Total		
Ignorance of beneficiary	1	0	0	1	2	Fishers exact test	0.134 NS
	3.2%	.0%	.0%	11.1%	4.0%		
Misutilisation of funds	4	0	1	4	9		
	12.9%	.0%	33.3%	44.4%	18.0%		
Lack of knowledge on scientific farming	0	1	0	0	1		
	.0%	14.3%	.0%	.0%	2.0%		
willful default by the borrowers	8	5	1	1	15		
	25.8%	71.4%	33.3%	11.1%	30.0%		
Lack of marketing skills	1	0	0	0	1		
	3.2%	.0%	.0%	.0%	2.0%		
Low equity position	1	0	0	0	1		
	3.2%	.0%	.0%	.0%	2.0%		
Inefficiency of small farm	4	1	0	0	5		
	12.9%	14.3%	.0	.%	10.0%		
Government policies on waivers	12	0	1	3	16		
	38.7%	.0%	33.3%	33.3%	32.0%		
Total	50	11	5	14	80		
	100%	100%	100%	100%	100%		

Source: Primary data

An understanding about the causes of NPA in agriculture credit by the banks helps them in reduction of NPA in future agriculture credit and it is found that 32 per cent of the banks stated that government policies on waivers, 30 per cent of the banks stated that willful default by the borrowers, 18 per cent of the banks stated that misutilisation of funds, 10 per cent of the banks stated that inefficiency of small farm operators, 4 per cent of the banks stated that ignorance of beneficiary and 2 per cent of the banks stated that lack of knowledge about scientific farming, low marketing skills and low equity position of farmers were the causes for NPA in agriculture credit. 71.4 per cent of private sector banks, 33.3 per cent of cooperative banks, 25.8 per cent of public sector banks and 11.1 per cent of regional rural banks stated that the willful default by the borrowers was the cause for NPA in agriculture credit. 38.7 per cent of public sector banks stated that the government policy on waivers was the cause for NPA in agriculture credit. There is no significant difference among the different types of banks on the causes for NPA in agriculture credit as Fishers exact test $p=0.134>0.05$.

Table no. 6 Information on any special cell for supervision of credit

	Type of banks					Test	p value
	Public	Private	Coop	RRB	Total		
Yes	20	5	2	4	31	Fishers exact test	0.839 NS
	40.0%	45.5%	40.0%	28.6%	38.8%		
No	30	6	3	10	49		
	60.0%	54.5%	60.0%	71.4%	61.3%		
Total	50	11	5	14	80		
	100%	100%	100%	100%	100%		

Source: Primary data

Proper appraisal and regular follow up of credit can be done by having a special cell for supervision of credit in banks and it is found that 61.3 per cent of the banks did not have any special cell for supervision of credit. 71.4 per cent of RRBs, 60 per cent of cooperative and public sector banks and 54.5 per cent of private sector banks did not have any special cell for supervision of credit. There is no significant difference among the different types of banks in having special cell for supervision of credit as Fishers exact test $p=0.839 > 0.05$.

Table no. 7 Agreement scale on borrower’s repayment of installments on time

Type of bank	SD	D	N	A	SA	Mean	S.D	Kruskal-Wallis test	p value
Public	4	7	7	29	3	3.40	1.07	1.203	0.752 NS
	8.0%	14.0%	14.0%	58.0%	6.0%				
Private	0	1	2	8	0	3.64	.67		
	.0%	9.1%	18.2%	72.7%	.0%				
Coop	0	1	0	3	1	3.80	1.10		
	.0%	20.0%	.0%	60.0%	20.0%				
RRB	0	1	3	10	0	3.64	0.63		
	.0%	7.1%	21.4%	71.4%	.0%				
Total	4	10	12	50	4	3.50	0.95		
	5.0%	12.5%	15.0%	62.5%	5.0%				

Source: Primary data

*standard deviation values derived

Repayment of installments by the borrowers is crucial for the feasibility of agriculture credit system. The borrowers of public sector (3.40+₋1.07), private sector (3.64+₋0.67), cooperative banks (3.80+₋1.10) and regional rural banks (3.64+₋0.63) have repaid installments in time as shown by mean and standard deviation.

Further Kruskal-Wallis test shows that there is no significant difference among the different types of banks in their agreement on the statement that borrowers repay installments in time as Kruskal-Wallis test $p=0.752 > 0.05$.

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Table no. 8 Agreement scale on there is poor management of funds by borrowers

Type of bank	SD	D	N	A	SA	Mean	S.D	Kruskal-Wallis test	p value
Public	1	18	9	15	15	3.18	1.14	4.251	0.236 NS
	2.00%	36.00%	18.00%	30.00%	30.00%				
Private	0	4	4	3	3	2.91	0.83		
	0.00%	36.40%	36.40%	27.30%	27.30%				
Coop	0	3	0	1	1	3	1.41		
	0.00%	60.00%	0.00%	20.00%	20.00%				
RRB	1	8	3	1	1	2.5	1.02		
	7.10%	57.10%	21.40%	7.10%	7.10%				
Total	2	33	16	20	20	3.01	1.11		
	2.50%	41.30%	20.00%	25.00%	11.30%				

Source: Primary data

Optimum utilization of agriculture credit funds for the right purpose by the borrowers contributes to the success of agriculture credit system. The public sector banks stated that there is poor management of funds by borrowers as the mean and standard deviation is 3.18+_{1.14}. The private sector banks (2.91+_{0.83}) as mean and standard deviation values, cooperative banks (3.00+_{1.41}) and regional rural banks (2.5+_{1.02}) have disagreed that there is poor management of funds by borrowers as denoted by mean and standard deviation. There is no significant difference among the different types of banks in their agreement on the statement that there is poor management of funds by borrowers as Kruskal-Wallis test p=0.236>0.05.

Table no. 9 Agreement scale on there is more risk associated with agriculture credit compared to other forms of credit

Type of bank	SD	D	N	A	SA	Mean	S.D	Kruskal-Wallis test	p value
Public	3	18	14	14	1	2.84	0.98	0.36	0.948 NS
	6.00%	36.00%	28.00%	28.00%	2.00%				
Private	1	4	2	4	0	2.82	1.08		
	9.10%	36.40%	18.20%	36.40%	0.00%				
Cooperative	0	2	1	1	1	3.2	1.3		
	0.00%	40.00%	20.00%	20.00%	20.00%				
RRB	1	6	1	6	0	2.86	1.1		
	7.10%	42.90%	7.10%	42.90%	0.00%				
Total	5	30	18	25	2	2.86	1.02		
	6.30%	37.50%	22.50%	31.30%	50%				

Source: Primary data

The agriculture productivity in India depends more on environmental factors such as monsoon, climate, soil etc. Thus there is more risk attached to agriculture compared to other sectors. The public sector banks (2.84+_{0.98}), private sector banks

(2.82+₋1.08) and regional rural banks (2.86+₋1.10) have disagreed to the risk associated with agriculture credit is similar to other forms of credit as shown by mean and standard deviation. Further, Kruskal-Wallis test shows that there is no significant difference among the different types of banks in their agreement on the statement that there is more risk associated with agriculture credit compared to other forms of credit as Kruskal-Wallis test $p=0.948>0.05$.

Table no. 10 Agreement scale on the banks using tools to measure risk in agriculture credit

Type of bank	SD	D	N	A	SA	Mean	S.D	Kruskal - Wallis test	p value
Public	1	2	0	42	5	3.96	.67	1.345	0.718 NS
	2.0%	4.0%	.0%	84.0%	10.0%				
Private	0	0	1	8	2	4.09	.54		
	.0%	.0%	9.1%	72.7%	18.2%				
Coop	0	0	0	5	0	4.00	.00		
	.0%	.0%	.0%	100%	.0%				
RRB	0	1	0	13	0	3.86	.53		
	.0%	7.1%	.0%	92.9%	.0%				
Total	1	3	1	68	7	3.96	.60		
	1.3%	3.8%	1.3%	85.0%	8.8%				

Source: Primary data

All the types of banks used tools to measure risk in agriculture credit as the mean and standard deviation was 3.96+₋0.60. The public sector banks (3.96+₋0.67), private sector (4.09+₋0.54), cooperative banks (4.00+₋0.00) and regional rural banks (3.86+₋0.53) have used tools to measure risk in agriculture credit as shown by mean and standard deviation. Further, Kruskal-Wallis test shows that there is no significant difference among the different types of banks in their agreement on the statement that the bank used tools to measure risk in agriculture credit as Kruskal-Wallis test $p=0.718>0.05$. This is because all types of banks used tools to measure risk in agriculture credit.

Table no. 11 Agreement scale on bank vary terms and conditions from one borrower to another for a given scheme

Type of bank	SD	D	N	A	SA	Mean	S.D	Kruskal - Wallis test	p value
Public	17	22	2	9	0	2.06	1.06	2.031	0.566 NS
	34.0%	44.0%	4.0%	18.0%	.0%				
Private	1	9	0	1	0	2.09	0.70		
	9.1%	81.8%	.0%	9.1%	.0%				
Coop	0	4	0	1	0	2.40	0.89		
	.0%	80.0%	.0%	20.0%	.0%				
RRB	2	9	0	3	0	2.29	0.99		
	14.3%	64.3%	.0%	21.4%	.0%				
Total	20	44	2	14	0	2.13	0.99		
	25.0%	55.0%	2.5%	17.5%	.0%				

Source: Primary data

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It is found that the public sector banks (2.06+_{-1.06}), private sector (2.09+_{-0.70}), cooperative banks (2.40+_{-0.89}) and regional rural banks (2.29+_{-0.99}) did not vary terms and conditions from one borrower to another for a given scheme as shown by mean and standard deviation. There is no significant difference among the different types of banks in their agreement on the statement that the bank varies terms and conditions from one borrower to another for a given scheme as Kruskal-Wallis test $p=0.566>0.05$.

Table no. 12 Suggestions to reduce NPA

Suggestions	Type of banks					Test	p value
	Public	Private	Cooperative	RRB	Total		
Provision of security for loan	7	0	0	1	8	Fishers exact test	0.593 NS
	14.0%	.0%	.0%	7.1%	10.0%		
No political interference	6	0	0	1	7		
	12.0%	.0%	.0%	7.1%	8.8%		
Heavy penalty	0	1	0	0	1		
	.0%	9.1%	.0%	.0%	1.3%		
Proper Govt. policies	26	7	5	9	47		
	52.0%	63.6%	100.0%	64.3%	58.8%		
Regular follow up	11	3	0	3	17		
	22.0%	27.3%	.0%	21.4%	21.3%		
Total	50	11	5	14	80		
	100%	100%	100%	100%	100%		

Source: Primary data

It is observed that 58.8 per cent of the banks suggested appropriate government policies, 21.3 per cent of the banks suggested regular follow up and 10 per cent of the banks suggested provision of security for loan to reduce the NPA in agriculture credit. 100 per cent of cooperative banks, 64.3 per cent of RRBs, 63.6 per cent of private sector banks and 52 per cent of public sector banks suggested proper government policies to reduce the NPA in agriculture credit. 27.3 per cent of private sector banks, 22 per cent of public sector banks and 21.4 per cent of regional rural banks suggested regular follow up to reduce the NPA in agriculture credit. There is no significant difference among the different types of banks on the suggestions to reduce NPA in agriculture credit as Fishers exact test $p=0.593>0.05$.

The results of the analysis disproves the hypothesis as there is no significant difference among the different types of banks in management of non-performing assets in agriculture credit because in majority of NPA cases in agriculture credit was mainly due to willful default of the borrowers. The reason for default in majority of the times was announcement of debt waivers by the political leaders. The hope for announcement of debt waivers in agriculture credit makes borrowers delay the payment and subsequently it results in NPA.

Conclusions

The focus of this paper is to analyse the management of non-performing assets in agriculture credit by different types of banks in the study area. The analysis was

carried out on the process involved in pre and post sanction of agriculture credit and non performing assets management in different types of banks. Majority of the banks provided awareness to the rural population regarding the schemes and tried to reach out to the small and marginal farmers, however there were still few obstacles in getting the agriculture credit from banks. It is revealed from the analysis that there are no differences in pre and post sanction process of agriculture credit and non performing assets management in different types of banks. The non performing assets in banks were due to wrong debt waiver policies of the political parties and willful default of borrowers. In a globalized economy, non-performing assets in agricultural loans can significantly influence India's sustainable development. The Indian agriculture plays an essential role in order to stimulate economic growth and technological progress.

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ORIGINAL PAPER

The status of Highly Skilled Migrants in the European Union. Case Study: Opportunities for “Law” Graduates in the European Union Labor Market

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Abstract

Migration of the highly qualified workforce is a subject that has aroused interest in researching the migration phenomenon of recent years. The migration of highly skilled persons is viewed from a double perspective by the researchers: the gain for the host countries (brain gain) and the losses for the countries of departure (brain drain). The article will start from a definition of the “brain drain” phenomenon and will analyze the losses and gains resulting from this migration trend, presenting statistically the evolution of highly qualified migration on the states of the European Union. The last part of the presentation is based on the migration analysis of law graduates and will present the results of an opinion survey based on a questionnaire, conducted in the summer of 2018 in Romania, applied among students and graduates of law specialization, aiming to highlight their views on the perspectives offered by migration.

Keywords: *brain drain; brain gain; migration; European Union; “law” specialization graduates; opinion survey.*

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On the migration of highly qualified persons

United Nations Educational, Scientific and Cultural Organization defined the migration of highly qualified persons or the “brain drain” (locution used for the first time in the 50’s and 60’s and gaining wide usage in the late 1960s) (Cervantes, Guellec, 2002; Gibson, McKenzie, 2011; Commander, Kangasniemi, Winters, 2004) as , “an abnormal form of scientific exchange between countries, characterized by a one-way flow in favour of the most highly developed countries” (UNESCO, 1969; Kaempf, Singh, 1987 apud. Goga, Ilie, 2017).

The large scale that the brain drain phenomenon took, by increasing the number of highly qualified migrants from developing countries to developed countries, was based on “the growth-of-information and knowledge-intensive activities”, but also on the active policies of the developed states to attract skilled and “talented” personnel, in other words, policies to attract the high IQ (Commander, Kangasniemi, Winters, 2004: 236).

So, in a period of high mobility, persons “who opt to emigrate combine economic rationalism with existential questions about quality of life at destination” and “better career prospects” (Bartolini, Gropas, Triandafyllidou, 2016: 653).

Traditionally, USA was the “IQ magnet” for highly skilled immigrants, with talent, expertise and ambition, a “*sine qua non* for maintaining a competitive advantage in the knowledge-based global economy”, and that is why US had “relatively lax immigration policies to attract”, “knowledge migrants” (Shachar, 2006:103-104). But, nowadays, globally, we find other states that have resorted to emigration policies favorable to attracting highly qualified personnel, such as Canada, Australia, United Kingdom, Germany, France and other EU countries etc. (Shachar, 2006: 104-105) and, as Ayelet Shachar noticed, today “there is a growing international competition for skilled immigrants” and “leading countries do learn from, and emulate, each other”, the main tool being the “targeted skilled migration programs” (Shachar, 2006: 106).

The impact of highly qualified migration “on sending countries arises from a combination of direct and feedback effects that are difficult to quantify” (Docquier, Lowell, Marfouk, 2009: 297). So, poor countries lose the highly skilled workforce and acquire a large deficit in key sectors such as the medical sector, information technology, education, industry etc.

In the receiving states of highly qualified workforce we encounter the phenomenon of “brain gain”, which helps the development of different economic sectors, without major investments in education and qualification (Ilie Goga, Ilie, 2017: 91).

On the other hand, we find in literature and the idea of “knowledge spillovers”, so in a study carried out by Thanh Le, it is highlighted the idea that “international labour migration “effectively transmits knowledge across countries”, and “can act as a significant channel for research and development (R&D) spillovers” (Le, 2008: 618-620).

In the decision to emigrate of the high-skilled migrants, there are many reasons included, such as the “difference in GDP per capita between destination and source country” (Puglisi, Serban, 2019; Pricinã, 2018), the unemployment rate in the country of departure (Borjas, 1999, Roy, 1951, Lumpe, 2017: 10), emigration policies in the country of destination, migration costs such as “geographical distance, existence of relatives abroad, household assets, and credit availability” (Krieger, Renner, Ruhose,

2018: 35-36) but there are also non-economic factors such as cultural barriers to migration (Ilie, 2013; Sorescu, 2014), security (Ilie, 2014; Georgescu, 2014; Ilie Goga, 2019), and also, very important the “public beliefs, like high-skilled migrants are more attracted by countries with stronger American Dream” (example: “that own hard work can guarantee a better life in terms of higher income” and higher social status) (Lumpe, 2017).

Most of the researches made in the field of brain drain, emphasize the economic motivation of emigrants, because, as E.G. Ravenstein said, “the primary causes of migration are economic” (Grogger, Hanson 2015; Trebilcock, Sudak 2006: 241). So, the simplest explanation is that the highest qualified people tend to emigrate to the states with higher earnings, so they can get the greatest wages.

This could be an explanation for the fact that “United States and Canada receive a much larger share of high-skilled migrants compared to European countries, where the earnings distributions are more compressed” (Kerr, Kerr, Özden, Parsons, 2016 :9).

For the neoclassical paradigm, the factor “profi” is decisive, “these movements are seen as natural equilibrium-restoring mechanisms between low-wage and high-wage countries”, although, in general, departure states for highly qualified personnel are “mid-income peripheral countries”, not the poorest ones (Portes, 2009: 9). Furthermore, according to Michael J. Trebilcock and Matthew Sudak, “neoclassical economic theory suggests that the optimal migration policy would be not to have one at all” and “borders should be open, because constraint on the international labor market, like, closed or only semi-open borders, will generate distortions” in economy (Trebilcock, Sudak, 2006: 236).

New Economics of Migration theory, emphasizes that, in the decision of emigration, highly qualified persons refer either to the average level of living in the country of departure, or to the complete lack of jobs in the area of their education, in the region of departure (Portes, 2009: 13-14).

According to world-system analysis, an essential factor in the decision of emigration of highly-skilled persons, is technological development and also the globalization of professional standards and thus, when the local market does not allow the exercise of acquired skills, the highly qualified persons will choose to move to another region (Portes, 2009: 13-14).

In the analysis of migration, we often find in the literature, opposite points of view, regarding the effects and as Alejandro Portes notes, from a positive perspective, the migration is presented as “the safety valve to poverty and unemployment” while, also, being seen as a “river of remittances sent by expatriates”, but from the negative perspective is presented “not only as a symptom of underdevelopment, but a cause of it, as it depopulates entire regions, turns sending families from producers into renters, and allows governments to escape their responsibilities by relying on migrant remittances” (Portes, 2009: 5-6).

The cost-benefit balance between the countries of departure and the countries of destination in the case of brain migration shows us that the report is very much in favor of the benefits of the receiving countries of highly qualified migrants.

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Table no. 1 Cost-benefit ratio for countries of origin and countries of destination

Countries of departure	Countries of destination
Benefits	Benefits
<ul style="list-style-type: none"> - the accumulated expertise the migrants can use in the event of a potential return to work in the country of departure - remittances (although some studies show that remittances will fall as the migrant skill level rises) (Faini, 2007; Adams, 2009) - Creation of business networks (“1. networks of scientists and R&D personnel, 2. business networks of knowledge-intensive start-ups and 3. networks of professionals working for multinationals”) (Page, Plaza, 2006: 276). Creation of organizations/ groups based on “transnationalism” (“intense traffic of communication, information, and resources across places of origin and destination) (Portes, 2009: 9) - General advantages of labor migration (like: raising living standards in families left behind or cultural development and new political views) (Parsons, Winters 2015) - providing a positive signal that motivates others in the sending country to acquire more education (Commander, Kangasniemi, Winters, 2004: 236) 	<ul style="list-style-type: none"> - selection of the best specialists - developing the key sectors of the economy, research, medical sector and education - minimum investment in education and training - advanced research development - Creation of business networks - All the benefits of immigration (increasing birth rates, increasing public sector contributions, developing the economy, cheaper labor etc.)
Disadvantages	Disadvantages
<ul style="list-style-type: none"> - Large deficit in economy key sectors - Fields of activity seriously damaged by the massive migration, such as healthcare, education or research, both in terms of efficiency and of personnel (Ilie Goga, Ilie, 2017). - Loss of major investments in education and training - Loss of the best specialists, business leaders and role models (Kerr, Kerr, Özden, Parsons, 2016 :20) - A deficit of labor force in key sectors; - A diminishing number of tax payers in short and long-term; - Low-level research and expertise - All the disadvantages of labor migration (like: population decline; faster population ageing; strong pressure upon the national retirement system; low level of remittances due to less frequent contact with the family members left behind etc.) 	<ul style="list-style-type: none"> - Investments in the migration policies - Investments in the targeted skilled migration programs (Shachar, 2006: 106)

Source: Author’s own compilation

Brain drain in the European Union

According to the UN, in 2015 there were 244 million international migrants. OECD (Organisation for Economic Co-operation and Development) countries, host almost 50% of the world's migrants, with a higher rate of highly educated migration (tertiary education) than net migration. OECD data shows higher rates (more than 50%) of highly skilled migration from the poorest and least developed countries (Salmi, Salmi, 2017).

In 2011, “the number of the emigrants with higher education, originating in the OECD states was 31 million, with 13 million more than in 2001” (OECD, 2015: 26 apud Ilie Goga, Ilie, 2017).

We can also see in the last years a high rise of highly qualified female migration and we can talk about a “significant feminization” of brain drain from almost all origin countries in the world. “From 1990 to 2010, the migration of high-skilled females to OECD countries rose by 157%, compared to 106% for males” (Kerr, Kerr, Özden, Parsons, 2016: 9). In 2010, the total number of highly qualified women migrants was higher than the number of the highly qualified men. Of all highly qualified immigrants, the percentage of women was higher in all OECD destination, “with the exception of Spain, although three other Southern European countries exhibited the largest overall proportions Greece (60%), Portugal (60%) and Italy (65%)” (Kerr, Kerr, Özden, Parsons, 2016: 9).

The free movement on the European labor market is one of the greatest achievements of European construction. But, without a doubt, “advantages of free movement are accompanied by significant drawbacks, which can be seen as unintended spillover effects”, like the brain drain, “through the emigration of skilled labour from poorer to richer countries” (Golovics, 2019: 63). Even after entering the European Union, the wage incomes of the newly entered states have failed to reach those of the old Member States so that, favored by the free movement on the European labor market, many people, including the highly qualified ones (in proportion of 15.6 %), decided to migrate to Western European states, and that is why, “the emigration of highly skilled persons, and now also that of lower-skilled persons, arises as an severe problem in many European states” (Golovics, 2019: 64).

In European Union, “experience of ‘poly-crisis’ in recent years (unemployment, debt, refugees crisis etc.) has exacerbated the need of member states of being perceived as being in control of migration flows” (the most expressive experience being the Brexit campaign) (Hasselbalch, 2019: 1334). So, we can see, in relation to the migration of the highly qualified workforce in the EU, “is the emergence and re-constitution of a policy area” (Hasselbalch, 2019: 1334).

In 2017, we can find around “17 million EU28 migrants”, a 32% percentage of them being in the 15-34 age category. Most of the EU28 movers had as destination countries Great Britain and Germany. In 2017, the highest number of highly qualified migrants was from “Poland (576,300), Germany (472,700), and Romania (467,500)” (European Committee of the Regions, 2018: 12). According to European Commission. Directorate-General for Employment, Social Affairs and Inclusion Directorate E-Skills, top countries of origin were Romania, Poland, Italy and Portugal (EC-DG EMPL, 2018). In 2017, a percent of 25% of “EU28 migrants with age between 15 and 64, had tertiary level education”, and they had chosen with priority “urban settings and northern areas of

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the EU (Ireland, Sweden, Denmark, Estonia, as well as several regions in the UK)” (European Committee of the Regions, 2018: 1).

Details on intra-EU migration flows can be found in the results of the ESPON project, “The Geography of New Employment Dynamics in Europe”. The project analyzed sending and receiving regions in the EU, concluding that, in 2014, there were “84 sending NUTS2 and 336 receiving NUTS2 in the EU28”. Sending regions “appear to be located in most of Portugal and Greece, in Spain, the north-eastern parts of France, the northern parts of Finland and Ireland, the Baltic States and in several parts of Eastern Europe, as well as in Cyprus” (European Committee of the Regions, 2018: 8). The ESPON project had some important conclusions (ESPO, 2017): 1. Achieving a region's average GDP was noticed that “sending regions had an average GDP per capita of 64% of the EU28 average and receiving regions had an average GDP per capita of 108% of the EU28 average”; 2. The directions of migration are: “south-north, east-west and rural-urban”; 3. From the peripheral regions there is the tendency of emigration; 4. “The knowledge economy is an important driver of intra-EU mobility and in particular of the mobility of young people and of highly skilled migrants” (European Committee of the Regions, 2018: 9).

From the 2011 Census database we can observe the main sectors that employ highly skilled EU28 movers at regional levels: “wholesale and retail trade, transportation and storage, accommodation and food service activities” sectors (31%), “public administration, defense, education, human health and social work activities” (18%) and “professional, scientific, technical administrative and support service activities (17%)” (European Committee of the Regions, 2018: 10).

Analyzing regional distribution of highly qualified EU28 migrants, we can see that the preferred regions are placed in “the northern parts of the EU (Ireland, Sweden, Denmark, Estonia and several regions in the UK) and urban settings”, and “the less attractive regions for movers with tertiary education are located in Italy”. “Employment rates of highly educated EU28 movers are very high across the entire EU”, with some exceptions, so “the lowest rate is found in Campania, Italy (52.7%), and the highest rate, equivalent to the full employment of highly educated movers (i.e. 100%), is found in two Czech regions (Severozápad and Stredni Morava), in Corsica (France), and in Lincolnshire (UK)” (European Committee of the Regions, 2018: 10).

Positive net impacts of national diversity on innovation are observed in several European countries (Kerr, Kerr, Özden, Parsons, 2016 :20 apud. Nathan, 2015; Niță, Ilie Goga, 2017; Porumbescu, 2018).

Atoyan et. al. (2016), made a study on UE, based on the large statistical data, and found that “countries with lower initial levels of per capita income experienced larger net outward migration during the past 25 years”. Also “western European countries with higher per capita incomes attracted more migrants than their less wealthy neighbours”, and we can see both skilled and unskilled migrants (European Commission. Directorate-General for Employment, Social Affairs and Inclusion Directorate E – Skills, 2018: 80).

From the presentation made above, we can see that intra-community migration, including the migration of highly qualified people is very broad. The diploma recognition system between the departure states and the destination countries has an extremely important role.

As previously mentioned, the free movement of workers is a fundamental right for the European Union citizens, a right that facilitated intra-EU labour mobility (Motoi,

2019; Olimid, 2017). But, along with the right to free movement and the implementation of the Bologna Process that facilitated the recognition of qualifications in the 48 European countries (European Commission, 2018), a large percent of highly educated persons migrated in specific European regions, bringing disadvantages to other regions (Niță, Ilie Goga, 2014).

In European Union it is “no automatic EU-wide recognition of academic diplomas”. This is why the applicants need to go “through a national procedure to get their academic degree or diploma recognised in another EU country, if they seek admission to a further course of study there. If someone already know that she/he will eventually want to pursue further studies in a different country, she/he will have to check in advance whether their diploma will be recognised in that country” (Your Europe. EU, 2018a). Every government of EU countries is “still responsible for its education systems and that is why is free to apply its own rules, including whether to or not to recognise academic qualifications obtained elsewhere” (Your Europe. EU, 2019a). Mostly, “a person can obtain a “statement of comparability” of his/her university degree, stating how it compares to the diplomas delivered in the EU country he/she is going to move to. Therefore, every person should contact the ENIC/NARIC centre in the country where he/she would like their diplomas assessed for comparability” (Your Europe. EU, 2019a).

Other European regulations “govern the recognition of professional qualifications in other EU countries (degrees that give access to a profession, such as law or nursing)” (Your Europe. EU, 2019a; Grignoli, Șerban, 2018). The system of recognition of professional qualifications in the EU is regulated by Directive 2005/36/EC, amended by Directive 2013/55/EC. “The directive provides an EU system of recognition of professional experience and promotes automatic recognition of professional experience across the member states. In the practical activity, the recognition of professional qualifications found in the Directive 2005/36/EC allows the free movement of professionals such as doctors or architects. Other professions, such as lawyers or sailors, fall under the scope of different legislation. In January 2016, the Commission introduced a new, EU-wide digital procedure for the recognition of professional qualifications – the European Professional Card (EPC)*. The procedure, is currently available for physiotherapists, general care nurses, pharmacists, real estate agents and mountain guides, and it is easier for Europeans to work where their professional skills are needed” (European Commission. IMIES, 2019a).

In European Union, the general rule, is that “a profession is regulated if a person have to hold a specific degree to access the profession, sit special exams such as state exams and/or register with a professional body before you can practice it. If the profession is regulated in the EU country where a person want to practice, he/she may need to apply to get his/her professional qualification recognized there” (Your Europe. EU, 2019b). Regulated professions differ from one country to another in the EU and that is why, every person interested, should check “the regulated professions database” (European Commission. The EU single market regulated professions database, 2020) to find out if the profession is regulated in the EU country he/she is moving to. If the occupation someone wants to exercise does not appear, it may mean that it's not regulated in the country he/she is migrating to and the person needs to ask “the national

* The European Professional Card is “an electronic certificate proving either that the professional has met all the necessary conditions to provide services in a host Member State on a temporary and occasional basis or the recognition of professional qualifications for establishment in a host Member State” (Directive 2013/55/EU, art. 3, k).

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contact points for professional qualifications in the country where he/she wants to work” (Your Europe. EU, 2019b).

According to European Commission statistics, the most mobile professions are in the medical field. Thus, making a “top 20” of these professions according to the number of decisions taken on recognition of professional qualifications for the purpose of permanent establishment within the EU Member States, EEA countries and Switzerland, we can find from 1997 to 2019, the following results:

1. Doctor of Medicine (144204)	11. Pharmacist (12519)
2. Nurse (134083)	12. Lawyer/Barrister/Solicitor (12363)
3. Secondary school teacher (106798)	13. Social worker (8918)
4. Physiotherapist (36754)	14. Kindergarten teacher/ Nursery school teacher/Preparatory school teacher (8814)
5. Dental Practitioner (27463)	15. Fork lift truck operator (8138)
6. Electrician / Senior electrician /Specialised electrician (23012)	16. Psychologist (7841)
7. Nursing Assistants and Health Care Assistants (21359)	17. Midwife (7541)
8. Primary school teacher (17005)	18. Occupational therapist (5509)
9. Architect (14423)	19. Radiographer / Radiotherapist (5493)
10. Veterinary Surgeon (13961)	20. Engineer (4947)

Source: European Commission (2019) *Statistics. Professionals moving abroad*

Case study: opportunities for graduates of “law” specialization in the European Union labor market

Law graduates have a problem in exercising a legal profession in other countries, as legislation is different from one country to another, but the system of recognition of diplomas and professional qualifications is the same as for any other specialization.

As mentioned above, the lawyer's profession has a different EU regulation, namely Directive 77/249/EEC to facilitate the exercise by lawyers of freedom to provide services and Directive 98/5/EC to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained.

The “lawyers already established in one EU country may establish themselves in any other EU country and carry out the same activities on a permanent basis”. To do so, they have to keep their home-country professional title.

To “establish themselves in another EU country, lawyers must register with the authorities of the host country and provide proof (a certificate) of their registration in their home country. After 3 years of regular practice in the host country, lawyers may apply to acquire the professional title of the host country” (European Commission. IMIES, 2019b).

Returning to the mobility of the legal professions, in the statistical data of the European Commission we have found the following decisions taken on recognition of professional qualifications for the purpose of permanent establishment within the EU Member States, EEA countries and Switzerland, for the period 1997- 2019:

- 12363 decisions for Lawyer/Barrister/Solicitor,
- 279 decisions for Arbitrator,
- 186 decisions for Corporate Lawyer,

- 15 decisions for Public Notary,
- 11 decisions for Insolvency practitioner,
- 5 decisions for Debt-collector,
- 4 decisions for Legal advisors,
- 2 decisions for Judicial technical expert
- 52 decisions for Mediator, as a profession correlated with the legal field

(European Commission, 2019).

Analyzing the results of a sociological research on the migration trend of “law” students and graduates

In the following section we will present some of the results of a sociological survey based on a questionnaire, conducted in 2018 in Romania, among law students and legal practitioners.

The research aimed at identifying the opinion of students and graduates of “law” specialization, regarding their potential emigration, their options and their claims. Quota sampling was used to conduct the sampling. The questionnaire was applied in Dolj County to 353 persons: 144 law students and 209 active persons in the judicial field.

Q. 1: “What are the main reasons that would determine you to emigrate from Romania?”

	Frequency	Percent
“I would not emigrate for any reason”	62	17.6%
“Precarious health system in Romania”	78	22.1%
“High level of corruption in Romania”	52	14.7%
“Low paid job”	46	13%
“Precarious education system in Romania”	40	11.3%
“Lack of a job”	37	10.5%
“Low number of jobs in my higher education field”	17	4.8%
“High products and services prices”	9	2.5%
“Personal causes (marriage, family emigration in that state etc.)”	5	1.4%
“Poor work conditions”	2	0.6%
“High crime level”	1	0.3%
“Another reason”	1	0.3%
I do not know/I do not answer	3	0.8%
Total	353	100%

The main causes for which Romanian legal practitioners and “law” students from Dolj County, Romania, would emigrate are: in a proportion of 22.1%, “the precarious health system in Romania”, in a proportion of 14.7% the “high level of corruption in Romania”, in a proportion of 13% are “poorly paid jobs”, in a proportion of 11.3%, “the precarious education system in Romania”, and in a proportion of 10.5% “the lack of jobs” (Birtu, Gavrila, Goga, Stanciu, Gruev, 2018: 40).

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Q2: “What are the main reasons due to which you choose to emigrate in a particular state?”

	Frequency	Percent
“Performant health system”	86	24.4%
“A high payroll level”	65	18.4%
“I would not emigrate for any reason”	61	17.3%
“Performant education system”	60	17.0%
“Better work conditions”	30	8.5%
“Better insurance, allowances, social benefits”	23	6.5%
“The country’s culture”	7	2%
“Family reasons (marriage, family emigration etc.)”	7	2%
“The country's infrastructure”	6	1.7%
“Beautiful landscapes”	1	0.3%
Something else	2	0.6%
I do not know/I do not answer	5	1.4%
Total	353	100%

The main reasons that would determine law students and legal practitioners to emigrate are: for 24.4% a “performant health system”, for 18.4% a “high payroll level”, for 17% a “performant education system” and for 8.5% “better workplace conditions” (Birtu, Gavrilă, Goga, Stanciu, Gruev, 2018: 43).

Q3. “If you choose to emigrate, the emigration type would be.....?”

	Frequency	Percent
“Either permanently or temporarily (depending on the conditions)”	150	42.5%
“Certainly temporarily”	147	41.6%
“Certainly permanently”	25	7.1%
I do not know/I do not answer	31	8.8%
Total	353	100%

When “asked about the type of a potential migration”, only 7.1% of the respondents said “they would emigrate permanently”, while 41.6% specified that “they would emigrate temporarily” and 42.5% said “they would emigrate either permanently or temporarily, depending on the conditions” (Birtu, Gavrilă, Goga, Stanciu, Gruev, 2018: 46).

Q4: “If you choose to emigrate, what are your expectations regarding the labour market sector in which to be employed?”

	Frequency	Percent
“I would accept to work only in the primary sector, even if the job is not in the field of my university degree specialization”	178	50.4%
“I would accept to work only in the primary sector and only in the field of my university degree specialization”	146	41.4%

“I would accept to work even in the secondary sector, but only for a limited period”	16	4.5%
I do not know/I do not answer	13	3.7%
Total	353	100%

When asked to specify their employability expectations on the labour market of the destination country, in the case of a potential migration, we notice that law students and graduates, have very high expectations, thus, 41.4% of the respondents said “they would accept to work only in the *primary sector*” (“stable jobs, generous benefits, good working conditions” etc.) and “only in the field of their university degree specialization”, a percent of “50.4% said that they would accept to work only in the *primary sector*, even if the workplace is not in the field of their university degree specialization” and only 4.5% of those interviewed, said they would accept to work in the *secondary sector* (“characterized by unqualified and unstable jobs, difficult working conditions, low salary level etc”) (Birtu, Gavrilă, Goga, Stanciu, Gruev, 2018: 51-52).

Q5: “What would be the minimum monthly income that you would expect to earn on the labour market of the destination country?”

Types of states, according to population incomes	Average of expected revenue	Real average income
“States with a high average income”	2600 €	2200 €
“States with a medium average income”	1998 €	1390 €
“States with a low average income”	1510 €	625 €

When asked to specify the minimum monthly income that they would expect “to earn on the labour market of the destination country”, the persons surveyed specified different amounts, depending on their expectations, but also on the standard of living in the different countries, “ranging from 250 euro per month to 30.000 euro per month”, but, “after making the arithmetic mean of the incomes claimed and we reach an average” of 2600 euro/month for rich countries (i.e. Germany, United Kingdom, France etc.), an average of 1998 euro/month for countries with a medium average income (i.e. Spain, Italy etc.) and an average of 1510 euro/month for countries with a low average income (i.e. Bulgaria, Hungary etc.). So, we can see “the high wage claims of law students and legal practitioners for potential mobility” (Birtu, Gavrilă, Goga, Stanciu, Gruev, 2018: 54-55).

