PHILOSOPHICAL AND POLITICAL ASPECTS OF THE MODERN WORLD

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Volume I

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RESEARCH PAPERS

Humanity at the Cross-Roads: Philosophical Implications of Human Genome Project

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Abstract

Human Genome Project unfolds our collective identity as humankind. We progressively seem to acquire more power and greater responsibility. Our collective identity reminds us that all our actions have a profound effect on the environment and on virtually all forms of life. We become stewards of our own Genome and this calls us for greater responsibility. With the discovery of the nature of DNA and the genetic code, a new previously unknown world was opened up that lies within each of us; within the cells of all other living creatures. Insights into all that was considered to be human nature, from disease possibilities to dispositions were poised to enter humankind's collective consciousness. Our explorations of the then unknown world which now have initiated unfolding in and through Genetic Revolution impels us to delve into the anthropic implications of the genome mapping and of the project of being human.

In the middle of the 20th century, Pierre Teilhard de Chardin viewed human beings as "Evolution become conscious of itself." Today in the beginning of the 21st century we can well broaden this understanding as "Evolution become capable of consciously extending or eliminating itself." So too in the reflections ahead, the author probes into the shift that has taken place in our understanding of Human beings as co-creators; Human understanding of God; Human longing for fulfillment; Humans as being at-home in the universe; human capability to affirm life; human urgency to make choices as well as human vocation as trailblazers of self-extinction or self-extension.

After focusing on the unique role and responsibility of humans in the universe of life, the author says that it is the task of the present humanity has to make constant and responsible choices collectively to determine our destiny – to extend or to extinct. In this sense today's human beings are the train-blazers for the whole of life. We have reached the level of consciousness that other living beings can hope for. Either we can foster the evolution in all living creatures or we can wipe out evolution and consequently life itself from earth.

Keywords: *Enhancement of life, Extinction of life, Evolution, Human choice,*

Human dignity, Human Genome Project.

> *The DNA structure initiated an intellectual revolution that has given us answers to questions that have exercised the human mind since the dawn of reason.* (Walter Gratzer)[1]

> *The further the spiritual evolution of mankind advances, the more certain it seems to me that the path to genuine religiosity does not lie through the fear of life, and the fear of death, and blind faith, but through striving after rational knowledge… My religion consists of a humble admiration of the illimitable superior spirit who reveals himself in the slight details we are able to perceive with our frail and feeble mind.* (Albert Einstein)[2]

Watson and Crick's model of the structure of DNA opened the door to discovering how genes are copied and passed on from parent to offspring, and how they direct development from embryo to adult. When they discovered the complementary base-pairing of the DNA double helix, Watson and Crick realised that genetic information contained in the sequence of bases could be copied with one strand of DNA forming the template for the making of a new strand. The new information could then be transferred from the nucleus to the cytoplasm to instruct the making of proteins. These "work houses" make up the architecture of cells and tissues, and carry out vital tasks such as energy uptake and use, hormone synthesis, and sending and receiving messages. Over the next five decades, molecular biologists were elucidating the mechanisms involved to make enormous advances in biology, genetics and medicine. They now have a vast tool kit for manipulating and cloning genes, producing pure proteins on an industrial scale and "reading" DNA sequences; ultimately to understand the full set of information stored in the "books of life" – the genomes of entire organisms.

Human Genome Project unfolds our collective identity as humankind. We progressively seem to acquire more power and greater responsibility. Our collective identity reminds us that all our actions have a profound effect on the environment and on virtually all forms of life. We become stewards of our own Genome and this calls us for greater responsibility. With the discovery of the nature of DNA, and the genetic code, a new previously unknown world was opened up that lies within each of us; within the cells of all other living creatures. Insights into all that was considered to be human nature, from disease possibilities to dispositions were poised to enter humankind's collective consciousness. Our

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[1] Julie Clayton and Carina Dennis (eds.), "The Triumph of 1953," in *50 Years of DNA*, Palgrave Macmillan, New York, 2003, p. 13.
[2] See http://www.healpastlives.com/pastlf/quote/qurelsci.htm, retrieved on January 18, 2009.

explorations of the then unknown world which now have initiated unfolding in and through Genetic Revolution impels me to delve into the anthropic implications of the genome uprising and of the project of being human.

1. Humans as Evolution Capable of Extending/ Eliminating Itself

The technological and moral evolutions have caused a great shift in our understanding of us. In the middle of the 20th century, Pierre Teilhard de Chardin viewed human beings as "Evolution become conscious of itself." Today at the beginning of the 21st century we can well broaden this understanding as "Evolution become capable of consciously extending or eliminating itself."[3] So too in the reflections ahead, I would like to probe into the shift that has taken place in our understanding of Human beings as co-creators; Human understanding of God; Human longing for fulfillment; Humans as being at-home in the universe; human capability to affirm life; human urgency to make choices as wells as human vocation as trailblazers for self-extinction or self-extension.

2. Humans as "Created Co-Creators"

The Biblical account of creation depicts the creation of human beings in the image and likeness of God, which gives to each individual an intrinsic value. For Christians God as creator implies that the universe of space, time and humanity is dependent on God. Contemporary Christian view holds the position of "Continuing Creation" which affirms God's immanence and participation in the ongoing world. Universe and everything in it moment-by-moment depends on the sustaining activity of God and provides us the faith that we, as men and women, are created in the image of a personal God.

"«To create» is a verb describing the origin of novelty in the world through the continuing activity of God. In principle it could occur either as a continuous process susceptible scientifically. Creation with a spontaneous act of God is not describable scientifically. Creation with a capital C refers to a foundational biblical world-view based on faith in God."[4]

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[3] Kuruvilla Pandikattu, "Collective Extension or Common Extinction: The Challenge of Being Human Today," in *Rehumanising the Human: Interdisciplianry Essays on Human Person in Context: Festschrift for Dr Jose PanthackalCst*, A. Pamplany (ed.), Asian Trading Corporation, Bangalore, 2006, pp. 189-210.
[4] Richard H. Bube, "Three Views of Creation and Evolution," in *Expanding Humanity's Vision of God: New Thoughts on Science and Religion*, Robert L. Herrmann (ed.), Templeton Foundation Press, London, 2001, p. 166.

Creativity, which is the central part of human personhood, finds its source within God, the creator who continues His creative activity throughout human history. Reciprocally, humans reflect God in their creativity. God does his creative work through immanent means; the emergence of the new species through the law of genetics is God's creative work. "Humans are often partners with God in producing what comes to be, «imaging forth» artifacts as God did in creation. God's initial creation becomes a paradigm for the ongoing creative process in the world."[5]

In fact, HGP is the best example and model for such creativity and ingenuity, where humans can truly claim to be "created co-creators." So we need to explore the complexity of life with wonder and gratitude. "If the «glory of God is [hu]man fully alive,» then obviously a human being who is more ingenuous and creative gives «more» glory to God. Such humans become the image of God better. Such astounding possibilities make us «created-co-creators» in its most appropriate sense. This implies that the God we believe in is not the «God-of-the-gaps», the God who satisfies one only at the limit-situation of one's death. We do not need crisis moments to lead us to God. It is the conviction of a genuine believer that God can be found in the depths of the daily lives and not necessarily at the end of daily lives."[6]

We have an instinctual drive to worship other gods, made of our own *liking*. Only genuine mysticism can free us from our tendency to create gods that suit us, gods in our own likeness. We are prone to fashion gods with our own hands or intellect that fit our own expectations, conveniences and fancies. But God cannot be manipulated by our physical, emotional or intellectual powers. Only when we can bend down before the Ultimate (Other) can we abandon ourselves and in the process foster forgiveness, trust, innovations, fondness and creativity. The HGP and other related developments in the biological sciences could be looked upon as an enhancement of human dignity. It raises humans from the level of mere creatures to that of co-creators or partners in the ongoing process of creation, or "created co-creators".[7]

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[5] Peter G. Heltzel, "Divine and Artificial Life: A Theological Exploration," in *ibidem*, p. 231.

[6] Kuruvilla Pandikattu, "God Among Immortal Humans!," in *ibidem*, p. 221.

[7] Humans in this age of mastery over nature are not content with conforming to the laws of nature, but want to have a say in determining the destiny of nature. Humans became far more ambitious and aimed at controlling nature along the lines determined by them. They want to go further to become its masters, channelling the resources of nature along their desired paths and selfish motives. Regarding our own contemporary civilization, Toynbee asserts "we have been God-like in our planned breeding of our domesticated plants and animals, but we have been rabbit like in our unplanned breeding of ourselves." Peter G. Heltzel, *op. cit.*, p. 231.

3. Human Longing for Fulfillment

Even as co-creators, humans exist and evolve in a dynamic relationship with the rest of nature. As evolved mammals we are dependent on biological process to sustain our individual and collective lives in spite of our technological abilities.[8] The created world despite being so breathtakingly startling still remains incomplete with almost infinite possibilities for further developments. Humans with their powerful and innovative resources of science are called upon to collaborate in completing the most transcendent task of finding fulfillment by being co-creators.

The HGP emphasizes this positive aspect of scientific developments. Scientific developments have led to a paradoxical tension as science reveals more and more the complexity of living beings. Human Genome Project reveals that different species of living organisms are linked to each other intimately. The complexity of our human constitution builds interconnectedness. Human beings have undergone cultural evolution along with biological evolution. Biological evolution is based on the transmission of genetic information encoded in DNA by means of sex cells, while cultural evolution is based on our technological prowess. Therefore human beings are a symbiosis of genes and culture; physiology and technology.[9]

In such a prevailing scenario, the role of religion is not just to follow the path of science but also to evaluate, guide and shape human explorations and nurture hope for the future. What is called for is creative appreciation, critical guidance, prophetic fostering of life in its totality. Above all such a society and religion has to be a voice for all life forms. Such a society nurtures values, fosters life and promotes community from the awareness that we are all children of God.

Far beyond all these material progress, the deepest human longing for fulfillment is intimately embedded in the cave of our hearts. It is much more than material and is often met in the spiritual realm of encountering the Divine within

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[8] J. H. Brooke speaks of a "god-of-the-gaps" concept where statements of God are used to fill the gaps in scientific explanation assuming that God would fill the gaps in scientific explanations. This assumption presupposes that God acts on the same level as the natural causes. This is objectionable because if such gaps exist, there would have been phenomena that remain unexplainable and mysterious, holes or gaps in the causal nexus. "To worship God as creator is to emphasise both His transcendence over the natural order and His imminence in the natural order." Therefore a scientist, who is a believer has to encounter a dialectical tension between faith and reason; two intellectual activity, namely science and theology; two communities that is the community of faith and the community of scientific enquiry. He/She has to be awakened to the fact that "all believers of whatever religion have already heard His revealing voice in the discourse of creatures." Vatican II Documents, *Gaudium et Spes* 36.

[9] More on cultural evolution will be seen in the first section of chapter seven.

one's own self and in the other. Moreover, there is a collective search for fulfillment where community is the focal point of encountering the sacred, which is actualized in the community of the faithful, in various human communities. Our holistic search for wholeness affirms our embodiment. Human hope and fulfillment has to begin with this present world, in the "inaugurated eschatology", in the here and now.

4. At-Homeness in the Universe

In spite of the perceptible contradictions and anxiety we feel in this world, religion gives us the certitude that "everything is good".[10] This good feeling brings in us a sense of being at home in this universe. This feeling of at-homeness stems from our deepest rootedness in the universe and our openness towards our fellow living beings. Being at home, we can safely reach out to all in need from the singularity we experience from our interconnectedness. Without negating a future eschatological vision, but affirming inaugurated eschatology, this sense of belonging urges us to transform this world with deepest commitment, with responsible freedom and fullest hope in the present.[11] "For it is only by putting to death what is old that we are able to come to a newness of life."[12]

The HGP has provided reliable support to the theory of evolution by reconfirming the view that all living beings have a common origin, have originated from the same primordial stuff. The Genome Project and related developments show this unity in diversity of the living world. Just as atoms of different material elements are made up of the same fundamental particles, the DNA of different beings is made up of the same kind of nucleotides. Even in the sequencing also one can see a remarkable similarity. The prophetic vision of Pierre Teilhard de Chardin sheds light that, "However long it may endure the human world will hence forth only be able to continue to exist by organizing itself evermore tightly upon itself." We need to uphold the insight that we are earthly beings and the entire cosmos is our habitat.

Ethical and moral issues arising as a spin off from contemporary developments in modern technology can act as trailblazers to evolve policies of fairness and justice, to reflect on and to ensure the well-being of the entire Cosmos. The breakthroughs in the genetic revolution impel us to think what we

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[10] Genesis 1: 1-9. The essence of the priestly account of creation in the Bible is that everything is created by God as good.

[11] An excellent book on this theme is David Toolan, *At Home in the Universe*, Orbis Books, New York, 2003.

[12] Vatican II document, *Ad Gentes* 8.

are and what we want to become. Genetic research, it is hoped, will help us ultimately to unlock the secrets of life processes and understand human destiny. Contemporary theories of evolution have provided us with a new sense of our place in the universe.

5. Affirming Life Unconditionally

The more we explore the complexity of life the more we come to realise the complexity of our own make-up. For instance we are beginning to understand genome as the complex distributed system. The cytoplasm and the environment determine even gene expression in the production of proteins. Unfolding of one level of complexity presents another level of complexity. Human existence is totally dependent on God and is contingent. Even if the genetic advancements can enable human immortality, these human constructions itself entail that human construct necessitates dependency on God who enhances life.

God is the God of the living. The crucial question to pause at this juncture is whether immortality can be identified with eternity; whether human immortality essentially eradicates human suffering and pain; for eternal life implies fullness of life. Hence immortality that the scientific advancements offer does not disqualify ontological dependency on God who is the fullness of life. Moreover Ethical concerns also take precedence with regard to human behaviours in an immortal human society.

Seeking immortality holds credibility both from a scientific perspective as well as from a religious perspective since God affirms life that "I have come that you may have life, life in fullness."[13] This Human task and responsibility to enhance life can never be substituted as humans "playing God" from the mere fact that though immortals we are dependent on God. We find ourselves often moved to praise God and worship him because of the various affirmations of life in us not from the frustrations that we will die. Future is born from the present and the concerns of the present affirm God in the here and now rather than the concerns of the future which are still beyond our comprehension and are uncertain even if humans become immortals.

6. From Casual Chance to Creative Choice

Genetic revolution not only influences what we as human beings want to have, but also what we can become and what we are. This calls for a responsible and careful discernment rather than arriving at ready-made decisions.

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[13] *The Bible*, John 10:10.

"Developments like HGP render the situation even more significant and relevant, since they bring in a new and important dimension to this area. Not only does the HGP confirm the main conclusions of evolution, it offers the real possibility of the appearance of a new true *Homo sapiens* species in a much shorter time. This can bring about a serious qualitative change in the status and destiny of humans, involving extremely important, social, ethical and religious implications."[14]

Advance in genetics presents us with a promise and predicament. The promise is that we may soon be able to treat and prevent a horde of debilitating diseases. The dilemma is that our new found genetic knowledge may also enable us to manipulate our own nature to enhance our muscles, memories and moods; to choose the sex, height and other genetic traits and to make ourselves "better than well". Even though immortal human beings may emerge with scientific advancements, the vital elements for our curiosity and quest would be to look into the emotional possibilities of these "super-humans" – their ability to hope for something; to trust in someone; to approach the divine mystery with awe and gratitude.

The larger society has a role to play in determining the future of society and shaping the destiny of life. We might dynamically deny or passively confront the scientific advancement, but this position of blocking all types of progress will only become counter productive in the long run keeping religion and science as opponents to each other.[15] Moreover the inactive, uncritical submission to the dictates of Technology will not lead to true progress and development of human destiny. A scientist has to be one who pays attention to the existential concerns and promote spiritual values and respect ethical norms. And the religious person has to be one who respects scientific technologies without overlooking their social consequences that imply. Further, religions help us to realise that we are not the sole masters of the universe and we cannot take responsibility fully of the chaos and disorder of the universe. We need to turn our hearts towards the power beyond us, and then we are in a better position to bring about the Kingdom of God.

Humanity has to make constant and responsible choices collectively to determine our destiny – to extend or to extinguish ourselves. Genetic advancements put before us the need to make decisive choices as we plunge into tomorrow's horizons throbbing with promises.

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[14] Job Kozhamthadam, "The Human Genome Project and Human Destiny," *Omega: Indian Journal for Science and Religion,* vol. 1, no. 2, December 2002, p. 45.
[15] Cf. Kuruvilla Pandikattu, "Death of Death: Physical Immortality, Scientific Evidence & Religious Insights," in Kuruvilla Pandikattu (ed.), *Human Longing and Fulfillment: East Encounters West*, Jnana-Deepa Vidyapeeth, Pune, 2002, pp. 216-218.

7. Humans as Trailblazers of Own Extinction/ Extension

The 21st century is full of promises and perils. Genetics and molecular biology are decoding the formulas of life itself. As humans embark upon large-scale genetic engineering of other species and of ourselves, this new pattern of evolution becomes the driving force of the future evolution of the planet. The "struggle of survival" is inherent in nature. Biologists see the emergence and progressive evolution of life as a result of this struggle. Some of the contemporary scholars like Richard Dawkins hold the view that goes to the extent of postulating that life is the quest of "selfish genes" to perpetuate itself.

Unlimited technological progress coupled with rampant moral lethargy seems to be leading us to our own annihilation. We refuse to see the side effects or "collateral damages" of our technological advancements. The present generation with its scientific dynamism and religious vision, it is hoped, will trace a more authentic and viable cosmic and human future. Our destiny is truly in our hands. The choice is open to us! Standing at the threshold of life – human, animal, vegetative – we can decide for the whole of life, whether to enhance it beautifully or to annihilate it violently! That is a tremendous spiritual responsibility and task!"[16]

Human beings extend ourselves through our cultures, through technological innovations as well as become the cause of our extinction. As well as there is "natural" extinction like diseases, and natural extension through the biological productions of natural production. Human made self- extinctions include warfare; genetic manipulations.[17] We can consciously contribute to extend us to the whole of life, which is evolving. "When religion is a quest to communicate with the transcendent and a commitment to balance individual needs with service to others, it brings out the best in others."[18]

One of the most renowned evolutionary biologists Richard Dawkins has eloquently proclaimed, "Evolution is an enchanted loom of slotting DNA codes, whose evanescent patterns, as they dance their partners through geological deep time, weave a massive database of ancestral wisdom, a digitally coded description

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[16] Kuruvilla Pandikattu, "Science-Religion Dialogue in India: Creative Challenges and Enabling Possibilities," in Kuruvilla Pandikattu (ed.), *Together Towards Tomorrow: Interfacing Science and Religion in India,* Association of Science Society and Religion, Pune, 2006, p. 420.

[17] One useful site where information is regularly updated for the dangers of human existence is http://thebulletin.org/. Retrieved on 15 April, 2009.

[18] Varadaraja V. Raman, "The Quest for Unity: Between Science and Religion and among Religions," in *Modern Science, Religion and the Quest For Unity*, Job Kozhamthadam (ed.), Association of Science, Society and Religion Publications, Pune, 2005, p. 26.

of ancestral worlds and what it took to survive in them."[19] Our explorations of and access to this ancestral wisdom would enable us to have a better explanation of human origins, interconnectedness of human beings within the species, with other forms of life without annihilating ourselves but enhancing our embodiedness.

In this sense today's human beings are the trail-blazers of the whole of life. They have reached the level of consciousness that other living beings can hope for. Either they can foster evolution in all living creatures or they can wipe out evolution and consequently life itself from earth.[20]

8. Conclusion

In this article we have focused on the unique role and responsibility of humans in the universe of life. Some of our salient findings are:

- The unique role of human beings as created co-creators has endowed them with unparalleled responsibility. Given the fact that humans are also prone to worship idols, we need to strive to use this responsibility cautiously and compassionately.

- Our longing and fulfillment is deeply embedded in the cave of our hearts. Human aspirations and longing will be fulfilled only at the eschatological moment when "every tear will be wiped away." Genetics alone is inadequate to contribute to such a fulfillment.

- Ethical and moral issues can act as the trail-blazers to evolve policies, to reflect on and to ensure the well-being of the entire cosmos.

It is the task of the present humanity to make constant and responsible choices collectively to determine our destiny – to extend or to extinct (or better, extinguish), to enhance or eliminate ourselves. In this sense today's human beings are the trail-blazers of the whole of life. We have reached the level of consciousness that other living beings can hope for. Either we can foster the evolution in all living creatures or we can wipe out evolution and consequently life itself from the earth.

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[19] Richard Dawkins, *Climbing Mount Improbable*, Norton, New York, 1996, p. 326.
[20] These insights are similar to Daniel Quinn, *Ishmael*, Bantam/Turner Books, New York, 1992.

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8. Vatican II document, *Ad Gentes* 8.

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The Influence of Total Quality Management (TQM) on Public Service Ethics•

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Abstract

Two trends in the practice of modern public administration, the emphasis on ethics and quality, although different as philosophical concepts, influence each other. This paper summarizes what is the Total Quality Management and the Ethics Management, from the Public Service perspective at the European and Romanian level. Public administration reform is a current priority in the context of modernizing the state. At present, there is a growing convergence between the quality and ethical standards regarding the public service provided to citizens. Based on a Total Quality Management tool called Common Assessment Framework - CAF, it is argued the positive influence of this type of management on the ethical conduct of civil servants.