Conclusions

Analyzing the phenomenon of brain drain and the EU statistical data, we can notice that the frequency of migration among practitioners in the field of law is relatively low. On the other hand, highlighting the facilities and limitations offered by the European legislative framework, we can conclude that the main limitation is due to the difficulty of practicing the profession in a state other than that of training, in the context of the major legislative differences of the EU member states. Moreover, empirical research shows another cause of low mobility, namely, low preference for emigration

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among law specialization students and legal practitioners, corroborated with very high financial and occupational claims in the case of a potential emigration.

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ORIGINAL PAPER

The Emergence of the Normative Inflationary Phenomenon in the Post-Communist Period

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Abstract

The normative inflationary phenomenon appeared and developed in the post-communist period, after the number of normative acts adopted increased considerably. This increase has led to inaccessibility and lack of legislative quality of the normative act. All these consequences have produced effects in the sphere of human rights protection, causing the regress of this protection. In order to identify the content, the determining factors and the effects of the normative inflationary phenomenon, we started from the meaning, causes and effects of inflation in the economy, proceeding to a legalization of the normative inflationary phenomenon. The simple analogy will not be sufficient to identify the cause and effect of normative inflation, so it will be necessary to identify effective adaptation methods that will help us to identify the most effective methods to counteract this phenomenon. Using the method of teleological interpretation, one of the adaptation methods that we will identify, will be that of reporting the emergence of the normative inflationary phenomenon to the protection of human rights, considering that the normative act by which this protection is affected is inflationary.

Keywords: *normative inflation; legalization of the concept of inflation; protection of human rights; post-communist period.*

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1. Introduction – What is normative inflation?

The term inflation has origins that precede the meaning it has in the economy. We propose to use the analogy method to determine the meaning and content of the normative inflationary phenomenon, as well as its cause and effects, in relation to the concept of economic inflation. Normative inflation, the cause of the decline in human rights protection, was approached from two perspectives: quantity and quality. The term inflation comes from the Latin language, "inflation" meaning "swelling" or "growth". Just as in the economy, not every quantitative or qualitative increase is harmful (Costescu, 2013: 21), as in the case of normative inflation, the large number of normative acts or the problems of legislative technique regarding them do not always determine the birth of the inflationary phenomenon. Thus, we can say that normative inflation cannot simply be understood as an increase in the number of normative acts adopted or as an increase in their unclearness and unpredictability, but must be addressed at the level of the main effect it has on freedom.

John Maynard Keynes explains the process of inflation formation starting from the double effect of increasing the effective demand under the influence of increasing quantity of currency put into circulation. Thus, if the supplementation of the effective demand no longer determines the increase of the production and is manifested exclusively by the increase of the prices, then we can speak of reaching the inflation threshold. Applying in the legal sphere the same criterion for determining the existence of the inflationary phenomenon, we conclude that in order to be in the presence of this phenomenon we need the following elements: an effective request of the community regarding the normation, normation considered indispensable to ensure a greater protection of the rights, accompanied by a considerable increase of the unjustified imperative norms, without being accompanied by the progress of the protection of the rights, but on the contrary, causing a regress of them.

2. The causes of the normative inflationary phenomenon

2.1. The citizen has lost the interest in exercising his political rights

In the economy, it has been established that not only "the increase in demand" can trigger the phenomenon of economic inflation, but also its decrease. This conclusion was reached following the analysis made to Romania after the 1990s, when the demand for energy for large consumers decreased permanently, as in the case of the demand for substantial imports of raw materials (Ciutacu, Chivu, 2003: 196-107). All of this has led to imbalances and chain bottlenecks for most of the market and agents in the economy. The lack of demand for old consumer goods together with the increased supply of money resulting from saving or restoring social shares were the causes of future price increases (Ciutacu, Chivu, 2003: 107).

Drawing an analogy with the phenomenon of normative inflation, we propose to check whether this principle remains applicable: the birth of the inflationary phenomenon is also determined by a decrease in the demand for protection of freedom or is exclusively determined by the increase of the demand for protection by demanding a special legal protection. In order to answer this question it is necessary to analyze historically the evolution of the way in which the individual has related to freedom.

Erich Fromm, in his book "Fear of Freedom", analyzed the evolution of the attitude towards freedom of the individual, starting from the continuous struggle of the social classes in order to get out of domination, a struggle that was related to the abolition of external domination. In addition to the abolition of external domination, the

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struggle for freedom also played an important role: satisfying the desire to assert human potential through: liberalism, economy, political democracy (Fromm, 1998: 11) This class struggle is characteristic of all types of society that have existed over time, the only difference being the form that external domination has taken.

After the abolition of the communist regime, Romania became a democratic and social state, in which human dignity, citizens' rights and freedoms, the free development of human personality, political justice and pluralism represent supreme values, in the spirit of the democratic traditions of the Romanian people and the ideals of the 1989 December Revolution, being guaranteed. With the imposition (Dănișor, 2011, 52-69) of these supreme values, in the conscience of the individual was established the certainty that the protection of his freedom is maximized and he no longer felt the need to advertise with the same ardor his protection. Moreover, we could say that the individual has let go of the mirage of democracy and no longer considered it necessary to demand the protection of rights and freedoms, considering that their protection is already guaranteed.

The ideals of the 1989 Revolution are one of the supreme values enshrined at the constitutional level and these remind us of the way in which freedom and the struggle for its conquest must be viewed, in order to gradually eliminate state assistance and release the protection of freedom from the chains of the inflationary phenomenon. One of the ideals of the Revolution was the regaining of freedom to choose, freedom that belongs to man naturally. Although only three decades have passed since the abolition of the communist regime and the establishment of democracy, the individual has lost a great deal of interest in exercising his political rights.

2.2. Imitation of the inflationary phenomenon from the West

Another factor that contributed to the birth of the economic inflationary phenomenon caused by the decrease of the effective demand is the increase of the demand of the imported goods that had the effect of blocking the internal production (Ciutacu, Chivu, 2003: 107). If we place this theory in the sphere of normative inflation, we can see how the phenomenon of excessive normation has been taken over from the West, a kind of normative imitation which is nothing more than a practical exercise of the theory of forms without content.

In France, the Court of Accounts, analyzing the inflationary phenomenon at the level of the taxes applied to companies, characterizes the French state as suffering from a "disease of the norm" or "a bulimic normativism" (Maryvonne de Saint Pulgent, 2017). Seeing how the inflationary phenomenon is expanding in the other European states, Romania felt the need to develop the same excessiveness of the norm and to reduce the scope of individual freedom by closing the individual in a sphere of unjustified and excessive imperative.

2.3. Conclusion

We conclude that also within the normative inflationary phenomenon, the principle of existence of the two stages that led to the economic inflationary phenomenon is applicable. By analogy, these two stages are: lowering the demand for freedom protection and taking over the normative mode in the West which caused the internal mode of perception of freedom to be blocked. In the economy, it has been considered that the main effect of carrying out these two stages is the appearance of inflation as a cost or as a tax paid for the freedom to import / export goods. The price of

this opening was represented by the continuous closure and disappearance of internal production, favoring importers and disadvantaging exporters, exercising the freedom to import and export goods becoming a drug for the Romanian economy (Ciutacu, Chivu, 2003: 107).

If we analyze the normative inflation in the Romanian space, we notice that its emergence represents a cost, but a cost paid not for the positive side of the freedom to exercise political rights, but because of the negative side of this freedom. The phenomenon of excessive regulation has become a drug for both the Romanian state and the individual dependent on state assistance.

Looking from this perspective the phenomenon of normative inflation, we conclude that the determining factor of its emergence is represented in a greater weight by the lack of the individual's interest towards the protection of his freedom than by the excessive claim of the special legal protection, because the individual is fooled by the illusion of the inherent protection its rights and freedoms in a democratic society in which they are enshrined as supreme values.

3. The effects of the inflationary phenomenon

3.1. The experiment made with freedom

One of the main effects of the inflationary phenomenon, whether we are in the economic or the legal sphere, is the experiment made with freedom. Experiments with freedom are not allowed, which is precisely why when the exercise of freedom is restricted, the means of restraint must be able a priori to achieve the goal pursued (Dănișor, 2014). And yet, most of the normative acts adopted by the Romanian state represent only experiments made with freedom.

As in the economy, in Romania in the last decade, the economic policy has been confined in the monetary and budgetary fields, these policies making Romania an economic-social desert, a region mutilated by the great changes experienced in the global economy that is globalizing (Ciutacu, Chivu, 2003: 108), as well as in the normative sphere, in the last 27 years since the entry into force of the Constitution of Romania, 8798 laws, 3146 Government emergency ordinances and 1508 Government ordinances based on legislative delegation were adopted (Dănișor, 2018), these representing, undoubtedly, a marathon of experiments with freedom.

The character of experiment is all the more evident in the case of emergency ordinances, ordinances that theoretically should be adopted only in the case of the existence of an emergency state, the simple non-existence of this state giving rise to the experimental and unconstitutional nature of the norm. Emergency adoption of ordinances in areas of organic law, even if they can later be rejected by Parliament, sees a real danger of experimental norming, considering that for a short period of time, rights and freedoms can be affected.

Also, in the case of the laws adopted by the Parliament, the experimental character of the normation is reflected in the large number of adopted acts, in their unpredictability, inaccessibility, unclearness and incoherence, but also in the unjustified imperative of the social relations, which is reflected in the multitude of social tasks imposed on the individual, tasks that it is impossible to know, their subsequent fulfillment remaining in the field of science fiction.

3.2. Inflation cannot be fully controlled, only influenced

Regarding the economic inflation, it was considered that it is present in any economy and that it cannot be fully controlled, but only influenced. The imbalance caused by the emergence of inflation is represented by the increase in prices and the decrease in the purchasing power of the currency, leading ultimately to the main effect: the decrease in the value of money (Marinescu, Burea, Samson, 2017: 75). The imbalance caused by the normative inflation consists in the extension of the part of freedom ceded by the individual in exchange for the benefit of the state assistance, determining as the main effect the decrease of the value of the freedom itself. It is in fact the mirror image of the social contract, when the part of the ceded freedom increases with the purpose of "buying" the state assistance, the freedom losing its value to the detriment of the state imperialism. The state assistance takes the form of the special legal protection demanded by the individual. If we balance the benefits and the tasks obtained under this protection, we come to the conclusion that the tasks cancel the benefits and "buy" only the illusion of a special legal protection. Thus, the increase of the part of freedom ceded for the purpose of "buying" the same legal protection determines the major effect of the inflationary phenomenon - the decrease of the value of freedom.

3.3. Conclusion

We conclude that the effects of the normative inflationary phenomenon should be analyzed in relation to the protection of human rights, the experiment with freedom being one of the major effects caused by this phenomenon. Through the unnecessary imperative normative acts whose adoption is not weighed in terms of the protection of human rights, the freedom is ensured for the normative act and the human rights acquire theoretical and illusory character.

4. The interference of economic inflation with normative inflation

There is a sphere of interference of the phenomenon of economic inflation with that of normative inflation, at the level of inflation of normative acts that impede the development of the economy. This sphere is outlined in the analysis of the major effects of economic inflation, structured as follows: a. effects on the redistribution of income and wealth; b. effects on production and c. other effects (Marinescu et al., 2017: 77).

4.1. Effects on the redistribution of income and wealth

When we look at the effects of income and wealth redistribution, we see how the poor and middle classes suffer either because of wages or because of rising prices, which leads to an increase in poverty. In contrast, business people, traders or those with variable earnings, do not suffer as much during the price increase (Marinescu et al. 2017: 78).

The same effect on the social was found in the work "Simplifier le droit pour liberer economy", by Maryvonne de Saint Pulgent, analyzing the effects of the normative acts that regulate the economic activity, the complexity of the tasks imposed through them negatively influencing the activity of the economic agents and especially hindering the development of small and medium-sized enterprises, more than that of large enterprises. The study followed the evolution of enterprises in the French state and the statistics have shown that in the French economic structure there are insufficient medium-sized enterprises - 60% less than in Germany, less than half that in the UK and

¼ less than in Italy, all due to the normative inflationary phenomenon in the economic sphere (Maryvonne de Saint Pulgent, 2017).

The author proposed simplifying the law in order to free the economy. The economy must be released from the canvas of inflation of unnecessary imperative normative acts that block economic development through the barriers of excessive burdens. Also, as a method of counteracting, it proposes an economic approach to the law, which materializes in the judgment of the legal norm in terms of the effects it produces in the economic field. Applying this method of approaching the law, we could say that the utility of imposing a task by means of an imperative norm must be judged according to the effect that the imposition of the task has on the economic development.

By simplifying the law, the author not only understands the simplification of the formal quality of the normative act, ie the clarity, intelligibility and accessibility, but also the intrinsic simplification which refers to the standard content and the administrative burden, in particular to the costs of adapting to any new standard. Judging from these criteria the normative act and analyzing the economic effect that its imposition has in the sphere of small and medium-sized enterprises, we can judge whether the adoption is useful in the context of economic development. The utility analysis according to these criteria is required to be carried out prior to adoption, in order to avoid the experiments made with freedom.

The French State Council supports more the reduction of the costs imposed by standards than the simplification of the law by reducing the standards themselves (Maryvonne de Saint Pulgent, 2017). We consider that the reduction of costs is a method of counteracting in the short term, which is strictly related to the economic aspect. In order to counteract the inflationary phenomenon in the long term and to protect economic freedom in the face of this phenomenon, the most efficient solution is to simplify the law. Therefore, we do not agree with the opinion expressed by the French State Council, considering that the reduction of costs protects only the economic aspect, not the economic freedom of the individual or of the companies to which unnecessary and excessive burdens are imposed. The reduction of costs is equivalent only to a reduction in the weight of the burden, not to the simplification of the law by eliminating it.

4.2. Effects on production

With regard to the effects of inflation on production, the principle of the economy is that the increase of prices encourages production, with producers investing to obtain a higher profit, thus increasing employment, production and income. All this is possible until the full level of employment is reached. Increased investment beyond this level leads to severe inflationary pressures, with prices rising more than production (Marinescu et al., 2017: 80) . By analogy, we can see that in the case of normative inflation, there is the same guiding principle: when the part of freedom granted to the state grows, the social assistance granted to the individual refers to a larger sphere of social relations, with the purpose of the state to obtain even more legitimacy. in the exercise of the inflationary phenomenon.

One of the adverse effects of economic inflation on production is the reduction of quality, the continuous increase of prices giving rise to a market of the seller who sells sub-standard products to obtain profit. Applying this theory to the legal sphere, we observe that the seller's market is personified by a market of state power that gives

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freedom a sub-standard protection that the individual accepts and upholds by not exercising his political rights.

4.3. Social and political danger

Other effects of economic inflation include social and political danger. The social danger consists in the dissatisfaction produced among the masses, the differences between the poor and the rich, the workers resort to strikes, the manufacturers to manufacture products that do not meet the standards, etc. From the political point of view, the effects result in riots and protests that can lead to the fall of the Government, several governments being sacrificed in this way.

The social danger also manifests itself at the level of normative inflation, because the granting of special legal protection gives rise to the adverse reaction from those outside the special protected group. For example, granting special legal protection to persons belonging to an underprivileged group, protection granted in order to correct the injustices committed in the past against this group, ensuring them equal start and equal access, also creates the adverse reaction from those who are outside this protected social group. Granting a special legal protection only amplifies the feeling of rejection of those outside the group towards the protected group and thus we turn in the vicious circle: vulnerable group - protected group - group with an increased vulnerability.

5. Incompatibilities between the economic and the legal spheres - measuring inflation

Although there are compatibilities between the economic and the legal spheres in terms of the effects produced by the inflationary phenomenon, there are nonetheless incompatibilities which involve identifying methods of adaptation from the economic to the legal space. For example, the measurement of economic inflation that depends on numerical criteria not applicable in the legal space.

In the economy there are standards by which the emergence of the inflationary phenomenon and the form that it takes is found. Such substantial standards are incompatible with the ultimate purpose for which we condemn the normative inflationary phenomenon: the protection of human rights. If we were to protect human rights in the face of the inflationary phenomenon only when a certain numerical threshold was incident, then the protection of freedom would be dependent on the quantity of normative acts adopted.

The conclusion would be that of not incriminating the inflationary phenomenon only when the number of normative acts adopted reaches the quantitative standard. Such a hypothesis is false because human rights must be protected in the face of any normative act by which their protection is violated.

6. The normative inflationary phenomenon related to the normative act that violates the protection of human rights

The inflationary phenomenon was defined in the economy as a major imbalance present in the economy of any country, represented by a general increase in prices and the simultaneous decrease of the purchasing power of the national currency. By making an analogy with the normative inflation phenomenon we can define normative inflation as the imbalance present in the legal system of any country, represented by an increase in the number of normative acts adopted and by the simultaneous decrease of the accessibility of normative acts.

The main pillars through which the normative inflation phenomenon was defined were represented by the large number of normative acts adopted and the degree of accessibility of normative acts. Thus, the consequences caused by the normative inflationary phenomenon based on these two pillars fall within the sphere of legislative technique. However, the rules of legislative technique do not have as final purpose the protection of the accessibility of the normative acts as a social value. The accessibility of the normative acts is one of the fundamental characteristics of a democratic and social state, but the ultimate purpose of the accessibility requirement is the protection of human rights.

The protection of the accessibility of normative acts becomes a "means-protection" through which the ultimate purpose of human rights is ensured. Thus, we go beyond the strict sphere of human rights to an accessible normative act, extending the scope of protection to any fundamental human right. But what we can understand by a fundamental human right involves a much more complex discussion. We consider that a characteristic of the human being must be identified, a characteristic that represents the source of all these rights and which would lose its own legal essence in the absence of the protection of a fundamental right. This characteristic is represented by human dignity.

Human dignity is the center of the highest values. Each fundamental right validates its existence by relating it to human dignity. For example, the right to life has its essence in the dignity inherent in the human nature that would be deprived of the content without the recognition of such a right. The right to physical integrity, the right to a healthy environment, freedom of expression, the right to vote, all these represent only the species differences of the proximal genus represented by human dignity.

The theory of the proximal genus and of the species difference obtains another content on the field of human dignity - fundamental human rights. If the proximal genus continues to exist even if one of the differentiating species falls outside its scope, in the relationship between human dignity and human rights, human dignity is violated in its entirety and its content is altered by violation of even a single fundamental right which falls outside the scope of its protection. We consider that this is the reason why the normative inflationary phenomenon cannot be analyzed exclusively at the level of the right to an accessible right, but must be related to the whole sphere of fundamental rights, rights inherent in human nature, rights whose protection is individualized, not generalized.

An individualized protection of rights implies that each right benefits from its own protection and more than that, each individual benefits from the protection of each fundamental right. It follows from the initial definition of economic inflation that only a major imbalance determines the occurrence of the inflationary phenomenon and that the major imbalance is caused by a general increase in prices. Applying this theory analogically in the legal space, we will observe a clear incompatibility, which will lead to the conclusion of the necessity of the operation of legalizing the concept of inflation, going beyond the stage of simple analogy and orienting us towards identifying the adaptation methods.

The normative inflationary phenomenon cannot be strictly related to the generalized increase in the number of normative acts adopted because we have established that the rights benefit from an individualized protection, which means that through a normative act the protection of one or more fundamental rights can be violated. Through a "block protection" determined by reaching a threshold of the

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number of normative acts or an index of legislative quality, the protection of human rights will be related to objective criteria, making the calculation of opportunity and utility. In such a law, democratic and social state, such an approach to the protection of human rights is forbidden, because the individual and his protection represent the reason and purpose of the existence of the state and of the law system.

7. The reverse of the inflationary phenomenon

The phenomenon of normative inflation is like a currency which, although it represents a unit, has two faces at the same time. One of the faces of the inflationary phenomenon is represented by the existence of a normative act that violates the protection of a human right and the other face is represented by the lack of an act or the elimination from the legal system of the normative act by which the protection of a human right is ensured. If the normative inflationary phenomenon is characterized by unjustifiable imperative, in the case of the reverse of the normative inflationary phenomenon, the lack of imperative is characteristic, when the protection of human rights depends on the existence of the imperative of the normative act.

Such an example is the cause of non-punishment that we identify in article 220, paragraph 5 of the Criminal Code, regarding the sexual act with a minor who has not reached the age of 15 years, if the difference of age does not exceed 3 years. The legal, formal object of criminal law is the protection of the individual against actions or inactions that would violate social values such as: life, physical integrity, property, etc. If we are to judge a norm of incrimination as having the legal object a social value, from the category listed above, then we make of rights and freedoms means used to protect those social values. This is also the case of the existence of the cause of non-punishment of the sexual act with a minor who has not reached the age of 15, when the difference of age does not exceed 3 years.

The protected social value is the sexual and moral integrity of the individual, assuming that if the age difference is smaller, then these social values are less affected and should not be protected. But the main effect of the existence of such a cause of non-punishment is necessary to be analyzed in the level of the violations brought to the individual in front of these actions or inactions directed against the sexual and moral integrity. Thus, the individual needs to be protected from these actions or inactions regardless of the existence of objective criteria, such as that of the age difference. We will refer again to the principle of the impossibility of conditioning human rights protection from the existence of an objective criterion. The protection of the individual and his rights will occur whenever his sexual integrity is endangered, whether or not there is a significant age difference. Moreover, the action or inaction directed against the sexual integrity in the case of the difference of age that does not exceed 3 years, can produce negative effects more pronounced in the sphere of the protection of the individual than the consequences produced if the difference of age exceeds 3 years.

Therefore, in order to balance these effects and to determine whether or not the cause of punishment can be applied, is essential an analysis of the proportionality made by the judge and not the only pre-determined solution of punishment and the advance analysis of the consequences of the crime by the normative act. In such a case, we are confronted with a normative act that deprives human rights of protection by replacing the imperative with the permissiveness, in a sphere in which the imperative is claimed for the purpose of the protection of human rights.

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Considerations Regarding the Monetary Policy Strategies Promoted by the Central and East European Countries after the Communism Collapse

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Abstract

As a result of society evolution, monetary policy, as well as the objectives of central banks, have suffered and continue to suffer several changes. The case of Central and East European countries is no different, and most of these countries have changed their monetary policy strategies after the collapse of the communist regime. This article aims to create an overview of the changes that have taken place in terms of monetary policy strategies and objectives in the Central and East European Countries, especially in Romania, Hungary, Poland and the Czech Republic. The paper is divided into two parts. The first part provides an overview image of the monetary policy promoted by the central banks immediately after the fall of communism, while the second part presents the main features of the current monetary policy strategies promoted in these countries.

Keywords: *communism, monetary policy, central banks, monetary policy strategies, inflation targeting.*

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Introduction to monetary policy

We can say that the monetary policy is the process of elaborating and implementing a plan of actions which is formulated by a central bank, a currency board or another competent monetary authority, in order to control the money supply existing in the economy. Likewise, through monetary policy, central banks manage the money supply and achieve their macroeconomic objectives (inflation rate, economic growth, liquidity, etc.). These objectives are achieved by changing the interest rate, selling or buying government bonds, changing the minimum reserves required rate, etc.

Initially, the monetary policy term referred to the actions through which central banks influenced and/or targeted a certain measure regarding the money supply and often the monetary policy definition was focused on the purchasing power of money. Throughout time, there have been many opinions regarding the concept of monetary policy and the responsibilities that a central bank should have. The monetarists (Friedman and Schwartz – 1963; Friedman and Meiselman – 1963; Andersen and Jordan – 1968) considered inflation as a monetary phenomenon and therefore central banks are the ones which should be held accountable for maintaining price stability. The New Classical Theory (Sargent, Wallace, 1975) has introduced in macroeconomics, together with the revolution of rational expectations, the proposal of policy inefficiency, according to which in any macroeconomic model, the assumption of rational expectations would make the inefficiency of the monetary policy to influence the real production. However, further studies (Fischer, 1977; Calvo, 1983; Taylor, 1993) have shown that the interaction between the expectation hypothesis and the perfectly flexible wages and/or prices hypothesis were the ones that generate the proposal of policy inefficiency. This perspective was the result of New Keynesian Theory.

The monetary policy, as well as the objectives of central banks have undergone several changes. Currently, worldwide, central banks have different objectives. For example, in the United States of America, the law that governs the organization of central bank assumes that „the mission of the Federal Reserve System is to foster the stability, integrity, and efficiency of the nation's monetary, financial, and payment systems so as to promote optimal macroeconomic performance.” (Federal Reserve Board, 1994). As far as the main objective of the European Central Bank is concerned, it implies maintaining the price stability. European System of Central Banks supports the general economic policies in the Union with a view to contribution in order to the achievement of the objectives of the Union as laid down in Article no. 3 of the Treaty on European Union: „the Union shall establish an internal market. It shall work for the sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and a high level of protection and improvement of the quality of the environment” (European Institute of Romania, 2005).

However, as a result of the recent financial crisis, central banks have been forced to adopt a number of unconventional monetary policies, which had two major objectives: restoring the functioning of financial markets and ensuring a monetary policy accommodation at a zero-lower bound. The final goal of these types of policies was to ensure macroeconomic stability. Inoue A. și Rossy B. (2018) point out in their paper that „central banks have recently been forced to rely on unconventional monetary policies due to the ineffectiveness of conventional policies at the zero-lower bound. The unconventional policies include altering the size and composition of Central banks' balance sheets (i.e. Large-Scale Asset Purchases programmes, or LSAP) and/or issuing

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announcements about the future path of short-term interest rates (i.e. forward guidance)".

Considerations regarding the evolution of monetary policy strategies in Central and East European countries

With the collapse of the communist system, most of the Central and East European countries started to adopt the regime of fixed exchange rates. However, this regime was quickly abandoned due to the fact that these states failed to keep the inflation rate under control, which dropped significantly, leading to a strong deflation. All of these translated into a significant appreciation of the national currency, which led to a balance of payments disequilibrium. Given the forgoing facts, these former communist countries were forced to adopt other monetary policy strategies, and they had to choose between: targeting monetary aggregates, adopting an eclectic monetary policy strategy (similar to the one promoted by FED, some countries adopting various exchange rate regimes, such as controlled or fixed floating, regimes which continued to be used, even after the introduction of inflation targeting), replacing the fixed rate regime with the one promoted by the currency board or the inflation targeting strategy.

According to Frensch R. (2001), „some preliminary results show that the Central and East European countries which are preparing for their accession to the European Monetary Union, are facing a trade-off between exchange rate stability and low inflation". These countries can choose either the first path by targeting low inflation rates combined with a flexible exchange rate system, or the second path by using a stable peg to the euro currency. Currently, most of Central and East European countries which are trying to access the monetary union have adopted the direct inflation targeting regime, except of Bulgaria, which operates under the currency board regime.

Further will be discussed the main strategies and objectives promoted in four Central and East European Countries, member of the European Union and which will have to adopt the unique European currency sooner or later. These states are Poland, the Czech Republic, Hungary and Romania. We chose these countries because they have the same monetary policy objective (price stability), the same monetary strategy (inflation targeting), as well as regimes based on floating or controlled exchange rates.

The monetary policy promoted by National Bank of Poland

During time, Poland has pursued three monetary policy strategies. According to Pruski (2002), „in 1990, at the outset of transition, Poland adopted fixed exchange rate regime with the principal aim to fight hyperinflation. The initial period of stabilization took 18 months. It allowed the zloty to regain its role as a medium of exchange and a store of value in spite of the annual inflation rate still exceeding 40% by the end of 1992." The success of stabilizing the economy, on one hand, and the obvious rigidity of fixed exchange rates, on the other hand, made it necessary to change the monetary policy strategy in 1995. Obviously, at that time Poland was not fulfilling the necessary conditions for adopting the full-fledged inflation targeting and, in general, its economy was much too large and faced with a number of structural problems in order to have a currency board. Therefore, the eclectic approach of monetary policy seemed to be the most appropriate strategy for a country like Poland. The eclectic monetary policy can be considered a success because by using it, the inflation rate was reduced from 1000% to approximately 10%. However, it led to an inconsistency in simultaneously controlling

the exchange rate, interest rate and monetary growth. Finally, in 1998, the eclectic monetary policy was replaced by the full-fledged inflation targeting.

Looking back, it can be said that the consumer price inflation in Poland followed a downward trend, falling from about 20% in 1996 to about 7% in 1999. This decrease in terms of inflation has stopped in 2000 when, as a result of rising in terms of food, oil and services prices, an inflation rate of 10% has been recorded. Since the beginning of 2004, monetary policy has aimed to reach a medium-term inflation target of $2.5\% \pm 1\%$. During 2004-2019, inflation was in the range of $2.50\% \pm 1\%$ only at the level of 2005, 2007, 2012, 2017 and 2019, and for the rest of the years, the average annual rate of inflation did not fall within the range. The highest level of the inflation rate was recorded in 2008 and 2011. In 2008, the inflation rate registered a value of 4.17%, with about 1.70 pp more than the inflation target, but nonetheless, was the smallest deviation from the inflation target recorded by a country in the inflation target group. According to the National Bank of Poland (2009), this rise in terms of inflation rate was stimulated by a number of factors which were independent of the internal monetary policy, in particular, the high prices registered by food and oil. It is worth of mentioning that, during that period, an increase in inflation could be observed in almost all countries around the world, as a result of the global financial crises. On the other hand, the lowest level of the inflation rate was recorded between 2014 and 2016, when Poland recorded a deflation for a significant period of time. According to the Polish central bank (2016), the main reason for this deflation was the significant drop in terms of commodity prices on global markets. In March 2015, in order to bring the inflation rate to its target as close as possible, the Monetary Policy Council decided to reduce the interest rate by 0.50 pp and also reduce the reference interest rate to 1.50%. As a result of the monetary policy decisions taken by the Council, the inflation rate managed to recover and, by 2019 its value was 2.13%.

During 2019, the Polish Monetary Policy Council chose to maintain its interest rates, as following: the reference rate continued to be 1.50%, Lombard rate (for lending facility) remained 2.50%, the interest rate for deposit facility was 0.50% and the rediscount rate has maintained its value of 1.75%. However, on March 17, 2020, the Council decided to reduce its reference rate with 0.50 pp, to 1.00%, and to make the following changes to the rest of its interest rates: lowering the required minimum reserve rate from 3.50% to 0.50%, reduce its lending facility interest rate from 2.25% to 1.50%, reduce the discount rate from 4.00% (the level of this rate was maintained since 2010) at 1.10% and the rediscount rate from 1.75% to 1.05%. These measures were taken in order to reduce the possible deteriorations in term of global economic outlook, as a result of the restrictions introduced in most of countries in order to prevent the spread of SARS-CoV-2 virus.

The monetary policy strategy of Czech National Bank

Starting with 1998, the Czech National Bank Council, decided to change its monetary policy regime to inflation targeting. The main objective of Czech central bank continued to be price stability and the change was made only in terms of how this objective was achieved. The main characteristic of the direct inflation targeting is that it focuses on the medium-term economic growth. The monetary policy rates, i.e. the rates used by the Czech Monetary Council, consist in the 2-week repo rate, lending facility rate (Lombard) and deposit facility rate (discount). By changing the values of the

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monetary policy instruments, the central bank tries to offset excessive inflationary/disinflationary pressures that could deviate from the inflation rate target.

Regarding the inflation targets set by the Czech National Bank, they have undergone a series of changes during the last thirty years, as it follows:

- an inflation target placed between 3% and 5% by January 2002;
- an inflation target placed between 2% and 4% by December 2005;
- an inflation target of 3% (January 2006 – December 2009);
- an inflation target of 2% (starting from January 2010).

At the beginning of 2008, the inflation rate stood at 6.30%, but, as a result of the measures taken by the central bank, more exactly, the decrease in terms of monetary policy rates, it dropped to 0.60% by 2009, but it wasn't still in the established range (3%). In 2010 and 2011, the inflation was at a level close to the one established, but it has increased in 2012 as a result of the increase in terms of value added tax. Between 2014 and 2016, as a result of the significant drop in commodity prices on global markets, the inflation recorded by the Czech Republic was at a very low value, namely 0.40% in 2014, 0.30% in 2015 and 0.60% in 2016. In this regard, the Czech National Bank decided to reduce its monetary policy rate at a level which was very close to zero. This measure has proved to be an effective one, which is why in the following period (2017-2019) the inflation rate was within the range established by the central bank.

In 2019, the Czech monetary policy interest rates were 2% for the 2-week repo interest rate, 3% for the credit facility rate (Lombard) and 1% for the deposit facility rate (discount). They were increased by 0.25 pp in February 2020, and then, due to the COVID-19 pandemic, the Czech Council decided on March 16, to decrease them. Currently, the values of the main interest rates used by the Czech central bank are 1% for the 2-week repo rate, 2% for Lombard rate and 0.05% for discount rate. The minimum reserve ratio continued to be 2%.

One thing to note is that the Czech National Bank has also resorted to use some unconventional monetary policies. Between 2007 and 2012, the Czech central bank has reduced its monetary policy rates by about 4% and has introduced a series of repo operations which aimed to provide liquidity in order to prevent some problems that commercial banks might have encountered in terms of liquidity. However, the spillover effect created as a result of the weakness in the euro area, which translated into low inflation, made the Czech National Bank to progressively lower the policy rate to 0.05% by November 2012. „Under such circumstances, within the forward guidance policy, the Czech National Bank signaled that it was considering using the exchange rate as an additional instrument of monetary policy.” (Alichi, A. et. al., 2015). In this regard, in November 2013, the Bank proceeded to make a change by replacing the floating rate regime with an exchange rate floor (CZK27=EUR1), but the target variable continued to remain the inflation rate. According to Franta M. et. al, (2014), „the use of the exchange rate as an instrument at the zero-lower bound can be defined as an approach where the central bank chooses – and possibly also publicly declares – the specific exchange rate level it wants to attain and is prepared to intervene in the foreign exchange market in unspecified and unlimited amounts to attain that level”. McCallum's study (2000) shows that, at a negative interest rate, central banks from open economies can devalue their domestic currency in order to stabilize the inflation rate and, implicitly, the real economy. More recent studies made by Stone M. et. al (2011) and Borio C. and Disyatat P. (2010) show that the exchange rate policy can be used as a potential unconventional monetary policy at a zero-lower bound.

Monetary policy in Hungary

The monetary policy practiced by the Hungarian economy until 2000 can be characterized as unstable, the macroeconomic situation of Hungary being critical, and the vast majority of indicators suffering rapid deterioration. According to Golinelli R. and Rovelli R. (2001) depending on the exchange rates applied, the monetary policy in Hungary between 1991-1999 can be divided into two phases:

- „, the first phase, from January 1991 to March 1995, was an adjustable peg;
- the second phase was a pre-announced crawling peg with daily devaluations.”

In the first phase, between 1991 and 1995, the macroeconomic situation of Hungary was unfavorable, the gross domestic product has registered a continuous decrease, the annual rate has varied between -1% and -5%, while the budget deficit was 6-7%. In this phase „the exchange rate was the fulcrum of two conflicting central bank objectives: to promote external competitiveness and to provide a nominal anchor for price stability” (Szapary and Jakab, 1998). During this period, targeting inflation was not the first or only objective of the central bank, since the monetary authorities were clearly concerned about the possible costs that deflation could bring. The result was not as expected: the forint was devalued 22 times, on a discretionary basis between 1990 and 1995, which led to an increased speculation against the currency and undermined the credibility of the central bank. Under these circumstances, the Hungarian government have introduced a package of stabilizing measures in March 1995, including spending cuts, tax increases, imposing an import surcharge, liberalization of capital transactions, etc. As a result, in 1996 the deficit was reduced to 4% and there was an economic growth of 4.5%. Regarding the inflation rate, it registered a value of 10% at the end of 1999.

The month of June 2001 marked the introduction of inflation targeting in Hungary. This measure was taken as a response to the countless unsuccessful attempts made by the National Bank of Hungary which wanted to use other nominal anchors in order to control inflation. Regarding the implementation of this objective, considering that at the beginning of 2001 the inflation rate was around 10%, it was proposed that the inflation had to reach the level of 7% by the end of 2001. Starting from 2005, the inflation target had continued to be 3%. However, the National Bank of Hungary has not consistently been able to reach an inflation rate as close to this target as possible. The years in which the inflation rate registered in Hungary approached the target set by the central bank were: 2003, 2005, 2006, 2011, 2017, 2018 and 2019. In these years the following inflation rates were recorded: 4.67% (inflation target - 4%), 3.58% (inflation target - 3%), 3.92%, 3.94%, 2.40%, 2.90%, respectively, 3.40%. For the rest of the years, the National Bank of Hungary has failed to keep the inflation rate under control. In 2004, there was a substantial increase in inflation, which reached a level of 6.75% as a result of the increase in indirect taxes. The same unfavorable tendencies were registered in 2007 (the average annual inflation rate being 7.98%), when there was a globally fast increase in the price of oil and food. As a result of the decisions taken by the Monetary Council of the National Bank of Hungary, there has been registered a decrease in terms of inflation, which brought the rate closer to the target range, but this trend has not been maintained for a very long time because the inflation rate has seen a strong appreciation at the level of 2012, reaching 5.68%. Considering these aspects, the central bank proceeded to tighten the monetary policy, and as a result, a decrease in the inflation rate occurred. This decrease continued, and by the time of 2014, Hungary

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registered deflation, the inflation rate reaching - 0.21%. The same trend was maintained in 2015, when the average annual inflation rate was - 0.06%. In this regard, the Monetary Council opted for a relaxation in terms of monetary policy, and it reduced the bank reference rates, more precisely, it reduced the interest rate on the lending facility and the interest rate on monetary policy to 0.90 % and decreased the interest rate on the deposit facility to - 0.15%. As a result of these measures taken by the National Bank, in 2016, Hungary emerged from the deflationary trend and registered an inflation rate of 0.41%. Between 2017-2019 the inflation rate remained within the inflation target set by the central bank ($3 \pm 1\%$).