Keywords: *Total Quality Management, ethics, civil service, CAF.*

Presentation of concepts

To associate two concepts, the quality and ethics, is not a hazardous move, but it's certainly an interesting one, especially when referring to management and public administration. The parallel between ethics and quality may be based on the emphasis that each of the two philosophical concepts puts the "good" or "well".

The word "quality" has its origins in the Latin word *"qualitas"* with the following philosophical meaning: *"immediate and immeasurable determination of the nature or way of being of an object, which makes it what it is, and if disappears, to cease to be what is."*[1]

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[1] *Dicţionar enciclopedic* (Encyclopaedic Dictionary), Marcel D. Popa, Alexandru Stănciulescu, Gabriel Florin-Matei, Anicuţa Tudor, Carmen Zgăvărdici and Rodica Chiriacescu, Enciclopedică Publishing House, 1993-2009.

The meanings of the word are of philosophical, technical, economic and social nature. The International Organization for Standardization (ISO) defines quality as *"the ensemble of standards and characteristics of a product relative to its ability to satisfy needs that are known or believed."*[2] One of the "fathers" of quality assurance and of Total Quality Management, Joseph M. Juran, American professor of Romanian origin, considers quality as "the ensemble of characteristics of a product that meets customer needs and, thus, makes the product satisfactory."[3]

Quality concerning the goods or services may not be identifiable by a single feature, but only through a set of characteristics and can not be independent because there are only in relation to needs expressed directly or implied of the customers and society. In conclusion, quality is the fact of being "good" in relation to a need.

Ethics is *"the science that deals with the theoretical study of the values and human condition from the perspective of the moral principles and their role in social life; the totality of norms of proper moral conduct; morality."*[4] In essence, the philosophy of ethics is the discipline concerned with what is good and bad, right and wrong.

In what follows, there will be briefly presented some relevant characteristics of the public service ethics and of total quality management, and will be argued the relationship between them and their influences upon each other.

Public Service Ethics

Administrative Science shows that the main instrument by which the public administration acts is represented by the civil servants, as a fundamental human resource of the administrative system. At the same time, the human factor may be the "weak link" in the functioning of public administration at the desired parameters, one of the causes, besides poor training, being the unethical behavior, the moral weakness, as facilitators of the phenomena of corruption.

The main ethical issue related to the civil service, recognized by international bodies and organizations, is corruption. This fact determined major international organizations as the United Nations Organization (Resolution 51/59 "Action against corruption" of the General Assembly of 12 December 1996), the

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[2] I. S. O. 9004-2 norm.

[3] M. J. Juran, *Quality Control Handbook*, McGraw-Hill, New York, 1951.

[4] *Dicționarul explicativ al limbii române* (Explicative Dictionary of Romanian Language), second edition, Romanian Academy, Linguistics Institute "Iorgu Iordan", Univers Enciclopedic Publishing House, 1998.

Organization for Economic Cooperation and Development (OECD) and the Council of Europe (Recommendation no. R (2000) 10 on codes of conduct for civil servants of the Council of Europe Committee of Ministers of 11 May 2000) to request the governments of the Member States to consider limiting the phenomenon and adopt codes of conduct for civil servants, known in ethics management practice as "ethical codes". In Romania these recommendations have been implemented by the adoption in 2004 of Law no. 7 regarding the Code of conduct for civil servants.

Relevantly for the present study, the main objective of the Code of Conduct is to increase the quality of public service. Another important aspect is asserting, inter alia, as principles governing the professional conduct of civil servants, the public interest priority and professionalism of the civil servants.[5] Society's interest has priority over the interest of the organization and the organization's interest has priority over personal interests.

Professionalism is the term used to describe behavior, goals and qualities that characterize or mark a professional. A "professional" is a person who complies with professional and ethics standards of a profession and the fact of belonging to a professional category do not necessarily confer professional status. A professional has an ethical obligation to maintain and enhance professional standards of his occupation.

The basic characteristics of a true professional could be reduced to the following two: a high level of competence and adherence to high ethical standards.

Lately, the focus is put on the requirement of continuing education as a direct result of the fundamental needs of professional competence. There are beliefs that "performance" is a peculiar quality of "professionalism" based on the reasoning that a true professional is not only a competent spectator sitting on the sidelines. The real professional is a performer who lives high standards of performance.

Altruism is often treated as a special quality of professionalism, seen as a "generous concern for charity in the service of others". In order to define the code of professionalism it is useful to look altruism through the concept of independence, as a crucial element of professional ethics. The professionals must be free to advance their own professional judgments. But no freedom can be absolute. Professionals who did not act in an ethical and legal framework are at

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[5] Romanian Parliament, *Legea nr. 7 din 18 februarie 2004* (Law no. 7 from February 18 2004), republished, regarding Codul de conduită a funcționarilor publici (The Code of conduct for civil servants), *Monitorul Oficial*, 2007.

risk of exclusion. The ultimate goal of the profession is to maintain and improve the quality of services.

The Total Quality Management - TQM

The Total Quality Management is a way of running an organization focused on quality, based on the participation of all its members and aiming at long-term success by satisfying the beneficiary, also at benefits for every member of the organization and for the society.

TQM is based on the following principles[6]:

- is focused on quality;
- is based on the participation of all members;
- aims at long-term success by meeting the beneficiaries;
- intents benefits for everyone in the organization and society.

Most authors agree that TQM is, above all, a new philosophy, a new model of enterprise culture and is intended to direct all activities and processes towards its beneficiary and optimize them, so as to bring long term benefits.

It is considered that the success of this management system is conditioned by the strong and constant involvement of top-management and by training and permanent education of all personnel in the enterprise.

The quality in the public sector

The public sector has to cope with numerous challenges and has to respond to many new needs and demands in society.[7] Due to these challenges and pressure, the public sector is an object of large reforms.[8]

Over the last two decades there appears to have been a huge amount of public management reform. Although there was also reform in earlier periods, the changes since 1980 have – in many countries – been distinguished by an international character and a degree of political salience which marks them out

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[6] Ministerul Administrației și Internelor (Ministry of Administration and Interior), *Ghidul pentru implementarea Cadrului de Auto-evaluare a Modului de Funcționare a Instituțiilor Publice* (CAF), 2006.

[7] OECD, *Public Management Developments*, Survey 1993, Paris, OECD, p. 196; OECD *Governance in transition. Public management reforms in OECD countries*, OECD, Paris, 1995; OECD, *Government of the Future*, Puma, Paris, 2000, p. 236.

[8] J. Lane, *New public management*, Routledge, London, 2000, p. 242; W. Kickert (ed.), *Public management and administrative reform in Western Europe*, Edward Elgar, Cheltenham, 1997; D. Kettl, *The global public management revolution: a report on the transformation of governance*, The Brookings Institution, Washington DC, 2000.

from the more parochial or technical changes of the proceeding quarter century.[9]

The administrations of the EU Member Countries are not a homogeneous set of organizations, nor are their reform processes. Their reform processes are in fact quite divergent. The European scenery is a macedoine of systems. There is no agreed European model. Indeed, different EU countries have responded to the challenges in different ways.

Romania is making efforts to align with the new trends in public management, even from the EU pre-accession period. Concern for public administration reform is constant, even if the results are relatively few. *"Modernization of the public administration remains a priority, to which subsumes a number of reforms. The current context must be used as an opportunity to accelerate the modernization of public institutions."*[10] One of the objectives of the current administration reform is to increase quality and access to public services.[11]

Nevertheless these reforms are characterized by the introduction of new principles and common grounds: a growing focus on efficiency and effectiveness, attention to transparency and accountability, awareness of public service delivery and the role and place of the citizen/customer.[12] Many countries have recently undertaken initiatives placing the citizen/customer at the centre.

Christopher Pollitt and Geert Bouckaert described this tendency as a shift from a producer point of view to a citizen/customer point of view.[13] The dynamic way of getting citizens/customers of public services involved in order to enhance their perceptions, expectations and commitment through active participation, has been a common strategy to obtain a legitimate level of quality and satisfaction of public services.[14]

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[9] W. van Dooren, N. Thijs and G. Bouckaert, "Quality management and management of quality in the European public administrations," in E. Löffler and M. Vintar (eds.), *Improving the quality of East and West European public services,* Ashgate, UK, Hampshire, 2004, pp. 91-106.

[10] Guvernul României, *Programul de Guvernare 2009-2012* (Romanian Government Program 2009-2012), Preambul, 2009.

[11] Guvernul României, *Programul de Guvernare 2009-2012* (Romanian Government Program 2009-2012), Cap. 19 - Reforma administrației publice, 2009.

[12] L. Doherty and T. Horne, *Managing public services*, Routledge, London, 2002, p. 559; D. Shand, "Service quality in the public sector: the international experience", in C. Clark and D. Corbett (eds.), *Reforming the public sector*, Allen & Unwin, St Leonards, 1999, pp. 151-164; A. Schick, "Opportunity, Strategy and Tactics in Reforming Public Management," in OECD, *Government of the Future*, 2000, pp. 123-148.

[13] C. Pollitt and G. Bouckaert (eds.), *Quality Improvement in European Public Services, Concepts, Cases and Commentary*, Sage, London, 1995.

[14] OECD, "Engaging Citizens in Policy-making: information, consultation and public participation," *PUMA Policy Brief,* No.10, July 2001, p. 6.

The main issues which led to increased application of the concept of quality in the public sector can be summarized as follows:

• The increased education and the expanding opportunities for access to information have led to increasing citizens' skills in the interpretation and application of existing arrangements, mechanisms kept strictly under control in the public sector.

• Public service providers can not satisfy every desire or need of citizens. If the number of privately managed services is continuously increasing compared with the same kind of services administered by the state, it was found that the inefficiency and indifference in public institutions is inversely proportional.

According to the practice in the domain, in order to assess the quality of the services, customers use five criteria:

1. reliability – the ability to properly perform the services as they have been promised;
2. responsiveness – willingness to help customers and provide prompt service;
3. trust – afforded by the knowledge and courtesy of the employees, and also their ability to inspire customer confidence and confidentiality;
4. empathy – the individual attention which the organization manifests to its clients.

The foundation of quality in the public sector must be the professionalism and the morality of the public servants. Quality management in this sector must be oriented towards their improvement and consolidation, and this requires values, attitudes, guidelines and a culture of service in this sector focused on quality.

The convergence of quality and ethical standards

At the international level, the convergence of quality and ethical standards, of quality assurance management (QA) and ethics management (EM) comes into view. Already in some countries and in some traditional areas of pioneering (like medical ethics) people are not talking about quality standards, but of quality and ethics standards.

QA set of problems developed separately from EM, both conceptually and methodologically and institutionally.

Quality standards detail such institutional values as the effectiveness (the fulfillment of goals according to the strategic plan and at even lower costs), optimality (error prevention and mitigation), acceptability (respecting the wishes and needs of beneficiaries), legitimacy (compliance with laws and regulations,

including moral). From some points of view, the introduction of QA was justified as a preoccupation of the public administration towards the needs of the citizens-beneficiaries, as an evidence of institutional responsibility, essentially a moral issue.[15]

Ethics management (EM) is an even more recent branch of management that deals with all aspects of institutional control concerning the moral behavior of members of an organization, aiming to create integer organizations and to reduce risks of unethical behavior. The values defended by the ethical principles are: respect for individual autonomy, respect for dignity, respect, encouraging doing the good and discouraging doing the bad in the relations with one's neighbors, justice, integrity, responsibility, respecting the human rights, etc. The last decades have strongly urged into the public consciousness the importance of taking into consideration the ethical dimension of the life of organizations. Ultimately, it is desirable an integer public administration that respects its beneficiaries and its own staff, therefore puts value on quality. A strong ethical climate is associated with values such are efficiency, quality, excellence and teamwork.[16]

Regarding the civil service, the link between the ethical standards and the quality of services provided by the administration is evident right from the objectives' and principles' level. We recall that the main objective of the Romanian Code of conduct for civil servants is to increase the quality of public service. The principle of professionalism (according to which civil servants are required to perform job duties with responsibility, competence, efficiency, honesty and conscientiousness)[17] serves to accomplish the functions – and, ultimately, the service provided to citizens and society at high quality standards.

Next, arguments will be presented regarding the influence of Total Quality Management (TQM) on public service ethics.

Total Quality Management, support for ethical behavior

Total Quality Management "TQM" – as a philosophy of management practices, focuses on the dependency of the organization on the people it works with, on those who ensure its reputation based on quality. This approach facilitates

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[15] Liviu Andreescu, "Recenzia volumului Trends in Quality Assurance: A Selection Papers from the Third European Quality Assurance Forum," Bruxelles, European University Association, 2009, 80 p., published in *Quality Assurance Review for Higher Education*, vol. 1, No. 1, 2009.

[16] Donald Menzel, *Ethics Management for Public Administrators: Building Organizations of Integrity*, M.E. Sharpe, 2007.

[17] Romanian Parliament, *Legea nr. 7 din 18 februarie 2004* (Law no. 7 from February 18 2004), republished, regarding Codul de conduită a funcționarilor publici (The Code of conduct for civil servants), *Monitorul Oficial*, 2007.

the development of ethical behavior in relation with the human resources, partners, beneficiaries, and, last but not least, the society as a whole.

A convincing illustration of the above statement is offered by one of the most used tools of TQM in public management, the so-called Common Assessment Framework (CAF), a tool used to assess the functioning of public institutions. CAF originated from a joint analysis conducted by the European Foundation for Quality Management, the Speyer Institute and the European Institute of Public Administration (EIPA), based on a selection of guiding principles.[18]

CAF is a questionnaire that allows the diagnosis of the functioning of public institutions, using Total Quality Management principles. CAF identifies favorable and unfavorable aspects of the institution assessed, representing the starting point in achieving a diagnosis. It provides a framework easy to approach and use, free, and that also allows the dissemination of good practice.

It is interesting to note that the CAF tool facilitates in a good measure the evaluation of the ethical behavior in the institutions or public authorities that use it. This is demonstrated by a selection of questions from the CAF questionnaire, shown below:[19]

• *What is the management doing to give the institution guidance, to develop and communicate a perspective, clear missions and values?* Does it establish a framework of values and a code of conduct? Does it include all stakeholders (e.g. the management team, employees, beneficiaries, other public services, elected representatives and suppliers) in the development of the mission, values, guidelines? Does it communicate and adapt the missions, values and guidelines to the changes in the external environment?

• *What is the management doing to motivate and mobilize the personnel, to stimulate their involvement, acting as an example for others?* Does it act as a model? Does it act in accordance with the values and objectives of the institution? Does it encourage trust and mutual respect? Does it recognize and reward the individual and collective efforts?

• *What is the institution doing to gather information on current and future needs of the stakeholders involved in its processes?* Does it consistently collect information on needs and expectations of the parties involved arranging investigations appropriate to the beneficiaries, partners, civil society and political

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[18] Ministerul Administrației și Internelor (Ministry of Administration and Interior), *Ghidul pentru implementarea Cadrului de Auto-evaluare a Modului de Funcționare a Instituțiilor Publice* (CAF), 2006.

[19] *Ibidem.*

representatives? Does it systematically assess the quality of information and how they are collected?

- *What is the institution doing for the development, monitoring and updating the strategy and action plan?* Does it systematically analyze the internal strengths and weaknesses? Does it analyze the risks and opportunities? Does it develop operational objectives based on the mission, values and strategic guidelines of the institution?

- *What is the institution doing for planning, managing and improving human resources taking into account the strategy and planning?* Does it develop, through consultation, a clear policy presenting objective criteria for recruitment, motivation, promotion, appointment to managerial positions and reward for the personnel? Does it ensure good working conditions in the institution? Does it manage the recruitment and career development taking account of equity in access to jobs and equal opportunities (gender, disability, race, ethnicity and religion)?

- *What is the institution doing to identify, develop and use the skills of its staff ensuring the consistency of objectives and goals of individuals, teams and the structure taken as a whole?* Does it develop and communicate a training plan based on current and future needs of the staff and the institution? Does it support and assist new employees? Does it respond to the needs of people with disabilities in terms of equipment and working conditions? Does it take into account the balance between the professional and private lives of employees?

- *What is the institution doing to involve its staff developing dialogue, accountability and autonomy?* Does it promote the establishment of non-authoritarian hierarchical relations and a climate of openness, communication and dialogue? Does it inform and make employees responsible about the objectives and results?

- *What measures are in place to ensure that the institution develop and implement partnerships with beneficiaries (customers/citizens) and/or with partners (internal/external)?* Does it encourage the citizens' involvement in debates on issues of general interest? Does it ensure the transparency of the institution, of its decisions and development in relation to its users?

- *What measures are in place to ensure that the institution is managing knowledge?* Does it ensure access for all staff to information relevant to their tasks and objectives? Does it provide access to all stakeholders and beneficiaries to any relevant information? Does it ensure the accuracy, reliability and security of information?

- *What measures are in place to ensure that the institution manages financial resources?* Does it provide budgetary and financial transparency? Does it analyze risks and opportunities of financial decisions? Does it promote transparency of managerial control?

- *What measures are in place to ensure that the institution is managing the buildings, locations, equipment and materials?* Does it ensure physical access to buildings adequate to the needs and expectations of employees and beneficiaries (e.g. access to parking and public transportation)?

- *What are the ways in which the institution develops and provides services involving the beneficiaries?* Does it involve the beneficiaries and other stakeholders in developing quality standards for services, products and information? Does it provide appropriate and accurate information, also assistance and support to beneficiaries? Does it ensure accessibility of services and information? Does it develop personalized services and create systems and procedures of solving complaints?

- *What is the impact of the institution on society?* The promotion of ethical values by the organization. The involvement in the community to which the institution belongs by means of assistance. Assistance for the disadvantaged. Awareness by the staff of the institution's impact on the quality of life of citizens.

- *What is the impact of the institution on society in terms of environment?* Integration of the sustainable development principles in the decision-making process (energy saving, use of reusable energy sources, total energy use, etc.). Efforts to reduce the harmful effects or damages caused by the institution's activities and provision of protection and safety to citizens.

This questionnaire does not explicitly address corruption issues, but offers a framework for revelation of the interpersonal relationships ethics, management ethics, of the responsibility to the institution, to society and to the environment. CAF constrains to the identification of courses of action to improve the activity, which can be used to plan the future performance, including ethics.

As the CAF assessment respects the principles of TQM, but also numerous ethical norms, it is clear that the performance in the continuous improvement of quality of service delivered to citizens leads directly to improved performance in public service ethics.

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On the Apparent Freedom of Contemporary Individualism

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Abstract

The present paper discusses the origin and evolution of individualism in contemporary society, reveals some of its stark paradoxes and presents its consequent mythologies. The analysis follows the consequences of individualism phenomenon from psychological, social, cultural, epistemological level up to the metaphysical level of Being.

Keywords: *Individualism, freedom of thinking, civilizing process, paradoxes of individualism, myths of individualism, illnesses of the Being.*

The present paper starts from the observation that, aside from our axiological assessments, beliefs, expectations, preferences or wishes, the individualism is an undeniable reality. It is one of modern man's characteristics just like other realities of our contemporary world as globalization, pollution, bureaucracy, denaturalism, etc.[1] Unfortunately, it has been uncritically taken as a positive achievement; another step on the human civilizations path to greatness. And although, this fact is true, it is serious misunderstood. "One of the *toposes* used by the modern world to flatter itself, to permanently eulogize itself is headmost the individualism. Even the adversaries of individualism, the most severe critics of the individualist presuppositions of modern thinking, Charles Taylor, feel compelled to bow to the subject and recant that individualism is the most distinguished result, the most exquisite creation of modern thinking (Taylor)."[2]

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[1] See for example Pablo López López, "Naturalism, Supernaturalism & Denaturalism," paper presented at XV Inter-American Congress of Philosophy, 12-16 January 2004, Lima, Perú, retrieved from http://www.crvp.org/book/Series01/I-39/ch30.htm, on November 8, 2010.

[2] Adrian-Paul Iliescu, "Individualismul modern ca ideologie justificativă" (Modern Individualism as a Justificatory Ideology), *Journal for the Study of Religions and Ideologies*, No. 4, Spring 2003, the author makes reference to Charles Taylor.

The main goal of this article is to show there is something wrong at the ontological level with our contemporary individualism on all its three levels: that of Being, social being, and individual being. There are too many efforts and too much energy spent proving the contrary, the positive value of individualism, to not consider it to be the rightness or wrongness for our Epoch. Individualism can be found everywhere: it pervades all existence, social relations, epistemological patterns, nature, culture, sciences, our minds and souls, ideas, beliefs, hopes and memories. We are bombarded by its forms from all directions: through movies, commercials, schools and workplaces, in family life, by friends and public opinion. Our slogan seems to be: you are the master of your own destiny, you have to make it alone, you are the only one, it is the imperative "be yourself" (B.U.?). "The expression individualism includes the most heterogeneous things imaginable"[3] whilst it is used to justify our past, present, and future as well as our actions, behaviors, all our economic and political measures, and even our birth and death.