During 2019 the National Bank of Hungary has maintained its monetary policy rate at 0.90%, like it was established in May 2016. Also, the interest rate on the credit facility was maintained at 0.90%, while the interest rate on the deposit facility has changed from - 0.15% to - 0.05% (March 2019), but nonetheless has remained in the negative area. The inflation target continued to be $3 \pm 1\%$, while the minimum reserve ratio remained at their level set in December 2016 (1%). In the first part of 2020 (25 March), the National Bank of Hungary decided to keep its rates at the same level as they were in 2019, even though most European countries have made major changes in order to prevent a new financial crises as a result of the COVID-19 pandemic.

An important aspect concerning the National Bank of Hungary is the following: as a result of the rate cut cycle started in 2012, the key monetary policy rate went from 7% to 0,9%. Due to the fact that, under these circumstances, the conventional monetary policy instruments reached their limits, the Hungarian National Bank began to implement a series of unconventional monetary policy instruments affecting short-term yields. Following the introduction of these instruments, the Hungarian National Bank was able to reconstruct the transmission of monetary policy, which was damaged by the crisis. Additionally, the financial stability was consolidated and the real economy was stimulated.

Analysis of the monetary policy promoted by the National Bank of Romania

In May 1991, the National Bank of Romania went through a reorganization, being assigned with monetary authority functions. With the reorganization that took place in early 1991, or in other words, after the fall of the communist regime, the National Bank of Romania implemented several monetary policy strategies. This post-communist era can be divided into three periods characterized by significant changes in terms of monetary policy, as it follows:

- 1991-1997 - characterized by an alternation of restrictive policy measures with accommodative policy measures. Between 1991-1993 National Bank of Romania used credit ceilings (credit planning in a modified form). After 1993, the monetary policy promoted by the central bank aimed at targeting the monetary aggregates, together with an implicit targeting of the exchange rate, but which was abandoned in 1995;
- 1997-2005 - during this period, the economic reforms were emphasized, and the independence and credibility of the National Bank has increased. Regarding the monetary policy strategy used, it continued to be based on the targeting the monetary base, as provided in the economic program concluded in 1997 with the International Monetary Fund;
- 2005-present - with the accession to the European Union, the National Bank of Romania has changed its monetary policy strategy, adopting inflation targeting, in order

to a better comply with the criteria laid down in the Maastricht Treaty, with a view to a possible adoption of the single European currency.

In view of the above, it can be considered that the main monetary policy strategies used by the National Bank of Romania were the monetary aggregates targeting and the inflation targeting. It is difficult to establish which of the two approaches was more efficient and more suitable for the Romanian economy. Both strategies have more or less achieved their objectives, given the economic conditions (the implementation of the strategy in a period characterized by uncertainty, volatility and very high inflation rates, as well as the outbreak of the global financial crisis).

During the period when the central bank has approached the money supply targeting, the inflation rate was reduced from very high and unstable levels, over 55%, to a relatively lower level, somewhere around 10%. In 2000, the National Bank of Romania had an inflation target of 27% but, due to some exogenous shocks, this objective could not be met, and Romania has registered an inflation of 40.7% by the month of December of the same year. In 2004, as a result of the negotiations carried out by Romania in order to accede to the European Union, the monetary policy was designed so as to be in line with the commitments made by the national authorities. In this respect, an inflation target of 9% has been set, an objective that the National Bank has managed to reach, registering an inflation rate of 9.3%.

As is well known, starting with 2005, the monetary objective of Romanian central bank has been price stability and its strategy continued to be direct inflation targeting. According to the National Bank of Romania, Inflation targets are formulated in terms of the annual change in the consumer price index and are set as midpoints within a target band of ± 1 percentage points. The inflation rate targeted by the National Bank of Romania gradually decreased, from a value of 8% in 2005 (with a range of $\pm 1\%$), to a value of 2.50% (with a range of $\pm 1\%$) from 2013 until now. Regarding the inflation rate actually registered by Romania during 2005 and 2019, there were few situations in which the inflation rate was not the range established by the National Bank of Romania. In 2008, the National Bank of Romania set an inflation target of 3.80%, with a range of $\pm 1\%$. However, as a result of the excess demand, together with the increase of wages and the worsening inflationary expectations, led to an inflation rate of 7.80%. A similar but at the same time opposite situation was registered at the level of 2016, when the inflation target of the central bank was 2.50%, with a variation interval of $\pm 1\%$, while the inflation rate registered in 2016 was -1.50%. According to the National Bank of Romania (2016), this evolution reflected the overlap of two important changes in the indirect tax regime: extending the reduced value added tax rate at 9% to all foodstuffs in June 2015 and reducing the standard value added tax rate from 24 to 20% in January 2016. Other factors that contributed to this decline were: imported inflation, evolution of foreign prices and evolution of the exchange rate.

In the second half of 2019, the National Bank of Romania maintained its monetary policy interest rate at 2.50%, while the interest rate on the deposit facility remained 1.50% and the Lombard rate continued to be 3.50%. Even though the rates of minimum reserves remained at 8% in 2019, for both the liabilities denominated in RON and for the foreign currency-denominated ones, starting from the 24th of February 2020, the central bank decided to lower the minimum reserve rate for the latter at 6%. This measure was taken as a result of the evolution of foreign currency-denominated credit, as well as a result of the attempt of National Bank to continue its process of harmonizing its minimum reserve ratios with European practices and standards. Likewise, on 23rd of

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March 2020, the central bank decided to reduce its monetary policy by 0.50%, reaching 2%. With this action, National Bank also decided to decrease its Lombard rate to 2.5%. These measures were taken to ensure a better stability of exchange rate in order to prevent an economic crisis that could arise as a result of the protection measures taken by the governments worldwide in order to prevent the spreading of the coronavirus.

Conclusions

In this paper we tried to present the main evolutions in terms of monetary policy strategy registered by the Central and East European countries after the collapse of the communist system, as well as the evolutions generated by these changes in terms of inflation rate. As we could see from the information presented above, these countries have made several changes regarding the monetary policy strategies and monetary objectives, but, by 2005 all of them had the same objective (i.e. price stability) and the same strategy (i.e. direct inflation targeting). It is difficult to decide which of these monetary policy approaches were more effective because they have certain limits, which have been very well highlighted with the onset of the global financial crisis, when central banks were forced to rethink the interaction between the financial economy and the real economy, and they began to use a series of monetary policies that were considered unconventional.

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ORIGINAL PAPER

A Retrospective of Previous Financial Crises Based on a Methodical Analysis of the Inevitable Extreme Events

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Abstract

The main aim of this paper is to provide a thorough observation for the past financial crises have been enlisted by discussing the past empirical studies with detailed discussion on the strategy adopted, crises covered, methodology implemented and the outcome of the study. For this purpose, most of the studies which are covered have been conducted between the late 1980s to early 2010s. Moreover, the covered studies are of various range that include from non-parametric to parametric, simple statistical to complex mathematical models, and the advanced computerized techniques. Thus this paper is an exhaustive approach to provide the comprehensive knowledge about the crises and the methods undertaken to gain knowledge even for common readers.

Keywords: *Financial Crises; Empirical Models; Asian Financial Crises; extreme events; globalization.*

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Introduction

If future crises are assured, then what measures can be taken to at least reduce their frequency and volume? Carrying on that point while speaking about future crises is really important because history gives a readable image of how disastrous these events can be, if they occur. There should be some tools which could provide warning in advance by looking at the market situations that whether the crisis-tsunami is lurking around or the markets are performing properly. For better understanding, the following section has looked at some previous studies and discussed their work, findings and its utility to provide a comprehensive knowledge to the reader about crises which is the central objective of this research study. To deliver an idea, White (1984) analysed the banking crisis of 1930' and concluded that the main contributors for the great depression were the uncontrolled factors which later lead to bank panics and foreclosures of many banks. There were weak regulatory controls which lead the banks into worse positions and it resulted in those closures. White (1984) applied the principal component method using the balance sheet data of banks in a logistic regression framework. The model performed well in highlighting the main causes of the 1930 banking crisis. The main finding was the failure of the Federal Reserve which was unable to maintain a strong growth of money supply and it resulted in tightening of financial markets. The amount of cash available at the Federal Reserve Bank in the form of reserves were clearly better than the investments in peripheral loans or bonds.

Constricted money markets made sure that Bank's sources of funds were becoming costlier, and any bank with inexpensive sources of funds were resilient. All in all, the features of the banks that failed in the 1930 were quite analogous to the ones which broke earlier in 1920's and the banking system received a glimpse of those problems during the subprime crisis but in a different fabric. According to Spulbar & Birau (2019) the global financial crisis in 2008 generated unprecedented dynamic financial contractions.

In a different study, Felice (1997) examined the macroeconomic variables for systemic risk and emphasized that in banking crises, Domino effects always exist, and there is a connection between macroeconomic developments and the financial sector's health. The systemic risk arises when macroeconomic changes get disturbed and lead to credit losses and financial firms' failure because of asymmetric information. This can put the performance of whole financial markets at stake ultimately. Thus, all those macroeconomic variables can be seen as useful indicators to access the position if systemic risk is present among different markets. Frankel & Rose (1996) studied that what are the chief causes of disruptions, especially those which can add to the country's vulnerability to a wreck. The study selected the variables of interest to realize the crashes and classified them into four different categories including; foreign variables, domestic macro-variables, external variables, and the debt composition. Regarding the behavior of financial markets, Pinto et al. (2020) suggested that risk anomalies lead to obtaining the portfolio outperformance of low volatility stocks. The study was non-structural and took the shape of graphical and multivariate statistical analysis.

In the subject field, currency crash was determined as a nominal depreciation of the currency of at least (25%) and there is also an escalation of at least (10%) growth in the pace of depreciation. The data set encompassed the annual observations from 1971 to 1992 for 105 countries. Graphical analysis showed that countries having currency crashes tend to take in higher interest rates, overvalued currency, exceeding levels of

debt, and very low levels of reserves. In short, countries along the brink of crashes bear very weak external conditions. For the probit model, study used 7 debt composition variables, four external variables, and three macroeconomic variables. Most of the results were significant, especially the joint results of the variables. Low fractions of debt, which is either concessional or accounted for by Foreign Direct Investment (FDI) or a higher fraction which is a public sector, they all increase the chance of future crash. Low reserves, overvaluation, high interest rates or high domestic growth, all predict the crisis. Overall the study marks as a very good initial start for the future research on currency crashes.

Non-Parametric Investigative Studies

Kaminsky, Lizondo and Reinhart (1997) introduced a framework for predicting future crises. The study led up an access for early warning systems named as “Signals Approach”. This was also known as the approach of Kaminsky – Lizondo - Reinhart (1997) or as the acronym KLR (1997). It used variables as indicators and signal crisis when a variable cross certain optimum level called a threshold. Granting to the study, five steps should be adopted in order to render a thorough analysis which include; time period, country coverage, variables incorporated, method used, and defining crisis. While inferring to the definition, this approach calls for observing the development of few economic variables. When at least one of these variables departs from its mean value outside an optimum point, this is necessitated as a warning of the possibility of upcoming crisis within a specific point of time. Moreover, the work also defined crisis as a state in which an attack along the currency leads to an acute depreciation of the currency, a larger decline in international reserves or both the situations at once. This definition was broad enough to include crashes under fixed exchange rate as well as under other exchange rate regimes. For each state, the crises were identified through the behaviour of the Exchange Market Pressure Index (EMPI).

The index is a weighted average monthly percentage change in the exchange rate and the monthly percentage change in the gross international reserves, and the weights are chosen in an order so that the components of the index should have the same conditional variance. The index surges with the growth in depreciation of currency and the loss of reserves. Increased EMPI indicates a firm insistence along the domestic currency and highlights the possibility of crashes. According to the study, epochs during which the index surges above its mean by more than three standard deviations, are considered as crises. The choice of variables is purely based on the theoretical considerations and on the availability of information on monthly bases, considering the fact that this empirical study is based on monthly observations.

For all variables except the exchange and interest rates, the study used the 12 month percentage changes of the variables, to ensure the comparability of the units across countries and also to ensure that variables are stationary, have proper moments, and are without any seasonal effects. It is important to mention that interest rate is taken into consideration at levels and exchange rate is used as deviation from trend. Some terms were coined in the study such as signalling horizon. That is the time-period within which the variables are expected to have the capacity to anticipate crises ahead of their actual occurrence. This period was defined as 24-months. The signal horizon is flexible and many other studies have taken a change from 12 months to maximum 24 months. It means that a signal trailed by a crisis within the 24 months of issuing that signal, is

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considered as a “good signal” otherwise it is taken as “noise” if it does signal beyond that period.

Another term which was coined was “signals and threshold” which is; an indicator is said to issue a signal whenever it deviates from its normal value beyond a certain optimum level, that is, a level chosen to assure that the variable is in adverse situation. The level was chosen in a way to strike a balance between the risk of having many false signals and missing of many good signals. Moreover, the thresholds were defined in relation to the percentiles of the distribution of observations of the indicators. The relationship between issuing and missing good and bad signals can better be explained with the help of the following matrix.

Table no.1: Matrix of Crisis Signals

	Crisis (within 24 Months)	No-Crisis (within 24 Months)
Signal was issued	A	B
No-Signal was issued	C	D

Source: Authors’ own calculations

A indicates that a signal was issued and there is an actual crisis within 24 months, while D did not signal a crisis for 24 months and during that time no actual crisis occurred. Therefore, A and D are considered to be good signals, whereas B and C are the false alarms as in case of B no crisis happened within 24 months, but a signal was issued and on the other hand, in C, a signal was issued but no crisis occurred within 24 months. If a variable issues signal within a given time period, this signal is coded on a binary scale and given the value one, and the variable takes the value as zero if it does not signal within the given time horizon. Furthermore, the indicators are selected based on their performance of Noise to Signal Ratio (NTSR) which is the ratio of the bad signals to total bad signals issued, to the ratio of good signals issued to the total number of good signals i.e. $(B/B+D) / (A/A+C)$. The variables with smallest values in terms of noise to signal ratio are considered as best and more accurate variables, and based on the information from NTSR, it can be used as criteria to decide that which variables to keep and which ones to eliminate from the set of possible variables. So, in order for the variable to be in the model, its NTSR should be less than unity, which means the variable should issue more good signals compared to the noise. Based on theoretical consideration and availability of information, the study used 15 variables. The sample variables are the following: 1-international reserves, 2-Imports, 3-Exports, 4-Terms of Trade, 5-Deviation of the real exchange from trend, 6-Difference between domestic and foreign interest rate (IR Differential), 7-Excess real M1 balances, 8-M2, 9-Domestic credit/GDP, 10-Real interest rate, 11-Lending/Deposit rate, 12-Bank Deposits, 13-M2 International reserves, 14-Output, 15-Equity Prices.

KLR (1997) work proved that signals approach can be useful as the basis for an Early Warning System (EWS) both for currency and banking crises, and the effective early warning system should take into consideration a variety of indicators, as such crises are generally headed by indications that ascend in a number of areas and sectors. Therefore, in order to have a complete and thorough observation, there must be variables from all diversified fields. This study on EWS through signals approach has

revolutionized the literature as it did add up into the few statistical models to be used as EWS. Moreover, this approach has been extensively used, replicated and extended in many ways and provided good bases to look at the vulnerability of the markets and to predict the future crises. Few of the studies which utilized this approach for further investigation and which are discussed subsequently include; Kaminsky & Reinhart (1999); Kaminsky (1999); Zhuang & Dowling (2002); Edison (2003); Oka (2003); Abiad (2003); Lestano, Jacobs, & Kuper (2003); Schlink & Huen (2004); Ciarlone & Trebeschi (2005); Klien & Shabbir (2006); Beckmann, Menkhoff, & Sawischlewski (2008); Lundstrom & Tiberghien (2010); Yum (2012); Cocriş, Percic & Apostoae (2013).

On the other hand, irrespective of its extensive use in literature, this approach has been criticized in the literature due to its few limitations. The definition of crisis is based on the threshold value which is arbitrarily selected, and for variables, in order to get better signals; it is adjusted in a way so that more and more signals should be received while reducing the noise so that a lower value of NTSR can be achieved. This is the drawback of the approach as sometimes the model can work fine, but the results can be misleading. Kaminsky & Reinhart (1999) studied the currency and banking crisis together and coined a term “twin crises” which refers to both currency and banking crisis if they are occurring together. In order to analyse both crises, the study took 20 countries for the period of Jan 1970 to June 1995 and recorded an overall 26 banking crises and 76 currency crises which include 19 episodes as twin crises. With the use of signals approach with threshold ranging from 10% to a maximum 30% of the distribution and crisis window as 24 months prior to the crisis, then used the noise-to-signal ratio as an adjustment criterion to settle for the best fit. Although, their procedure to capture the disturbances during the crises worked well, however, it was not without some limitations pertaining to the framework, as if an indicator gives a signal and this signal is treated as crisis when it is actually a noise, this signal is penalized with high noise-to-signal-ratio, but on the other hand, if an indicator issued a signal within the signalling window and is a good signal, it is just treated as a normal good signal irrespective of the fact that whether the signal was issued 12 or 20 months before the crisis. Overall the model performed very well and the study successfully predicted all the significant episodes of crisis.

Kaminsky (1999) also studied the Asian financial crisis by applying the signals approach of Kaminsky, Lizondo and Reinhart (1997) or KLR framework with the addition of four composite indices to help predict the probability of crises. The study used 24-month window with the same setup as KLR approach designed in 1997. The four composite indicators helped in correcting for some of the drawbacks of the methodology, for example, earlier if a variable issued a signal, it will take the value of “1” no matter if it was a mild or an extreme signal, but the second composite indicator adjusted for this problem and according to it, if a variable issued an extreme signal, then it will be given the weight twice as of the weight to a mild signal. An extreme signal is a quite higher in level than normal signal (way beyond threshold). The probability of the crisis is then calculated with the following formula using all composite indicators.

$$P(C_{t,t+h} | I_t^k < I_t^k < I_j^k) = \frac{\text{month with } I_t^k < I_t^k < I_j^k \text{ and crisis within "h" months}}{\text{month with } I_t^k < I_t^k < I_j^k}$$

Here ‘P’ denotes probability, $C_{t,t+h}$ is the occurrence of crisis in the interval $[t, t+h]$, $K = 1, 2, 3, 4$ and i, t and j stand for composite indices. The results obtained from

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the model by the use of macroeconomic data were satisfactory, however an argument was made that balance sheet data of financial institutions can even further improve the results. The study focused on the fundamentals of the domestic economy, assessing that how much the near countries are prone to the crises, can even be to extra advantage. As a result, regional and cross regional study seemed more ideal to capture more facts.

Edison (2003) replicated the signals approach. The exchange market pressure index included two instead of three variables which are nominal exchange rate and percentage change in the reserves. Moreover, the pressure index signals crisis when its value goes beyond 2.5 times the standard deviation from its mean and also applied 1.5 standard deviation later. The results showed inconsistency even when repeating the same data set and countries under observation. The maximum probability of crisis was 50%, which means five out of ten crises could correctly be called, which was low, but in accordance with the overall results of the early warning system. One of the explanation which was provided was that indicators keep on issuing signals which lowers the probability because of penalization process. Another explanation was that the studies take the period following the crisis as tranquil periods, but macroeconomic adjustments take time as the economy return to the normal level.

Zhuang & Dowling (2002) replicated the signals approach in a more sophisticated way and investigated that, among weak fundamentals and panic attacks, which hypothesis stands for the Asian financial crisis. The methodology was considered into five basic steps which were; identification of the crisis episodes, selection of the leading indicators, setting up the threshold, constructing the composite leading indicators, and finally predicting the crises. The study used monthly data from June 1970 to June 1995 for five Asian countries and used 25 variables from different sectors. The variables were selected based on their noise-to-signal ratio. The variables with low noise-to-signal ratio were prioritized and kept in the model. Further, the composite leading index was constructed based on variable' issued signals throughout the period to its noise-to-signal ratio, and it was then applied to calculate the probability of the crisis. The model performed well and results indicated that there were clear signs of vulnerability in the economies and weak fundamental were even present long before the crisis which supports the hypothesis that crisis were caused by weak fundamentals.

In a study, based on the debts to the International Monetary Fund (IMF), Oka (2003) predicted crises episodes through the modification of signals approach and the probit-model. The study defined the window for a country to be called under arrears or debts if a country is in continuous debts to the IMF for at least six-months, including at least three months of a particular year. The study not only served the purpose of predicting the debts to the IMF but also tested the reliability of EWS technique and its performance. In the study, signals approach was criticized by stressing that this approach is not reliable due to its raw method of selecting variables based on noise-to-signal ratio, which in itself, is not that dependable. Moreover, performance of probit modelling was also challenged by emphasizing that probit approach carries a drawback that it does not give information pertaining to a particular variable, instead, it provides the information based on the whole group. Largely, the results of the study were satisfactory and it did predict the episodes in which the incidence of debts of a country to the IMF could result in a crisis.

Based on the survey carried out by Abiad (2003), it was emphasized that EWS can be studied conveniently by applying limited dependent variable and signals approach together. However, EWS are always criticized for its numerous familiar

associated methodological concerns. Amongst the most noteworthy issue, is that, they involve a priori dating of crisis incidents before they can be assessed. The most shared way of dating the period is through the application of Exchange Market Pressure Index (EMPI) which takes exchange rates, reserves and sometimes interest rate variables to map the crises based on the sample dependent threshold and recognizing that whether the index crossed the specified limit or not. The drawback which can be highlighted in this criterion is that if the same procedure is applied at a different starting point, it will result in different periods being identified as crises.

The other problem associated with the EWS approaches, lies in the crisis-identification threshold. Because this threshold is selected arbitrary, in literature, there is a range of thresholds deviating from its mean by 1 standard deviation to up to a maximum 3 standard deviations including 1.5, 2, and 2.5 standard deviation. As a result, choosing a different standard deviation most probably bring different dates of crisis and dissimilar values of the coefficients. In addition to that, the threshold is adjusted mostly in a way to maximize the goodness of fit of the model.

The other problem which can incur is that the sample relying nature of the threshold classification, points out that future data may have the ability and may disturb the identification of past crises. The occurrence of large events such as main crises can make the previous episodes which are identified as crises into non crisis, given the fact that threshold is based on the standard deviation of the sample. In the case of dependent variables approach, exclusion window is also another issue which creates an artificial serial correlation and varies from study to study. Moreover, an exclusion window is a time-period which skips any crises identified by the threshold method if they follow a previous crisis within specified event of time. The major motivation behind using the exclusion window is to exclude the identifying speculative pressure periods as new crises, if they are just extensions of preceding ones, but it results in loss of information which may have been available during that time period. Additionally, there is also a loss of information while transforming a continuous variable into binary variable. The same happens in the signals approach in which the explanatory variables are themselves being converted into binary signals.

One significant point to raise here is that although none of the model is perfect for all tasks, but each one has its own strengths and weaknesses and the awareness of the advantages and disadvantages of each model is required in order to pick the right one for a specific task.

While criticizing on those traditional approaches as an EWS, Abiad (2003) proposed an alternative approach as Markov's regime switching model and emphasized that instead of sticking to the orthodox approaches, it is always advantageous to incorporate a new variety of models. Another replication for the KLR approach framed in 1997 was carried out by Schlink & Huen (2004) as a special case to study the crisis situation in Uganda and found that the model was somehow successful in capturing the crisis situations in Uganda and some variables performed well. The study used the same set of variables and transformation treatment as of KLR approach in 1997. The NTSR suggested that real exchange rate performed better than any of the other variables under consideration. Furthermore, the study suggested that contagion variables can be helpful in assessing the crisis situations and its probability and therefore, should be incorporated in the model, seconding the idea of Bussiere & Fratzscher (2002).

Another detailed study based on the EWS was accomplished by Klien & Shabbir (2006). The study analysed the standard approaches used in EWSs. Moreover,

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as a comparative measure to the standard approaches, study demonstrated that the Markov switching model works very well and in the case of the Asian crisis, the model may have predicted the financial turbulences better because it captured the volatility episodes very well. Furthermore, the study sets the guidelines that for an EWS that one must be aware of the country/regional situation (sample under consideration) and also should carefully select that which model need to be adopted, what variables to be used in order to make correct crisis predictions because the after effects for crisis are huge on society and it can be economically very costly if the predictions go wrong.

Ciarlone & Trebeschi (2005) designed an EWS for debt crises and defined debt crisis based on a broader definition of debt crises and devised that the crisis is called if any of the given criteria matches to the situation. Logit regression model was applied to the dataset which comprised of 28 macroeconomic variables dating from 1980 to 2001 on annual basis including 616 observations. The model was estimated through three different steps. As a first step, the logit regression for each of the 28 variables was carried out one by one and the insignificant variables or the variables with negative signs were removed. In the second step, the significant variables in first step were formed into different groups from the same family and model was re-estimated and again the significant variables with correct signs were kept. As a last step, all the significant variables from second step were put together into a general regression model and all the variables which were significant in the final equation were taken as important variables for a debt crisis. The model performed well and correctly called (76%) of observations in the multinomial model and (77%) of observations in binomial model. Furthermore, the argument was made that EWS works unsurpassed when there is timely information on relevant macroeconomic situations in the form of accurate data, an argument which was later supported by Fuertes & Kalotychou (2007).

Beckmann, Menkhoff, & Sawischlewski (2008) also studied the EWS and operated all the traditional approaches including bivariate and multivariate logit models. Study results suggested that logit models perform better than non-parametric approaches, but on the other hand, criticized multinomial logit models as according to the study, the results between the binomial and multinomial were not much different but treatment for binomial is easy and it is also easy to handle. Moreover, it was suggested that the use of regional framework and contagion variable is a necessary part of the EWS because according to the study, contagion is mostly present among financial markets. Lundstrom & Tiberg (2010) studied the banking crisis and the probability of bank run in Greece with the help of signals approach. The replication of the KLR (1997) was performed for the period of 2002 to 2009 using 14 of the 16 variables used in the original study and followed the same transformation mechanism for variables and used NTSR as decision criteria for variable' performance. The results indicated that the probability for banking and currency crisis captured was very low, suggesting that there is a need to make some adjustments in model specification or on how the crises have been defined. Yum (2012) applied both the logit model and signals approach to investigate the behaviour of economic and financial variables during Asian financial crisis and concluded that both the approaches performed well and many relevant variables were proved to be significant during the crisis time period suggesting that EWS can work well if adopted properly.

Parametric Investigative Studies

Eichengreen & Rose (1998) argued that the currency crises cannot be simply identified with changes only in the exchange rate regime, as not all decisions to devalue or float their exchange rate are preceded by speculative attacks. As a result, they measured the speculative pressure using a weighted average of variations in the exchange rates, interest rates and the reserves. All the variables were tested relative to the one of core country (US). When there is a speculative attack on the currency, it can lead to three possible situations, pressure may cause a loss of reserves, or it can be compensated through an increase in interest rate, or may occurred through depreciation or even the devaluation of the exchange rate. On this argument, the study analysed the experience of 20 OECD countries, using data which cover up to 1950's. The main finding of the study was that the devaluations which highlights currency crises usually happened after the periods of high expansionary, monetary, and fiscal policies. This may cause in wage and price inflation, weakening international competitiveness and worsening of external accounts. Moreover, when the devaluation befalls, it is complemented with some monetary and fiscal cutbacks to reassure investors and to make the new levels of exchange rate sustainable. Results indicated and supported that mostly the speculative attacks unfold contrarily in situations of high and low capital movement and confirmed that the capital controls presence make the devaluations unlikely and surges the viewpoint that speculative attack will be better resisted by the government. The study suggested that, capital controls are endogenous and there are more chances that they occur after the exchange rate has been devalued and vanish soon after there is a failed attempt. The study also pointed to the presence of contagion during the Asian financial crisis. Overall, the study focused on banking crises episodes as well as shed light on some of the misleading indicators suggesting that sometimes variables can provide some spurious results.

Chang & Velasco (1998) focused on the Asian financial crisis to study why there was no crisis in Latin America during the Asian turmoil. The study compared the macro-economic fundamentals of both regions and concluded that although Asian markets were doing well before the crisis, but their fundamental positions were not strong and there were clear signs of distress before the crisis erupt. International illiquidity in Asian markets put the nail in the coffin. Moreover, as most of the symptoms present in Asian markets were absent in Latin America, therefore those markets were buffered from the crisis. In addition, Berg & Pattillo (1999, 2000) studied the early warning systems and its importance with regards to crises predictions. The study argued that the economic and financial market system has become more complex and in order to have a fair look at the market, the system should consider all the possible areas of risk with the help of indicators, especially the fundamentals and vulnerability indicators. Moreover, according to the study, predicting the exact timing of crisis is almost impossible, however, a model can predict the relative severity of the upcoming crisis with the help of the indicators and such models can be useful in identifying which countries are more vulnerable to crisis instead of predicting their timings. The study claimed further that, although early warning systems are not perfect, but because of their beforehand cautions, at least they can add to the decisions of policy-makers to be vigilant.

Lau & Yan (2005) used nested logit model to predict financial crises. In the study, a detailed discussion on available models and approaches to predict the crises was provided and argument was built that different techniques have different advantages and

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drawbacks and whichever technique to be applied depends purely upon the interest and purpose of the study. Moreover, the study also discussed some important variables pertaining to financial crisis prediction and their performance during the periods of vulnerability. Moreover, the study also analysed the relative importance of various internal and external economic factors in triggering speculative attacks. In the study, signals approach was also used as a comparative measure alongside the nested logit model and the result of the nested logit model outperformed the signals approach in predicting currency crises and the study produced some robust results. A challenging argument based on financial liberalization was also made that it should be accompanied with some supervision and regulation and also it is important to have enough level of reserves to meet any unexpected situation along with better policy implications.

Bussiere & Fratzscher (2002) pioneered a study based on the multinomial logit approach as it brought many significant changes in the multinomial logit models in order for them to be used as an early warning system. In the study, argument was made that the main reason for the inability of early warning system models to capture crises with much accuracy lie mainly in the fact that in such models, usually the pre-crisis and post-crisis periods are treated in the same way but in reality, the behaviour of the markets and the economy itself is completely different during that time as economy goes into the recovery phase which is usually accompanied with very slow growth and comparing it with pre-crisis periods can generate a bias (often referred to as post crisis bias), though a concept which was later criticized by Beckmann, Menkhoff & Sawischlewski (2008). In order to adjust for post-crisis bias, the multinational logit model applied in the study used three proxies, ie pre-crisis, crisis, and post crisis, instead of two as in binomial logit model to capture the post-crisis effects separately. Moreover, in the framework, EMPI was defined based on the three variables which are exchange rate, interest rate, and international reserves similar to the KLR approach in 1997. However, instead of taking the values at nominal level, as in most of the studies, it took the real values for the variables. Using the real values for interest rate and exchange rate accounted for the alterations in inflation rates over time and across countries.

$$EMPI_{i,t} = \omega_{RER} \left[\frac{RER_{i,t} - RER_{i,t-1}}{RER_{i,t-1}} \right] + \omega_r (r_{i,t} - r_{i,t-1}) - \omega_{RES} \left[\frac{RES_{i,t} - RES_{i,t-1}}{RES_{i,t} - RES_{i,t-1}} \right]$$

Where ω_{RER} , ω_r and ω_{RES} are the relative precisions of each variable in order to offer a larger weight to the variables having low volatility. RER stands for exchange rate r is the interest rate and RES stands for international reserves. Moreover, i and t are proxies for a particular country and time period respectively. EMPI signals crisis when its 2 standard deviation above its mean value. The rationale behind using the weighted average of above three variables is that if investors consider the underlying economic factors as unsustainable or vulnerable and there is an attack on the currency, the government has two options, the first one is that either government can refrain from defending the currency. It can be done in two ways, either by abandoning the fixed exchange rate or by avoiding itself to intervene in the foreign exchange market so that the market can decide on the new price after currency is being devalued. Contrary to that, the second option for a country to defend its currency can be through two different ways; In order to maintain the exchange level, a country can increase the interest rate, or

it can exhaust its international reserves. EMPI has the characteristic to capture both of the options adopted by the government. In line to the idea of Berg & Pattillo (2000), the study agreed that predicting crises with exact timing is not possible, as a result, it focused on predicting a crisis within some specific time-period. The study used monthly data observations from the period December 1993 to September 2001 for a sample of 32 countries, with the assumption that all countries share common characteristics in terms of openness to capital flows. 27 variables were tested in total, out of which only 6 variables were kept in the final model and an additional dummy variable was also added to test for the presence of contagion. The results of Bussiere & Fratzscher (2002) indicated that the multinomial logit model performed better than the binomial logit model and moving from binomial to multinomial logit improved the prediction of crises and reduced the number of false alarms. In addition to that, the contagion variable showed significance, indicating that crises are not usually isolated, but rather are interconnected events across economies. Moreover, the model did capture the asymmetric behaviour of the investors. After the crisis, if the situations become normal again, it takes longer for investors to come back than to leave when panic fuel the markets, resulting in a left skewed shape of EMPI.

Other Mixed Research Studies

The use of Artificial Neural Network (ANN) as an EWS was carried out by Nag & Mitra (1999) for currency crises, and performance of the indicator approach across Malaysia, Indonesia and Thailand was compared based on monthly data from Jan-1980 to Jan-1998. Although neural networks have some advantages such as their ability to capture complex interactions among variables, but this flexibility can even be misleading and a drawback is the danger of over fitting which becomes much higher than commonly adopted EWS methodologies. There are no coefficient estimates, and the interactions among the variables can be complicated, which makes it difficult to determine which indicators have abnormal behaviour and driving the forecast probabilities. The study was adopted based on country by country analysis of the KLR (1997) approach by replicating 16 variables out of the 24 variables and it was realized that different variables were significant for different countries. Interestingly, the study did not find the real exchange rate as a significant variable which was quite unexpected.

Vlaar (2000) used the continuous crisis index itself as a warning system instead of adopting a binary crisis dummy variable. The study modelled the crisis index, which was drawn from a mixture of two normal distributions. The mean and variance of each distribution was modelled as a function of various indicators, as is the relative weighting of the two distributions. The model successfully predicted 7 out of 8 crises for both selected period and the out-of-sample predicted period. However, the study issued fair amount of false signals as well. Latent Variable Threshold Model (LVTM) was used by Collins (2003) for analysing the timing of the crises. The model assumed that the crisis occurred because of some unobservable factors reach to certain threshold levels. The study used a latent variable which has Brownian motion with drift. The probability of occurrence of crisis had an inverse Gaussian distribution conditional on the drift factor, the distance to the threshold and the variance of the Brownian motion. The distance and drift factors were modelled as linear functions of the five standard indicators. The study did a model test against Probit and Poisson models and found that the adopted model fits better than any of the comparable models.

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Burkart & Coudert (2002) adopted Fisher Discriminant Analysis (FDA) to study the currency crises. This method classified dependent variable into one of 'k' given states, based on information from a set of predictor variables. The main focus was to determine whether the 'k' states differ with regards to the mean of a variable. This model was then used to construct predictions for the states. Results suggested that the discriminant model based on studied indicators performed quite well. Zhang (2001) used Autoregressive Conditional Hazard (ACH) model as a main model and both ACH and probit models were estimated to study crises and results underlined that ACH fit the data better than the complementary model. However, as the adopted models were not nested, therefore, the comparison did not carry much significance.

Ghosh & Ghosh (2003) used Binary Recursive Tree (BRT) to analyse the influences of different variables onto each other. Firstly, the thresholds for each indicator were identified that minimize the false signals and encourage the good signals. Then the sample split into two branches applying the threshold from the best indicator. That means the indicator with maximum number of good signals. These processes continued to construct sub-branches until a stopping rule matches. Using this strategy, the study captured some interactions among the variables which were not easily captured using standard probit models to investigate crises. Gabel (2003) critically examined the efforts of the researchers and economists (especially after the European, Mexican, and Asian Currency Crises) on the theoretical and empirical grounds. The study argued that the predictor techniques adopted by researchers, performed poorly in empirical framework for such crises. Indeed, the techniques developed after each crisis failed badly to predict the next major crisis. These techniques were also not well justified on theoretical grounds. According to the study, there are many predictor indicators which are in line with the post-Keynesian economic theory, but they do not present any solid means to prevent the crises. The study concluded that regime in which "trip wires" and "speed bumps" operate, help in stabilizing the economy though growth can be slow.

In the study based on early warning systems in six Asian countries, Lestano, Jacobs, & Kuper (2003) examined the predictive ability of the indicators to anticipate the crises. For a better explanation and understanding, the study sheds light on the previous EWS methods used frequently in the literature. The study adopted the methodology of Frankel & Rose (1995); Eichengreen, Rose, & Wyplosz (1995); Kaminsky, Lizondo and Reinhart (1997); Frankel & Rose (1996); and Zhang (2001) for the mapping of currency crises. All of the models applied in the studies had their own way of defining the crises. In the study, four groups of indicators were extracted and then applied to multivariate logit model in a panel of six Asian countries for the period of 1970 to 2001 using monthly observations. The study incorporated 26 variable indicators and grouped identical indicators together with the help of factor analysis. These factors then were used as explanatory variables in that panel framework. The overall analysis indicated that different approaches provided different results for the crises dates which exploit the dependence of these models on different parameters and highlighted that most of the models are even sensitive to a small change in how you define those parameters.

The financial crisis of 1996 - 1997 in Bulgaria was studied by Feridun (2006) who replicated to the Frankel & Rose (1996) methodology. The logit model included 26 macroeconomic, political, and financial sector variables for the period of 1981 to 1997 on monthly observations. Only six of the 26 variables proved to be significant. Moreover, it was argued that the crisis somehow can be explained with the help of three generation models which have the ability to capture almost all the disruptions present in

the market thus complementing the role of generation models. Li, Rajan, & Willett (2006) studied the currency crises with the help of EMPI indices and argued that most of the studies take exchange rates, reserves and interest rates to formulate the EMPI and use the ratio of the inverse of the variance of the variables as a weight which, according to the study, does not have any valid economic interpretation as it results from a combination of market generated volatilities and policy reaction functions. It can even generate downward biases in case of unsuccessful attacks. The study suggested further that even if there are no good estimates available for samples, then the alternative approach should be to use the principle of equal ignorance and equal weights should be applied.

Davis & Karim (2008) studied the banking crises in 105 countries for the time period of 1979 to 2003 using annual observations. The study applied both logit model and signals approach and defined that banking crises could only exist if any of the four conditions meet the criteria. These four conditions are the following:

1. The proportion of non-performing loans to total banking system assets exceeded 10%.
2. Public bailout cost exceeded 2% of GDP.
3. Systematic crisis caused large scale bank nationalization.
4. Extensive bank runs were visible or if not, emergency government intervention was visible.

For the logit framework, the study followed the Demirguc-Kunt & Detragiache (1998) approach and extended the model, countries (such as Hong-Kong, South Africa), and time span (1979-2003). Results indicated that the multinomial logit model is better suited approach when looking into global EWS, whereas, the signal extraction approach works better to country-specific EWS, in line to the idea of Edison (2003) and further argued that a generalized global model cannot replace the country specific studies. A different EWS technique using the Stock Market Instability Index (SMII) was proposed by Kim, Lee, Oh, & Kim (2009). In the approach, it was argued that Instability Oriented Approach (IOA) is appealing and popular, but usually the instability period is short lived compared to the stable period, therefore, it is difficult to find large data on that. As a solution, the study proposed a new term, Stability Oriented Approach (SOA) which focuses on how the current stock market situations differ from ordinary stable market conditions. As a result, SOA was developed into a SMII through statistical training of an artificial neural network to the base period and in calculating discrepancies between the observed and the expected values of the trained ANN (Kim, Lee, Oh, & Kim, 2009). The study applied the SMII approach to Korean stock market for the period of January 1993 to January 2003 and observed that there were clear turbulent symptoms and the AFC 1997 impact could clearly be realized.

Ege & Bayrakdaroglu (2010) conducted a special study on financial crises in Turkey with the help of pressure indices. In order to observe the crises episodes, the study applied different pressure indices, based on previous studies, for the time period of January 1990 to December 2009 taking monthly observations. The results suggested that the indices cannot always give a warning of a crisis and some even failed to predict crises, indicating that it is not worthy to decide on the basis of indices and the financial indicators that an economy is away from the crises as crises can also be the result of the interaction among social events, political conflicts, and many other significant factors. To elaborate further, it was addressed that a single index may not be sufficient to predict

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all crises and it is also irrational to believe that a model which has predicted one crisis will be able to predict the next crisis for granted.

Conclusions

There have been many investigative studies in the literature on crises and after having all the above discussion and criticism of selected studies, it is noteworthy to realize that there is no solid platform on which one could predict an economic or financial crisis accurately under all berths before it happens. It demonstrates the complexity of the current financial markets and the weakness of the system for not bearing a strong framework to predict the disruptions beforehand and to be pro-active instead of being responsive. Financial vulnerability has significantly been increased after the financial liberalization, but one cannot merely blame on the liberalization as it equally has many advantages and overall it has a positive impact on the financial markets as agreed by Stulz, (2005); Kose, Prasaad, Rogoff, & Wei, (2006); Moshirian, (2008). The inquiry which then comes into judgment is how to dispense with the vulnerable situations with minimum impairment and what are the tools which can furnish the best support to tackle with those situations. When explaining specifically about the EWSs, it is for common understanding that there are bundle of approaches available to study and examine the market positions, but unfortunately it is difficult to determine that which approach is the best as crises vary from time to time and situation to situation. The ideal way to select the best approach is through understanding of the marketplace and the major elements or factors which can play a big role in the vulnerability. Only then there is a chance to pick the appropriate tools along with selecting suitable indicators to examine the situation and implementation of suitable strategies. We do not have one-fit-for-all or tailor made solutions.

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ORIGINAL PAPER

Employment and Industrial Relations: Legal Politics in New Europe. Comparing the Cases of Bulgaria and Estonia

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Abstract

The article seeks to test concepts such as Varieties of Capitalism, constitutional political economy, comparative legal studies and others, in their application to the new Member States of the European Union in Eastern Europe. Taking the labour markets of Bulgaria and Estonia as a sample, the article proposes as findings that the Estonian labour market would more easily accommodate into the legal and political framework of the European Union, whereas the Bulgarian one presents more state supervision and thus, it could be considered as more democratic and more responsive to potential crises.

Keywords: *Varieties of Capitalism; Bulgaria; Estonia.*

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Introduction

The European integration is a set of processes that is determined by various goals such as prevention of war or further economic development, launching fields – ones being based on different economic sectors or geographical scope in which cooperation is envisaged and factors such that the Cold War and its end. All the subjects described affect the development and execution of the various levels of European integration. However, whatever the results intended by it, the Member States of the European Union face different levels of accommodation within the common European legal, institutional and common market framework given their own economic, social, political and cultural backgrounds. In that sense, any further integration is and would be the result of different multi-level interactions, in which complex socio-economic models play crucial role (Fioretos, 2001: 243-244) (Hall & Soskice, 2001: 1-68). After the so-called Eastern Accession of 2004 and 2007, that kind of coordination and cooperation was challenged by the countries that got through multifaceted transitions as their macro-economic and social models were still fragile, underdeveloped, and their accommodation into the European institutions and the common market was then an uneasy and time-consuming task. Similarly, their actual and potential influence on the decision-making process within the European Union institutions and bodies was and would be more complicated as their negotiation leverage is not well-institutionalized and not based on sound internal drive and agenda. In that line of thoughts, analysis in the field of the Eastern Accession results would be increasingly relevant for the studies of the European integration.

Such a topic calls for an interdisciplinary approach that could encircle the connections between law, politics, economics and social studies. Possible theoretical framework for such analysis could be taken from the constitutional economics programme introduced by the American scholar James M. Buchanan "[...]that directs inquiry to the working properties of rules, and institutions within which individuals interact, and the processes through which these rules and institutions are chosen and come into being" (Buchanan, 1990: 1-18). Expanding on such handling of the issue, it concentrates in the „choice amongst constraints”, but further it still acknowledges that “ordinary politics may remain conflictual {...}while participation in the inclusive political game may embody positively valued prospects for all members of the polity”(Buchanan, 1990: 1-18). Accordingly, the national legal politics would encompass all such relationships, while remaining enough place for disruptions and various realignments, representing every-day politics.

Additionally, socio-economic models could be regarded by the means of the Varieties of Capitalism framework, as it provides a system in which issues such as corporate governance, company competition and coordination, vocational training and education and industrial relations, while locating the business in the centre of such interaction (Hall & Soskice, 2001: 1-68). Hall and Soskice, the main authors of that scholarly framework, conclude that there are two clear or „perfect” types of capitalism – Liberal Market Economy and Coordinated Market Economy, represented respectively by the United States of America and the Federal Republic of Germany. The dichotomy is based, on the one side, on high legality, formality, low unionization, and on the other, on informal, social dialogue, workers` participation, unionization.

Turning back to the socio-economic analysis on the scale of the whole European Union, one of the most problematic regions would be Eastern Europe, more precisely, the countries that represented the Second World. As the political economic systems of the Member States from the Eastern Enlargement have been challenged through a major change – the overthrowing of the totalitarian socialist systems that meant that not only the legal and economic frameworks have changed, furthermore their original traditions in constitutionalism and law-making were not corresponding to a majorly developed world in terms of capitalist institutions, but also that the downturn in their industries was actually not able to provoke and develop sustainable institutional equilibrium mechanisms.

Given that such a deviation from the developed market economies is present and existing, approaching and assessing the Varieties of capitalism models in Eastern Europe is somehow unconventional and hard to initiate. Although some scholars would line these models with the established groupings of traditional coordinated and liberal market economies to some extent, others call for another type of classification (Iankova, 2010: 1-4) (Noelke & Vliegenthart, 2009: 670-702) (Drahokoupil & Myant, 2010: 266-295) such as the “dependent market economy” model. However, sound critique on the general Varieties of capitalism framework, most notably the role of the state as an institutional and economic actor, has also found its way in regard to Eastern Europe (Lee 2011: 3-23), while others (Noelke & Vliegenthart, 2009: 670-702) (Drahokoupil & Myant, 2010: 273) put in the multinational(transnational) companies in the centre of the model, arguing that it brings medium labour-market flexibility and company level bargaining and that monetary policy(especially the currency peg strategies) has crucial role in developing the social and economic equilibria institutions.

The analysis of the social and economic models of the Eastern Europe post-socialistic Member States of the European Union could be provided on the basis of the comparative legal politics as well. The compatibility with the constitutional economics would be eased by the high level of formality of institutions established there, largely by the form of legislation and normative acts. Setting further on the issue of employment and industrial relations would bring more focus to the analysis, as these are easily visible and assessable on the grounds of conflicts and chronological development.

The comparison of legislation could derive more insight of how the similar macroeconomic policies pursued (based on the huge reliance on direct and indirect foreign investment) could result in substantial differences in the respective politics. Furthermore, it could deliver different sets of instruments and mechanisms developed by the states, with similarities in their models of capitalism, to tackle such discrepancies – such as the relations with other legal acts or the start of adopting informal institutions such as social dialogue meetings (Colvin, 2006: 73-97).

As the adoption of legal acts is solely a state or supra-state prerogative, such a comparison, based on hard law, would reveal more information on the role of the state in the context of the Varieties of capitalism framework for the Eastern European Member States, taking into account however institutional influences set upon the legislators. Another implication searched would be in the relationship between the nation state and the other national institutions, on the one hand, and the European Union, on the other, representing the bargaining leverage of the European institutions, various direct and project funding received through the Structural funds, direct and indirect investments from Western European companies and the *acquis communautaire* of the European Union.

Establishing a testing sample for the analysis of the legal politics in employment and industrial relations in New Europe

The taking of a sample for the needs of the analysis is based on the similarity of two cases – those of the states of Bulgaria and Estonia. They are both sharing similar historical and socio-economic development background in the socialist legal family, further they performed similar legal reforms in comparable timeframes after the dissolution of the Soviet Union, they are both engaged in many and various layers of the European integration and with basically similar economic strategies and goals, for example the setting of a currency peg in order to provide financial security for direct and indirect foreign investments. Such similarities could provide a viable sample for the examination of how similar starting points and launching fields could develop differences in legal politics.

During and after the Second World War both Estonia and Bulgaria were occupied by the Red Army of the Soviet Union and were imposed to a very distinct type of law and legal systems, sometimes regarded as Socialist law. Its most important characteristic was a clear separation between de facto and de jure set rules. In the context of employment and industrial relations, this meant that although workers enjoyed legally vast and generous rights and privileges, in fact, they were totally suppressed and neglected by the totalitarian authorities, as state control and intrusion was spreading into every kind of organizations, including trade unions and work councils (Blanchflower & Freeman, 1997: 438-459).

After the collapse and subsequent demise of the Soviet Union and the Soviet bloc, Estonia and Bulgaria regained their de facto political independence and initiated sets of reforms that changed drastically their economic, social, political and legal structure. However, the described shift in Bulgaria was somehow slower than the one in Estonia, which also was represented in some small, but symbolic differences. An example for that is the socialist Labour Record Book, documenting the employment history and disciplinary conduct of every single worker, which was scrapped in Estonia, but it is still present in Bulgaria, although drastically changed in its form and purpose. The pace in the institutional restructuring was related to the social and political regard and appreciation of the previous socialist system and was further represented by the whole timeline of the conduct of the legal reforms. A reason why is that the most of the Estonian electorate and the most of their political representatives were strongly opposing the Soviet past, while in Bulgaria positive sentiment towards the Soviet Union and the Soviet system was strong and present, moreover reforms were undertaken by the former Communist party turned Socialist after the fall of Iron Curtain (Giadzidis, 2002: 53-54). Given that popular attitude, it could be concluded that reforms in Bulgaria would be taken with more institutional reluctance, lack of popular support and thus, lack of legislative initiative for deep structural reforms.

The restructuring of the whole concept of the national industry sectors in both countries was of crucial importance. The total loss of the export markets presented by the former Socialist allies due to the destruction of the institutional infrastructure of the Council for Mutual Economic Assistance was equal to fast bankruptcy of the state-owned enterprises of Bulgaria thus resulting in a substantial rise in unemployment and cuts in social spending. The same could be stated about the exit of Estonia from the internal market of the Soviet Union. The adoption of new, convertible national currency that could be traded internationally was even more difficult because of the constant need of macroeconomic, fiscal and financial realignments. Embracing the instrument of the

currency peg was much needed in that case for the boost of the direct and indirect foreign investments. Both countries chose to fix their national currencies to the German Deutsche Mark in 1997(in the case of Bulgaria) and 1998(in the case of Estonia). The accession to the European Union in 2007 and in 2004 respectively, settled them fully into the Dependant Market Economies model described above, as the crucial financial flows, forming the economic institutions, were eased and stimulated even more due to the financial security provided.

Legal framework of the employment and industrial relations in Bulgaria and Estonia

The new macroeconomic situation and realities in Estonia and Bulgaria thus reflected the development and re-setting of the formal state institutions. That formality was based on the new laws and normative acts. The legal basis for the employment relations in Estonia was set under the Employment Contracts Act in the private sector and the Public Service Act in the public sector. The industrial relations were based on the Trade Unions Act, the Employees Representative Act, the Collective Labour Dispute Act, the Regulation Act and the Collective Agreements Act (Osila & Nurmela, 2009: 3). However, the Employment Contracts Act is de facto the overarching code that fixes the other employment and industrial relations laws.

The legal framework establishing and regulating employment and industrial relations in Bulgaria was mostly concentrated in the Labour Code, adopted during the time of the socialist regime, in 1986. The existence of working collectives or workers councils and their participation in the corporate governance was repealed in 1992 and thus providing one of the most critical and visible changes in the Labour Code, as it was the main aim of the legal agenda at that time (Kirov, 2005: 117, 135). Once more, sticking to that former legal act institution reveals the connection to the socialist legal past, not overcome amongst and by the Bulgarian legislators, thus hinting for initial reluctance to the reform of the labour market framework. Further inquiry into other political and institutional actors such as the trade unions and associations, could reveal more clues of that kind of atavism initially.

The Trade Unions in Bulgaria and Estonia

The labour organizations in Bulgaria are mainly represented by the KNSB (CITUB – Confederation of Independent Trade Unions in Bulgaria) and by Podkrepa CL(Confederation of Labour). KNSB was initially the institutional continuation of the trade unions of socialist regime with vast established connections to the main left Socialist Party of Bulgaria, whereas Podkrepa CL was founded with mainly political rather than organised labour representation motives, aimed against the dominance of the Communist Party, which effectively meant non-cooperation with the left. However, their separate paths to independence got further through their own political projects (Kirov, 2005: 117, 135). The dual trade union domination of the KNSB and Podkrepa was legally set and enforced after they warned and threatened against the governmental plans to accept in another labour organization in the National Council for Tripartite Cooperation in 2004. New amendments in the Labour Code were made raising the criterion for trade union membership in the tripartite cooperation from 50 000 to 75 000 union workers (Art. 34 Labour Code) with the option of re-applying only after a 4 years term (Art.36) (Fulton, 2019).

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There are just two prominent trade unions in Estonia as well – EAKL (Confederation of Estonian Trade Unions) and TALO (Central Organization of Salaried Employers). The first one is mostly comprised of blue-collar workers and the second one of white collar workers, whereas both are facing severe downturn in worker membership in the years 2006-2010 (Osila & Nurmela, 2009: 3). Although both unions are politically non-aligned, EAKL is well-connected to the main Estonian left party. Additionally, it originates from the Soviet time Central Council of Estonian Trade Unions as well as TALO that split from it in 1992 (Fulton, 2019).

The comparison of the trade union systems in Bulgaria and Estonia reveals that both used to be highly politicized, eventually eroding their popular legitimacy and options to cooperate with each other (respectively their overall coverage of the whole workforce dropped to 20% for the former and 10% for the latter (ETUI, 2013)). In the process of abandoning that highly party-affiliation feature, the role of the European Union influencing the trade unions is crucial. The process of accession to the European Union led to cooperation between the trade unions in Bulgaria and Estonia with those established and present in the European Union both informally, as well as formally in European official consultative structures and institutions. Such processes revived these organisations and even granted them more influence – with the European Social Model agenda and the much-needed funding of social dialogue programs (Ost, 2009: 13-33). However, such institutionalization could shift the initial purposes of the trade unions as they are endangered to become less vigilant towards the policies and politics of the European Union in regard to their national labour markets and through cooperation could become less unaware of pressing internal national issues, not shared by their counterparts from “Old Europe”, for example – on the notion of social dumping between the East and West Europe (Dolvik & Visser, 2001 as cited by (Hyman, 2005: 17-23)).

The industrial relations in Bulgaria and Estonia

The main institutional form that represents the social dialogue on national level in Bulgaria is the National Council for Tripartite Cooperation. It is constituted under the Art.3 (a) of the Labour Code. It is placed within the executive branch of the government umbrella – the Bulgarian Council of Ministers, and consists of representatives of the government, the trade unions and the associations of employers. Its functions are mainly consultative – meaning decisions are reached and set by the national administration directly and may not regard the statements or decisions of the former (Art. 3 (c) of the Labour Code), however, the National Council for Tripartite Cooperation is also responsible for coordination and implementation of increasingly important governmental and foreign (mainly ones from the European Union and the European Free Trade Agreement) programs and funding on national and local level. Thus, its agenda-setting power in real terms, although informal in the decision-making process, is actually growing. This trend is also visible by the changes in the legal framework that put together criteria for trade unions to be participants in the industrial relations on national level.

The situation in Estonia could be considered similar. The Social and Economic Council is the body that encompasses the industrial relations dialogue between the social partners. The participation of the trade unions and employers' organisations on the level of the European Union and also their involvement in various projects is actually strengthening and empowering the institutions vis-à-vis the national government and state institutions. However, a major difference to the Bulgarian system is the

Memorandum of 1999 between the trade unions and the business organization that created working conditions for the adoption of their bilateral decisions without the need of the state or its bodies intervening (Fulton, 2019). Such attempts in Bulgaria, although being based solely on governmental initiative, proved unsuccessful as there were huge differences amongst the social partners – namely the trade unions and the associations representing the major employers on state level (CITUB, 2009).

Respectively, as both countries are setting and defining a minimum wage for the workers, the role of the tripartite cooperation is differing as well. Bulgaria is a state with established fixed minimum wage applied nationwide. This is set by the Labour Code under Art.244 (1) which states that „The Council of Ministers shall fix the national minimum wage”. The legal form established is one set upon through a decree of the Council of Ministers that is the Bulgarian central government. Although the National Council for Tripartite Cooperation has a consultative role in regard to the wage-bargaining, the estimation of the poverty line and personal income, its decisions and soft law could be disregarded with the central government taking unilateral decision in that sphere.

The fixing and setting of the minimum working wage in Estonia is set under the Wages Act, more specifically, Art.2 (7) „The minimum amount of wage per specific unit of time (hour, day, week, month, etc.) established by the Government of the Republic, which may be agreed upon for full-time employment.” Corresponding in that way to the Bulgarian National Council for Tripartite Cooperation is the Estonian Economic and Social Council, whose acts are not legally binding as well. In practice, the right of the government to set a minimum working wage was shared and executed only to sanction the bipartite agreement with the EAKL and ETTK, respectively the representative organizations of the employees and the employers. From 2002 onwards, the agreement has been reached only between the social partners further proceeded and decreed by the government (Osila & Nurmela, 2009: 3-7). The process was however marked by deep friction with the Minister of Social Affairs, as, legally, it needs the approval of that Ministry. Consultations with the University of Tallin, taking into account the pre-accession reforms of the Collective Agreement Act of 2000-2002 and Cabinet changes resulted in continuation of the bipartite decision-making.

Such a discrepancy between the legal systems of industrial relations in the two states could be explained with the different levels of labour and social security costs to employers. The data acquired through Eurostat reveals that while overall increases of labour costs in Bulgaria are growing faster than those in Estonia, in 2019 employers pay less for the former and more for the latter (EUROSTAT, 2020). Additionally, various resemblances could be found in the pension and overall social systems, social security, health care. However, the changes in the Labour Code in Bulgaria of 2003 regarding the minimum social security payments, in fact decriminalized informal labour relations in the form of employers not declaring the whole amount of the worker's wage and thus avoiding paying in total for social and health care contributions, as well as state taxes.

The initial adoption of formal institutionalized framework for social dialogue in both countries presents additional level of analysis. Bulgarian legislators and officials, given the stronger political and representational position of the trade unions created the National Council for Tripartite Cooperation as early as 1993 (Tomev, Daskalova & Mihayilova, 2013: 10). This was in line with the government agenda of holding the pace of reforms during the years 1992-1996. In Estonia, the respective Economic and Social Council was created in 1999 (Fulton, 2019). Such a downplay of the social partners,

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especially trade unions, worker councils and associations, could have provided the economy of the latter with comparative better positions amongst potential and existing foreign investors, as they tend to be sceptical of high labour union enrolment of the worker force.

The protection of existent employment has the role of a crucial mechanism in the socio-economic models. Besides its settlement through collective bargaining, workplace protection is often guaranteed through national legislation. According to the Varieties of Capitalism framework, different types of social protection of existing employment are complementary to different skills equilibria in the labour market (Estevez-Abe, Iversen & Soskice, 2001: 145). Furthermore, the research frameworks of (Mortensen & Pissarides, 1999) and (Van Ours, 2007) as cited by (Brixiova & Egert, 2012: 103-120) stipulates that the economic recovery of countries that are adjusting their labour markets from ones characterised by high level of unemployment to ones based on increased high value-added activities would be drastically eased if they take action to deregulate the employment protection. Such an action was undertaken by Estonia in 2009, soon after the financial crisis hit the country. The Bulgarian policy- and decision-makers did similar changes in the Labour Code, inspired by the European soft law, however, without the proper timing, allowing the lag do disrupt further the labour market equilibrium. In contradiction to those deregulating policies, changes in the opposite direction, inspired by the European Union institutions were made in regard to mergers and acquisitions of big holdings, company insolvency and additional worker rights that could tighten the financial grip on the employers. Such further reforms were initiated only after a period of 4 years in Estonia, providing less conflict and contradiction between the two different types of measures (Brixiova & Egert, 2012: 103-120).

Direct impact of the European Union on the industrial and employment relations in Bulgaria and Estonia

The various types of European project and direct funding play crucial role in the promotion of specific legal politics in the Eastern European Member States. In one way, they promote cohesion between less and more developed regions as well as crucial physical infrastructure needed for deepening of the Single Market, but in another way, they also promote the easier implementation of European legal texts and the building of institutional capacity in the process of their execution or as prerequisite for such fund allocations (Bafoil, 2013: xxiv).

The impact of the legislation of the European Union was somehow a leitmotif of the reforms in industrial relations and employment policies in Estonia and Bulgaria. The reforms mostly intended to liberalize the normative and administrative procedures for hiring and dismissal of employees were crucial for the better macro-economic performance of those two states during the financial and sovereign debt crises. The direct effect of the Directive for Temporary Work Agency or the implementation of the text on setting European Worker Councils into the corporate life of the companies in Bulgaria and Estonia are still to be assessed given the lack of historical data of their effects and the various incremental changes that were promulgated to their implementation. The flexicurity agenda on the level of the European Union, especially during the slow economic recovery after the financial and sovereign debt crises, is predominantly finding its way through instruments supporting vocational training and youth employment.

The direct and indirect foreign investment in the former socialist countries is not entirely based on economic and legal factors. The closer geographical proximity to the industrial heartland of Europe - the BENELUX countries –Belgium, the Netherlands, Luxembourg, the North of France and the West of the Federal Republic of Germany - could explain the initial economic and social success of the Visegrad Four Countries – Poland, Hungary, the Czech Republic and Slovakia (Drahokoupil & Myant, 2010: 272). In the explanation of the transitional market economies in Central and Eastern Europe, Bafoil points out that such regionalism is an important and crucial factor. The close distances and assurance in the continuous adoption of familiar European Union rules would be strong incentives for increasing the volume and intensity of direct and indirect foreign investments (Bafoil, 2013: xxiv). In that case, the decision-makers in Estonia could feel more confident in the pace and the directions of the legal and normative reforms, as well as in their social and economic outcomes, as Member States such as Denmark and Germany, and after the so-called EFTA Accession – Sweden and Finland are their direct neighbours. On the contrary, Bulgarian economic and social actors are geographically and culturally close only to less-developed Member States such as Greece and Romania, moreover, the three of them are situated in one of the most turbulent regions of Europe.

In the case of the broadening of the *acquis communautaire* of the European Union in regard to the employment and industrial relations, proper and timely decision-making is hard to execute, given that in many cases there are more legal developments and protection in Old Europe, on the contrary, for New Europe, such a discrepancy is vital for the employers. The internal migration within the European Union and the flows of direct and indirect foreign investments is raising the question of social dumping, pressuring legislators and companies in the West, while the financial crisis is limiting funds and investment in the East, creating fragile base for coordination of minimal common legal standards and providing field for future European economic growth. Following the adoption of the Euro as its national currency, Estonia falls under art.5 (2) of the Treaty of the Functioning of the European Union that provides closer policy setting within the Eurozone. That could very well put the two similar cases of Estonia and Bulgaria into opposing camps during negotiations within the European Union institutions and bodies.

Conclusion

Following basically similar strategies of macroeconomic and social development, the comparison on the grounds of legal politics between Estonia and Bulgaria implicates that there are actual differences in the adoption of legislation in the field of industrial relations and employment. The processes and economic and social developments in both countries are uneasy, unsteady and time-consuming, however, the decision-making and legislative setting in Bulgaria is prone to experiencing more political instability with greater amounts of rent-seeking and conflicts, thus making the role of the state increasingly important, but, at the same time, more fragile, as it is unable to provide equilibria between the different social institutions and actors. Respectively, accommodation within the legal and economic framework of the European Union, could be easier for Estonia. However, adopting Buchanan's statement of policy-making as „choice amongst constrain”, it would be possible to state that the Bulgarian legislation is the second best choice to pursue the same goals, being more democratically

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representative and also possibly dealing better with major or extraordinary equilibrium disruptions such as future financial or sovereign debt crisis.

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ORIGINAL PAPER

Free Access to Justice in Civil matters in Post-Communist Europe

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Abstract

No person can exist in modern society without a set of personal rights and a series of obligations, either general or personal, imposed according to the category of which he belongs. Therefore, the rights of the person are circumscribed in the very essence of it and give it a legal meaning. Economic and social development leads to the emergence of new legal situations, which could not be taken into account by the legal norms at the time of their publication. Therefore, the courts are called upon to apply the general principles of law for their settlement and at the same time the need for justice increases. Therefore, of particular importance is the problem of access to a court, in the sense of making requests for obtaining decisions that can be enforced, so that the person's requests find their desired purpose. Free access to justice is part of the procedural safeguards that make up the right to a fair trial. Moreover, it is the very beginning of its manifestation, because without the possibility of promoting legal claims, we cannot discuss the process in the sense recognized by the European Convention of Human Rights. Free access to justice is analyzed in relation to other specific concepts, such as: democracy, rule of law, internal legal framework, freedom and impartiality of courts, reasonable term, procedural guarantees or limitations to them.

Keywords: *free access to justice; appeals; procedural restrictions; civil matters; deadlines.*

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Historically, justice has represented the guarantor of the existence and protection of a person's rights and thus, also, the protection of the condition of the individual in the society. Regardless of their legislative assertion, rights must be protected in their essence through a system of control of society, such as justice.

No person can exist in modern society without a set of personal rights and a series of obligations, either general or personal, imposed according to the category of which he belongs. Therefore, the rights of the person are circumscribed in the very essence of it and give it a legal meaning.

Although in most Western democracies free access to justice can no longer be considered a novelty, it must be borne in mind that the recognition of this fundamental right in Romania, and in other Central and Eastern European countries as well, was made only in the post-communist era, as an effect of attempts to recover the gap from other legal systems. Taking into consideration that the communist regimes were based on different repressions, these constituted gross violations of human rights (Grudytė, Gervienė, 2015: 149) as we know them today. This prompted, for example, The Council of Europe to address this question 1996 stating that “[t]he key to peaceful coexistence and a successful transition process lies in striking the delicate balance of providing justice without seeking revenge” (Council of Europe – Measures to dismantle the heritage of former communist totalitarian systems, Resolution 1096 (1996)). Being a post-communist state, free access to justice in Romania must be considered as a new effective fundamental right and must be understood accordingly. The recognition of this fundamental right was fueled by the ratification of the European Convention of Human Rights (Law no. 30 from May 18th 1994 concerning the ratification of the Convention for the Protection of Human Rights and Fundamental Freedoms and Additional Protocols to this Convention), that states free access to justice as part of the general fundamental right to a fair trial. Currently, it is recognized with constitutional principle value through art. 21 of the Constitution, which means that from a legislative point of view, all other normative acts will have to take into account the non-restriction of the law only under the conditions expressly provided in the Constitution.

Starting from the definition given in the doctrine "free access to justice consists in the ability of any person to bring, in his free assessment, an action in justice, whether it is even unfounded, in fact or in law, implying the correlative obligation of the state as, by the competent court, to rule on this action" (Bîrsan, 2010: 357).

We thus consider that the need to open justice to all legal subjects arises from the guarantor of its social order, namely the arbitrator who decides to whom the legal relationship inclines in order to protect the social position of each person. This ensures the existence of a social order as a component of the modern state (Dănișor, 2007).

Because the role of justice within a democratic society is so important, it must be generally accessible to all legal subjects to whom it is addressed. Justice is not limited to a certain category of persons unless fully justified and with the certainty that there is the possibility of the other categories to address an equivalent court.

Free access to justice must be exercised by a person starting with the possibility of bringing an action for the alleged right to be infringed or the possibility of defending in a civil trial brought against him, including the possibility of making applications within the pending case and also the exercise of an appeal by which to verify the legality and soundness of the decision of the first court. Therefore, free access to justice depends more on a number of procedural requirements. The effectiveness of free access to justice should be maintained throughout the civil case and should refer to all procedural aspects

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recognized by the parties. For example, in civil cases, the plaintiff must be able to bring an action before an independent and impartial court, must be able to request the presentation of evidence and must have the real possibility that the requested evidence might be admitted, must be given a decision on the subject of the case and must be able to exercise the appeal or to initiate the enforcement procedure, as the case may be.

With the adoption by the European Union, through the agreement of the states, of the Charter of Fundamental Rights of the European Union, the protection of free access to justice has become internal for the European construction as well. Although previously it took over the provisions of the Convention to motivate the protection of fundamental rights, this new European instrument of protection reinforced this idea within the Union.

The jurisprudence of the Court of Justice of the European Union has borrowed many times from the directions followed by the European Court of Human Rights as a result of full recognition of the provisions of the Convention and thus of its protection mechanisms.

Lately, the Court of Justice applies those provisions specific to the European Union in relation to free access to justice in order to guarantee the other fundamental rights included in the Charter and which may be exercised contrary to public institutions in the Member States.

Although it is considered a fundamental right of the person, it must not be considered that access to justice is in all cases free or that it is guaranteed in the same extent in every case. It is normal, for considerations regarding a good administration of justice and the courts, that the ability to launch a civil claim can be subject to different formal procedural requirements that must be met.

1. Financial restrictions. Fees for judicial procedures:

From the perspective of the right of access, a problem previously analyzed by the European Court of Justice was that of the financial restrictions imposed to promote a civil action, respectively in the case of the national law, the obligation to pay the stamp duty according to the object of the request.

At national level, the general rule is that all civil applications submitted to the courts are subject to stamp duties, the amount of which will be calculated separately depending on the object of the request. Also, the rule can be found in art. 197 of the Code of Civil procedure of Romania, according to which: *"If the application is stamped, the proof of payment of the taxes due is attached to the request"*. Determining the fee requested for every case is made by establishing the object of the request and, in most cases, the value of the request. The rule is that the fee for the judicial procedure is determined through the value of the claim according to its object, as stated by art. 3 of OUG no. 80/2013 regarding the fees for judicial procedures.

In France, Court fees for civil action is clear indeed, as a rule there are no charges payable to the State for acts of procedure, the clerk of Civil Courts are public. Unfortunately, this is not the case of Commercial Courts for which there is a scale of registry charges (Jean Albert – Team Leader, submitted by Isabelle Tinel – Country Expert, Country Report France, 2007).

Inside the European Union, France is regarded as an exception, but a study (implemented by DEMOLIN, BRULARD, BARTHELEMY for the European Commission, Final Report, 2008) concluded that five countries always require procedural fees, 17 countries require procedural fees in principle, meaning that they apply to most claims

but there are also exceptions, France requires them exceptionally and Luxembourg never requires procedural fees, as the regulation adopted on 27th December 1980 abolished all kinds of proceedings fees including that which granted fees to Court clerks.

Taking into consideration that failing to pay the procedural fee is sanctioned by annulment or automatic rejection of the claim, it is clear that this obligation constitutes an obvious limitation of the right in question, which can no longer be considered as "freely exercised", the question being clarified if the limitation is justified and if it is compatible with the purpose of the norm of art. 6 of the Convention.

The European Court of Human Rights has analyzed the financial limitations in exercising the right of free access to justice, outlining the idea that such limitations should not restrict the access of the person in a way or to a degree that even touches the substance of the law (ECHR, Kreuz v. Poland, 28249/95, para. 60, Iorga v. României, 4227/02, para. 39). The court considers that such taxes are for a legitimate purpose, namely the good administration of justice and aims both to discourage the justiciable to make abusive requests but also to provide funds for the functioning of justice (Bogdan, 2009: 44).

The procedural fees are due to cover the costs of the procedure, which is the logical purpose of such a tax. Moreover, this idea results even from the formulation of the legal texts in this matter, which provide the obligation as a prerequisite for the exercise of the action. Also, the proper functioning of the justice really requires a control of the requests made by the justices, so that they are not manifestly unfounded or abusive. From this point of view, the financial restriction of the fees for judicial procedures has a preventive function in order to discourage the formulation of such claims. However, we consider that the same purpose could be achieved by establishing a procedure for filtering actions, before they reach the judges who form the units to which they were assigned.

2. Restrictions related to the form of the claim:

Another notable restriction is the form that the applications to the justice must present so that they can be valid in terms of procedural rules and can be taken into account by courts or other judicial bodies. The conditions of form impose certain obligatory characteristics for the requests addressed to the justice that they must meet.

Such a legal requirement has the role of establishing a discipline of the judicial system on the part of the justiciable, through a set of minimum rules that must be respected in order to guarantee a standard for the optimal functionality of the justice.

The doctrine has stated that *"once established by law, the way of accessing justice, the state can and must establish certain conditions of form, in which a court can be notified. Their fulfillment is a limitation of access to justice, because without their fulfillment, the person cannot bring the litigation before a court, the way in which he wants to bring the court is limited by the fulfillment of the conditions prescribed by law. In general, such conditions are reasonable and are proportionate to the intended purpose, namely the good course of justice"* (Chiriță, 2006).

In civil matters, the method of referral of the court is represented by the court application. At a national level, the right of access to a civil court is reiterated even by the Code of civil procedure through art. 192 which indicates the general scope of application of the rules to any person who seeks to defend his legitimate rights and interests. Also, art. 194 of the Civil Procedure Code, entered into force on February 1, 2013, refers to the content of the request for legal proceedings or court application and

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establishes, in a legislative manner, what are the formal requirements in civil matters regarding the court's notifications. It is clear that, as stated before, the states can establish a set of procedural rules based on which the application must be made, as long as these are not unreasonable in relation to the actual possibility to satisfy them.

The form requirements set out in the national procedural rules shall include at least the identification data of the applicant and the defendant, the applicant's representative, the subject of the application, the factual and legal grounds on which the application is based, the evidence and the signature of the applicant. From this point of view, it is possible that the excessive formalism with regard to certain elements may in practice establish a real obstacle to the exercise of legal action. For example, art. 194 of the Code of Civil procedure establishes the obligation to indicate the registration number at the Trade Register Office or the defendant's unique identification code if he is a legal person, or the personal numeric code if he is a natural person, and he is known. Although by this last mention, respectively that the data should be indicated only insofar as they are known, it would seem that a far too formalistic requirement is avoided, in fact the legislative provisions are constituted in a framework that offers the premises of a true limitation of the free access to justice, taking into consideration that the claim will be annulled by the court if it is considered that all the formal data was not provided.

The same situation is also reflected in the assumption of declaring the appeals, where the national provisions impose the obligation to identify the declarant, the adverse party, as well as the elements of the contested decision.

Regarding these formal limitations, the European Court of Human Rights has previously stated that there is an excessive formalism manifested by a court, by the application of the national legislation, in a case in which the national supreme court refused to analyze an appeal declared against the decision of a lower court whose number was incorrectly mentioned in the appeal application. The refusal of the supreme court was considered by the ECHR to be unjustified, given that the material error was subsequently corrected by the appellant, and in the application form the number of the contested decision was correctly passed (ECHR, Kadlec and others – Czech Republic (N° 49478/99), judgment on 25.05.2004; ECHR, Boulougouras v. Greece, no. 66294/01, judgment on 27.05.2004).