For my purposes it is less important for us to see how this state of affairs came into being from the perspective of the history of ideas or, to say it differently, *via* ideologies (even "scientific" ones). If we refer to the naturalization of the religious space,[4] or to the destruction of pre-modern social harmony in the course of privileging of the private space,[5] these are, in the best case good accounts of what humanity has become, but they lack any explanatory insights. Unfortunately, too many approaches prove the "anthropological sleep" of their authors and their inability to go beyond the fashionable psychologism and sociologism (or even intellectualism). It does not matter if we stress the changes in the ideatic, social or natural domain, our approach would remains unilateral. None of these three entities alone are sufficient to explain what means to be human. If we nuance the homogenizing sociological view, and dissociate the social and cultural realm, Maslow's claim proves its veracity: "culture is only a necessary cause of human

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[3] Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, second edition, Routledge, 2001, note 22, p. 122.

[4] Louis Dumont, *Eseu asupra individualismului* (Essays on individualism), CEU Press/Anastasia, 1997. The author considers the modern mundane individualism (individual-in-the-world) as the successor of the Christian individual-outside-the-world.

[5] Norbert Elias, *The Civilizing Process*, Blackwell, Oxford, 1994. It is less probable there was a time when sexual relations were totally free of any socially regulation (some rules or norms) unless the term society would be used in a very peculiar sense. And this state of affairs would universally produce some sort of division between public and private bodily domains. See H.-P. Duerr, *Intimität*, Frankfurt a.M., Suhrkamp, 1990.

nature, not a sufficient cause. But so also is our biology only a necessary... and not a sufficient cause..."[6]

The history of ideas is both instructive and extremely limited – because it lacks feedback from the other constituents of human reality. This approach usually considers that changes are in the realm of ideas without any transformation of social relations. These ideas are considered to shape by themselves these social relations. Although the ideas can transcend their own temporality, because there is a grade of autonomy in the ideatic world, they develop a strong interrelatedness with the social and material realm. The problem with the "ideo-logical" analysis is that it is restricted by the imagination ability to interrelate with rest of the reality. The ideatic etities can create new realities, or can be just self-sufficient paintings of never-being possibilities. Information is *about*, *for* or *a* reality. Human being is information, but also social interaction and biological organization. This threefold complex makes up the human individual. Therefore, for understanding what individualism is, we have to simultaneously address to all three components of individuality. But if we take into account our present situation, this project is very difficult, because the social dimension has subordinated the others, contaminated our understanding, and claims to cover by itself the entire definition of the human being.

In order to comprehend individualism we have to begin with the question: What does it mean to be human? If we give up to our phony hubris and adhere to Occam's razor, we'll discover that human beings are not so unnatural or special as we want to believe. Like any other organism, one of the prime activities and goals is adaptation. Under this perspective, the human individual is nothing but a being that adapts to its environment the best it can (more so in regards to the natural environment, because it is an active adaptation). But it is a being which functions well on all three human environments: natural, social and cultural; and each environment can overrun and dominates the others realms. The tendency towards biological/physical comfort which, in modern society, changed into search for wealth, subordinated the other modes to the verb TO OWN; the tendency to psychic comfort manifest itself in the freedom TO BE, which takes the shape exerting power (a process which has had its cultural dimension opened up for us through the Nietzsche's formulation, Will to Power); and avoidance of the fear of the unknown has been addressed by means of the adaptation to the cultural-informational and politically secure environment, gives us the propensity TO

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[6] Abraham Maslow, *The further reaches of human nature*, The Viking Press, New York, 1971, p. 156.

KNOW. These features make humans no different from any other living being. The difference is only ecological, assured by its special (socio-technical) environment *fostered by itself*. The man built culture as its habitat. This medium became vital, more than the natural one, as in the case of others beings. This fact is usually omitted. The modern individual is no longer forced to "survive" in the natural environment, but rather in the social one (and more and more in the informational medium). Finding one's way in society has become much more important than surviving in nature. That is why the distinction, given by the Romanian philosopher Lucian Blaga, as a hallmark of humanities' true existence still proves today its entire truth, in an unexpected way. Blaga said that man is an amphibious being that lives both, in the *immediate* and for *preservation* (like any other animal) and into *mystery* and for *revealing*. Sadly, modern man is so busy living in this eventful environment, which is society, that he has forgotten his dependence on the Others. From this perspective we can say that people have only evolved from *animalitas* to *societas*, but in no way have they reached *humanitas*. In our world people are only concerned with finding and preserving their places in Society, but not in the Cosmos, because we have lost the holistic view of Reality. Modern man has reduced the Cosmos to the Society (conceived ecologically). And paradoxically, we are so engaged with the task of surviving in society, that we no longer find the time to socialize! And this is the first explanatory insight of the unparalleled emergence of individualism in our contemporary world.

At the same time, we never talk about individualism within nature although we admit the individual exists in this context. This also proves that individualism results from an over-socialization upshot. The modern times can be characterized, as in fact it already was, as the Age of the mob. Individualism is the natural result of such democratization, of such a *mob*-ized reality, the reaction of the inner "immune system of the being", of the human beings. It is the manner in which the being reacts to this "disequilibrium" that emerged within the non-generic unity of man. The individualism became our way of being, and, hence, we are compel to use its lens to evaluate our present state, and from voilà the explanation of our so-often celebrated individualism in our days.

The old ones lived disavowing the value of individual, the supreme value being the society as a whole (i.e. a generality). Gradually the individualism and individual imposed themselves upon European culture: first, "in the version of the hero (maybe the philosopher/sophist) in ancient Greece, and then later in the Christian person, then finally the model of the free person from modern European

culture."[7] Now, the supreme value is the individual – but, under outlandish circumstances, the rejection of the individual's substance as well.

The contemporary individualism maintains so many logical problems that we must be extremely suspicious about its precepts. Inconsistencies at every level of reality testify this. The *social paradox of individualism* (post-individualism): "In the society of individualists one has to shuttle and negotiate all the time with the other individualists in order to actualize oneself. So, the more individualists, the more difficult it may be to actualize oneself. Sharply, the society of individualists may mean paradoxically the collapse of individualism."[8] The *economic* (quantitative) *paradox of individualism*: individualism is a paradox because all of us try to be individuals in the same way and this result in homogenization of human reality. The *political paradox of individualism* is that "it can only work when it works in a collective manner for the common good."[9] The *theoretical paradox of individualism*: in order to work as a whole, all individual closed systems need to be re-adjusted by a sort of "pre-established harmony".[10] The *epistemological paradox of individualism*: individualism appeared at the social level at the same time as increasing use of statistics in analysis. Even "strong individualism"[11] is annihilated by statistical analysis at the social level. People have become statistics while simultaneously we see the unprecedented spread of individualism.

This "haunting of individualism by its opposite side" is not the result of the permanence of more or less general pre-modern elements, which "have survived"

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[7] Constantin Noica, *Şase maladii ale spiritului contemporan* (Six Maladies of the Contemporary Spirit), Humanitas, Bucharest, 1997, p. 110.

[8] Sari Näre, "Visual Harassment, Intimized Culture and Sexualization of Public Space," retrieved from http://www.gap.lt/main.php/id/605/lang/1, on December 14, 2010.

[9] Interview of Andrew Denton with SIR BOB GELDOF, in the TY show "Enough Rope" at ABC TV, screened on Monday. 11 April 2005, 9.30 p.m. "We work on the basis of individualism, our society. The Africans work on a collective society, which is why we've always had this disconnect. We've imposed ideas on them coming from an idea of individuals that can't possibly work. And we've never listened or looked at the way they actually achieved their society. But the paradox of individualism, without being too boring, is that it can only work when it works in a collective manner for the common good. That's how individualism works, and that's how, when you ask what can the individual do, working in a collective manner towards the common good, you will succeed in changing things." Retrieved from http://www.abc.net.au/tv/enoughrope/transcripts/s1343226.htm, on January 21, 2011.

[10] Like in Leibniz's *Monadology* the independent development and cohabitation of totally autonomous individuals is impossible unless a common original pattern of their development is presumed.

[11] That version of individualism which claims that the individual is the only reality and the results on social level is given by the sum of individual actions, a doctrine which deny the social determinism.

and which determine the individualist values which are subtly mingled with their contrasts (opposites, antithesis).[12] The emergence and effects of contemporary individualism can be explained by the time lapse that was experienced by the contemporary systems of social organization in their path to the crystallization into autonomous entities. The contemporary individual is acutely aware of this unprecedented fact, because for the (individual's) history all of these organizations are systems and the system and the individual are at odds. He can only be and make sense of the world as an individual by paralleling the three aforementioned plans: the biological, the social and the informational. But each of these systems had developed too much and now they are in turn overwhelming the individual.

Despite all this, via the process of "status quo's valorization", our epoch sustains not only the *inevitability*, but also the *desirability* of individualism, through the creation of a *self-laudatory structure*. I dare to say that is a natural process of justification of the existing reality; part of the "natural" mechanism of any society that needs to re-adjust its own founding narrative in terms of the existing reality. But "individualism, far from being a great constructive revelation, a positive substantial contribution to the development of ideas and mentalities, should be seen as the manifestation of a crisis, as the necessity to justify a series of not at all enthusiastic human realities, such as *hate* as the main constituent of life and human relationships – *solitude*, land *selfishness*, the naturalness of *egoism*, things less flattering for the modern individual, things which him was, of course, obliged to integrate them into a metaphysical conception or a magnificent vision to confer them more respectability, and to confer them an importance in the modern thinking."[13] This led to a more or less aware "manipulation" of the foundational narrative of the social system. In just the same way as individualism came to be explained as one of the important achievements, a necessary step on the road to progress, into which, sooner or later, human kind had to evolve.[14] From the need for the justification of social structures (i.e. a justification of their negative consequences) an extremely west-centered re-interpretation of social and human history (and the present reality) appeared. This is how the modern myths of Natural Economy and Social Contract came into being.

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[12] Louis Dumont, "Preface" on Karl Polanyi, *La Grande Transformation*, Gallimard, Paris, 1983.

[13] Adrian-Paul Iliescu, *op. cit.*

[14] Otherwise, the individualism seems to be a mandatory step on the dialectical progress of human species toward the collective consciousness (mind, brain). See, for example, Howard Bloom, *Global Brain: The Evolution of Mass Mind from the Big Bang to the 21st Century*, John Wiley & Sons, New York, 2000 or even G. W. F. Hegel, *Phenomenology of Mind*, J. B. Baillie (trans.), Harper & Row, London, 1967.

In spite of all historical/sociological counterevidence, the idea of a natural economy, which comprises the modern ideas of market and free change, is broadly avowed. But modern economy emerged in parallel with politics, in a system that was founded later, inside of what we call society and on the basis of state structures. This two are interdependent because the economic reproduction of the system is impossible without a "state" which provides its security and ensure its fluxes. This concept is a normative and speculative modern invention, which intends to legitimize and justify the economic practices of liberal capitalism. The traditional economy seems to have been based upon an intricate combination of accumulation and forms of symbolic ritualized destruction of goods (the potlatch). This "natural" feature is absent in the discourse and economic practices of modern capitalism. The elimination of the symbolic constituent determined, on the one hand, the immense capital accumulation in modern economies and, on the other hand, the alienation of the subjects involved in the process. The symbolic constituent had precisely the role of preventing the detachment and instrumentation of the object as alien(ated).[15] The sheer alienation of the object occurs alongside the alienation of the subject who put it as such.

Moreover, the constant application of the individualist principle (i.e. liberalism) imposed the social security regulations that brought us to contemporary post-liberalism. This was not *introduced*, but *forced* into acceptance. This complex dialectic was triggered by the very application of individualist values. Social measures were the effect of the liberal (individualist) principle.[16] But when a journalist identifies the welfare state as "the true cause" of the New Orleans hurricane disaster, we can see how deeply rooted can be the belief in the redeeming-qualities of individualism: everything that does not function is attributed precisely to the lack of "blessed" individualist attitude.[17] What is missed

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[15] And so we encounter another paradox: the subordination of activity to accumulation for spending was ultimately justified through the freedom from subordination for the (basic) needs. But, it was just a tricky solution, a new (form, of an ancient) subordination appeared, that for spending. To put it in other words: "People provide for themselves all that is necessary to live and they strive to avoid suffering not because these functions would be a sufficient result in themselves, but in order to accede to the sovereign function of free spending." George Bataille, *Partea blestemată* (The Accursed Share), Institutul European, Iaşi, 1995, p. 208.

[16] See Karl Polanyi, *La Grande Transformation*, Gallimard, Paris, 1983.

[17] "But this is not a natural disaster. It is a man-made disaster. (…) The man-made disaster is not an inadequate or incompetent response by federal relief agencies, and it was not directly caused by Hurricane Katrina. (…) This is where just about every newspaper and television channel has gotten the story wrong. (…) The man-made disaster we are now witnessing in New Orleans did not happen over four days last week. It happened over the past four decades. Hurricane Katrina merely exposed it to public view. (…) *The man-made disaster is the welfare state.* (…) People living in piles of their own trash, while petulantly complaining that other people aren't doing enough to take

here is that the individualistic attitude is nonsense without a safe and well-conditioned social medium, or "the armor of civilized conduct would crumble very rapidly if, through a change in society, the degree of insecurity that existed earlier were to break in upon us again, and if danger became as incalculable as it once was."[18] Furthermore, even individualism is nothing without a presumed built environment. Individualism supposes a civilized Other which makes its own existence possible. "…Individualism only makes sense when there is a surrounding civilization to relate to."[19]

A similar phenomenon is present at the level of political organization. Here, the ideology of individualism proves to be just as pernicious and ungrounded, as it is in the previous case. The analysis of Social Contract's theories, for example, which purportedly grounds the legitimacy of the State (and of the democratic organization, as well), leads us to paradoxes. No matter the version, every Social Contract melds people who are individuals in the political body. First, they assume a "natural" existence of individuals: free and untied by any social bonds, an impossible state. Next, this power and autonomy is "voluntarily" snatched them away, and their individuality is destroyed inside the social contract. On individual's level, a sort of mechanism of psychologically defense emerges, a sort filter for understanding which protects their agency and uniqueness, from the obvious fact that entering the contract decimates their individuality. This contract is depicted as the only necessary and reasonable thing precisely because it has to legitimize the present state of things.[20] It left us with a society which has lost its non-human (outside-world) countermeasure because… "The people must be free"? Not, but because that such a contract is perfectly suited to convince people that there is nothing that can stop capital's expansion or slow the production and consumption, in other terms, he same old poem of justifying the existing state of affair. This is more noticeable in the modern paradigm of Natural Rights when one compares it with the Ancient one. "For the Ancient people, except for the stoics,

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care of them and then shooting at those who come to rescue them – this is not just a description of the chaos at the Superdome. It is a perfect summary of the 40-year history of the welfare state and its public housing projects. (…) The welfare state – and the brutish, uncivilized mentality it sustains and encourages – is the man-made disaster that explains the moral ugliness that has swamped New Orleans." Robert Tracinski, "An Unnatural Disaster: A Hurricane Exposes the Man-Made Disaster of the Welfare State," *The Intellectual Activist*, Sep 02, 2005.

[18] N. Elias, *op. cit.*, p. 253.

[19] Bill Boushka, "The rise of individualism," 2001, retrieved from http://doaskdotell.com/content/indiv.htm, on June 10, 2010.

[20] See also, James M. Buchanan, *The Limits of Liberty: Between Anarchy and Leviathan*, Central European University Press, 1996.

the human is a social being, nature is order, and what is to be retained is that, beyond the conventions of every particular *polis*, the natural or ideal foundation of the right is a social order *in accordance with* the order of the nature (and consequently with the inherent human qualities)."[21] The modern Natural Rights theory, in contrast with the former one, points only towards individuals (i.e. self-sufficient people, autonomous beings, depending on no social or political bond). With this clause when we weigh the options considering the *de facto* theory that the "state of nature" is "solitary, poor, nasty, brutish, and short"[22] and the lone salvation, the unique *rational solution* envisaged, is the Contract, we are finally convinced (but it can be shown Hobbes was wrong). In order to enter under the contract, the individual has to give up some of his prerogatives and liberties. Through obedience he gains comfort and security and ensures the development of his own potentialities within society. So, in the paradigm of Social Contract theory individualism actually transforms into its opposite: the powerful individual in the State of Nature is compelled to self-destruction (as independent individual) within the State, in the name of his own preservation. *This* is the inconsistent story that the tribunes of vulgate liberalism are expecting us to believe!

Today we witnessing to a number of autonomous auto-poetic systems that share(d) and rule(d) the human world. Society as an organic whole was divided by these systems, built by man for his "own good". The systems have changed into autonomous realities, structuring structures which are self-perpetuating; following their own self-defined goals independent of the individuals who put them into motion. This proves that the theory aims to a partial goodness (an instrumental one) and not to an integral good (The Good as such) that would benefit all humanity. In my view this is the moment when people start to lose their sense of intimacy with nature due to the growing importance of the social and cultural realms. One proof comes from observing how the legal theories gradually changed their interpretation of society from *universitas* (organic unity, corporate) to *societas* (association, partnership); a transformation which began in the Middle Age.[23] "As individualism replaced holism, the social thus conceived was replaced by the legal, the political, and later the economic."[24] This process of individualization not only impinges on the lives of humans settled within the atomized society, but it generates an individualization of some systems within the

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[21] L. Dumont, *Essays on individualism*, 1997, *ed. cit.*, p. 94 esq.
[22] Thomas Hobbes, "Chapter XIII,*" in *The Leviathan*.
[23] See Otto Gierke, *Natural Law and the Theory of Society, 1500 to 1800 with a lecture by Ernest Troeltsch*, Cambridge, 1934.
[24] Louis Dumont, *op. cit.,* p. 98.

society. Specialization is one of the main outcomes of individualization, and one of its ongoing sources. The political (and/or administrative), economic (and/or financial), legal, informational (and/or cultural) systems are each individualized (i.e. therefore having a high degree of autonomy) inside of what we call now "society" when it is actually the case that each of these systems are interconnected. So, this passage from holism to individualism encompasses:

1. Ideological changes including the shift from the supremacy of society which overcomes the individual to the valorization of "autonomous and independent human being" which, it is claimed, precedes the social wholeness.

2. An altered inner structure of society which began as an integrated whole and gradually changes in an assemblage of autonomous interrelated structures. And, as we will see:

3. The breaking of the unity of human reality because, on the one hand, the reality splits into self-directed systems (i.e. nature, society and culture are conceived as disconnected from one another), and, on the other hand, because the individual reality and its determination doesn't fit with the coveted general.

In this paper I am not as interested in the epistemological or explanatory value of the auto-poetic systems theory, but only in its descriptive significance and as depiction of a self-perpetuating organized system.[25] Contemporary society consists of a variety of systems, as the political (and legal) system or the economic (and financial) system. Every system gets feedback when something isn't working, and corrects itself, so it is totally self-sufficient in its operation: each part of the system feeds into the next, so that rules can be set, any malfunction is corrected and so it could accomplish its function (or goals, almost) no matter what external conditions are, because it also has a process for updating the rules as conditions change, and so the system perpetuates itself. Just think of our not so basic needs, as consumerism creates them, of the administrative organization, where the bureaucracy leaves us without a trace of power over the system, or of communication, where the inflation of alternative discourses weakens our own narrative of the personal identity (and the only alternative left is cynical self-perception).[26] The effects of this situation on individuals are obvious. System's

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[25] For a brief but competent presentation of Luhmann's theory see Alex Viskovatoff, "Foundations of Niklas Luhmann's Theory of Social Systems," *Philosophy of the Social Sciences*, Dec 1999, Vol. 29, Issue 4, p. 481, 36p. For some objections on his theory see Jürgen Habermas, "Excursus on Luhmann's Appropriation of the Philosophy of the Subject through Systems Theory," pp. 368-85, in *The Philosophical Discourse of Modernity: Twelve Lectures*, MIT Press, Cambridge, MA.

[26] The last form of the false consciousness after lie, error, and ideology.

autonomy and overgrowth brings specialization, and specialization brings alienation.

The (myth of) individualism is more embraced nowadays than ever. As we have seen, it is the manifestation of a European Spirit (equally culture and civilization) stimulated by a very impersonal state of affairs: the inner necessities of various systems that we set up to preserve our biological, political and ideatic being.[27] The "individualistic slogan": I am solely responsible for my own destiny and I shouldn't rely on others because is a sign of weakness forgets that an individual is not merely born, but she/he is developed within a society of beings who belong to the same species. We developed such a complex socio-technological system for preserving order that none of us (who are fully integrated in a modern social group) needs to deal with natural necessities on our own anymore.[28] We are paradoxically compelled to live as separate individuals and yet are fully dependent on others for our existence (shelter, food, clothing, everything). The ancient truth, that all life is interrelated, became more and more obvious, ironically, with the increasing degree of individualism. We are witnesses to how modern Europeans (re)discover the Buddhist concept of "dependent origination" which holds that nothing exists in isolation, independent of other, that all beings and phenomena exist or occur only because of their relationship with other beings or phenomena. On a conceptual level, Alfred North Whitehead identified this epistemological individualism under the name of "fallacy of misplaced concreteness". This epistemological error means to break the original continuity of existence up by instantiating distinctions which disregard the real interconnections of the things. This vision was induced by the ongoing reality of individualism in the very core of human understanding, and now the edge sciences (from natural to human sciences) should fight to escape from this paradigm.