A similar interpretation was also given in the situation in which the court of appeal found that the last appeal declared by the plaintiff was invalid on the ground that he failed to mention the name of the respondent and his address, although he, by the appeal application, requested the modification of the judgment under appeal, in the sense of rejection of the first appeal of the respondent that he had individualized in this application. The Court considered that the applicant clearly mentioned who was respondent in the last appeal phase, which being a public authority and being individualized also by the name of the territorial administrative unit thus included a mention regarding its address (ECHR, Dimon v. Romania, judgment on 27.12.2017).

Thus, it should be considered that free access to justice includes the "right to a court" is not absolute and is subject to limitations that are implicitly admitted, especially as regards the conditions of admissibility of an application or an appeal. However, limitations may not restrict the access of a person liable insofar as his right of access to the court is impaired in its very essence and they cannot be compatible with art. 6 para. 1 of the Convention unless they serve a legitimate purpose and if there is a reasonable ratio of proportionality between the means used and the purpose pursued (ECHR, Edificaciones March Gallego S.A. v. Spain, February 19, 1998, para 34; Rodriguez

Valin v. Spain, no. 47,792 / 99, para. 22, 11 October 2001, cited in Dimon v. Romania, 27.12.2017, para. 20).

3. Restrictions related to procedural deadlines:

Regarding the deadlines established by the national legislation for the exercise of the actions, it must be examined whether their duration is likely to affect the possibility of the interested party to exercise the respective procedural act or the respective application in court. Based on its case law, the ECHR appears to be quite permissive in terms of the actual length of time limits for filing an appeal. Thus, a period of one week to appeal a criminal decision is considered short, but still sufficient to allow an appeal (ECHR, Hennings v. Germany, 16.12.1992), and in other matters (ECHR, Fetaovski v. Former Yugoslav Republic of Macedonia, 10649/03, 19.06.2008) even accepting 15-day deadlines for filing an appeal, arguing that it responds to a legitimate purpose. and respects the interests of justice.

Also, we must consider the moment from which such a deadline begins to run as the interested person can only declare an appeal after he has effectively become aware of the court decision which he wishes to challenge. It would be unreasonable to only establish the possibility to launch an appeal based on a specific date by which the person did not know the content of the court decision. ECHR held that if the calculation of the deadline would not start from the date on which the person concerned actually became aware of the contents of the court decision, the courts could delay the communication of the decisions and thus would shorten the term for declaring the appeal (ECHR, Miragall Escolano v. Spain, 38366/97 and Diaz Ochoa v. Spain, 423/03, judgment on 22.06.2006).

However, by the exception are also allowed situations when the term begins to run from the pronouncement of the decision, the measure being justified by the satisfaction of the urgent character of a certain procedure and also in cases where the communication does not mean the communication to the effective address of that person, but also other means of communication allowed by the national legislation, as long as they ensure a reasonable possibility that the content of decision reaches its recipient.

As to when to appeal, there are not many issues raised, the Court ruling in various cases that the plaintiff's situation of filing a copy of the appeal with the court stamp, thus demonstrating that he filed the appeal within time, it is a proof that the deadline has been respected and the domestic courts cannot invoke the delay of the request only on the basis of the court records (ECHR, Bacev v. Former Yugoslav Republic of Macedonia, 14.02.2006). The same can be said if the appeal was sent by post within the legal deadline, the date of the post being the only relevant evidence that the legal provisions were respected (Bogdan, 2009:278).

Special consideration must be made for the case in which the entry into force of a new procedural law that shortens the time limit for introducing the appeal. Relating to this, ECHR noted that if the deadline was already running at the time the new law came into force and the appeal was dismissed as inadmissible, it was necessary to examine the calculation and application of the deadline already running to see if it could be foreseeable from the applicant's point of view (ECHR, Oksana Grygorivna Kameniska v. Ukraine, 30.08.2006, para. 31).

4. Free access to justice and the possibility to launch an appeal:

An important problem we consider is the discussion regarding the possibility of formulating appeals against the decision of the substantive court. By way of appeal, the superior court is to rule on the soundness and legality of the judgment under appeal, so that by the procedure of the appeals procedure it is recognized the right of the person to obtain the censure of a decision if with the violation or the incorrect application of the law. Thus, it must be established whether the right of free access to justice also contains the guarantee of recognizing the possibility of an appeal. It must be first stated out that article 6 of the ECHR does not guarantee the right of the person to launch of appeal (Bogdan, 2009:270) but, if the national legislation recognizes the possibility to launch an appeal, article 6 of the ECHR will be applicable to the procedural stage of the appeal, as it is part of the trial itself (ECHR, *Delcourt v. Belgium*, 17.01.1970, para. 25).

Ensuring the effective exercise of the right to address the courts for the protection or recognition of individual rights, is a component of the principle of ensuring the pre-emption of the right in a democratic society, by creating the auspices of a fair trial (Birsan, 2010:357). In this regard, it is our opinion that the right to launch an appeal must be considered as an integral part of the right of free access to justice as it is very important that the ruling of the court of first instance can be overturned if it is not in accordance with the legal provisions or if it does not correctly establish the state of affairs. It is therefore integral for a fair legal system that national procedural law recognizes the right of any person to exploit their legal claims, as well as to declare appeals against court decisions, thus ensuring the efficiency of the right of free access to justice, established by art. 6 point 1 of the ECHR.

In order to properly guarantee the right to an appeal, we must take into consideration the clarity and consistency of the regulation and its application (Bogdan, 2009:272). ECHR has repeatedly held that the violation of article 6 exists if the plaintiff did not receive sufficient procedural guarantees in order to prevent any misunderstandings relating the applicable procedure (ECHR, *F.E. v. France*, 30.10.1998, para 47 and *Hajiyev v. Azerbaidjan* 5548/03, 16.10.2006).

Another aspect to be emphasized is that the ECHR considers that the way of applying Article 6 before the courts of appeal, including the national supreme courts, depends on the specific features of those procedures (ECHR, *Monnell and Morris v. United Kingdom*, 02.03.1987, para. 56, cited in Bogdan, 2009:279). In these circumstances, extraordinary appeals, especially those in cassation, can be regulated more restrictively than ordinary appeals, because their purpose is to rectify some especially procedural judicial errors.

Free access to justice for all individuals is part of a democratic system of law, a national legal order in which all natural and legal persons are given the opportunity to defend their subjective civil rights if they have been violated by a another person or the state.

There is no doubt that the state must have a permanent interest and allocate financial and logistical resources, in order to protect the right of free access to justice. Such involvement by the state may, inter alia, consist in: ensuring that no provision of national law limits the possibility of filing a claim in court for a certain category of persons where the claim is likely to be promoted by all individuals; ensuring that domestic law does not impose burdensome administrative obligations on the applicant, which may prevent him from promoting the claim.

Ensuring that national provisions comply with the requirements for the protection of laws and fundamental freedoms, is a duty of each state and an obligation that takes into account the well-being of citizens and persons living within its borders. Only by establishing a logically responsible set of legislative provisions, the state can pass the requirements of this test.

Therefore, in the case of civil trials, free access to justice must be viewed in relation to the whole judicial procedure, since it to the initial action before the court, started by the request for a trial, but also to any other requests that can be made before the court and including the possibility of declaring the appeals. In this context, restrictions on free access to justice can be made without affecting its fundamental character in any way. However, the limitations must be fair, that is, to correspond to a legitimate purpose pursued by the legislator and, perhaps most importantly, to be proportionate to this purpose, meaning that a very careful analysis of this aspect must be made, and if it is reached The conclusion that the same result could be obtained by applying measures that do not imply such a limitation, means that there was an unreasonable and unjustified interference.

In conclusion, it is noteworthy that the right of free access to justice is constituted in a series of procedural safeguards through which the state facilitates the possibility of persons to address the courts. From this point of view, two sets of obligations are imposed on the states, namely a category of positive obligations and a category of negative obligations. Positive obligations refer to the actions that states must take in order to facilitate access to justice, respectively those normative provisions that guarantee the possibility of persons to address the courts with different types of applications. Negative obligations are the conduct that states must adopt in order to refrain from any legislative changes that impose restrictions that may even affect the effectiveness of free access to justice.

Thus, we consider that the main concern of states in the context of assuming compliance with the provisions of the European Convention on Human Rights must be to provide individuals with all the specific guarantees regarding the possibility to address the courts, regardless of the form in which it is done. Of course, this does not mean an absolute impossibility to establish certain additional obligations for the litigants, but they must first of all be proportionate to the purpose pursued, and secondly it may not be, directly or indirectly, impossible or Particularly burdensome is access to the courts.

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Conflict of Interest Inside a Company - a Vision of Comparative Law within a Democratic Society

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Abstract

In the context of the development of the private sector in the new democratic society and thus of the increase of the number of legal persons under private law, which had the inevitable effect and the increase of the number of situations of conflict of interests, as well as of the existence of a legislative framework to protect the legal persons from such incidents, there is not yet a paper that deals extensively with such situations and tries to provide answers to questions often born in practice. Conflicts of interest are therefore the great challenge of corporate governance. An effective governance regime must limit conflicts of interest in order to promote the maximization of value inside companies. When dealing with conflicts of interest, it is important to emphasize that interests are often in conflict in business relationships. But it is not this kind of conflict of interest that must be prevented in company law, but those that manifest themselves in a context in which a party has power. Power is likely to be the theater of vertical and horizontal conflicts detrimental to the company's interest. The analysis of the conflict of interests within a company refers to the notions of loyalty, good-will, independence, impartiality, individual will, company will, individual interest and company interest. Although starting from a common denominator, the law systems of different states sometimes treat the conflict of interests distinctly, creating, for example in the common-law system, a new understanding of the concept.

Keywords: *company; conflict of interest; loyalty; director; individual will; company will.*

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Contrary to what is often stated, the notion of conflicts of interest is recent, this feature declining itself, in a multitude of definitions. Thus, it is not used in the United States until after the mid-1990s, and in France after the mid-2000s; also, it has not even appeared in the business world since the beginning of the 1980s (and in a relatively confidential way), although the provisions of the French Law of 1966 (Cozian, Viandier, 1991: 33) on companies dealing with conventions regulated and inspired by Anglo-Saxon law are registered within this problem; as regards the profession of lawyer, the expression appears in the French legislation in the rules regarding the profession in 1991, within the national internal regulation, under the aegis of the National Bar Council; the same is true of European officials, within the Commission's Internal Regulations, after 1993. These different examples make it possible to ascertain the need for conflict of interest issues in different areas of law since the 1990s. At the same time, it is clear that in recent years the issue has undergone a profound development, especially in the political, health, civil service, arbitration or business fields.

Both the notion and the issue of "conflicts of interest" are therefore new. Given this and, without doubt, the novelty of the problem, which leads to a kind of effervescence both in practical production and in reflection, the definitions of conflicts of interest are multiple today, raising the question of the possibility of synthesizing them (Moret-Bailly, 2014: 43).

Nowadays, in the field of business, the issue of conflicts of interest has become a very controversial topic even on the media scene. Due to media reports, these conflicts have come from news, issues of national interest, questioning which are the dominant social values at present (de Blic, Lemieux, 2005: 11-12).

In law, the notion of conflict of interest is increasingly present, its scope being, today, unlimited: financial law, criminal law, labor law, company law, health law, professional statutes, public law. As regards the definition of conflict of interests, there is, first of all, a distinction between conflict of interests in public and private law, in domestic and international law, in civil and criminal law. Starting from a definition as comprehensive as possible, this institution represents a situation in which a person sees his personal interests conflict with other interests, which are within his responsibility.

In the French doctrine, the conflict of interest is perceived as "a situation of interference between the interests entrusted to a person, by virtue of a power delegated to him, of an arbitrator mission assigned to him or of an evaluation function entrusted to him, and another interest public or private, directly or indirectly, interference that may influence or appear to influence the loyal exercise of its mission" (Mekki, 2013: 34) or "aiming at the situation where an interest to be protected by virtue of a mission resulting from a competence or power, an objectively valued interest is sacrificed in the face of an opposite interest" (Ogier, 2008: 278).

Regarding the French legal system, according to art. 1833 of the French Civil Code: "All companies must have a lawful activity and be constituted in the common interest of the associates". Article 1833 of the French Civil Code requires the respect of the common interest of the associates (or shareholders) of a company, but does not oblige an associate or a leader to discover the conflicts of interests. The obligation of discovery has no source in an express legal provision of general interest, thus representing a loophole in the legislative matter. Undoubtedly, the legislator considered that the respect of the company interest prevails in the face of an opposite interest, so the regulation of some rules regarding the discovery of the interest would be without object. In conclusion, it must first be ascertained whether the common interest is a foundation

and implies the obligation to discover the external interest, and then the examination of compliance with this obligation (Fabre-Magnan, 1992).

Similar provisions are also found in the German system, regarding the leaders of the company. Thus, the German Code of Corporate Governance (Deutscher Corporate Governance Kodex) of February 2002, states that: “the members of the board of directors can only accept external activities ... only with the approval of the Supervisory Board” (art. 4.3.5) and that “the members of the supervisory board cannot perform management, management, administration or advisory functions at the level of the main competitors of the company”. It was also noticed in the doctrine that “almost the only set of legally binding rules in the field of conflict of interest is related to ban of competition. A member of the Management Board may not, without the permission of the Supervisory Board, conduct any kind of commercial business or undertake individual transactions in the same type of business as the company” (De La Rosa, Shopovski, 2013: 178).

It is worth mentioning that, by the end of the eighteenth century, French and British law knew the institution of the trust, inherited from Roman law and intended to frame the situation where one person entrusts the management of one part of his estate to another, the trustee, by virtue of its mission, is required to perform certain tasks, including loyalty. Starting with the trust, other mechanisms have been developed within the English and American systems, the trust and the agency, which implies, based on the same model, the duties entrusted to the person (Magnier, 2006: 139-154).

Regarding the framework chosen for the study of conflicts of interests, in a slightly philosophical approach it was held that “the legal person is a useful legal construction, a legal instrument placed at the service of individuals, which expresses the collective aspirations that correspond to the human nature as a social being, to its need to overcome its isolation” (Dogaru, Cercel, 2007: 250). Even if the legal person does not act itself, being an abstract entity, and participation in the legal life is done through its representative bodies, the latter will be bearers of its purpose, without being able to use the construction as a vehicle to satisfy individual interests.

Of the different types of legal persons, probably the most complex have proven over time to be the companies. These represent “structures formed by the will and with the contribution of several persons, or by exception one person, in order to achieve economic benefits in the interests of the shareholders” (Dănișor, Dogaru, Dănișor, 2006: 289). The purpose of this category of legal persons differentiates them from other such entities, such as associations, because companies seek economic benefits in favor of the associates who have decided to form them.

The company will act as a subject of law, entering into civil legal relationships, as a result of its activity because it will position it in relations with other subjects of law. However, the interpretation should be extended in the sense that the actions of the legal entity are also driven by its interest at a certain time. Let us imagine, for example, the situation of the conclusion of a transaction between the legal entity and its creditor or in which the legal entity sponsors certain activities of third parties. Although the operations thus carried out are not directly related to the company's activity, they correspond to an immediate interest of the company, to avoid any forced execution, respectively to achieve a liberality or to benefit from certain fiscal facilities.

By establishing the role of the legal person's interest as a component of its purpose we can refer to the conflict of interest situations. Thus, as we will develop in the present paper, the conflict of interests arises precisely when an individual interest is

placed above the interest of the legal person. In these conditions, its purpose is affected, which is limited and diverted from its usual direction, firstly because the activity may no longer be fulfilled under the conditions provided, and secondly, the interest of the legal person for obtaining a profit and operating it under optimal conditions will be “interrupted” and thus harmed.

In the matter of the private law legal person the individual will is transformed into a social (of the company), collective will of the shareholders (Gheorghe, 2003 and Motica, Bercea, 2005: 114-115), which in fact represents an accumulation of the wishes of each shareholder which materialize initially through the company contract. Starting from the idea that the contract represents the materialization of the will of the parties and considering the fact that the company is formed by the company contract, the articles of incorporation being the main frame of expression of the will of the shareholders, we can establish that the will of the company is formed by the will of the shareholders, both natural persons or legal persons.

The will of the company in the functioning of the companies is formed in a deliberative framework, in the general ordinary or extraordinary assemblies of the shareholders. The role of the general assemblies is precisely to give functionality to this vehicle which is the company, by making decisions regarding the situations faced by the company and its engagement in legal relationships with third parties.

Therefore, the interest of the company is one of its own, initially formed by the individual interest of the associates that form it, but always superior to them. It has been held under this aspect in the French specialized literature that it “is not necessarily confused with the interest of the shareholders, whether they are majoritarian or minoritarian; the company has its own interest that transcends the scope of the shareholders' interest” (Cozian, Viandier, Deboissy, 2007: 180). The decisions taken in the general assemblies are based on the will of each associate, materialized by expressing the vote on the issues on the agenda. The voting right of the associates as an expression of the individual will, can only be manifested in the general assemblies, so in an organized institutional framework so that the will of the company can be formed only in this framework and in no case as a result of the individual will of each shareholder individually (Săuleanu, 2008: 163-197).

The position of representative of the company that the administrator has and which thus benefits from company “trust” (Mitchell, 1993: 425) has been affirmed and developed in the common-law doctrine. Thus, it was established as a rule the importance that in solving conflicts within the company in which the directors are involved to apply the principles of the “trust”. This institution represents a legal innovation of the common-law system, but it is also borrowed by the Romanian Civil Code for judging conflict situations between administrator and the company considering the concept of equity.

The principles of the trust are also applicable to the directors of the company, assimilated by the Anglo-Saxon doctrine to trustees (Hadsall, 1936: 329-350) - as they are known in this system of law - who own property on goods in the name of and for the benefit of one or more natural or legal persons, against whom they also automatically assume an obligation of loyalty - so the courts began to impose judgments based on these and in the case of the shareholders of the smaller, closed companies, and then in the case of those of the companies with public capital (Stârc-Meclejan, 2011: 312).

It must also be noted that by the judgment of *Souther Pacific Co. V. Bogert* (Southern Pacific Co. v. Bogert, 250 U.S. 483 (1919)), given in 1919, the Supreme

Court of the United States, for the first time, explicitly expressed the idea of the existence of the fiduciary duty of loyalty of the managing representative to the majority shareholders: “The duty of the majority shareholder ... is fiduciary, and not dependent on fraud or mismanagement”. Thus, when exercising their prerogatives within the company, the shareholders “act in the interest of the company and of each one of them and they cannot exercise their power held in the company in bad faith or for their personal advantage or purpose” (Stărc-Meclejan, 2011: 312).

United Kingdom’s Companies Act 2006 clearly imposes prohibition for conflicts of directors’ interest in the UK law. It was established in the doctrine that the part which regulates the conflicts of directors’ interest shows how directors should approach actual or potential conflicts of interests (De La Rosa, Shopovski, 2013: 174).

However, “common-law” systems do not generally base their doctrine on the idea of a legal person's own interest and thus rarely use the concept of “company's interest”. Although the jurisprudence in these systems of law sanctions decisions of the governing bodies of the legal person such as those taken under the conditions of the existence of the abuse of law or the conflict of interests, this is done using other legal grounds. In such cases, a series of behavioral standards applicable to the majority shareholder (or the administrator) are used, according to which the decisions taken under such conditions, with specific effects, are declared against the law (Bojin, 2012: 137).

Passing on to the national law, representation is the fundamental element of the corporate mandate (Stănculescu, Nemeş, 2013: 338), offered to the administrator to materialize the will of the company. It is noted that the power offered to him by the articles of incorporation or the general assembly of the shareholders can be general or special, the mandate given for a certain operation extending to other acts necessary for the execution of the respective operation. In most cases, the directors of companies with limited liability are given full powers, with no limitation being established in the articles of incorporation of the operations that they can perform. Therefore, given the freedom, often unlimited, that the directors have in representing and engaging the company in different legal acts, the observation of exceeding the limits of the mandate made with bad faith, which is always the result of a conflict of interests, becomes particularly important to protect the interest of the company.

Regarding the conflict of interests in the case of representation in general, according to Art. 1303 of the Romanian Civil Code the contract concluded by a representative in conflict of interests with the representative can be canceled at the request of the representative, when the conflict was known or had to be known by the contractor at the date of the conclusion of the contract.

The legislator sanctions this cases with the annulment of the legal act concluded in this case, considering the idea of fraud of the interests of the representative as well as the complicity to fraud of the third contractor. In these conditions, if the third party contractor did not know and should not have known the conflict of interests existing between the representative and the represented one, the latter cannot request the nullity of the contract. Thus, in the view of the legislator, the importance of the bad faith attitude of the third party, who, if they knew or had to know the conflict of interests, still chooses to conclude the contract, thus directly contributing to the prejudice of the interests of the representative. The nullity is a relative one, a conclusion that results even from the formulation used by the legislator in the content of Art. 1.303 the new Civil Code which stipulates that the legal act concluded with the third party “may be annulled at the request of the representative”. As previously stated, the case of annulment aims to

protect the prejudiced interests of the representative, attracting the sanction of the relative nullity considering that this form of nullity can only be invoked by the injured party and not by anyone with an interest, as in the case of absolute nullity.

In Romania, Law no. 31/1990, has a series of legal texts from which the principle of prohibiting the conflict of interests between the administrator and the company as a result of the violation of the limits of representation is derived. Thus, firstly Art. 70 limits the administrator's operations to those necessary for carrying out the activity of the company, which practically means that it must be submitted to the interest of the company and, conversely, any operations by which another interest would be protected is not allowed. Further, Art. 72 establishes that “the obligations and the responsibility of the administrators are regulated by the provisions regarding the mandate” and thus it is corroborated with the article 2018-2019 Civil Code by which the agent (the administrator) is required to execute his mandate diligently and to account for its management. Also, Article 144¹ of Law no. 31/1990 establishes the same obligations of prudence, diligence and loyalty, meant to prevent the conflict of interests, in the task of the members of the board of directors. Furthermore Art. 144³ provides, in a formulation that was the basis of the regulation of the newer provision of Art. 215 of the Civil Code, that: “(1) The administrator who has in a certain operation, directly or indirectly, interests contrary to the interests of the company must notify the other administrators and censors or internal auditors about it and not to take part in any deliberations regarding this operation. (2) The administrator has the same obligation if, in a certain operation, he knows that his spouse or relatives, his relatives or relatives are interested up to the fourth degree including”. We should keep in mind that the legislation uses the term of administrator to express the person that was empowered as a representative for the company, equivalent to the trustee in the common-law systems.

Therefore, the sanctioning of the conflict of interests between the administrator and the company starts from the idea that the objectivity of the trustee is undermined by his own interest, emerging as an opportunity to obtain some personal advantages through the exercise of the powers for which he was empowered but in a way that would prejudice the legal entity. It can be said that in such a situation, the administrator hijacks the operation that he was mandated to carry out, using this circumstance to his own advantage.

The national legal provisions mentioned regarding the conflict of interests between the administrator and the company are properly applied also to the directors (Article 152 Law no. 31/1990), the members of the board of directors (Art. 153² of the Law no. 31/1990) and the members of the supervisory board (Article 153⁸ of Law no. 31/1990).

The Romanian Civil Code, through Art. 215 replaces the term of conflict of interest in this case with that of contrariety of interests. At first glance, the difference seems to be non-existent and the person called to interpret the law might appreciate that it is just a name change to emphasize the illicit nature of such a practice. However, a thorough research of the formulations used by the legislator in Law no. 287/2009 leads to the conclusion that the choice of term has been made in order to differentiate between the two notions, so that it is not accidental at all. With regard to the provisions referring to the “contrariety of interests”, it is obvious that the legislator's desire wanted to give make the notion of “contradiction of interests” a more serious one, in the sense that this provision will be applied if the conflict of interests does not remain only at this stage but the administrator goes beyond the limits of the power offered within the legal person,

pursues his own purpose that brings an advantage (to him or to the other mentioned persons), and concludes certain acts, knowing that they will defraud the company and will benefit him.

The analysis of the conflict of interests between the shareholders and the company is based primarily on the contractual theory of the company, in the sense that it is formed under a contract (the articles of incorporation) as a manifestation of the will of the founding shareholders (associates). It is precisely from this idea that we can already observe the premises of the conflict of interest. Specifically, as a critique of contract theory, it is stated that, in principle, in a contract the parties have their own and most often contrary wishes, oriented towards obtaining a personal benefit. Although we accept that the will of the company is a cumulative will of the shareholders, we must not disregard the personal element of each shareholder, that is, although it affects a part of their will towards the formation of the will of the company, it nevertheless retains a distinct, personal will, which may be contrary. with the same type of will of the other shareholders.

Also, the analysis of the appearance of the conflict of interests also considers the violation by the respective shareholder of the provisions of Art. 136¹ of Law no. 31/1990 according to which: “the shareholders must exercise their rights in good faith, while respecting the legitimate rights and interests of the company and of the other shareholders”. This provision is proven “of exceptional importance and utility, to ensure a balance between the interests of the company and those of the shareholders” (Schiau, Prescure, 2009: 380). This principle is the corollary of good faith in the exercise of rights and obligations, established by Art. 14 of the Civil Code and refers to the conduct of pursuit of the interest of the company and the non-prejudice of the interests of the other shareholders in the exercise of the rights to which each shareholder is entitled. It is precisely in these conditions that the conflict of interests defined above appears, which was initially regulated by Art. 79 of Law 31/1990, applicable both to the shareholders that are also administrators and to those who are not. The legislator has given such great importance to this problem, that he preferred to resume the text of Article 79 and when regulating the prohibitions applicable to the shareholder (Article 127). The regulated prohibition concerns both the right of the shareholder to participate in the deliberations of the deliberative and decision bodies, and also the right to participate in the decision at the general assembly.

It should also be remembered that the same legal provisions retained in Article 79 of Law 31/1990 for associates in the limited liability companies are applicable also in the case of the limited partnership companies and the limited partnerships associates of the limited partnership company (Article 90 Law no. 31/1990), to shareholders in joint stock companies and joint stock companies (Articles 127 and 187 of Law no. 31/1990).

In another view, the conflict of interest between the director / member of the board of directors / member of the supervisory board and the company takes into account the situation in which the business decision to be taken at the level of the company and which should be adopted by an objective agent (administrator), may contravene the personal interests of the management or executive bodies of the company (administrator / director / member of the board of directors / member of the supervisory board). In this situation, the representative of the company must refrain from any deliberation regarding the respective problem, showing loyalty, integrity and diligence in the exercise of his mandate, as well as notifying the legal person about the situation.

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Therefore, taking into account the legal regime of the representative, enshrined in the Romanian Civil Code, the representation as a legal operation appears only in the situation where the offered mandate has as object the conclusion of legal acts in the name and on behalf of the representative, and not the exercise of material facts. Likewise, only the natural or legal person charged with negotiating and concluding legal documents will have the status of representative in the strict acceptance of the Civil Code, being excluded from the application and the material facts. If we are in the situation of a mandate offered for the exercise of some material facts, then we are not in the presence of the representation contract and, implicitly, we cannot talk about the representative, but possibly about a contract for services that will be subject to rules other than those of representation.

Passing the scope of the analysis to the particularities of the companies in relation to the legal persons, according to Art. 72 of the Law no. 31/1990, the obligations and the responsibility of the administrators are those regarding the mandate, a vision confirmed by the High Court of Cassation and Justice in its jurisprudence (ÎCCJ, Commercial Department of the Court, Decision no. 1740/21 March 2013). Thus, “the nature of the relationship between the company and the director is resolved (...) and the mandate entrusted to the directors has a contractual character, in the sense that the source is a conventional one, even if its scope is also outlined by the effect of legal provisions” (Schiau, Prescure, 2009: 213). Therefore, the special law expressly refers to the Civil Code and the rules regarding the mandate will regulate the entire legal relationship between the administrator and the company.

The administrator (or trustee) of the company has the obligations to protect the company’s interest and to act with prudence, diligence and loyalty in making business decisions also in order to protect this interest of the company, obligations that fall to him both from the general provisions regarding the mandate, but also from those of the special law, specific to a commercial mandate. Precisely under these obligations, the administrator will have to inform the company about any situation of conflict of interests that could arise in the performance of their mandate and, as in the case of the shareholders, to refrain from taking part in any deliberations regarding the operation in which it would have an interest, either personal or for a third party, that is contrary to that of the company.

The prohibition and the sanctions applicable are the same as in the case of the shareholders, analyzed above, the situation being handled in a broad way identically by the legislator with some specific characteristics due to the position of the directors in the company. Thus, as the legislator recognizes through the new vision imposed by Art. 215 of the Civil Code, in many moments the importance of the conduct of the director within the company is greater than that of the shareholders. Thus, although the shareholders are the ones who form the will of the company by voting in the general assembly and thus apparently have the greatest control over it, however, most of the times, the person who knows best the functioning of the company is the director because he undertakes daily acts to it ensures its functioning. Precisely for this reason, the director can easily cause damage to the company in the event of a conflict of interest.

In conclusion, we would like to point out that in the national jurisprudence the conflict of interest was retained in situations where the associate or shareholder who voted for the respective operation had the same quality and within another company that actually benefited from the assets thus alienated. In the aspect of alienation, it did not have relevance if it meant a definitive alienation (in the sense of the sale) or only a

temporary one (through the loan), once the opportunity of the operation for the alienating company could not be proved. Also, the existence of the conflict of interests was also held in the situation in which the operation subject to the approval of the general assembly of the shareholders involves personally the shareholder or a member of his family, the opposite interest being evident in this situation.

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ORIGINAL PAPER

Teaching the Digital Natives

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Abstract

“If we teach today’s students as we taught yesterday’s, we rob them of tomorrow.” (West, 2013). Although the words of the philosopher, psychologist and educational reformer John Dewey, were uttered almost a century ago, he could not have predicted the current internet era or the technological resources available today, digital textbooks, projectors, social media, iPhones, iPads, blogs, wikis; yet his words reverberate today louder than they must have echoed in the past. If school infrastructure and teachers do not reinvent themselves to keep up with the technological advances of the 21st century, students will suffer. Subsequent of the growth of ground-breaking didactic technologies, the common apprehension of teaching and didactics progresses together with the expansion of learning theories. Today’s teachers must learn to communicate in the language and style of their students, re-thinking old-style teaching in education in the digital age, where educators often find themselves as immigrants trying to cope with the digital natives that are no longer engaged with chalk and blackboard and one educational flow from the teacher to the student. Teachers must recognize that their students are digital natives who master essential skills for accessing digital, cloud libraries and informational resources available from their own devices. Phones, today no longer serve the purpose of speaking, they are digital tools, mini worlds, from where the holders connect with the entire world, in a blink of an eye. How do we master teaching in the miscellaneous scenery of the 21st century classroom? How can we use Multimodal training and technology to create an engaging learning atmosphere? How can we merge old-style literacy with the new idea of plural literacies to get students ready for standardized assessments and life outside the teaching space?

Keywords: *digital natives; digital immigrants; technological curriculum; digital literacy; internet.*

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Teaching the Digital Natives

Introduction

What is a Digital Native?

The term of digital native has been coined by education advisor Marc Prensky in his 2001 article entitled *Digital Natives, Digital Immigrants*, in which he shows the modern deterioration in the American teaching system putting the blame on the educators' fiasco to recognise the needs of contemporary students. The quick arrival of digital technology, of touch -basically anything, had changed the manner our kids and students grew up and evolved, process, share and filter the information, thus the world today is split into two types of people: digital natives and digital immigrants.

Types of digital users

A **digital native** has grown up in the age of technology, can distribute ideas and knowledge and interconnect in a continuous 24/7 environment; he is assured in the dialectal of the internet, being exposed, at an early age, to online games, Twitter, Facebook, Instagram, blogs, podcasts, YouTube, online news, text messaging, instant messaging, smart phones, iPads. Digital natives are born in the digital era, i.e., **generation X** and or even younger. This cluster is also mentioned as the “**iGeneration**” or is labelled as having been born with **digital DNA**. In addition, “Today’s average college grads have spent fewer than 5,000 hours of their lives reading, but over 10,000 hours playing video games (not to mention 20,000 hours watching TV). Computer games, e-mail, the Internet, cell phones and instant messaging are integral parts of their lives.” (Prensky, 2001).

A **digital immigrant**, on the other hand, is a person born/brought up before 1964 and who grew up in a pre- extensive use of digital technology. In the over-all terms, digital natives state and breathe the language of computers and web culture and philosophy into which they were literally born, while digital immigrants will never manage and understand technology as obviously as those who grew up with it. While most digital natives start using phones and tablets or phablets as early as one year old by the advantage of their being born around technology, others do not have the ability for technology and computers, or even the curiosity or predisposition to study more. Digital immigrants are undoubtedly an extremely varied cluster in terms of their predilection and skilfulness in respect to digital technologies. Moreover, “Unfortunately for our Digital Immigrant teachers, the people sitting in their classes grew up on the “twitch speed” of video games and MTV. They are used to the instantaneity of hypertext, downloaded music, phones in their pockets, a library on their laptops, beamed messages and instant messaging. They’ve been networked most or all of their lives. They have little patience for lectures, step-by-step logic, and “tell-test” instruction.” (Prensky, 2001).

The evaders are the digital immigrants who prefer a routine that does not incorporate technology in their daily lives, although they do not totally block the idea and clusters that use minimal-technology have been met. They usually have no cell phone and no email account, have heard of Twitter or Facebook, but not used them, and what is extremely descriptive for this cluster is that they do not see much worth in these activities.

The hesitant users are the second type of digital immigrants that understand technology as essential nowadays and they are willingly to include it in their everyday life and work space, but it feels unfamiliar and causes them anxiety thus the hesitation. This assembly is widely varied and undoubtedly comprises the majority of the digital

immigrant group. While they may own an old-fashioned phone or even a smart phone, they do not use all its functions, they find it difficult to text messages, but they are able to access the message box and read the received messages. They may use Google sporadically, do not own a Facebook account, but do have a yahoo mail account, and do check their emails occasionally. They are labeled hesitant for a reason and that is the extreme cautious and unease attitude towards digital technology rather than by its inclination to incorporate and make use of these technologies in every day life, and teaching, provided they are teachers.

The keen users are those digital immigrants who can keep up with natives, mostly due to their comfort, easiness and pleasure in using technology, either in their jobs, teaching or in daily routine. Their jobs range from managers, programmers, teachers, administrators, business and basically everybody who loves technology and plunge themselves in the web culture. This cluster treasures technology and love using it, notwithstanding their position as digital immigrants are keen users of Skype, own and use a Facebook account, praising technology for the new blessing of socializing with their kids, that are abroad, perhaps, or old friends, whom otherwise could not reach; this cluster verifies the email frequently, and are curious and enthusiastic about new devices they want to acquire in order to updated. They may, in rare occasions, have a blog, a twitter account or a website if they are in business or teaching area.

Digital natives versus Digital immigrants

A **digital native** is a person who includes in his everyday communication web applications that he considers to be part of his life: Twitter, WhatsApp, chat, Facebook, online games, etc. These native, who seems to favor a synchronistic or consecutive interaction, can text messages with his eyes closed, is an intuitive learner with zero tolerance or patience, with an extensive preference to discover via actions, trialing and communication rather than by reflection. He abhors manuals and loves media channels that deliver information swiftly and concurrently from numerous sources, **multitasking** through pages, interacting with pictures, charts, sounds and YouTube trail videos before actually reading a text, whom he reads in quick spurts, one passage at a time, jumping to additional activities, such as texting, vlogging, or Instagram posting. He is the kind of person who does not perceive value in waiting, with an egalitarian view on life and workplace, he desires immediate satisfaction and recompense, living in a continuous flow alternating between performance, labor, and more important socializing, which never stops 24/7. In addition, "Because the Internet gives young people a world of information at their fingertips, they have to struggle to understand and synthesize. It can be a great intellectual exercise. And yes, they do multitask, and switch from one stream of information to the next, with an ease that surprises their parents. Of course, they need to focus deeply to accomplish a complex task, but the rest of the time, they're developing multitasking skills that are very useful, even essential, in the modern digital world." (Tapscot, 2008). This digital native will greatly value personal fulfilment, experience and trialing, as indispensable to immediate career gratification rather than steadiness; he will work remotely, present remotely living both online (Facebook, texting) and also offline (gigs, parties), using texting and prompt message shorthand, communicating visually by posting pictures on Facebook (visual as opposed to verbal) interacting and participating actively online playing, having fun, watching movies, creating, chatting, liking, following or unfollowing, and, more important, studying, provided he is a student or a researcher. Moreover, "But young people have a natural affinity for technology that seems uncanny. They instinctively turn

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first to the Net to communicate, understand, learn, find, and do many things.” (Tapscot, 2008). As opposed to the digital immigrant he has hundreds or even thousands of friends and followers who can interact with, displaying personal videos or recording with live Facebook camera, not frightened to be known, and not particularly concerned with privacy, checking -in and checking out from locations, which he shares with all his friends, and receive immediate gratifications, likes and comments, to his posts. He perceives learning in a fun manner regularly assimilated through enjoyable actions, such as social networking, online gaming, surfing the web or online project-based activities, if he is a student. He might as well access online libraries, video trails on academic matters, teachers’ blogs or clouds, or even political blogs, networking concurrently with many, or with best few friends, writing on their walls, continually meeting each other and knowing one another, although having never met face to face, discussing, texting and posting what they think, in that moment.