Another reflection on European individualism reveals its cultural self-perception in contrast with other cultures. Studies suggest that the shame is not only one of the main emotions, but it plays the role of a key emotion in all

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[27] Here my position meets, from a different angle, the writings of Friedrich Nietzsche, most notably, his notes compiled under the heading *Will to Power*. If we read his writings with a more open concept of culture in mind, we find that he described these processes very accurate in particular the questions of necessity, hypocrisy, truth and lies and lent special insight into these problems.

[28] When I say technological I am referring also at the juridical, administrative, and moral technologies and not just to the engineering ones as such.

societies, both traditional and modern.[29] At the same time, it is obvious that shame is not in fashion today in western culture. A self-confident person – the prototype for the successful man – can be anything but shameless, because to be ashamed is a weakness – which states that you can be driven by others, that you could be manipulated. On the other hand, guilt *looks like* something that is under your own control, something more or less deliberate, making it an individual decision. The binary of guilt/shame manifested itself as the opposition between Western and the others culture. It is claimed that the difference between shame-culture and guilt-culture gives favor to the former, where the self-restraint as an individual matter assures real moral justice, unlike the latter where social justice (based on prejudice of the other) prevails with a prejudice towards the true.[30] In this trend of psychoanalysis, shame was considered a regressive emotion, characteristic for children, women and primitives, while the guilt (and anxiety) is the appropriate emotion for responsible adults.[31] The argument here is, since the guilt-culture functions with regards to responsible people, it must be the right one, while the shame-culture is where the people are kept moral by the "social eye", a society formed by unreliable persons. But here the "anthropological sleep" makes the difference. We have here some tricky reasoning. First the shame is taken only in its behavioral component, the shame of others, whilst the guilt is taken in the inner moral register. This is totally wrong. Shame has the same inner component too. Even responsibility implies, in the end, a reference to others. As Helen Lynd explains, guilt is most obvious because it is more specific and related to whether the acts may be done or not.[32] Guilt is about one's actions. Shame is about what someone is. Guilt involves the unity and inalterability of the ego: it is powerful and inherent to doing anything. Guilt is a self-centered individualist emotion (at least as it is thought), while shame is social-related one. Unfortunately, Lind's analysis is only an exception.

However, most of the orthodox concept of psychoanalysis and sociology used for explaining the social compliance and resonance between individuals are clearly shame based ideas, although not in an explicit manner. In contrast, "rational" responsibility is a biased scientific concept, the outcome of

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[29] Helen B. Lewis, *Shame and Guilt in Neurosis*, International University Press, New York, 1971; Silvan S. Tomkins, *Affect, Imagery, Consciousness* (Volume 2): *The Negative Affects*, Springer, New York, 1963; N. Elias, *op. cit.*

[30] E. R. Dodds, *The Greeks and the Irrational*, University of California Press, Berkeley, 1951.

[31] See a good comparative analysis on Thomas J. Scheff, "Shame and the Social Bond: A Sociological Theory," *Sociological Theory*, 200, 18, pp. 86-99.

[32] Helen M. Lynd, *On Shame and the Search for Identity*, Science Editions, New York, 1961.

metaphysical definition of man as a rational being.[33] I wonder how this responsibility functions on social level; how it is possible to have social harmony if these individual responsibilities do not resonate with others.[34] With the absence of any externally revered criteria (and feed-back) self-responsibility can change and be understood by the individual in a different and even abnormal way. What is responsible behavior is judged and continuously negotiated in day-to-day interactions with the others. So, the "archaic" instance "shame" *triggers*, *orients*, and *fosters* such a responsibility.[35] A totally autonomous individual responsibility, a shameless responsibility, is nonsense; nothing but the utopian outcome of presupposed individualist conceptions. Moreover, guilt as self-responsibility is nothing when its tenets lose their sense. This problem is opened up in radical new ways through the work of Friedrich Nietzsche, *A Genealogy of Morals*. People are lost when responsibility ceases to be the responsibility to the other and it is replaced by the responsibility in front of Law, or citizenship duties. This possibility is strengthened by another individualistic phenomenon, social specialization: a splitting of social actions into autonomous branches (i.e. professional's activities.). What is responsible action from medical, juridical, warlike, or economic points of view is different than human responsibility. Its moral dimension is lost and the guilt becomes conventional cynical reasoning. In this case, a guilt-culture is a social formation, ossified and turned in to convention; a culture where "a certain degree of porosity also arose, which was unknown to the forms of social control in «archaic» times and which gave people opportunities for freedom which they had never had before."[36] When the association is made with so many others, the social bonds, which are more or less tied together, implies a "relational freedom." But, at the same time, because violation of social norms and deviance are "less consequential; the person concerned does not lose the face, but one of their faces."[37] So, the individual is not concerned with preserving the integrity of its person but only its image of itself; just as part of its person.[38] This is worse than the shame-culture's presumed compliance, where the socially driven

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[33] To be responsible only for rational reasons supposes the ability of common people to judge the social reality from a holistic perspective otherwise this is not the common viewpoint at all.

[34] See the aforementioned theoretical paradox of individualism.

[35] I think if the researcher tried harder to conceptualize this concept and instead of working on the assumption that everybody knows its meaning or it is self-explanatory, then he would discover its basic position in relation with the guilt.

[36] H.-P. Duerr, *op. cit.*, p. 24.

[37] H.-P. Duerr, *Obszönität und Gewalt,* Frankfurt a.M., Suhrkamp, 1993, p. 28.

[38] See our study on "Gobalized person," in Bouduris K. (ed.), *The Philosophy of Culture*, Vol. II, Ionia Publications, Athens, 2006, pp. 162-176.

shame affects the entire person, because the individual's identity is itself broken and it can avoid the compunction. That guilt is related with a part of its person or behavior so to the "honesty" and the wholeness of the individual is "saved". The modern condition, "man as pretender", allows us to be anybody, and therefore nobody, because the liberty to be a hypocrite is not freedom. Social liberty, as we will see, is just a part of the freedom we desire, meaningless in the absence of a proper general. The human individuality needs both suitable determination and a general reality to submit in order to be fulfilled. This point is missed when we analyze the issue blinded by the fancy ideological trend to "defend the freedom with all costs" and see the difference between two types of social establishment merely in terms of control.

What happened to shame in western cultures? There is less shame, because shame has been replaced by guilt[39] or there has been an increase in concealed shame[40] (albeit covered by one of its quasi-individualistic form, guilt)? It seems that shame was programmatically ignored and denied, because it had to gone underground in European culture. Why it was concealed? Because the rationalization impedes the development of its function.[41] Shame, as social-oriented conduct, i.e. external criteria), would oppose the efficiency of rationalization. If you try to represent the evolution of the image of the man according with that of Christian God, we can notice an evolution from the ruthless Old Testament's God, concordat with the basic human compulsions that required to be mastered, the merciful, loving and tolerant closer (Son of the) God of the New Testament, tallied with the necessity to handle peacefully within the increasing of interpersonal relations and dependence, and finally, the irrational (impossible to be understand by men) God of the Reform which decreed "before the foundation of the world was laid" that some men "are predestinated unto everlasting life, and others foreordained to everlasting death."[42] As it results from

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[39] Ruth Benedict, *The Chrysanthemum and the Sword*, Houghton-Mifflin, New York, 1946.

[40] N. Elias, *op. cit.*

[41] The rationalization process ("Zweckrationalität") is the practical application of knowledge to achieve a desired end. An end depleted by any kind of values other than domination and control. Product of "scientific specialization and technical differentiation" it leads to efficiency, coordination, and control over both the physical and the social environment, to the prejudice of depersonalization, oppressive routine, rising secularism, as well as being destructive of individual freedom. (See Julien Freund, *The Sociology of Max Weber*, Vintage Books, New York, 1968). On individual level, it set up super-structural norms and values such as individualism, efficiency, self-discipline, materialism, and calculability. To not talk about hyper-rationality which fusions the rationality of company with what people want in life, e.g. their own goals, their personal stance towards work and living, etc.

[42] The *Westminster Confession* of 1647, in Max Weber, *op. cit.*, p. 57.

Brentano –Weber polemics, it was "a rationalization toward an irrational mode of life,"[43] and it represented the birth of ultimate European individualism. It was written that people are doomed to loneliness and have to handle by themselves in the "salvation of the soul" affair.[44] This sentence represents the religious-ethical legitimacy of the private interest and personal goals to the prejudice of the others; the astonishing overturn of the meaning and an unforeseen conception over the common good which, from now on, will not be necessary based on the common conscious efforts toward it, but it will result "naturally" from the balanced of opposite individual actions. "What justifies the belated moment when the consequences of Reform's doctrines surfaced is the capitalism's character itself, (and is) difficult to defend *from the beginning*."[45] And so, in the modern societies, the nature of interdependence and of shame, are both denied and repressed. "The cult of individualism in Western societies suppresses the reality of human interdependence, as Elias argued with his idea of *homo clausus*, and his findings on the advance of the shame threshold and the decreasing awareness of shame suggests, modern societies repress the emotion of shame."[46] But, the lack of awareness, even it is unacknowledged, undifferentiated or bypassed shame[47] is not an evidence of its being missing in modern European society, as it has been camouflaged behind the so eulogized responsibility feeling of guilt. How could guilt put to silence the obvious function of shame in social control? As a tool for discipline the workers used by management[48] or it is intimately intertwining with the social-economic dependence?[49] Or maybe only for defending our purely professed responsible guilt-culture, in order to conceal the real social mechanism of political and economical domination and our purposeless modern lives.

Nevertheless, the prevalence of shame is proved by the present turning point in social sciences. After a long period of resistance to all sorts of official

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[43] Of course, with respect to its particular basic values any way of ordering the things or lives is a rationalization. Because, "a thing is never irrational in itself, but only from a particular rational point of view." (*Ibidem*, note 9).

[44] "He [the knowing man] is blind in no man's cause, but best sighted in his own. He confines himself to the circle of his own affairs and thrusts not his fingers into needless fires. He sees the falseness of it [the world] and therefore learns to trust himself ever, others so far as not to be damaged by their disappointment" is the philosophy of Thomas Adams *(Works of the Puritan Divines*, p. 11) (quoted in *ibidem*, note 25).

[45] George Bataille, *op. cit.*, p. 124.

[46] Thomas J. Scheff, "Unpacking the Civilizing Process: Interdependence and Shame," in Thomas Salumets, *Norbert Elias and human interdependencies*, McGill-Queen□s Press - MQUP, 2001, p. 114.

[47] See Helen B. Lewis, *op. cit.*

[48] Richard Sennett, *Authority*, Alfred Knopf, New York, 1980, pp. 92-97.