Marc Prensky advocates that the digital natives’ brains are physically dissimilar from the digital immigrants’, due to phenomenon called **neuroplasticity** and **malleability**, additionally we can say that the digital immigrants fall into the resulting three key categories: evaders, hesitant users and keen users. So, if your teacher is born after 1970, no wonder digital didactics is not a task he/she might want to take up. **Neuroplasticity** is a phenomenon in life, where in the brain constantly reorganizes itself. According to Prensky, digital natives' brain has adapted to the digital world because or due to early exposure, giving them a different physical brain compared to the digital immigrants. To exemplify we take the musicians’ cerebellums which has a greater volume of 5% compared to non-musicians’, due to rigorous musical training and practices. Also commonly called brain plasticity or neural plasticity, is the capability of the brain to change uninterruptedly during a person's entire life, meaning the proportion of grey matter can alter, and synapses could fortify or deteriorate. The neuroplasticity can be present even through adulthood; however, the emerging brain displays a more sophisticated gradation of plasticity than the adult brain. **Malleability** is a phenomenon where one’s experiences affect the thinking pattern allowing the brain to adapt recurrently to changes in the environment. People who grow up in different culture-might as well be technological culture, think differently about things, and this is almost physiologically diverse, moreover “Neuro is for neuron, the nerve cells in our brains and nervous systems. Plastic is for changeable, malleable, modifiable.” (Doidge, 2007).

It is an undeniable fact that technology has the capacity to change the digital natives’ way of thinking, the process developing on the long run, as the brain needs time to adapt, taking baby steps, up to few hours a day, seven days a week and strident preoccupation and attention. These are the today students we encounter in the seminar rooms and try to teach them a second language, for example, a learning process that is not accepted by the brain promptly but through an extended period of practice and the acceptance of our surroundings and culture towards that language will also affect the way we learn it. The digital natives have a dissimilar combination of intellectual skills compared to the digital immigrants, especially due to the mixture of neuroplasticity and malleability phenomenon, being brought up in a generation of technology thus we can observe that the interest of the digital natives toward traditional paper back and blackboard, chalk teaching that doesn't encompass interactivity and digital technology has diminished. The new digital technology has limited students from the old, traditional way of thinking and perceiving a written text narrowing the time and opportunity for reflection. Today’s teachers, digital immigrants must comprehend this twist in

generation X and take up the challenge to comprise reflection and critical thinking in teaching, because digital natives need an instruction that ignite and sparkle their curiosity. In addition, “We need to invent Digital Native methodologies for all subjects, at all levels, using our students to guide us. The process has already begun – I know college professors inventing games for teaching subjects ranging from math to engineering to the Spanish Inquisition. We need to find ways of publicizing and spreading their successes.” (Prensky, 2001).

Digital immigrants are often parents, and teachers who are aware of the time their children and students spend on Internet, on their mobile phones and these tutors know something is mistaken, because they are not touching their digital native hearts and interest as well as they touched students in the past. In addition, “The educational model was to cram as much knowledge into your head as possible to build up your inventory of knowledge before you entered the world of work, where you could retrieve that information when needed. This worked in a relatively slow-moving world. But now we’re faced with the fast-paced world of the information age, where, as jobs change, you can’t take the time to send workers back to school for retraining.” (Tapscot, 2008). The division and gap between these two generation, of immigrants and x generation is limiting or stopping the digital natives to learn in their own manner, harming and preventing their evolution. In the touch age, traditional education concepts - behaviorism, constructionism and cognitivism must be boosted by **connectivism**, which endorses teaching in the progression of communication under the web, interactive, visual, sounding umbrella. A teacher can no longer enter a digital native seminar room today and address his students an intimidating sentence, write by dictation, or solve that exercise, or turn their back and write on the blackboard sentences that only half of the students see, and urge them to copy, in a speechless environment, lack of engagement, dragging the course up to the point of complete boredom. This kind of teaching is a waste of time because natives today find no benefit, no interaction, no visual communication and take no pleasure in this old-fashioned course. In addition, “Digital immigrant instructors, who speak an outdated language are struggling to teach a population that speaks an entirely new language.” (Prensky, 2001).

Re-thinking education

Using technology to permit digital natives the autonomy to discover keys to problems both autonomously and in pair work engages them with the subject turning the them into active learners, opening a world of possibilities in the hands and eyes of every digital native inside the boundaries of your seminar room.

Students need digital space to direct their own learning, to trial and error, to discover solutions, to take delight in video presentation, in visual communication, in theatre like environment and teachers, the digital immigrants need to allow the use of technology in their seminar rooms in order to be freed from the rigid confinements of lesson-plans and enjoy magic moments. Technology allows the digital native to feel that easiness they experience when they surf the internet for information, it is the at home, relaxed freedom to touch, multitask, search and discover the subject, making them independent learners, who have incorporated the power that is already in the hands of students. Never before had students such a great tool, to research, to learn, to translate on the spot, to multitask as now, and never before had teachers such unique tools to facilitate the teaching learning process. Most students have iPad, iPhone, smart phones, tablets, phablets, powerful devices, in their pockets – the so dreaded-by the teachers-

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mobile phone. Allowing your students to unleash the potential of these devices is a redeeming experience for both teacher and student. Consenting yourself as teacher the possibility to do something new using technology as a facilitator instrument can open up a cave of treasures that hooks the attention of the student and once you have that it can lead them anywhere. Filming a role play, a peer valuation or recording a group debates and uploading it to a cloud based board **wiki class**, or asking them to write themselves messages in the future, on **Futureme.org** as a part of producing the language they have been taught, or having them watch a **Prezi presentation** on a subject matter, is yet another way of appealing to students.

The concept of **digital literacy** in the scenery of the digital age education is the ability and dexterity students possess in how and what language to use when suitable; it is also the facility in the digital language of technology and the capacity to critically inspect various kinds of language and texts. Students need to be prepared to succeed in the academic or business world after they finish school since social media skills and digital literacy are extremely appreciated in today's job marketplace, this world being flooded with technology as a fundamental portion of the job market. Teachers must prepare students not just for life inside the seminar room but for the life outside the university, thus adjusting lesson plans to integrate class twitter accounts, vlogs and blogs, YouTube videos, and podcasts. Even assessments are beginning to change: students display their homework with **Seesaw**, an application that puts together photos, videos, PDFs, audio recording, text and even drawing, or slide presenter, which allows students to make their own presentations and record themselves; teachers can prompt the students to clarify their rational on an inquiry or theme using video with **Recap** or the awesome **Classkick** to create dynamic lesson content, or **Prezi** application, where teachers can embed a draft or even a whole lesson, with videos, audio, voice over, text and **share** it via **WhatsApp**, or **Twitter**, creating a true **flipped classroom** content for students to go through before they can actually come physically into the seminar room. With the content of the lesson at heir fingertip, enclosed into their mobile phones, portable and available to see as many times as they wish, students become engaged and feel valued by their teachers. Coming into the classroom with a clear idea of the lesson is productive both for teachers and students alongside, and in such seminar rooms where over the head projectors with built-in speakers for audio material or and interactive whiteboards (IWBs) and internet access exists students are fully absorbed, they are all active with their mobile devices and each time their teachers require them to do a quick research, they can use Google, or dictionaries and share the results with the whole class. Such setting is suitable for pair work, group work or whole class working together, and in making perhaps a task-based video project, the students can share their labours rapidly, with everyone, provided they have an internet connection. To be able to concentrate solely on the student, teachers must leave the old scheme in which the role of the teacher was to distribute the lecture by ongoing dictation, to all students. If we want our students to be engaged and attending our seminars, we, teachers must turn their faces from the blackboard to the students and start listening and communicating instead of just broadcasting our lecture and assume an interactive and collaborative one. Digital teachers speaking the language of their digital students must above all inspire students to be awake, to comprehend and absorb information digitally packaged enhancing critical thinking instead of just writing and learning by heart the teacher's oral and sometimes chunky information. In order to adapt the style of instruction to their students' separate learning styles, digital teachers and digital natives should

encourage sharing the information and collaborate among themselves, outside the school, too.

Both teachers and students are progressively making use of their **mobile phones**, phablets, tablets computers that can be used for teaching and learning resolutions - whether the students are watching or listening to videos, texting, communicating with the teacher and each other or browsing to research a given topic. A reading activity has never been more exciting until now when a task such as **WebQuest** can be performed using the mobile phones in order to improve accuracy and fluency through reading skills, increase knowledge about reading practices that expand comprehension. In today's digital era, there is almost no end to the devices a teacher and student can use in the teaching learning process, teachers and students can work together in any social media platforms that permit individuals to interconnect and share materials, such as Twitter and **Facebook** groups. Such clusters can deliver a real and available medium for students to use the acquisitions of the second / foreign language outside the teaching space, whether it is to work together on a task-based project, homework, or involve in sociable communication with group members from the country or abroad.

This new literacy involves thought, preparation, collective learning, listening viewing and inspecting, writing and reviewing before a concluding public presentation, a sum of internet skills our digital natives surely possess, and we can only think it is similar to the playwriting or other presentation projects that teachers used to do when they were students. So, literacy is no longer confined to just being able to read and write, no, literacy today translates into the easiness of the internet use, of to know how, from the simple act of **internet surfing** or browsing to presentations done in a viral, sophisticated and effective way. This means that the students needed to know how to create an account, sign in, join a platform, a cloud or a Classkick, to send files, how to be culturally subtle and appropriate and how to appraise judgmentally what they read, listen. Acknowledging that the students have these operational, cultural and critical literacies is a crucial element in the accomplishment of any digital project. Language literacy is about considering how blogs are written and organized and what kind of language is appropriate for use, perceiving how to read different text embedded in journals, **blogs**.

Furthermore, "NetGeners are transforming the Internet from a place where you mainly find information to a place where you share information, collaborate on projects of mutual interest, and create new ways to solve some of our most pressing problems. One way that they are doing this is by creating content - in the form of their own blogs, or in combination with other people's content. In this way, the Net Generation is democratizing the creation of content, and this new paradigm of communication will have a revolutionary impact on everything it touches - from music and movies, to political life, business, and education." (Tapscot, 2008).

Now students have gone from notebooks and workbooks to variety of digital substitutes such as Chromebook and graphical tablets thus the learning and practice process can take the form of 'digital homework' allowing students to simply go online to access libraries and google books, in a blink on an eye. The Internet has greatly extended the students' power and authorship, allowing them to work in pairs or groups even when they are not physically together, bound to the confinements of the seminar rooms. **Educreations** is a platform where students can make an account and gain access to a whiteboard that has been contracted in size, there they can accomplish a task-based

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project or a collaborative homework, record their voices drag documents, pictures, maps, and videos that they can access from anywhere. Students can produce collaborative stories together using snapshots they have in their computers, or on Flickr website and they bring together these pictures into slideshows, which they then share with the whole class and the teacher using. When students tell stories using pictures, record their own voice and eventually use background music, the students not only write their script, but they also express themselves in a second language, for example, listen to their own recording in English, and hand-pick the accurate pictures and tune to augment the application of their digital storytelling, therefore, they are the advocates of multiple digital literacies.

Encouraging students to write, not with pen and paper, but on teacher's **Twitter** account or respond to each other's blogs engages the digital natives in posting and sharing their feelings experiences and thoughts on blogs, where their colleagues can leave their tweets or comments and responses. Such blog writing is done with tremendous care, since it is public and involves a certain number of Twitters and teachers have the certainty that students revise the text before posting it. There is always the possibility of editing and even deleting an unwanted post. In addition, "General online activity - hunting for information, reading, and responding - is far from mindless. Kids are, in fact, reading, but they're reading fewer books of literature and more nonfiction online. Online reading requires many of the same mental skills that are required to read a book - and then some. You are not led along every step of the way by the hand; you have to construct your own narrative and scenarios, and you must critique whatever it is you are reading along the way." (Tapscot, 2008).

The first technology ever introduced was the printing press, with the main purpose of mass education this is why teaching with technology is not a new idea, but unfortunately, for many digital immigrants it is still unapproachable. Many groundbreaking technological practises of instruction have moulded our present system of teaching, however, with the speedy, ever shifting technologies and social media boom, educational policies must keep up with the new trends in order to yield life-long students. Currently, more and more individuals are getting deeply involved in their personal education by taking gain of the newest technology as on-line courses, on line libraries, platforms of education that empower one to learn almost anything the technologies have to offer. In the growing competitive job market of today, it is a must to have technological knowledge of word, excel, spreadsheets, numerical programs, e-mail, making PowerPoint, or Prezi presentations, so, our students of today, students graduating universities, tomorrow, must have skills and expertise in know-how and to meet the digital request the job market, hence the necessity of the transition in schools to embrace technology. A school or university that does not take advantage of the abilities of today's technology to improve the teaching - learning process deprives its students of the chances to a better life, a better education, to a lifelong learning model that involves our student needs, providing thus 'just in time' learning prospects to explain complex problems, digital citizenship; such reshaping of education empowers the student to direct their learning in the way that interests them.

Conclusions

The role of the 21st century teacher has undergone a substantial transformation: from a spreader of knowledge to an engineer of student education. Sequentially, the conversion goes both ways, teacher's part effects the modification in student's part: from

an information receiver to a connected learner. Another dangerous alteration could be observed in the key manner of learning: passive learning converts to interactive trial and error student assignment; writing and visuals in traditional teaching are substituted by **hypertext** and **media** in on-line teaching. The digital revolution we are currently assisting in the education, worldwide, has been known to enhance the excellence of learning throughout time, moreover “School fosters just-in-case learning while technology fosters just-in time learning” (Collins and Halverson, 2018).

Universities and schools alike are intended to teach students the things they necessitate to recognise in later life, although it is a paradox that we still teach our students valuable things from the past but still refuse to see the technological revolution and make use of it in seminar rooms. The quantity of data accessible today is shocking; therefore, students should study what they need, at what time they need it, either it is distance education, learning centres, adult education, digital education. Students are now able to attend a course that is being taught, for example, in India, in the confinements of their own home, the only beneficiary being the student, moreover the advantages realised with technology in education are fixated seriously on the individuals. Technology has the power to provide for the student and future job market employee, for their benefits, predilections, and educational requirements, in ways traditional teaching cannot anymore, assuring the digital native an ownership only the digital teaching has to offer, which is incomparable to the traditional one, where the student was a passive receiver. Thus, education must be organised around the awareness of **lifelong learning**, one that does not happen entirely within the exceedingly structured and improperly equipped institutions. For this, a new **technological curriculum** is needed, that would locate the future graduates in the centre of the technological possibilities, promoting their individual interest ranges. In addition, “Now we are going through another revolution, on the same scale as the Industrial Revolution. It is variously called the Information Revolution or the Knowledge Revolution, and it is fuelled by new media technologies such as computers, video games, the Internet, tablets, smart phones, FitBits and artificial intelligence. While the imperative of industrial-age learning technologies can be thought of as uniformity, didacticism, and teacher control, knowledge-age learning technologies have their own imperatives of customization, interaction, and user control.” (Collins and Halverson, 2018).

Technology simplifies the transition from education to work, the exploration, distribution, and making of information, therefore altering our career paths in ways that are beneficiary to us. Education is no longer dependent on chalk and blackboard, it is interactive, lifelong learning, visual, kinetic and, above all, aware and responsive to students needs bringing forth the compulsory skills in order to have a smooth conversion towards the work force. We can no longer overlook the technological reality our students and us, teachers, live in, and the demands for a customised education through technology appears to be a resolution for meeting learners needs, although the concrete execution of such a system might be complicated and has the tendency to lead to additional breaches in impartiality for education. Notwithstanding, decisional education parties should not deny the role of technology in the teaching space and its positive, beneficial outcome in students.

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ORIGINAL PAPER

Social Media Technology: An Effect of the EFL Students' Attitude towards *Pride and Prejudice*

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Abstract

This study aims to explore the attitudes of EFL students in Jane Austen's novel *Pride and Prejudice*, and to identify the effect of social media technology on understanding the novel. Jane Austen is considered as the pioneer writer of feminine literature, who redefined British society, by narrating with intelligence and irony the human relations of the society of the early nineteenth century and dreamed of a world in which women could advance until they reach their desired and deserved social status. *Pride and Prejudice* is one of Austen's best novels. The essay emphasizes on sharing more than one student with their teacher for analyzing the novel. The study consists of two parts: the first is a literary analysis paper of *Pride and Prejudice*, and the second is the searching of the EFL students' attitude towards Austen's novel after using social media technology.

Keywords: *Austen; technology; social media; EFL students; studying literature; Pride and Prejudice.*

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Introduction

Literature is considered as a mirror to understand the nature of any society, traditions, meanwhile, it gives us a new way of thinking about the world and life around us. Literature, originally, is the art which rouses passionate emotions and stimulates spiritual feelings and sensations. Literature offers conceptions of new ideas and identifies different perspectives towards the world, so people can think in different ways in life. It gives the chance to understand the different aspects such as historical and cultural movements and ideas that prevailed at a given time for a particular culture and society. It is enjoyable to be familiar and understand literature and later become a reference to ancient and contemporary culture. Each literary work hides concepts of issues. In this article, the authors present a study of applying social media technology for teaching and learning English language by Literature, they have chosen one of Jane Austen novels, as Austen stimulates readers to recognize various features of ethics and morality in the 18th century at the same time, she expresses the real life of the aristocratic class through her magnificent fiction. Austen's audience obviously noticed that her novels employ characters from special social classes of the eighteenth century; her six complete novels have been meticulously studied throughout the twentieth century. Today, and with the development of the new knowledge of communication, social media is a device to stimulate the user, to share their experience, opinions, senses and emotions, and a mean to learn how to use the second language, its precision derives from its high-spirited creation and its masterfully artificial comic plot which infuses the narrative, description and dialogue. *Pride and Prejudice* is an English novel written by Jane Austen, nobody forget that this novel is too light, bright, and sparkling, the author herself wrote in a letter to her sister "The work is rather too light, and bright, and sparkling; it wants shade; it wants to be stretched out here and there with a long chapter of sense" (Austen-Leigh, 2008: 134). This fiction is taught as one of the syllables in the English department / College of Art and Education at Iraqi Universities. The students will be more connected with the novel and able to understand the events and climax clearly.

We can not deny the role of ideology at the interface of language and literature, in this effort, both the teacher and the student will be able to participate and analyze the fiction. This study presents two parts, the first part is the presentation of the effective classical, and social fiction in English literature, *Pride and Prejudice*. The second part is to highlight the effect of the social media technology/video on EFL students' attitude towards studying literature, especially novels. The sample is represented by third grade students, Department of English language, College of Arts/Iraqia University, the attitude questionnaire is used as a study tool after verifying its psychometric characteristics. The result of this study shows that the students have a positive attitude towards *Pride and Prejudice* after studying through the social media/ video, and the straight way to acquire English language, which has long been a question of great interest in a wide range of fields. According to these results, several recommendations and suggestions have been set forward.

Literary Part

Why Jane Austen?

Jane Austen was born in 1775 in the village of Steventon in rural Hampshire of England. Her father was the local clergyman. Her mother, Cassandra Leigh, was from

the Leighs, the educated and aristocratic family. She grew up surrounded by the beauty and liberty of the countryside. Mr. Austen, the father was so devoted to his wife and children, and he tried to develop them. Jane Austen was beginning to engage as a writer with the short juvenile productions; in her 25 years old, she edited three manuscript volumes of juvenile writings, "Love and Friendship", a brilliant burlesque of popular sentimental novels. Her writings, proposing a picture of more than superficial accuracy to reveal precious values in meaning structures and interpretations.

Robert L. Mack writes in *The Austen Family Writing: Gossip, Parody, and Corporate Personality*: "Austen family heritage was shaped by an unusual degree of self-awareness and by a concern for the preservation of the family writing in the interests of fashioning a worthy and coherent narrative of domestic identity" (Mack, 2009: 39).

Jane Austen is considered as a pioneer of writing moral development of her heroines, and main characters. She expresses the multifaceted aspects required for perfect moral maturity. Jan Fergus mentions in *Jane Austen: A Literary Life* that "her works are deeply religious in this sense, although she deliberately avoided overt religious instructions" (Fergus, 1991: 36). Austen's global appeal can be known by the regular produced versions of Austen's books reset in modern texts and syllables that are taught in different faculties, she has put a new life into the defraying genre that is in modern English novels. She raised a new genre into a new level of art, therefore they called her as "first modern novelist". Her social themes are calling for virtue, so her novels have met more popularity in Arab countries, and commits high exploration of the themes, love, marriage, self-knowledge, money, and reputation.

Literary critics describe Jane Austen's unique genius as an author of an extensive arrangement of theories concerning the conventional values and habits to write well literary thoughts, she creates as well as develops her characters surrounded by a specific social construction. After two-hundred years of her death, so many people are still attractive and charmed with Jane Austen and her world. Jane Austen reflects the conditions of contemporary time, especially of women in order to shed light on the positive aspects that encourage the establishment of morality and ethics in community. In *Young Jane Austen: Author*, Juliet McMaster conveys "The epistolary convention also comes in for Austen's satire. It's great virtue was its immediacy" (McMaster, 2009: 84).

In the twentieth century, Austen gained new intellectual readers, and became famous for her Augustan irony and technical innovation. Wiltshire in *Jane Austen and the Body: The Picture of Health*. "Many critics and scholars have of course placed Austen within a literary context whose achievements enabled her own" (Wiltshire, 1992: 61).

Pride and Prejudice: A Sentimental View

Pride and Prejudice is a romantic and social novel; it describes a common central topic, it is famous for its style, for precision and balance of its sentences convening the morals and ethical values that transfers to a commentary on the individual's values, these values leads to the happy image of Jane Austen's social philosophy. Thomas Rodham adopted that Jane Austen is considered as moral philosophy according to her teaching style and plots, "Austen was also a brilliant moral philosopher who analyzed and taught a virtue ethics for middle-class life that is surprisingly contemporary" (Rodham, 2013:1).

Regarding this fiction, moral guide presented by the heroines, Elizabeth much about her condition, as the parallel proposals teach her "Pride and Prejudice, then, is

certainly about knowing, knowing oneself and other people, as well as about money and sex” (Wiltshire, 1992: 102). The title *Pride and Prejudice* refers to the more important abstract characteristics of Elizabeth Bennet and Mr. Darcy, who must overcome their personal pride and often baseless prejudices in order to recognize their true feelings for each other: “Austen’s characters, however, experience morality as a positive, if difficult, choice, not as a sacrifice” (Emsley, 2005: 21).

Pat Rogers in his introduction in *Pride and Prejudice* describes its title: “The title *Pride and Prejudice* has embedded itself so deeply in our consciousness that we easily forget the phrase had a life of its own before Jane Austen claimed the sole rights. In the century before the novel was published, this expression turned up at least a thousand times in printed literature, with or without minor modifications” (Rogers, 2006: 37).

In my opinion, Jane Austen chose this title to make her audience feel of their humanity, to be proud that they are humans, have their senses to be rid, at the same time they have their Prejudice, the two expressions are, absolutely completed each other. In one of her letters (January 29, 1813) she writes to her sister about *Pride and Prejudice*: —“I want to tell you that I have got my own darling child from London. On Wednesday I received one copy sent down by Falkener, with three lines from Henry to say that he had given another to Charles, and sent a third by the coach to Gooderham.’ She is particularly enamored of that creation of her own brain who has doubtless inspired the same sentiment in many other people—’ Elizabeth Darcy’ (*nee* Bennet)—and of my mother’s views on the same subject she writes that ’ Fanny’s praise is very gratifying. My hopes were tolerably strong of *her*, but nothing like a certainty. Her liking Darcy and Elizabeth is enough. She might hate all the others, if she would” (Austen-Leigh, 2008: 77).

“*Pride and Prejudice* is not a novel of ideas in the narrow sense, but a love story which dramatizes ideas. Its power derives from the extraordinary skill with which Austen manages the narrative, and the deft way in which language is utilised to bring out characters and situations” (Rogers, 2006: 76).

Concerning her productions, Jane Austen, approves of Deigh’s view about moral ethics, he illustrates “Modern ethics proceeds from the idea of a highest or supreme authority. Its leading systems depend on such an authority to certify the truth of moral judgments. To be a moral agent a person must be capable of comprehending such truth and of matching his or her conduct to it” (Deigh, 1996: 8). The premium way to gain ethics is to consider the personal relations, either with friends or with a person’s family. So to get the perfect profit, one should regard the natural dynamics of each relation then determine the accepting convinced moral behaviour that is required toward one another.

The most glorious description of Jane Austen sets in virtues, and vices among those social classes, in a way in which the characters define their own moral characters, independent of their assigned social values, Austen’s novel suggests that each character has the willful agency to behave in a way besides morally independent deeds. B. C. writes in the volume 2 of *Jane Austen: The Critical Heritage* “We see the novels praised for their elegance of form and their surface ‘finish’; for the realism of their fictional world, the variety and vitality of their characters; for their pervasive humor; and for their gentle and unidiomatic morality and its sermonising delivery. The novels are prized for their ‘perfection’ (Southam, 2002: 13).

Oliveira writes “The subjects of her novels are love, the fancy of beautiful and young girls in relation to marriage, strolls, visits, balls and tea, the choice of the adjusted husband and the good marriage” (Oliveira, 2007: 9). One of the greatest challenges in the 18th and 19th century, the marriage for love was gaining view, at that time, the person could choose his wife, but in the condition of parental approval of the engagement, these conventions could prevent the son from inheriting his estate. In the late 18th century, Deirdre Le Faye explains “Respectable young women could have no profession except matrimony, hence girls were expected to marry as soon as possible after they made their debut into society in their late teens” (Lefaye, 2002: 113). To what extent Jane Austen can be seen as a searching analyst of moral behaviour, her work can be a coherent thought of social manners. In the first lines, Austen declares “It is a truth universally acknowledged that a single man in possession of a good fortune must be in want of a wife” (*P&P*, n.d, 1: 212). The main of her fiction is the value of marriage as a social organization, the standards of motives to differentiate the moral marriage from the material kind. Marriage secures respect and stability for both sides. Overall, Lady's dream is to marry a rich gentleman to have money and a good rank in the society. “For Jane Austen, happiness in general is the goal of human action done according to morality, a code of conduct according to which every person has value; and happiness in marriage is the result of each spouse valuing and pursuing the other's happiness above all else” (McClung, 2017:1).

Love is not the main consideration in marriage in the 18th century. Jane Austen is considered as one of the female writers who has the sense of society, this is a logical reason that encourages her to characterize her heroines to act morally. Most of the 18th century problems can be solved by overcoming terrible behaviour. Elizabeth, the central female character in *Pride and Prejudice* regarded as the most admirable and endearing of Austen's heroines, has many mistakes, but she knows her faults and corrects them. This is what is called the moral responsibility that is specialized to Austen heroines. Sarah Emsley writes that a number of critics attempt to demonstrate Austen's seriousness by showing how the novel is obvious, by history, or by arguing that Austen hides political subversiveness behind conservative forms. The known critic, Vivien Jones has argued “Explicit evidence of that feminist “line” seems apparent when, at various key moments, Austen's novels echo the Enlightenment-infl ected rhetoric of contemporary debates about gender politics and the position of women”. (Jones,2009:283), while some feminist critics read Austen as complicit in bourgeois ideology and see marriage in her novels as an inadequate substitute for independence, other critics reads for Austen as serious and internationally important works in progress, But on her view, Emsley considers Brown's opinion that the decline in Austen's reputation is a serious one, she adds “Austen should also be taken seriously as a philosophical and religious writer in the context of the tradition of both men and women who wrote before her time” (Emesly, 2005: 97). In her novel *Pride and Prejudice* Jane Austen presents different kinds of marriage. Love marriage, obligation marriage and material marriage. At the same time, Austen considers the positive benefits of this social and moral liaison. She goes around that idea of women getting married only in arranged marriage conditions. Ethical institution of marriage is one of the virtuous issues that dominate her fiction. Le Faye declares that, “If there was no direct male heir, as in the Bennet's' case, then the next nearest male collateral descendant of the owner who had originally created the entail would inherit — in this case, Mr. Bennet's distant cousin Mr. Collins. Like all legal restrictive practices, over the passage of time ways had been found

that made it possible for some families in certain circumstances to break an entail and re-settle an estate in a different way to include female inheritance” (Le Faye, 2002:184).

Social Media: A Mean of Appreciating *Pride and Prejudice*

It's necessary to establish a general background of education for all sorts of learners, among the foreign language, in order to achieve that instructors should not use the most typically traditional ways in university education. This helps them to better comprehend and interpret literary texts, and acquire improved language skills. Our aim is to study literature for literature's sake for its values, not only as a source to acquire English language. Students who use social networks positively can develop their knowledge based on wide communications and knowledge sharing from the social network sites, also they can understand and appreciate the novels offered by movies.

Nowadays, no one can forget the impact of social media on the academic concert of students. Social media can include text, audio, images, video, Twitter, Facebook, Wiki, and other program communications. In today's social space social media is definitely one of the most powerful origins of information and news, a type of technology used mainly for social and entertainment purposes. Social Media involves an active act of creation of content and/or communication, which is presented by the videos we use, and someone who receives and understands the communication, that presented by the college students. Collins dictionary defines the video as, “Video is a system by which you can see television images or films on your computer, rather than on a television set” (Collins, 2019). Interactive videos provide expanded opportunities to apply the knowledge and skills they have acquired, and used for revising concepts and reinforcing them for students who need further explanation.

Social Media and EFL Students' Attitude towards English Literature. The Problem of the Study

Most developing countries complain of a shortage in faculties and a decrease in the technical competence of many of their staff, as well as overcrowded classrooms, overcoming theoretical approaches and distance from community requirements as well as their inability to meet the needs of individuals. Over the past decades, a certain type of teaching has prevailed in schools, where teaching methods have been limited based on dumping, memorization, memorization and retrieval in order to preserve information for the examination and pour the minds of all learners into one template (in achieving them, due to the high reliance on traditional teaching methods so that learners do not have opportunities to practice self-teaching methods in the educational process). Traditional education has faced many problems, which have an impact on the level of education, making it limited to achieving its goals. New methods that help low-achieving learners improve their learning and achievement through the adoption of learner-centred methods. Social media impacted the interaction of people around the world and the way of getting the information (Allam, 2016: 1). The use of Social Media for teaching and learning has been connected to the theory of connectives as the basis of its implementation, suggesting that the ability to access information when needed has become the main feature of learning in this information era, and because of its ability to deliver immediate and varied samples of language to a wide audience, many teachers are looking to the Internet for content to use in the language classroom.

Research Objectives

The objectives of this study are:

The aims of the study is to discover the students' attitude towards Jane Austen's novel *Pride and Prejudice* by using social media (third year) EFL students at the Department of English, College of Arts/University of Iraqia; academic year 2018-2019; literary text: "*Pride and Prejudice*, and to investigate students' attitudes towards social media as a tool for academic purposes and language learning

Methodology Participants

The participants are 60 male and female students. They are selected from the third stage/ Department of English Language, College of Arts/ University of Iraqia. An attitude questionnaire was employed as a measuring instrument in this study. It was modified to measure the attitudes towards learning English literature.

First: Research Methodology

The researchers adopted the experimental method because it is more suitable with the research procedures. It is a method of scientific research and is based on a deliberate change in certain conditions in the factors that can affect the subject of the study and to observe the effects of this change and interpretation and access to the relationships between the causes and results is a method based mainly on experience and observation which are the variables that can affect the subject of the study. Since this research deals with one independent variable (interactive video) in one dependent variable (achievement), the appropriate approach is the experimental approach, which is adopted by the researcher in the current research.

Second: Experimental Design:

The researchers employed the experimental design for both samples (control and experimental). Teaching is represented by interactive video (the independent variable of the experiment), and literary comprehension (dependent variable). Therefore, the researchers adopted the experimental design with partial adjustment with two groups of measurement. The researchers chose the members of the sample randomly from the original community and then entered the independent variable (treatment) on one of the two groups without the other. Comparing the performance of the two groups, if there are fundamental differences between them, the researcher refers to the impact of the independent variable (treatment). One of the advantages of the design helps to control non-independent factors, as these factors are exposed to the members of the two groups, this design avoids the impact of pre-measurement, and avoids the impact that can result from the weakness of the measurement tool between pre and post measurement. There are several experimental designs that are used according to the problem of the study and the researcher found that this design is more suitable for the current study. The post-test procedure group. Controls were the same method used in the achievement test group: Experimental without (interactive video) and Experimental independent variable (video interaction) achievement test:

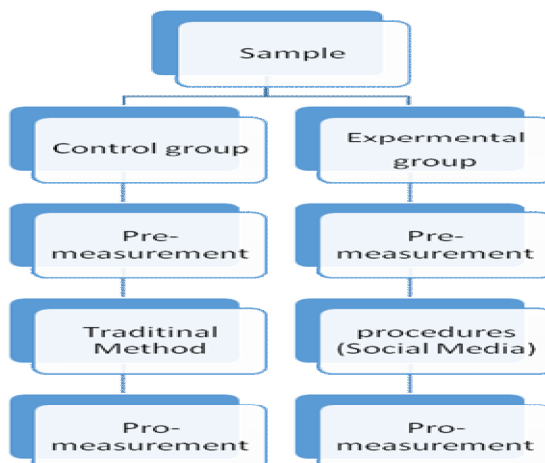


Figure 1: Research Steps Design
Source: Authors' own compilation

The Research Sample

This is the process of selecting a number of individuals who are part of the research community, in order to select a sample of the research from the colleges, the researchers selected (60) students, (30) to meet the purposes of the experiment, and (30) are the control group. The number of students in the two groups (60) students, the control group contains (30) students, and the experimental group (30).

The students were selected randomly to be (18) female, and (12) male in the experimental group, (18) female, and (12) male in the control group.

Research Tool: (Achievement Test): Achievement test is a tool used to determine the degree to which a learner has acquired knowledge and skills in the content of the subject that he has already learned, through his answers to a sample of the questions (paragraphs) that represent the content of the subject. According to the following steps:

Determine the objective of the test: Is the measurement of the attitude of the research sample (control, and experimental) in the cognitive aspect of the teaching material, which includes Jane Austen's novel *Pride and Prejudice*.

Determination of scientific material: The subject is covered by the current research to be studied for students of the control and experimental groups according to the syllables of the third stage/ College of Arts for the year (2018 – 2019).

Formulation of the test items

Comprehension test paragraphs, consisting of (20) items to measure the levels of Bloom for the field of knowledge (knowledge, comprehension, application), were formulated, a multiple choice type and each question contains four alternatives to measure the students' attitudes.

Answer Instructions: Instructions are given to the students on how to answer the test and how to divide the scores and determine the time allocated for the answer.

Test Validity is a great importance in evaluating the test and its effectiveness as a tool for measurement. When we want to verify the validity of a test, we collect evidence to conclude that the test measures the attribute it is designed to measure. Validity applies to all test passages, and an honest test that is valid for measurement on a specific group of students may not be true for another group.

Face Validity: It refers to the extent to which the test measured for the purpose for which it was apparently developed, and is reached through the consensus of the arbitrators estimates on the degree of measurement of the test for the attribute, and face validity means the general appearance of the test in terms of vocabulary and how to formulate and how clear, as well as deals with test instructions, accuracy, clarity, objectivity, and suitability of the test for the purpose for which it was intended.

Reliability. By using The Statistical Package Richardson (KR-20), acceptable value is 0.91 which shows acceptable consistency of reliability.

Presentation to experts and arbitrators of specialists:

The researcher then presented the test and its items to a group of experts and arbitrators (8), who hold a doctorate degree in English literature, and methodology to ensure the sincerity of its content, and asked them to give their comments and opinions on the clarity of the educational material and the validity of scientific and technical terms used in the social media/ video (and achieve educational objectives as well as language accuracy and accuracy of content and logical sequence and presentation style, and the appropriate number of frames, and drafting to suit the desired goals).

Research Results:

To verify the hypothesis of the research, T-test was used for two independent samples that used the mean of the experimental group (18.279) with a standard deviation (5.236) and the mean of the control group (12.35) with a standard deviation (5.236).

Accordingly, the calculated T -value (3.988) larger than the t table value (2.50) at a significant level (0.05), which means that there is a difference between the two groups and for the benefit of the experiment.

This means to achieve the hypothesis of the research, and the social media positively effective in student’s comprehension. The table (1) explains that.

Table (1). T calculated value for the difference between the control and experimental groups in the comprehension

Groups	N	mean	Standard deviation	d f	t calculated value	t table value	Significance level at 0.05
Control	30	12.35	6.345	58	3.988	2.50	Significance
Experimental	30	18.279	5.236				

Source: Authors’ own compilation

Interpretation of the Results:

The results of the current research showed that the experimental group students who studied according to the use of social media- video above the control group students

who studied the usual way in the comprehension test that this superiority may be due to one or more of the following reasons:

1. The use of more than a sense of learning using images, drawings and sounds as well as interaction using audio-visual aids, which happened to students of the experimental group.

2. Teaching using interactive video, focuses on modern trends in teaching, such as individualization of education and the learner-centered, by allowing the student to search for information and discovery and inquiry himself, displays the elements of content in a manner that attracts the student,

3. The interactive video has taken into account the differences between the individual students by giving him the freedom to learn what he needs from the scientific material.

4. Interactive video provides immediate feedback i.e. the student can identify the areas of weakness and strength through what allows him to video feedback and bifurcation in the scientific material.

Conclusion

According to the results of the present study, the researcher can be concluded that teaching using social media particularly, the interactive video has the effect of:

1. Facilitating the students' understanding of the scientific subject which leads to raising their academic achievement.

2. Interactive video makes the student a central focus in the process of education.

3. Activates students' motivation towards learning.

4. Its effectiveness and its positive impact in the teaching of computers to first graders average compared to the usual way.

5. Preparation and submission of the study material well and orderly lead to the delivery of scientific material to students easily.

6. Its use has achieved the flexibility of communication between the student and the teacher and between the students themselves by discussing the film

7. Gives students the opportunity to observe and conclude from watching it, and makes learning more attractive and impact for learners.

Recommendations:

The researchers recommend to the academic instructor to use social media especially, interactive video within the vocabulary of teaching methods in the faculties of education. Also to explain the effect of interactive video on other types of variables learning and the expansion of logical intelligence and the development of reflective and critical thinking.

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ORIGINAL PAPER

A Systematic Literature Review Searching for a Comprehensive Dynamic Model of Parental Digital Mediation Strategies

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Abstract

Knowing that children and teenagers are between the highest consumers of new digital media that gradually transformed our lives and changed our habits of communication and interconnection, the scholar attention is moving from searching their online consumption patterns, to the mediation strategies used by parents, referring to all the efforts they made to increase the benefits and limit the risks of the Internet for their children. Meanwhile, the parents are concerned regarding internet risks and eager to receive valuable information for applying the most effective digital mediation strategies, but the researches seem not helping enough, because their conclusions are incongruent, using different concepts to define similar behaviors, or offering contradictory results. Taking into consideration that the scoping or systematic review is a research method very useful to synthesize results on a particular topic of a research area, offering the opportunity to identify key concepts and gaps in the researches, it will be used to: define a dynamic model of parental digital mediation strategies; identify the key variables that influence this model; point the gaps that still need to be fulfilled by searching this domain. This paper will address the issues of parental digital mediation strategies, developing a dynamic model as it emerges from the systematic review of 28 articles on this theme published from 2017 until now, retrieved from Google Scholar and PubMed databases, indicating the positive and negative effects of parental behavior on children internet usage habits.

Keywords: *parental digital mediation strategy; neglecting mediation; inverse mediation.*

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Introduction

Given the importance of knowing and understanding how children and young people are affected by technology and the primary socialization is transformed into "digitally connected families" (Lim S.S., 2018) many researchers have investigated recently this process offering fruitful data, but divers and not centralized to offer an overview on the phenomenon. Taking into account the particularities of the target group - children and teenagers - various research methods have been used, quantitative and qualitative, specifically sociological or borrowed from other sciences, innovation, creativity and flexibility being their essential attributes. The results show that the main risks of digital technology for children are: exposure to cyberbullying, extreme violence, hate messages, sexting, and sexual content, dating with strangers, data security issues and excessive internet use, addiction and related issues, as low school performance, communication and relationship problems, anxiety, depression, delinquency and decreased life quality (Livingstone, Davidstone, Bryce, et al., 2017; Velicu, Balea & Barbovski 2018; UNICEF, 2017). On the other hand, there are undeniable benefits and opportunities: increase academic performance, access to education and information, high connection and interconnection, self-image and identity in the online environment, improvement of cognitive and coordination skills when using age-appropriate games and applications, cultivation and manifestation of creativity, "power", "agency" and civic participation, economic and social opportunities for the disadvantaged, allowing them intergenerational status leaps (Livingstone et al., 2017, UNICEF, 2017).

Due to the ubiquitous of mobile technology, the family as the institution of primary socialization is the main responsible for providing access to technology and digital literacy for children, followed by school and peer groups. But adults, as "digital immigrants" opposed to "digital natives" (Nelissen S., Van den Bulk, 2017) are often in a state of "digital confusion", having to train first their digital skills and often receiving inconsistent and contradictory advice (UNICEF, 2017).

In these new social conditions, numerous studies have been focused on researching the digital mediation process that takes place in the family, respectively how these institutions facilitate the formation of the digital skills of the children and educate them to protect themselves against the internet risks. There have been identified several types of mediation strategies that adults use, varying from active to restrictive mediation, on the main variables influencing these processes intersection: children age, parents' education, and digital skills level, family socioeconomic status and local culture. This paper aims to synthesize and integrate the already cumulated results in order to build a comprehensive-explanatory dynamic model of parental digital mediation and its effects, using the systematic review method for providing more relevant information in this direction.

Thus, according to the methodological principles of the systematic review, we will analyze the results of different researches carried out in the last three-four years in this field, in an attempt to provide a relevant, aggregate point of view, to find common points and differences and to fill the gaps in the knowledge of the parental digital mediation strategies and their effects. This is a process of extracting data from individual, particular studies and interpreting them in a collective form (Campbell et al., 2003, in Best, Manktelow & Taylor, 2014) using narrative-qualitative analysis (Rodgers et al, 2009 in Best, Manktelow & Taylor, 2014).

A Systematic Literature Review Searching for a Comprehensive Dynamic Model...

The starting question driving this systematic literature review is: what are the strategies of parental digital mediation identified in the last four years and what are their effects for positive and safe use of the internet by children and adolescents?

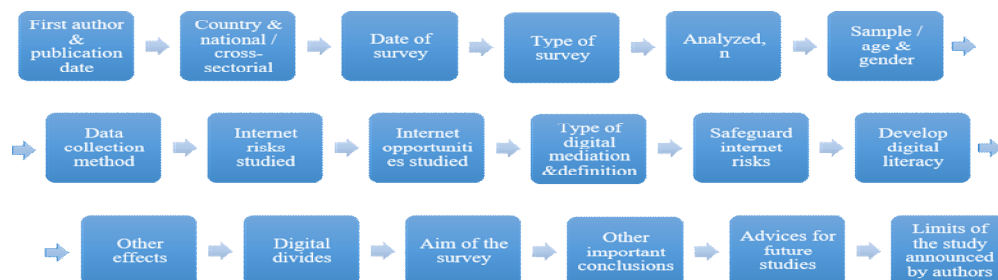
The objectives of this systematic review in the field of digital mediation of children and adolescents are: 1. Building a comprehensive dynamic model of parental digital mediation strategies, outlined by their effects on children and adolescents and the main conditions that limit and influence their digital habits; 2. Identifying and defining new types of emerging digital parental mediation strategies; 3. Pointing the minuses in the knowledge that could be analyzed in future research.

Methodology

To ensure the scientific rigor of the systematic review method, the reference system offered by PRISMA (www.prisma-statement.org) was adapted to the sociological research and the criteria for inclusion and exclusion of the researches in the analysis were established: year of publication - 2017 - present; year of conducting the research - 2016 and later; type of publication - scientific articles published in specialized academic journals, based on representative methodological studies at local/national level; the geographical context was not considered an exclusion criterion, because the technology is used similarly by children and adolescents from all over the world; the presence of at least one of the dependent variables related to parental digital mediation and its effects on children aged 0-18; usage of at least one of the following technologies, applications and/or devices: internet applications or websites, social networks or online games using different devices, like mobile phone, laptop, desktop or tablet, play station, Xbox, etc. Studies exclusively focused on children with special educational needs, or those presenting systematic reviews were excluded.

The articles search was conducted on the Google Scholar and PubMed online databases, from January 15 to 25, 2020, using the Boolean operating system and English keywords: "parental mediation strategy", or "parental mediation of Internet use", or "parental mediation of the use of the smart mobile phone" and "children", or "adolescents", or "children and adolescents" and open access research has been selected, published from 2017 until now. Subsequently, for the narrative-synthetic data analyze, a specific grid was built, including the research identification data - who, where, when was published, concept definitions, the purpose of the study, type of research - qualitative/quantitative, sample size and characteristics, obtained results and digital mediation effects, the recommendations and limits stated by the authors (Figure 1).

Figure 1. The systematic review analyzing grid



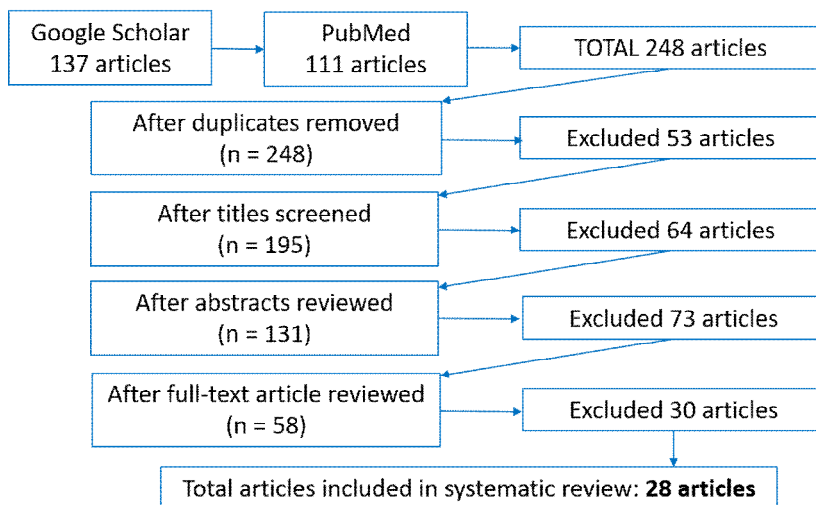
Source: Author's own compilation

Synthesizing the obtained results was developed a general model of the parental digital mediation strategies used globally, highlighting its efficiency in increasing children's and adolescents' digital skills and enhancing opportunities and minimizing Internet risks for them. The narrative synthesis will not take into account the differentiation between the data generality level – qualitative data on the individual level of the child, family and immediate social context, or quantitative national or cross-sectorial data. Finally, they should be viewed synthetically, because they are often correlated, explaining each other (Hasebrink & Uwe, 2016). The process of analysis and comparison of the different types of parental digital mediation strategies has resulted in a complex model, presenting, integrating, harmonizing and synthesizing all the variables that interact in this broad process of digital mediation.

Results

Searching the Google Scholar and PubMed databases were identified 248 articles containing the keywords. After applying the selection criteria were excluded: 53 duplicate articles, 64 articles with un-relevant title, 73 articles after abstract analysis, and another 30 articles after verifying in the full text the condition related to the research period. A total of 28 articles were retained for systematic analysis, using the established analysis grid (details in Annex 1).

Table 1. Articles selection process



Source: Author’s own compilation

It is important to note that quantitative research based on face-to-face or online questionnaires prevails, and the most researched countries were in Europe, but also in America and Asia, offering a global - universal picture of how children are using the internet. A quarter of the studies have national representativeness and most of the researches were published in 2018 and 2019, totaling the opinions of 16,036 children - among whom over 75% are adolescents and 6025 parents, and 4162 cases were dyads researches: parenting - child. (Table 2). Generally, the studies cover the issues of using the internet for all the ages of childhood, from 1 to 19 years old.

A Systematic Literature Review Searching for a Comprehensive Dynamic Model...

Table 2. Characteristics of selected articles

Publication data	2017	2018	2019	2020
number of studies	5	11	11	1
Type of study /sample	national	local		
number of studies	7	21		
Year of study	2016	2017	2018	2019
number of studies	12	7	4	5
Countries	UE = 15	UK = 3	SUA = 6	other - Asia = 4
number of studies	Spain = 4; Germany = 1 ; Belgian = 5; Holland = 3; Czech Republic = 1; Denmark = 1	3	6	China = 3; Taiwan = 1
Sample	children	parents	dyads	
number of studies	11	10	7	
n	16.036	6025	4162	
Study type	quantitative	qualitative	mix quantitative - qualitative	longitudinal
number of studies	21	3	2	2
Collecting date methods	auto-applied, offline and online questionnaire	in-depth interviews, media journals, focus-groups	interviews and questionnaires, or special measurement devices, or media-journals	auto-applied questionnaires, offline and online

Source: Author's own compilation

Regarding the parental digital mediation strategies, within the 28 studies were used similar or different concepts, operationalization and definitions. Generally, the main classification was based on traditional media studies regarding the effects of television on children: active, restrictive and co-use mediation (Clark, 2011), to which different terms and descriptions were added, or other new types of mediation. Cumulating the extracted data from all 28 pieces of research, were identified 18th types of active mediation, 15th types of restrictive mediation and another 10th distinct mediation strategies, the main variation criteria being the children age.

Under the broad name of parental active mediation: a whole series of behaviors and actions of parents concerning fostering, explaining and educating children about

how to use the internet and its various applications are covered, important variables being: the way communication is adapted to the children age, and its various content as technical explanations, risk warnings, usage of social networks, games, or different applications. Some authors consider co-use a method that cannot be separated from active mediation strategies, due to the versatility of current technology - mobile phones, or small tablets, but also of social networks or online games that favor sharing info in the same virtual space. For others, there is intercalation between active and restrictive mediation, by joining terms such as "control", "guidance", in the idea that restrictive mediation if is communicated assertively, explaining and even negotiating the limits, becomes an active mediation. The effects of active mediation strategies are also controversial, they range from positive to negative, from developing digital skills, self-control, critical thinking, reactance, coping with online risks, to maintaining anti-social behaviors and more risks encounter, because exposure to such content does not decrease. Some authors sustain that more important than the mediation strategy is the general parental style, how the information is communicated and the level of attachment relationship established within families.

Restrictive mediation is a widely used and studied strategy, especially since in 2016 the American Academy of Pediatrics recommended parents to limit the screen time of children: up to 18 months no exposure at all, maximum chats with family members; up to 2 years very rarely and content strictly controlled by parents; between 2 and 5 years maximum one hour per day of exposure only to quality educational content, controlled by parents and using together; over 6 years to establish a family program of technology use and clear boundaries, accompanied by constant active mediation (www.aap.org). Within the selected studies were identified 15 more or less different conceptualizations of restrictive mediation, based on the same idea of time, content and place limitation for children of all ages access to the internet. In some articles, next to the restriction is added the term control, or supervision, showing that it is necessary to control if the imposed rules are respected. In other articles the focus is on how the restrictions are communicated, emphasizing the positive effects of this strategy if it is used the "autonomy-support" style, by explaining the reasons and taking into account the child's perspective. Other mediation types, as neutral and inconsistent restrictions have negative effects, provoking children's reactivity and searching for innovative hidden solutions. As the active digital mediation types, the restrictive ones decrease as the children age increase, parents preferring not to use them with older children, being aware of the failure. It should be mentioned that one study shows that restrictive mediation has positive effects in preventing and treating dependence on social networks for girls, but not for boys and online games.

Other identified types of parental digital mediation strategies can be considered as extensions, or deepening of the main previous digital mediation strategies: from active types - co-use, participatory learning, or positive reactive mediation; from restrictive mediation as a control - technology monitoring, or as reactive-negative mediation, parents punishing and restricting access when risks occur. Other new types of parental mediation strategies emerge from the empirical data:

- permissive mediation, or laissez-faire – parents who just provide access to technology for their children, but do not intervene in their online activities, considering children know better what to do;

- reverse mediation – children being the digital socialization agents for their parents, showing them how to solve the digital problems;

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- modeling - parenting behavior is copied by children, is a powerful mediation strategy that affects all the others;
- inconsequent mediation – parents uncertain on their digital capabilities reacting unpredictably on children digital behavior;
- mixed digital mediation – concurrent use of different digital mediation strategies, developing, transforming and overlapping in the daily life interaction of the family.

Other recurrent themes and notable results of the systematic analysis from the 28 articles are:

1. Regarding the correlation between the applied digital mediation strategies and demographic data:

- the age of the parents does not influence the mediation strategies
- the age of the children is a predictive factor for the mediation strategies applied - curve-linear trend, they grow and intensify around the age of 8-9 years, after which they begin to decrease (Beyens I. et al., 2018)
- the gender of children does not cause noticeable differences in the mediation applied (Zhang D., 2019, Symons K., et al. 2017), some studies show that more restrictions and co-use with boys are effective (Aierbe A., et al. 2019), and for girls, the restrictions on the use of social networks are effective for reducing dependency (Koning I.M. et al. 2018);
- parents' gender influences mediation: mothers are more inclined towards an autonomy-support type of mediation (Weinstein N., et al 2018), and fathers generally apply less mediation than mothers (Symons K., et al. 2017) and use more instructional mediation with girls and co-use with boys, whereas mothers often mediate restrictive especially boys (Aierbe A. et al, 2019);
- the socio-economic status of the family does not influence the children access to technology - most have at least one computer and a games console (Nikken P., et al, 2018); those in single-parent families have access to many devices (Nikken P., et al, 2018); children from low-income and single-parent families have an increased risk of addiction (Chang F-C et al, 2018); families with more children often apply restrictive digital mediation (Beyens I., 2018).
- the parents level of education: those with higher education have more digital skills, but this does not directly correlate with children digital skills level (Zang D., 2019); usually apply several mediation strategies (Nikken P., 2019), both active and interpretive (Daneels R., et al, 2017) and restrictive mediation through technology, or monitoring (Nikken P., et al, 2018, Chang F-K., et al 2018).

2. The correlation between the mediation strategies and the parenting styles is sustained in the idea that the family atmosphere influences the way they are applied and perceived by the child (Meeus A. et al, 2018, Warren R. et al, 2019, Beyens I., 2018, Wright M.F., 2017), having direct influence also on the attachment relationship (Chang F-C, et al., 2018, Hefner D., et al 2018) and the communication content of the mediation (Meeus A. et al, 2018a, Warren R. et al, 2019, Lou C. et al., 2019).

3. The parents' attitude towards the technology plays an important role: if positive perception - the children digital skills increase, but the negative perception, diminishes them (Bartau-Rojas I, et al., 2018, Rodriguez de Dios, 2018); those who are aware of the internet risks use more active mediation (Daneels R., 2017) and are aware of the effects of "modeling" (Hoffman J., 2019, Liu R.D., et al, 2019); parents level of social networks activity influence the mediation strategies used (Lin M.H., et al., 2019)-

this behavior is not depending by their digital competences, the parents being generally passive on the internet;

4. Parental stress is a factor that negatively influences all mediation strategies (Warren R., et al., 2019) and determines the predominant use of restrictive and inconsistent strategies (Symons K., et al, 2017)

5. The mediation made by third parties must be taken into consideration: brothers/sisters, grandparents, other people in the child's life and school, teachers (Bartau Rojas I, et al, 2017, Hefner D., et al, 2018, 3, Dedkova L., et al, 2019, Domoff S.E. et al, 2018) are influencing the family digital dynamic model development;

6. The direct relation between the exposure to certain content (especially negative) and its copying by children is a fact not influenced by any type of mediation (Meeus et al., 2018b)

7. A limitation of all studies is the existence of a difference between the amount of mediation reported by parents and children, children declare less parental mediation strategies and do not perceive that they decrease with age (Symons K., et al, 2017)

Discussions and answers to the initial questions

The systematic analysis of the 28 specialized articles from 2017 to 2020 with direct reference to the mediation strategies used by parents to foster children's online behavior offers fruitful results both for deepening the understanding of the children's dynamic usage of the internet in the family and for guiding future research. The summary of the results follows the red line of achieving our objectives: the construction of the dynamic model of digital parental mediation strategies, the identification of emerging parental mediation strategies and the identification of the knowledge gaps.

A comprehensive model of digital mediation strategies can be built by combining all the factors that contribute decisively to the formation of the consumption habits of interactive digital media usage in the family and the aim is to highlight also their effects. As the studies and empirical reality show, technology change the power structures (Nelissen S., et al, 2017) and the functioning of traditional institutions, and the family institution is among the first affected and technologized. Children have been using technology since their first year of life, and as they get older, their exposure to internet benefits and risks increases. The cross-sectional vector of the digital mediation model is the children's age, the parents adapting and modifying their digital mediation strategies according to this. That is why the model of the mediation strategies is a "dynamic" one, being transformed and integrated into the daily family life. Even the majority of the studies were focused on the separate research of each mediation strategy, for an in-depth understanding of the child-technology-parent relationship it would be more useful to dynamically look at the alternation of the mediation strategies used and how they are transforming over time. Combining all the results, the dynamic digital mediation model used by parents shows that:

Families with young children, 0-3 years old, use a specific mix of mediation strategies that will be called active - restrictive - because the restrictions are applied actively, without transmitting the idea of a limitation to the child, but the one of making available and co-use, the child being completely dependent on the parent in terms of time, content and place of access to the internet. As a result, parents are responsible for the emergence of the risks and benefits of technology for the child, even when transferring to technology the role of guardian – using restrictive - passive digital mediation. Although further studies are needed, the findings that parents are aware of

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risks and are censoring their digital behavior in the presence of young children may be congruent with the evidence that today's parents, exposed to numerous information about "being a parent in the digital era" and having a certain level of digital skills are much more aware and attentive to protect their children from the Internet risks from the beginning, so that the modeling strategy is highlighted.

Families with preschool children, 3-7 years old, adopt several mediation strategies: restrictive mediation of content, time and place, followed by monitoring and active mediation and co-use in an instructional sense, to facilitate children's understanding of technology functioning and characteristics, according to the children age capabilities. All are important, from limiting the time spent and access to content, not age-appropriate, to the active guidance of consumption towards educational content following the age development level. Emerging mediation strategies can be considered: derived from active mediation - incipient inverse mediation, a reactive mediation in response to the child's questions - with positive or negative effects depending on how the communication takes place and the attachment relationship between them is built; derived from restrictive mediation - the strategy of control and punishment mediation, due to the specificity of the age and the lack of self-control, children often push the limits set, parents responding by intensifying restrictions in a punitive way. On the other extreme are the passive mediation strategy used, with technology in the role of nanny/guardian, the children still being magically captivated by the screens around them. Modeling, the example offered by parents plays an important role, being the gatekeepers of technology.

Families with school children, ages 7 to 11 years old, use a broader mix of digital mediation strategies, with children being exposed to the online environment to a greater extent being the period when they will receive their mobile phone. This brings new challenges and weakens the effects of extended use of restrictive digital mediation of time, content and place, by explaining and negotiating the rules and respecting children's perspective "weakened" by widening the field of online interaction for children, so monitoring with or without technology became a solution. They are moving into a new phase of their relationship with technology, which requires parents more active instructional-educational mediation regarding online risks and digital skills development, active co-use and modeling - the example offered by parents being very important. Emerging strategies are: reverse mediation, which appears in close connection with co-use; passive mediation - non-involvement and non-use by parents of mediation strategies.

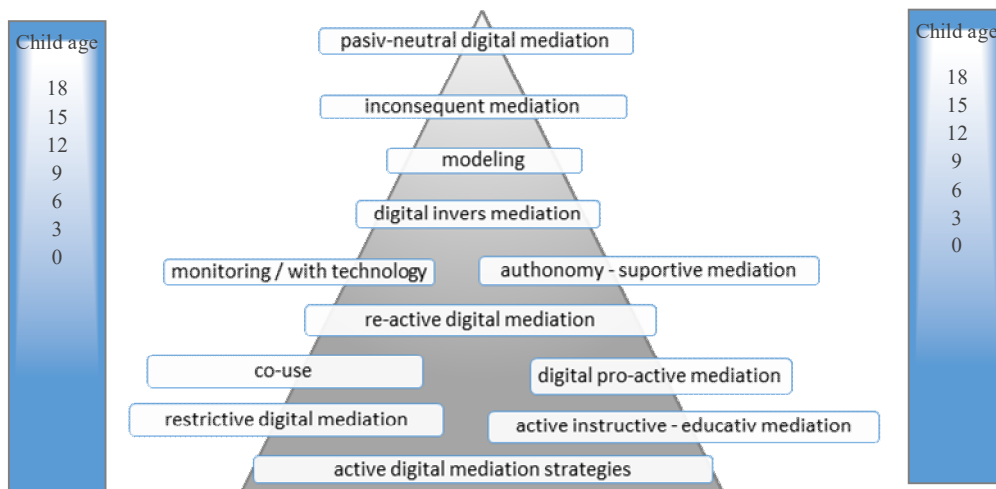
Families with pre-adolescent children, 11-15 years old use a mix of digital mediation strategies similar to that of the previous period, the difference being that restrictive strategies are harder to apply if they are not presented in a supportive way, with a permanent reinforcement of their reasons and doubled by the continuation of the active instructive-explanatory mediation regarding technology' risks and opportunities. During this period, children become users of social networks, online games, appear resistance to rules and age-specific opposition behavior, limiting the applicability of restrictive strategies. A positive effect may have the restrictive control and monitoring strategy with and without the help of technology, accompanied by the active co-use with the parent as "friend" user on the same social platforms, or online games, expanding the interaction from offline to the online world. Emerging strategies such as modeling and inverse mediation are significant, with positive effects depending on the parental style used by the parent and the extent to which the family climate is affectionate, secure and

supportive of the child's autonomy. Neutral-passive mediation emerges on the background of increasing age and the need for autonomy of the pre-adolescent, doubled by the parents' lack of confidence in their digital skills and which can lead to online risks with negative effects on the family quality of life. Reactive mediation generated by parents' impulsive reactions to children's behavior and usually to the occurrence of risks has predominantly negative effects, as the inconsequent mediation.

Families with adolescent children, 15-18 years old decrease the application frequency for all the mediation strategies, already the adolescent is considered digital autonomous, aware of the virtual environment risks and opportunities. Active and restrictive strategies, as used during previous stages lose their effect, being often used reactively, especially in case of the occurrence of online risks. Co-use – children and parents friends on social networks, or in online games - is usually used, both in an active form, to extend the communication on all levels, and restrictive, to monitor the adolescent online activity, but with minimal effects on the adolescents' behavior modification. Becoming more online independents, adolescents may be mediated in an "autonomy - support" way. The neutral - passive mediation, as the minimal-interventionist forms of parenting, is doubled by reverse mediation and modeling.

As a conclusion, the digital mediation strategies should be view as arranged linearly, from active mediation strategies to the passive types. It cannot talk about single, positive or negative strategies, but about a mix of digital mediation strategies used simultaneously by parents. We will thus consider two main categories of digital mediation strategies: active ones, respectively all the actions that parents take to ensure a balanced integration of technology in the adolescents' life, and on the opposite side, passive - neutral digital mediation, respectively non-involvement, or minimal involvement of parents in guiding the digital behavior of children, being only those who open children access to technology.

Figure 2: The parental digital mediation model



Source: Author's own compilation

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Following the development of the proposed model, where strategies are mixing, transforming, evolving and finally dissipating when children maturity approach, we can conceptualize the dynamic model of parental digital mediation strategies including behaviors ranging from all active to passive –neutral types and few emerging strategies that influences all the other effects:

- active-restrictive-instructive-educational mediation - includes all the methods parents are using to guide children's online behaviors, from explaining to restricting time and content, monitoring, co-use, modeling for educating children regarding the internet risks and opportunities;

- passive neutral digital mediation - covers all those situations when parents choose not to get involved to mediate the child's relationship with technology, either using technology as a guardian, or considering children capable of dealing with risks and investing them with confidence and autonomy, or because they are not considering themselves able to do it;

- reactive digital mediation - the mediation performed by parents of children on all ages, as a response to their questions or behavior. It must be differentiated from the other types of active and restrictive mediation due to the unpredictable way of manifestations, overlapping with inconsequent mediation, depending on the context and taking multiple forms, from active as instructive and co-use to restrictive as monitoring, control or punishment.

- inverse digital mediation - when children digitally "educate" their parents are considered "experts" and help them when they are facing difficulties with technology. This strategy that emerges against the backdrop of the digital skills of adults goes beyond the boundaries of "mutual socialization" because it reverses the roles in the family and generates additional conflicts.

- inconsequent digital mediation – due to the diversity of internet-related technology applications and usages, families are using them alternatively depending on a lot of other external and internal factors and this often leads to inconsistency in rules application, monitoring or instructing, given to children the opportunity to exceed the limits and exposing themselves to more to the risks.

Regarding the knowledge gaps identified through this systematic review, there are a few: the incongruent approach and conceptualization of the digital mediation strategies identified raise confusedness and hardness in finding general valuable conclusions, so it needed a more consistent conceptualization in future research; there are needed more longitudinal research using technology to register the real digital consumption habits within families and the emergent strategies that occur in parallel with technological development and overcome the differences between children and parents perceptions regarding mediation technics; the research focus should be moved from safeguarding children from internet risks to enhancing the positive sides of the internet for them.

Limitations and conclusions

Although this systematic review of the literature in the field of digital parental mediation has several methodological limitations inherent to this method, such as those related to the identification of studies - a search in more databases may have been offered other interesting articles to be included – the founded results and achieved research objectives prove once again the usefulness of this research method.

The main conclusion of this analysis is that parental digital mediation must be viewed as a process, a system of alternative strategies used by parents, ranging from active methods - including the restrictive ones - to passive-neutral mediation depending on children age, but also by external-environmental and internal-psychological factors of both parents and children alike. The research must further deepen the knowledge of new types of digital mediation strategies that emerge along with the technological and social evolution, to find a common language to conceptualize mediation related concepts to provide relevant and useful results for the academic knowledge, parents and all those close to the children, to use effective mediation strategies in fostering children's relationship with technology and integrating it harmoniously into the family's life.

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Annex 1: The 28 articles included in systematic review (Author's own compilation)

No	Author/Year publication/title	Research year / type	Country / Sample	N / Sample characteristics	Digital mediation types	Conclusion
1	Bartau-Rojas I., Barandiaran A.A, Oregui-Gonzalez E., 2018, <i>Parental mediation of the Internet use of Primary students: Beliefs, strategies and difficulties</i>	2017 / qualitative / regional	Spain: parents	44 parents, 80% mothers, children 8 - 9 & 12 - 13 years old	activities support / restriction and control /reactive mediation	The predominantly negative perception of the internet influences digital mediation strategies & the digital skills of parents must be developed, and school can help
2	Hefner D., Knop K., Schmitt S. Vorderer P., 2018, <i>Rules? Role Model? Relationship? The Impact of Parents on Their Children's Problematic Mobile Phone Involvement</i>	2016 / quantitative / national	Germany: diads: parents with children 8 - 14 years old	500 children 8 - 14 years old / 52% boys; 500 parents / 72% mothers / 18% mono parental / average age 41.1 years	active mediation / establishing rules and time restrictions / co-use / monitoring / modeling	Digital school mediation needs to be intensified, teachers are currently overwhelmed by parents problems
3	Domoff S.E., Radesky J.S., Harrison K., Riley H., Lumeng J.C., Miller A.L., 2018, <i>A Naturalistic Study of Child and Family Screen Media and Mobile Device Use</i>	2014 - 2016 / longitudinal, quantitative with measurement device LENA / regional	SUA: diads parent - child 1-13 years old	132 diads parents - child 1 - 13 years old	restrictive mediation /active tech-focused mediation, or demanded by children/ negotiation	Family members simultaneously use different technologies & is important who initiate the mediation & digital mediation from relatives and schools is also important
4	Meeus A., Beyens I., Geuens F., Sodermans A.K., Beullens K., (2018), <i>Managing positive and negative media effects among adolescents: parental mediation matters -but not always</i>	2017 / quantitative / regional	Belgium: children 9-13 years old	516 children 9 - 13 years old / 47.5% girls	autonomy-supportive active mediation & controlling styles = controlling restrictive mediation & controlling active mediation & inconsistent restrictive mediation	Parenting style influences mediation through the way it is communicated & self-control mediates all digital mediation strategies
5	Warren R., Aloia L., 2019, <i>Parenting Style, Parental Stress, and Mediation of Children's Media Use</i>	2018 / quantitative / regional	SUA: diads parent - child 12-17 years old	504 parents & 504 children 12-17 years old	active mediation / restrictive / co-use	Parental authoritarian/authoritative/permissive styles & stress negatively influences all mediation styles
6	Lou C., Kim H.K., 2019, <i>Fancying the New Rich and Famous? Explicating the Roles of Influencer Content, Credibility, and Parental Mediation in Adolescents' Parasocial Relationship, Materialism, and Purchase Intentions</i>	2019 / quantitative / online	SUA: children 10-19 years old	415 children 10-19 years old / 54% female / 45% high-school	Active & restrictive mediation of social networks use	Social media promotes influencers and interactive ads & influence the content of communication through which parents mediate social media
7	Shin W., Kim H.K. 2019, <i>What Motivates Parents to Mediate Children's Use of Smartphones? An Application of the Theory of Planned Behavior</i>	2018 / quantitative / online	SUA: parents	303 parents of children 10-17 years old / 70% women	active / restrictive mediation	Active mediation is preferred, as parents fail to impose the restrictive one that generates child reactivity & the advantages of the Internet must also be studied
8	Lin M.H., Vijayalakshmi A., Laczniak R., 2019, <i>Toward an Understanding of Parental Views and Actions on Social Media Influencers Targeted at Adolescents: The Roles of Parents' Social Media Use and Empowerment</i>	2018 / quantitative / online	SUA: mothers	182 mothers with children 11-17 years old	mediation of parents active/passive users of social networks / mix active and restrictive strategies and co-use and monitoring of social-media	Depending on how parents use the internet (active or passive on social media) influence their digital mediation of children (online activity does not correlate with digital skills)

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9	Weinstein N., Przybylski A.K., 2018, <i>The Impacts of Motivational Framing of Technology Restrictions on Adolescent Concealment: Evidence from a preregistered experimental study</i>	2017 / quantitative / online / national	UK: children 14-15 years old	1000 children 14-15 years old / 49% boys	Restrictive - mediation : control / autonomy support / neutral	The type of introjected/extrojected motivation transmitted through restrictive mediation favors or not the reactivity of adolescents
10	Zhang D., Livingstone S., 2019, <i>Inequalities in how parents support their children's development with digital technologies, in Parenting for a digital future</i>	2017 / quantitative / national	UK: parents	2032 parents with children 0-17 years old	pro-active mediation / restrictive /	There are no major differences between mediation of girls and boys; although high-educated parents have more digital skills, it does not correlate with children's level of digital skills
11	Nelissen S., Van den Bulck J., 2017, <i>When digital natives instruct digital immigrants: active guidance of parental media use by children and conflict in the family</i>	2016 / quantitative / regional	Belgium: diads parents - children 12-19 years old	187 children 12-19 years old & 187 parents	invers mediation	Technology changes power relationships in the family & the child-effect occurs in all families, undifferentiated by socio-economic status
12	Daneels, R., Vanwynsberghe, H., 2017, <i>Mediating social media use: Connecting parents' mediation strategies and social media literacy</i>	2016 / qualitative / regional	Belgium: diads families with children 12-18 years old	10 families: 13 adolescents & 14 parents	active mediation / restrictive mediation/ distance supervision & trust respect	Parents who understand the dangers of the internet use more active mediation
13	Symons, K., Ponnet K., EmmeryK., Walrave M., Heirman W., 2017, <i>A Factorial Validation of Parental Mediation Strategies with Regard to Internet Use</i>	2016 / quantitative / regional	Belgium triads: both parents and children 13-18 years old	357 triads: both parents and adolescent 13-18 years old	interpretative mediation / restrictive of interactions & content / supervision and co-use / technical mediation / monitoring / mediation strategies mix	Mediation decreases with age /but adolescents do not feel; fathers mediate less; children's gender and parents' age do not correlate with mediation; there is no need to study triads - it is sufficient diads; children report less mediation than parents
14	Beyens I., Patti M. Valkenburg P.M., Piotrowski J.T., 2018, <i>Developmental Trajectories of Parental Mediation Across Early and Middle Childhood</i>	2017 / longitudina 15 years / quantitative	Holland: parents	101 parents of children 3-7 years old / 90% mothers	active-positive mediation / active - negative / restrictive / mediation strategies mix	Parents do not use only one type of mediation, but a mix of each; curb linear pattern of mediation strategies, with the peak at 7-8 years, then decreases; stress influence mediation strategies
15	Koning I.M., Peeters M., Finkenauer C., Van den Eijnden, J.J.M., 2018, <i>Bidirectional effects of Internet-specific parenting practices and compulsive social media and Internet game use</i>	2015 & 2016 / longitudina 1 / quantitative	Holland: children 12-15 years old	352 adolescents 12-15 years old / 49% boys	active mediation (frequency and quality of info) / restrictive (reactive and rules) / social co-use / participative learning	Only for girls restrictive mediation by rules is effective & it is necessary in-depth research on the digital behavior of parents
16	Nwankwo F., Shin H.D., Al-Habaibeh A., Massoud H., 2019, <i>Evaluation of Children's Screen Viewing Time and Parental Role in Household Context</i>	2018 / mixt quantitative & qualitative	UK: parents	140 parents with children 5-16 years old = online questionnaire & 10 semi-structured interviews	Supportive and encouragement mediation / monitoring / modeling	Parents are aware of the risks and are concerned about their children's time spent online; children use at least 2 screens on the same time and develop unhealthy food behaviors; depending on how parents use – children do the same

A Systematic Literature Review Searching for a Comprehensive Dynamic Model...

17	Hoffman J., 2019, <i>Out of Sight, Out of Mind: The Parental Mediation Strategies of Parents of Children Under Two in the Digital Era</i>	2019 / qualitative / regional	Denmark - Germany: parents expiate	5 families in DK and one family in GER with 1 child of 1-2 years old	active mediation / restrictive / co-use / distance mediation	Parents restrict their own use to not influence the child negatively and have a high level of information on the risks (educated parents and high socio-economic status)
18	Liu R.D., Wang J., Ding Yi., at al, 2019, <i>The Effect of Parental Phubbing on Teenager's Mobile Phone Dependency Behaviors: The Mediation Role of Subjective Norm and Dependency Intention</i>	2019 / quantitative / regional	China: children 13-18 years old	605 students in 7 – 11 grades	modelling = phubbing	Parents behavior with technology is imitated by children
19	Nikken P., Oprea S.J., 2018, <i>Guiding Young Children's Digital Media Use: SES-Differences in Mediation Concerns and Competence</i>	2016 / quantitative / online	Holland: parents	1029 parents with children 1-9 years old	active co-use / restrictive / restrictive with aid of technology	The level of children's digital skills influences mediation strategies; children from single-parent families have access to more than one devices
20	Ding Q., Li D., Zhou Y., Dong H., Luo J., 2017, <i>Perceived parental monitoring and adolescent internet addiction: A moderated mediation model</i>	2017 / quantitative / regional	China: children 10 - 15 years old	747 children, average age 13.7 years old	monitoring	Internet addiction is mediated by monitoring strategies and peers affiliation
21	Alvarez-Garcia D., Núñez J.C., González-Castro P., Rodríguez C., Cerezo R., 2019, <i>The Effect of Parental Control on Cyber-Victimization in Adolescence: The Mediating Role of Impulsivity and High-Risk Behaviors</i>	2017 / quantitative / regional	Spain: children 11-18 years old	3360 students 11-18 years old / average age 14.02 years old / 48.3% girls	Restrictive mediation - monitoring / less restrictions and low supervision	The atmosphere of affection and parental communication influences the acceptance of restrictions; supervision is effective, as it prevents the adolescents impulsiveness
22	Fu X., Liu J., Liu R.D., Ding Y., Hong W., Jiang S., 2020, <i>The Impact of Parental Active Mediation on Adolescent Mobile Phone Dependency: A Moderated Mediation Model</i>	2019 / quantitative / regional	China: children 12 - 19 years old	2238 adolescents 12-19 years old, 7 – 11 classes, average age 13.89	active mediation / modeling-phubbing	Parents' behavior with technology shapes children's behavior
23	Wright M.F., 2017, <i>Parental mediation, Cyberbullying, and Cyberrolling. The Role of Gender</i>	2016 / longitudinal / quantitative / regional	SUA: children 13-15 years old	568 students, average age 13.48 years old / 52% girls	Instructive mediation / restrictive / co-use / monitoring / mix of strategies	Mixed mediation: co-use + monitoring + surveillance = effective in reducing involvement in cyberbullying; restricted mediation is related to over-protective parenting style; it is necessary to study how the relationship between parents and adolescents and the type of parenting influences mediation strategies and involvement in cyberbullying
24	Dedkova, L., & Smahel, D. (2019). <i>Online Parental Mediation: Associations of Family Members' Characteristics to Individual Engagement in Active Mediation and Monitoring.</i>	2016 / quantitative / online	CZE: parents with children 5 – 17 years old	238 parents with children 5 - 17 years old – average age 10.8 years old / 53.4% mothers	active mediation (include co-use) / monitoring	Online mediation is influenced by all those who care for the child – not only 1 parent & mediation is not a stable process, but built into everyday life

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25	Chang F-C., Chiu C-H., Chen P-H., et al., 2018, <i>Children's use of mobile devices, smartphone addiction and parental mediation in Taiwan</i>	2016 / quantitative / national	Taiwan: diads parents / children 7 - 11 years old	2468 parents with primary classes children & 2621 pupils in 5 class.	active/restrictive mediation/monitoring	Strong parent-child attachment relationships and restrictive mediation are protective factors for internet addiction; children with low performance, those from low-income or divorced families are at greater risk of addiction developing
26	Meeus A., Eggermont S., Beullens K., 2018, <i>Constantly Connected: The Role of Parental Mediation Styles and Self-Regulation in Pre- and Early Adolescents' Problematic Mobile Device Use</i>	2016 / quantitative / online	Belgium: children 12-18 years old	475 adolescents 12-18 years old / average age 14.6 years old / 65% girls	active mediation - control & autonomy - supportive / restrictive - control & autonomy supporting / restrictive - inconsistent	Active mediation has no effect because does not limiting exposure to anti-social content - determines anti-social behaviors; no type of mediation influences the direct relationship between exposure to content and behavior/copying; restricted autonomy-support strategy stimulates critical thinking and limits exposure to antisocial content = is beneficial; parenting style is decisive in media parenting, not the type of mediation.
27	Rodríguez-de-Dios L., Van Oosten J.M.F., Igartua J-J., 2018, <i>A Study of the Relationship between Parental Mediation and Adolescents' Digital Skills, Online Risks and Online Opportunities</i>	2016 / quantitative / national	Spain: children 12-18 years old	1446 students, 12-18 years old / average age 13.9 years old / 51% rural area	active/restrictive/learning-participatory mediation	Positive attitude towards technology increases digital skills & anxious attitude towards technology correlates negatively with digital skills development
28	Aierbe A., Oregui E., Bartau I., 2019, <i>Video games, parental mediation and gender socialization</i>	2018 / mixt quantitative & qualitative	Spain: parents with children 12-13 years old	186 parents with children 8 - 13 years old - faze 1 quantitative / 44 parents faze 2 qualitative	F1: instructive mediation (support and communication) / restrictive / playing together / mixed strategies; F2: support and guidance strategies / control strategies / reactive strategies	Fathers use more instructional mediation with girls / mothers more restrictive / instructive mediation / co-use with boys; most used = restrictive mediation (play time control); least used = co-use; more restrictions for boys than for girls and co-play more with boys.

Article Info

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CEPOS NEW CALL FOR PAPERS 2021
11TH INTERNATIONAL CONFERENCE
AFTER COMMUNISM. EAST AND WEST UNDER SCRUTINY
Craiova (Romania), University House,
19-20 March 2021

Dear Colleagues,

We are delighted to invite you to participate in the 11th International Conference AFTER COMMUNISM. EAST AND WEST UNDER SCRUTINY in Craiova, Romania, 19-20 March 2021.

More than three decades after, an event is both history and present. The annual conference organized by CEPOS involves both the perspectives of the researches in the field of Communism and Post-Communism: research experiences and scientific knowledge.

Like a "pointing puzzle", 32 years after the fall of communism, the conference panels explore with emotional detachment, but with a peculiar professional involvement creating and exploiting the inter-disciplinary developments of the East-West relations before and after the crucial year 1989 in the fields of political sciences, history, economics and law.

The conference will be hosted by the University House and during two intense and exciting days, participants all over the world (professors, professionals, doctoral and post-doctoral researchers and students) are invited to raise the issue of the study of recent history of the former communist space in connection with the Western world. We are confident that all of us will focus during these two days on what is important to move the research in the field forward.

We dear to state that we even bear the moral obligation to do that.

Best regards,

The Board of Directors of CEPOS 2021 Conferences and Events Series

PROPOSED PANELS for CEPOS CONFERENCE 2021

Center of Post-Communist Political Studies (CEPOS) proposes the following panels:

- History, politics and ideologies in modern and contemporary Europe;
- Political history, collective memory and cultural heritage;
- Politics and social change communication in postcommunism;
- Communism, transition, democracy;
- Post-communism and collective memory;
- Social changes, political history and collective memory;
- Politics, ideologies and social action in transition;
- Revolution and political history;
- Political culture and citizen participation;
- Law, legal studies and justice reform;
- Law, transitional justice, democratization;
- Constitution(s), legality & political reforms;
- Legal and constitutional patterns of the democratization process;
- Political culture, rights and civil society;
- Political culture, civil society and citizen participation;
- Political parties, electoral systems and electoral campaigns;
- Security and diplomacy in national and Euro-Atlantic environment;
- Security, social movements and citizenship;
- Rights, identities, policies & participation;
- Education, media & social communication;
- Education, social inclusion and regional policies;
- Administrative history and governance within South-Eastern Europe during transition;
- Political leadership, democratization and regional security;
- Comparative policies, sustainable growth and urban planning;
- Knowledge transfer and competitiveness in regional economies;
- Comparative policies, financial reforms and competitiveness;
- Security, foreign policy, social movements and citizenship;
- Economics, financial law and policy mechanisms;
- Administration, social inclusion and urban planning;
- Global environment and cultural heritage;
- Integration, identity, and human rights in European systems;
- Religion, cultural history and education;
- Media, online communication and politics;
- Media analysis and transition;
- Discourse, language and social encounters;
- Bioethics and transition challenges.

ABSTRACT SUBMITTING (SEE CEPOS CONFERENCE 2021 REGISTRATION FORM-on <http://cepos.eu/>)

The proposals must be sent in English and must contain the title of the paper, the abstract (no more than 300 words) and a short presentation of the author(s) (statute, institutional affiliation, short list of relevant scientific contributions).

DEAD-LINE FOR SUBMITTING A PROPOSAL: 05 MARCH 2021

Proposals must be submitted until 05 MARCH 2021 at the following address: cepos2013@gmail.com

CEPOS NEW CALL FOR PAPERS 2021

CONFERENCE VENUE

Casa Universitarilor/University House (57 Unirii Street, Craiova, Romania). You can view the Conference location and a map at the following address: <http://www.casa-universitarilor.ro/>

- More information about the Conference venue can be found at the following address: [http://www.ucv.ro/campus/puncte_de_atractie/casa_universitarilor/prezentare.php'](http://www.ucv.ro/campus/puncte_de_atractie/casa_universitarilor/prezentare.php)

- More photos of the conference room can be viewed at http://www.ucv.ro/campus/puncte_de_atractie/casa_universitarilor/galerie_foto.php

CEPOS CONFERENCE PAST EDITIONS

More information, photos and other details about the previous editions of the Conference and CEPOS Workshops, Internships, and other official events organized in 2012-2020 are available on:

- CEPOS official website sections

CEPOS Previous Events

Photo gallery CEPOS Events

- CEPOS FACEBOOK ACCOUNT:

<https://www.facebook.com/pages/Center-of-Post-Communist-Political-Studies-CEPOS/485957361454074>

TRANSPORT

The 11th International Conference "After communism. East and West under Scrutiny" (2021) will be held in Craiova, a city located in the South-Western part of Romania, at about 250 km from Bucharest, the national capital. Both Craiova International Airport (<https://www.aeroportcraiova.ro/>) and Henri Coandă International Airport Bucharest Otopeni (Romania) (<http://www.aeroportul-otopeni.info/>) located at a distance less than 240 km from Craiova) accommodate international flights. Train schedule to Craiova can be consulted at InterRegio CFR (<http://www.infofer.ro/>) and SOFTRANS (<http://softrans.ro/mersul-trenurilor.html>).

CEPOS CONFERENCE 2021 REGISTRATION DESK

The Conference Registration Desk will be opened from Friday, 19th of March 2021 (from 08.00 a.m. to 14.00 p.m.) until Saturday 20th of March 2021 (from 08.00 a.m. until 10.00 a.m.), for registration and delivery of conference bag with documents to participants. The Conference Registration Desk is located in the lobby of the University House Club, 1st Floor.

REGISTRATION FEES

CEPOS CONFERENCE 2021 Registration fees will be paid exclusively ONLINE by Wednesday, March 10, 2021.

90 euros / first paper and 20 euros/ second paper (same author(s)) can be paid directly via bank transfer on CEPOS Bank account as follows:

Details for online payment

Banca Romana pentru Dezvoltare (BRD)

Owner: ASOCIATIA CENTRUL DE STUDII POLITICE POSTCOMUNISTE

Reference to be mentioned: CV taxa participare si publicare CEPOS

Account Number: RO64BRDE170SV96030911700 (RON)

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Very important!

The registration WILL NOT be confirmed until the payment of the Registration fees is received. The participant has to bear all bank charges due to the transfer of money (local, foreign etc.). The final Programme of the CEPOS Conference 2021 will be provided to all participants by Sunday, March 14, 2021.

MEALS AND OTHER ORGANIZING DETAILS

The registration fee covers:

- * Conference attendance to all common sessions, individual and special panels
- * Conference materials (including a printed version of the Book of Abstracts of the Conference)
- * Conference special bag - 1 for every single fee paid, no matter the number of authors/paper
- * Coffee Breaks-March 19, 2021 – March 20, 2021. During the two days conference, 3 coffee breaks are offered
- * Welcoming reception (March 19, 2021)
- * Lunch (March 19, 2021) offered in the University House Gala Room
- * A Festive Gala Dinner and Cocktail (March 20, 2021) offered in the University House Gala Room
- * A Free Cocktail Buffet will be served from 19:00 p.m. to 21.00 p.m.
- * Lunch (March 20, 2021)
- * Certificate of attendance (offered at the end of the conference March 20, 2021)
- * Publication of the Conference Papers in the International Indexed Journal Revista de Stiinte Politice. Revue des Sciences Politiques (previous publication of the 2012-2020 Conference papers is available at <http://cis01.central.ucv.ro/revistadestiintepolitice/acces.php>)
- * One original volume of the International Indexed Journal Revista de Stiinte Politice. Revue des Sciences Politiques (where the personal conference paper was published) will be delivered to the authors (an additional fee of 10 euros is required for the mailing facilities)
- * Computer & Internet Facilities. There is available videoprojector and connection to Internet services.
- * Language. The official language of the Conference will be English. The Organizing Committee does not provide simultaneous translation.

NEW! FREE SOCIAL AND CULTURAL PROGRAMME OF THE CEPOS CONFERENCE 2021

- * Participants in CEPOS CONFERENCE 2021 have free acces to the Social and Cultural Program of the Tenth Edition of the International Conference After Communism. East and West under Scrutiny, Craiova, 19-20 March 2021: including free guided tours of the: Craiova Old City Tour and CEPOS Headquarters Museum of Arts Craiova, <http://www.muzeuldeartacraiova.ro/> Oltenia Museum (all sections included): <http://www.muzeulolteniei.ro/index.php?view=content&c=26> Casa Baniei <http://www.muzeulolteniei.ro/index.php?view=content&c=26>

CERTIFICATES OF ATTENDANCE

Certificates of attendance will be offered at the end of the conference on Saturday, March 20, 2021

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[title/index.php?katalog=STABI_BERLIN&url=http%3A%2F%2Fstabikat.de%2FDB%3D1%2FCHARSET%3DISO-8859-1%2FIMPLAND%3DY%2FLNG%3DDU%2FSRT%3DYOP%2FTTL%3D1%2FSID%3D8dda05f3-1%2FSET%3D1%2FSHW%3FFRST%3D1&signature=eBtSKEx2BuW-HASpUsCT39FB3vQpIm6cGAajCH-kz44&showCoverImg=1](http://kvk.bibliothek.kit.edu/view-title/index.php?katalog=STABI_BERLIN&url=http%3A%2F%2Fstabikat.de%2FDB%3D1%2FCHARSET%3DISO-8859-1%2FIMPLAND%3DY%2FLNG%3DDU%2FSRT%3DYOP%2FTTL%3D1%2FSID%3D8dda05f3-1%2FSET%3D1%2FSHW%3FFRST%3D1&signature=eBtSKEx2BuW-HASpUsCT39FB3vQpIm6cGAajCH-kz44&showCoverImg=1)

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The National Library of Israel

http://merhav.nli.org.il/primo-explore/fulldisplay?vid=ULI&docid=NNL-Journals003477656&context=L&lang=en_US

Verbundkatalog GBV

[http://kvk.bibliothek.kit.edu/view-](http://kvk.bibliothek.kit.edu/view-title/index.php?katalog=GBV&url=http%3A%2F%2Fgso.gbv.de%2FDB%3D2.1%2FCHARSET%3DUTF-8%2FIMPLAND%3DY%2FLNG%3DDU%2FSRT%3DYOP%2FTTL%3D1%2FCOOKIE%3DD2.1%2CE900d94f2-d%2CI0%2CB9000%2B%2B%2B%2B%2B%2B%2B%2CSY%2CA%2CH6-11%2C%2C16-17%2C%2C21%2C%2C30%2C%2C50%2C%2C60-61%2C%2C73-75%2C%2C77%2C%2C88-90%2CNKVK%2BWEBZUGANG%2CR129.13.130.211%2CFN%2FSET%3D1%2FPPNST%3FPPN%3D590280090&signature=OmwA_NLtwvdaOmmyeo7SUOCEYuDRGtoZqGXIK-vTY1o&showCoverImg=1)

[title/index.php?katalog=GBV&url=http%3A%2F%2Fgso.gbv.de%2FDB%3D2.1%2FCHARSET%3DUTF-8%2FIMPLAND%3DY%2FLNG%3DDU%2FSRT%3DYOP%2FTTL%3D1%2FCOOKIE%3DD2.1%2CE900d94f2-d%2CI0%2CB9000%2B%2B%2B%2B%2B%2B%2B%2CSY%2CA%2CH6-11%2C%2C16-17%2C%2C21%2C%2C30%2C%2C50%2C%2C60-61%2C%2C73-75%2C%2C77%2C%2C88-90%2CNKVK%2BWEBZUGANG%2CR129.13.130.211%2CFN%2FSET%3D1%2FPPNST%3FPPN%3D590280090&signature=OmwA_NLtwvdaOmmyeo7SUOCEYuDRGtoZqGXIK-vTY1o&showCoverImg=1](http://kvk.bibliothek.kit.edu/view-title/index.php?katalog=GBV&url=http%3A%2F%2Fgso.gbv.de%2FDB%3D2.1%2FCHARSET%3DUTF-8%2FIMPLAND%3DY%2FLNG%3DDU%2FSRT%3DYOP%2FTTL%3D1%2FCOOKIE%3DD2.1%2CE900d94f2-d%2CI0%2CB9000%2B%2B%2B%2B%2B%2B%2B%2CSY%2CA%2CH6-11%2C%2C16-17%2C%2C21%2C%2C30%2C%2C50%2C%2C60-61%2C%2C73-75%2C%2C77%2C%2C88-90%2CNKVK%2BWEBZUGANG%2CR129.13.130.211%2CFN%2FSET%3D1%2FPPNST%3FPPN%3D590280090&signature=OmwA_NLtwvdaOmmyeo7SUOCEYuDRGtoZqGXIK-vTY1o&showCoverImg=1)

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ACPN Catalogo Italiano dei Periodici, Universita di Bologna

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National Library of Sweden

<http://libris.kb.se/bib/11702473>

Harold B. Lee Library, Brigham Young University

http://sfx.lib.byu.edu/sfxlcl3?url_ver=Z39.88-2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-8&ctx_ver=Z39.88-2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=1000000000726583&rft.object_portfolio_id=&svc.holdings=yes&svc.fulltext=yes

Catalogue of Hamburg Libraries

https://beluga.sub.uni-hamburg.de/vufind/Search/Results?submit=Suchen&library=GBV_ILN_22&lookfor=1584-224x

Edith Cowan Australia

<https://ecu.on.worldcat.org/search?databaseList=&queryString=1584-224X>

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<https://www.library.yorku.ca/find/Record/muler82857>

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The University of Kansas KUMC Libraries Catalogue

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State Library New South Wales, Sidney, Australia,

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Electronic Journal Library

https://opac.giga-hamburg.de/ezb/detail.phtml?bibid=GIGA&colors=7&lang=en&flavour=classic&jour_id=111736

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<http://library.oum.edu.my/oumlib/content/catalog/778733>

Wayne State University Libraries

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Kun Shan University Library

http://muse.lib.ksu.edu.tw:8080/1cate/?rft_val_fmt=publisher&pubid=ucvpress

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[westernsem.primo.exlibrisgroup.com/discovery/fulldisplay?docid=alma991001225541104770&context=L&vid=01COL_WTS:WTS&lang=en&search_scope=MyInst_and_CI&adaptor=Local%20Search%20Engine&tab=Everything&query=any,contains,1584-224X&facet=rtype,include,journals&mode=Basic&offset=0](https://col-westernsem.primo.exlibrisgroup.com/discovery/fulldisplay?docid=alma991001225541104770&context=L&vid=01COL_WTS:WTS&lang=en&search_scope=MyInst_and_CI&adaptor=Local%20Search%20Engine&tab=Everything&query=any,contains,1584-224X&facet=rtype,include,journals&mode=Basic&offset=0)

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[primo.hosted.exlibrisgroup.com/primo_library/libweb/action/search.do?vid=44WHELP_SWA_VU1&reset_config=true#.VSU9SPmsVSk](http://whel-primo.hosted.exlibrisgroup.com/primo_library/libweb/action/search.do?vid=44WHELP_SWA_VU1&reset_config=true#.VSU9SPmsVSk)

Vanderbilt Library

https://catalog.library.vanderbilt.edu/discovery/fulldisplay?docid=alma991043322926803276&context=L&vid=01VAN_INST:vanui&lang=en&search_scope=MyInst_and_CI&adaptor=Local%20Search%20Engine&tab=Everything&query=any,contains,1584-224X&offset=0

Wissenschaftszentrum Berlin für Sozial

[https://www.wzb.eu/en/literature-data/search-find/e-](https://www.wzb.eu/en/literature-data/search-find/e-journals?page=searchres.phtml&bibid=WZB&lang=en&jq_type1=IS&jq_term1=1584-224X&jq_bool2=AND&jq_type2=KS&jq_term2=&jq_bool3=AND&jq_type3=PU&jq_term3=&offset=-1&hits_per_page=50&Notations%5B%5D=all&selected_colors%5B%5D=1&selected_colors%5B%5D=2)

[journals?page=searchres.phtml&bibid=WZB&lang=en&jq_type1=IS&jq_term1=1584-224X&jq_bool2=AND&jq_type2=KS&jq_term2=&jq_bool3=AND&jq_type3=PU&jq_term3=&offset=-1&hits_per_page=50&Notations%5B%5D=all&selected_colors%5B%5D=1&selected_colors%5B%5D=2](https://www.wzb.eu/en/literature-data/search-find/e-journals?page=searchres.phtml&bibid=WZB&lang=en&jq_type1=IS&jq_term1=1584-224X&jq_bool2=AND&jq_type2=KS&jq_term2=&jq_bool3=AND&jq_type3=PU&jq_term3=&offset=-1&hits_per_page=50&Notations%5B%5D=all&selected_colors%5B%5D=1&selected_colors%5B%5D=2)

Radboud University Nijmegen

[https://zaandam.hosting.ru.nl/oamarket-](https://zaandam.hosting.ru.nl/oamarket-acc/score?OpenAccess=&InstitutionalDiscounts=&Title=&Issn=1584-224&Publisher=)

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Elektronische Zeitschriftenbibliothek EZB (Electronic Journals Library)

[http://rzblx1.uni-](http://rzblx1.uni-regensburg.de/ezeit/detail.phtml?bibid=AAAAA&colors=7&lang=de&jour_id=111736)

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The University of Hong Kong Libraries

https://julac.hosted.exlibrisgroup.com/primo-explore/search?query=any,contains,1584-224x&search_scope=My%20Institution&vid=HKU&facet=rtype,include,journals&mode=Basic&offset=0

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[knihovna.mup.cz/katalog/eng/l.dll?h~=&DD=1&H1=&V1=o&P1=2&H2=&V2=o&P2=3&H3=&V3=z&P3=4&H4=1584-224x&V4=o&P4=33&H5=&V5=z&P5=25](https://s-knihovna.mup.cz/katalog/eng/l.dll?h~=&DD=1&H1=&V1=o&P1=2&H2=&V2=o&P2=3&H3=&V3=z&P3=4&H4=1584-224x&V4=o&P4=33&H5=&V5=z&P5=25)

University of the West Library

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[koeln.de/IPS?SERVICE=METASEARCH&SUBSERVICE=INITSEARCH&VIEW=USB:Simple&LOCATION=USB&SID=IPS3:2d1c5acebc65a3cdc057a9d6c64ce76e&SETCOOKIE=TRUE&COUNT=15&GWTIMEOUT=30&HIGHLIGHTING=on&HISTORY=SESSION&START=1&STREAMING=on&URLENCODING=TRUE&QUERY_alAL=1584-224x&SERVICEGROUP1.SERVICE.SEARCH_EDS=on&SERVICEGROUP1.SERVICE.SEARCH_KUGJSON=on&SERVICEGROUP1.SERVICE.SEARCH_KUGUSBWEB=on&SERVICEGROUP1.SERVICEGROUP.USB:Default=on](https://www.ub.uni-koeln.de/IPS?SERVICE=METASEARCH&SUBSERVICE=INITSEARCH&VIEW=USB:Simple&LOCATION=USB&SID=IPS3:2d1c5acebc65a3cdc057a9d6c64ce76e&SETCOOKIE=TRUE&COUNT=15&GWTIMEOUT=30&HIGHLIGHTING=on&HISTORY=SESSION&START=1&STREAMING=on&URLENCODING=TRUE&QUERY_alAL=1584-224x&SERVICEGROUP1.SERVICE.SEARCH_EDS=on&SERVICEGROUP1.SERVICE.SEARCH_KUGJSON=on&SERVICEGROUP1.SERVICE.SEARCH_KUGUSBWEB=on&SERVICEGROUP1.SERVICEGROUP.USB:Default=on)

EKP Pulications

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[224X&tab=tab1&search_scope=ndv_everything&sortby=rank&vid=ndv&lang=en_US&mode=advanced&offset=0displayMode%3Dfull&displayField=all&pcAvailabilityMode=true](https://odin-primo.hosted.exlibrisgroup.com/primo-explore/search?query=any,contains,1584-224X&tab=tab1&search_scope=ndv_everything&sortby=rank&vid=ndv&lang=en_US&mode=advanced&offset=0displayMode%3Dfull&displayField=all&pcAvailabilityMode=true)

Impact Factor Poland

<http://impactfactor.pl/czasopisma/21722-revista-de-stiinte-politice-revue-des-sciences-politiques>

Universite Laval

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[2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-8&ctx_ver=Z39.88-](http://sfx.bibl.ulaval.ca:9003/sfx_local?url_ver=Z39.88-2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-8&ctx_ver=Z39.88-2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=1000000000726583&rft.object_portfolio_id=&svc.fulltext=yes)

[2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=1000000000726583&rft.object_portfolio_id=&svc.fulltext=yes](http://sfx.bibl.ulaval.ca:9003/sfx_local?url_ver=Z39.88-2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-8&ctx_ver=Z39.88-2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=1000000000726583&rft.object_portfolio_id=&svc.fulltext=yes)

Universität Passau

[https://infoguide.ub.uni-](https://infoguide.ub.uni-passau.de/InfoGuideClient.upasis/start.do?Query=10%3d%22BV035261002%22)

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BSB Bayerische Staatsbibliothek

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Hochschule Augsburg, Bibliothek
<https://infoguide.hs-augsburg.de/InfoGuideClient.fhasis/start.do?Query=10%3d%22BV035261002%22>

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Freising, Germany
<https://ffwtp20.bib-bvb.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=ffw&Language=de>

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Intraders

<https://www-intradersorg.cdn.ampproject.org/v/s/www.intraders.org/news/romania/10th-international-conference-after-communism-east-and-westunderscrutiny/>

[amp/?amp_js_v=a2&_gsa=1&usqp=mq331AQCKAE%3D#ah=15737604302246&referrer=https%3A%2F%2Fwww.google.com&_tf=De%20pe%20%251%24s&share=https%3A%2F%2Fwww.intraders.org%2Fnews%2Fromania%2F10th-internationalconference-after-communism-east-and-west-under-scrutiny%2F](https://www.intraders.org/news/romania/10th-international-conference-after-communism-east-and-westunderscrutiny/?amp_js_v=a2&_gsa=1&usqp=mq331AQCKAE%3D#ah=15737604302246&referrer=https%3A%2F%2Fwww.google.com&_tf=De%20pe%20%251%24s&share=https%3A%2F%2Fwww.intraders.org%2Fnews%2Fromania%2F10th-internationalconference-after-communism-east-and-west-under-scrutiny%2F)

10 times

<https://10times.com/after-communism-east-and-west-underscrutiny>

The conference alerts

<https://theconferencealerts.com/event/46428/10th-internationalconference-after-communism-east-and-west-under-scrutiny>

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Scirea

<https://www.scirea.org/ConferenceInfosByConferenceCountryId?conferenceCountryId=75>

CEPOS Conference 2019

The Ninth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 29-30 March 2019) was evaluated and accepted for indexing in 6 international databases, catalogues and NGO's databases:

Oxford Academic Journal of Church & State <https://academic.oup.com/jcs/article-abstract/60/4/784/5106417?redirectedFrom=PDF>

10 Times

<https://10times.com/after-communism-east-and-west-under-scrutiny>

Conference Alerts

<https://conferencealerts.com/show-event?id=205682>

Researchgate

https://www.researchgate.net/publication/327905733_CEPOS_9TH_INTERNATIONAL_CONFERENCE_AFTER_COMMUNISM_EAST_AND_WEST_UNDER_SCRUTINY_2019?iepl%5BviewId%5D=sjcOJrVCO8PTLapcfVciZQsb&iepl%5Bcontext%5D%5B0%5D=publicationCreationEOT&iepl%5BtargetEntityId%5D=PB%3A327905733&iepl%5BinteractionType%5D=publicationCTA

The Free Library

<https://www.thefreelibrary.com/9th+INTERNATIONAL+CONFERENCE+AFTER+COMMUNISM.+EAST+AND+WEST+UNDER...-a0542803701>

Science Dz.net

<https://www.sciencedz.net/conference/42812-9th-international-conference-after-communism-east-and-west-under-scrutiny>

CEPOS Conference 2018

The Eighth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 23-24 March 2018) was evaluated and accepted for indexing in 15 international databases, catalogues and NGO's databases:

Conference Alerts, <https://conferencealerts.com/show-event?id=186626>

Sciencesdz, <http://www.sciencedz.net/conference/29484-8th-international-conference-after-communism-east-and-west-under-scrutiny>

ManuscriptLink,

<https://manuscriptlink.com/cfp/detail?cfpId=AYAXKVAR46277063&type=event>

Maspolitiques, <http://www.maspolitiques.com/ar/index.php/en/1154-8th-international-conference-after-communism-east-and-west-under-scrutiny>

Aconf, https://www.aconf.org/conf_112399.html

Call4paper, <https://call4paper.com/listByCity?type=event&city=3025&count=count>

Eventegg, <https://eventegg.com/cepos/>

10 times, <https://10times.com/after-communism-east-and-west-under-scrutiny>

Biblioteca de Sociologie, <http://bibliotecadesociologie.ro/cfp-cepos-after-communism-east-and-west-under-scrutiny-craiova-2018/>

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Science Research Association <http://www.scirea.org/topiclisting?conferenceTopicId=5>
ResearcherBook <http://researcherbook.com/country/Romania>
Conference Search Net, <http://conferencesearch.net/en/29484-8th-international-conference-after-communism-east-and-west-under-scrutiny>
SchoolandCollegeListings,
<https://www.schoolandcollegelistings.com/RO/Craiova/485957361454074/Center-of-Post-Communist-Political-Studies-CEPOS>
Vepub conference, <http://www.vepub.com/conferences-view/8th-International-Conference-After-Communism.-East-and-West-under-Scrutiny/bC9aUE5rcHN0ZmpkYU9nTHJzUkRmdz09/>
Geopolitika Hungary, <http://www.geopolitika.hu/event/8th-international-conference-after-communism-east-and-west-under-scrutiny/>

CEPOS Conference 2017

The Seventh International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 24-25 March 2017) was evaluated and accepted for indexing in 10 international databases, catalogues and NGO's databases:

Ethic & International Affairs (Carnegie Council), Cambridge University Press-
<https://www.ethicsandinternationalaffairs.org/2016/upcoming-conferences-interest-2016-2017/>

ELSEVIER	GLOBAL	EVENTS
LIST http://www.globaleventslist.elsevier.com/events/2017/03/7th-international-conference-after-communism-east-and-west-under-scrutiny		
CONFERENCE ALERTS- http://www.conferencealerts.com/show-event?id=171792		
10TIMES.COM- http://10times.com/after-communism-east-and-west-under-scrutiny		
Hiway Conference Discovery System- http://www.hicds.cn/meeting/detail/45826124		
Geopolitika (Hungary)- http://www.geopolitika.hu/event/7th-international-conference-after-communism-east-and-west-under-scrutiny/		
Academic.net- http://www.academic.net/show-24-4103-1.html		
World University Directory- http://www.worlduniversitydirectory.com/conferencedetail.php?AgentID=2001769		
Science Research Association- http://www.scirea.org/conferenceinfo?conferenceId=35290		
Science Social Community- https://www.science-community.org/ru/node/174892		

CEPOS Conference 2016

The Sixth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 8-9 April 2016) was evaluated and accepted for indexing in the following international databases, catalogues and NGO's databases:

ELSEVIER	GLOBAL	EVENTS-
http://www.globaleventslist.elsevier.com/events/2016/04/6th-international-conference-after-communism-east-and-west-under-scrutiny/		
Oxford Journals – Oxford Journal of Church & State- http://jcs.oxfordjournals.org/content/early/2016/02/06/jcs.csv121.extract		
Conference Alerts- http://www.conferencealerts.com/country-listing?country=Romania		

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Conferences-In - <http://conferences-in.com/conference/romania/2016/economics/6th-international-conference-after-communism-east-and-west-under-scrutiny/>
Socmag.net - <http://www.socmag.net/?p=1562>
African Journal of Political Sciences-
http://www.maspolitiques.com/mas/index.php?option=com_content&view=article&id=450:-securitee-&catid=2:2010-12-09-22-47-00&Itemid=4#.VjUI5PnhCUk
Researchgate-
https://www.researchgate.net/publication/283151988_Call_for_Papers_6TH_International_Conference_After_Communist_East_and_West_under_Scrutiny_8-9_April_2016_Craiova_Romania
World Conference Alerts-
<http://www.worldconferencealerts.com/ConferenceDetail.php?EVENT=WLD1442>
Edu events-<http://eduevents.eu/listings/6th-international-conference-after-communism-east-and-west-under-scrutiny/>
Esocsci.org-<http://www.esocsci.org.nz/events/list/>
Sciencedz.net-<http://www.sciencedz.net/index.php?topic=events&page=53>
Science-community.org-<http://www.science-community.org/ru/node/164404/?did=070216>

CEPOS Conference 2015

The Fifth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 24-25 April 2015) was evaluated and accepted for indexing in 15 international databases, catalogues and NGO's databases:

THE ATLANTIC COUNCIL OF CANADA, CANADA-
<http://natocouncil.ca/events/international-conferences/>
ELSEVIER GLOBAL EVENTS LIST-
<http://www.globaleventslist.elsevier.com/events/2015/04/fifth-international-conf>
GCONFERENCE.NET-
http://www.gconference.net/eng/conference_view.html?no=47485&catalog=1&cata=018&co_kind=&co_type=&pageno=1&conf_cata=01
CONFERENCE BIOXBIO-<http://conference.bioxbio.com/location/romania>
10 TIMES-<http://10times.com/romania>
CONFERENCE ALERTS-<http://www.conferencealerts.com/country-listing?country=Romania>
<http://www.iem.ro/orizont2020/wp-content/uploads/2014/12/lista-3-conferinte-internationale.pdf>
<http://sdil.ac.ir/index.aspx?pid=99&articleid=62893>
NATIONAL SYMPOSIUM-<http://www.nationalsymposium.com/communism.php>
SCIENCE DZ-<http://www.sciencedz.net/conference/6443-fifth-international-conference-after-communism-east-and-west-under-scrutiny>
ARCHIVE COM-http://archive-com.com/com/c/conferencealerts.com/2014-12-01_5014609_70/Rome_15th_International_Academic_Conference_The_IIES/
CONFERENCE WORLD-<http://conferencesworld.com/higher-education/>
KNOW A CONFERENCE KNOW A CONFERENCE-
<http://knowaconference.com/social-work/>
International Journal on New Trends in Education and Their Implications (IJONTE)
Turkey <http://www.ijonte.org/?pnum=15&>

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Journal of Research in Education and Teaching Turkey-
<http://www.jret.org/?pnum=13&pt=Kongre+ve+Sempozyum>
CEPOS CONFERENCE 2015 is part of a "consolidated list of all international and Canadian conferences taking place pertaining to international relations, politics, trade, energy and sustainable development". For more details see <http://natocouncil.ca/events/international-conferences/>

CEPOS Conference 2014

The Fourth International Conference After Communism. East and West under Scrutiny, Craiova, 4-5 April 2014 was very well received by the national media and successfully indexed in more than 9 international databases, catalogues and NGO's databases such as:

American Political Science Association, USA-
<http://www.apsanet.org/conferences.cfm>;

Journal of Church and State, Oxford-
<http://jcs.oxfordjournals.org/content/early/2014/01/23/jcs.cst141.full.pdf+html>;

NATO Council of Canada (section events/ international conferences), Canada,
<http://atlantic-council.ca/events/international-conferences/>

International Society of Political Psychology, Columbus, USA-
http://www.ispp.org/uploads/attachments/April_2014.pdf

Academic Biographical Sketch, <http://academicprofile.org/SeminarConference.aspx>;

Conference alerts, <http://www.conferencealerts.com/show-event?id=121380>;

Gesis Sowiport, Koln, Germany, <http://sowiport.gesis.org/>; Osteuropa-Netzwerk,
Universität Kassel, Germany, [http://its-vm508.its.uni-](http://its-vm508.its.uni-kassel.de/mediawiki/index.php/After_communism:_East_and_West_under_scrutiny)

[kassel.de/mediawiki/index.php/After_communism :_East_and_West_under_scrutiny](http://its-vm508.its.uni-kassel.de/mediawiki/index.php/After_communism:_East_and_West_under_scrutiny:_Fourth_International_Conference)
:_Fourth_International_Conference

Ilustre Colegio Nacional de Doctores y Licenciados en Ciencias Politicas y Sociologia, futuro Consejo Nacional de Colegios Profesionales, Madrid,
<http://colpolsocmadrid.org/agenda/>.



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References:

The references cited in the Article are listed at the end of the paper in alphabetical order of authors' names.

References of the same author are listed chronologically.

For books

Olimid, A. P. (2009a). *Viața politică și spirituală în România modernă. Un model românesc al relațiilor dintre Stat și Biserică*, Craiova: Aius Publishing.

Olimid, A. P. (2009b). *Politica românească după 1989*, Craiova: Aius Publishing.

For chapters in edited books

Goodin, R. E. (2011). The State of the Discipline, the Discipline of the State. In Goodin, R. E. (editor), *The Oxford Handbook of Political Science*, Oxford: Oxford University Press, pp. 19-39.

For journal Articles

Georgescu, C. M. (2013a). Qualitative Analysis on the Institutionalisation of the Ethics and Integrity Standard within the Romanian Public Administration. *Revista de Științe Politice. Revue des Sciences Politiques*, 37, 320-326.

Georgescu, C. M. (2013b). Patterns of Local Self-Government and Governance: A Comparative Analysis Regarding the Democratic Organization of Thirteen Central and Eastern European Administrations (I). *Revista de Științe Politice. Revue des Științe Politice*, 39, 49-58.

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