[49] *Ibidem*, pp. 45-49.

eradication from science and public discourse we are witnesses to their rehabilitation. On psychological level, this was translated as the conversion from the end of the nineteenth century authoritarian Superego-dominated personality type – with the main tension being the balance between external constraints and Superego-restraints – to the twentieth century "Ego"- dominated personality type – where the "Superego-Ego" balance prevails. "It is the twentieth-century phase in which the overall emancipation and integration of «lower» social groups in (western) society allows for, and soon demands, the emancipation and integration of «lower» impulses and emotions in personality."[50] The individualist meta-value could not be accommodated too long within any superstructure, as the Super-Ego was (even if self-imposed). We now bear witness to a cyclical inversion from a guilt-culture to a shame-culture. "Guilt feelings came to be experienced more strongly as is indicative of a conscience-ridden personality make-up and, therefore, as an anxiety to be mastered. They came to be seen as a symbol and a symptom of an authoritative and rather automatic functioning conscience. In comparison, shame feelings refer more directly to other people, to external constraints, and in addition also to the fact that one's conscience is at least partly in agreement with these others. From this perspective it becomes understandable why the shift from a Superego-dominated personality in the direction of an Ego-dominated personality coincided with a decline in the status of guilt, both as a feeling and as a concept, or, to use this shorthand expression, why it coincided with a shift from guilt to shame."[51]

As we can see, this approach is limited by the bifurcated inside/outside dichotomy encountered by most sociological or psychological approaches. A more elastic conception of human being is necessary to get beyond it. As Nikolas Rose

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[50] Cas Wouters, "On the Sociogenesis of a «Third Nature» in the Civilizing of Emotions: Developments in Dealing with Strangers and «Strangeness» and with Feelings of Superiority and Inferiority," retrieved from http://www.usyd.edu.au/su/social/elias/confpap.html, on June 18, 2009. See also from the same author "The Integration of Social Classes", *Journal of Social History,* Vol. 29, 1995, pp. 107-124, and "The Integration of the Sexes," *Journal of Social History,* Vol. 29, 1995, pp. 325-34, Hans-Peter Waldhoff, "Strangers and Civilising Processes: Essays in the Sociology of Knowledge on Overcoming Feelings of Foreignness" (Fremde und Zivilisierung. Wissensoziologische Studien über der Verarbeiten von Gefühlen der Fremdheit), Suhrkamp, Frankfurt a/M, 1995. Obviously, there must be a difference between the two types of shame mechanism, the contemporary one being more autonomous and… individualistic.

[51] *Ibidem*. Of course, the "evolutionary" creed couldn't be avoided and this movement is not a proper reverse. The modern shame is an "updated" one. "It would be absurd, however, to equate the pattern of shame in what has been described as shame-cultures with the pattern of shame in informalized societies. Therefore, the term reversal is misleading." (*Ibidem*) I think that this is the utmost wager of modern society's individualism: it will be able to coin individuals with self-responsible Ego, which don't require surveillance from a Supra-Ego, or it will disappear.

suggested researchers should think about the subject differently and not as a stable entity which develops and changes over time. We should reflect on "the practices within which, in our own times and in the past, human beings have been made up as subjects: the presuppositions about human beings that have underpinned them, the languages, techniques, procedures and forms of judgment through which human beings have come to understand and act upon themselves as «selves» of a certain type."[52] The human subjectivity (or *habitus* as sociologists prefer to name it) seems to be more "a site of a multiplicity of practices or labors"; it is not as a personality structure with a given form, but more a "discontinuous surface, a multiplicity of spaces, cavities, relations, divisions established through a kind of in-folding of exteriority."[53] In this manner, following an extended version of *homo faber* conceptions, we could encompass its intellectual, practical – social and material – instruments used by him to foster and shape ways of "being human", for defining itself in its proper three-fold environment. The humans did no change, they remained the same full potential beings: striving for an ideal (no matter what), fighting to the death for their values (no matter how), and following their shared aim (no matter where). Their environment is changing (and it is changed mostly by them!) This is an explanation for such incongruous human behaviors. How is possible for them to declare their adherence to the same values and act as if they would be opposed? Or contrary, how is possible for such sober-minded being to kill each other or let themselves to be killed in the name of such *flatus vocis*?

Let us move on now to the consequences of this situation on the individual level. In spite of the willing collective delusions about its value, individualism in Western culture may be understood as a personality disorder. We can realize this only if we give up to psychoanalysis' filter fostered by Western culture. This is difficult because our understanding of reality is determined, at its fundamental level by this filter, as it was already pointed out. The psychoanalytic theory has obstructed this view for a long time for a very simple reason: it adopted the Western historical/cultural perspective. Psychoanalysis was one of the great scientific lies of modern times and an epistemological proof that a very popular approach could be biased from the beginning. This bias happens when in an analysis something which is naively empirical is believed that it can be totally objective, i.e. when "reality" (the appearance of the experience) is taken for granted. In Kantian terms, the phenomenon is taken as thing in itself. In that case it

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[52] Nikolas Rose, "Authority and the genealogy of subjectivity," in P. Heelas, S. Lash and P. Morris (eds.), *Detraditionalization: Critical Reflections on Authority and Identity*, Blackwell, Oxford, 1996, p. 296.
[53] *Ibidem*, p. 300.

borrows from the surrounding immediate reality some temporary constant traits and claims that they are definable for the subject. This is what happened with psychoanalysis. It takes the "times' tendencies" of people caused by the deep changes in its (social) environment and considered them to be constitutive and defining for human being from any time and spaces. So it is not a surprise that it is impossible to isolate, among the dominant characteristics the individual self, any references to components of relationships or interdependency.[54] Within psychoanalytic theories the self is self-contained, self-reliant and independent, standing out of the group, egocentric, a centralized equilibrium structure, selfish and self-contained individualism and emptiness. The Western psychoanalysis scrutiny is right because *in cross-cultural* comparison, the Western self is characterized as individualistic, rationalistic, monotheistic, materialistic, and analytic.[55]

In contemporary psychoanalytic theory individuality is the goal of personality development and the measure of health. Pathology is defined as developmental arrests in early childhood resulting in the *failure of individuation*. But, "healthy autonomy can become pathological individualism if the person does not progress toward healthy connectedness and interdependency."[56] This fact becomes clear only in transpersonal psychology, where individuality, although not devalued, becomes one of the developmental stages of consciousness, and so it ceases to be the goal of personality development and the measure of adulthood/mental health because "it is followed by «higher» levels of consciousness and spirituality in the transpersonal realms." Consequently, "individualism is the failure to develop beyond personal identity. It has the characteristics of a personality disorder in that it is arrested development. It takes many forms in our current culture ranging from individual narcissism to communal forms of narcissism, such as nationalism and fascism.

Interdependency, on the other hand, is the capacity to be a self in the context of another. It is the capacity for relatedness beyond individualism."[57] How far is this profile from those required by economic and politic propaganda: the successful manager or politician. The experience of interconnectedness is crucial for the mental health of contemporary man (and for the future of the planet) while

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[54] See Louis Schippers, "Individualism: a Personality Disorder," *Re-vision,* Vol. 17, Issue 1, 1994, pp. 24-28.

[55] See F. Johnson, "The western concept of the self," in A. Marsella, G. DeVos and F. L. K. Hsu (eds.), *Culture and self: Asian and western perspectives*, Tavistock, London, 1985.

[56] Louis Schippers, *op. cit.*

[57] *Ibidem*. The author rightfully wonders whether we can say that a person who loves the world but cannot relate to his neighbor is the model of the most healthy, developed person.

the self-centered individual is just a dead-end in human development. Although, as it was already revealed, the striving for absolute individual freedom, the aim of totally self-created individuals, characteristic for the formalization process[58] was followed, in the twenty century, by the informalization process,[59] altogether with the discovery that all kinds of self-constraints could be, in fact, constraints imposed by others, or at least based upon something external.[60]

In the end, let's see if this disequilibrium within the being of man, this "pathologic normality" of the modern people is not the materialization of a fundamental illness of Being, the symptoms of a more profound spiritual disorder. Individualism seems to be the irrefutable evidence of the precariousness of reality. The Being of the things or the Being of the beings in Heidegger's terms,[61] the general Being can be ill in some of its versions. These maladies of the spirit are not accidental like somatic diseases, or contingently-necessary like psychical ones, but they are constitutional.[62] And, unlike the former, they do not invalidate the being (whether it is the being of a thing, human or a social being), but sometimes they made possible the great works of human culture and civilization. As the Romanian philosopher C. Noica put it, the *fact of being* involves three hypostases: individual-determinations-general. Any entity that wants to become an *individual* being does this by means of *determinations* that are given to a *general* side from which it comes into being. The being is ill or phony when one of these terms is missing (or it is refused) or when, on the contrary, it is exacerbated in the detriment of the others. "The ontological triplet" is a constituent for any being that comes into existence. Any lack of balance, any discrepancy of the three moments determines a weakness of being. "From the perspective of a weak being, like the real one, the deficiency stems from the unsaturation of the ontological pattern, determined by

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[58] The disciplinary phase, dominant until the end of nineteen century, that implies the removal of "dangerous" emotions and impulses from the social scene or from the individual conscious mind, through avoidance, repression and denial.

[59] The acceptance and integration of "lower" or "animalistic" impulses and emotions within personality structures with a further integration of lower classes within the social structure.

[60] Cas Wouters, "Formalization and Informalization; Changing Tension Balances in Civilizing Processes," *Theory, Culture & Society* 3(2), 1986, pp. 1-18 and "On the Sociogenesis of a «Third Nature» in the Civilizing of Emotions: Developments in Dealing with Strangers and «Strangeness» and with Feelings of Superiority and Inferiority," retrieved from http://www.usyd.edu.au/su/ social/ elias/confpap.html, on June 18, 2009. Here, I'm not intended to criticize the author's pertinent theses on European's psychology transformations, but only to show the possible influences of the individualist overwhelming reality over the cultural (and why not, scientific) (self-)perception.

[61] For Heidegger the Being of beings, or simply the Being, constitutes the ground and the condition for the possibility of any "entity" or being.

[62] See Constantin Noica, *op. cit.*

the transgression of a constituent on the territory of the another, since the state of being cannot be obtained without putting the three terms together and articulating them."[63]

Individualism seems to be a common symptom to several disorders of the Being. With its key position within the contemporary structure of Being[64] It could spring from the power to give its own determinations or if because it fails to find the proper ones, it can result from the rejection of the general, or inability to find a proper one, or it can unexpectedly arise from an over- amplification of the individual reality. Let's expand this.

The individualism may accompany *catholita* (from the Greek τ καθόλου [kathoulou] - *general*), which is a result of man's obsession of growing into a viable form of universality, which was altered, in an epoch flooded with alternatives among he/she can choose freely in relation to the general's narcosis.[65] It is impossible from one who does not find its proper general(ity), or one who refuses it to be little more than individualistic. In fact, the obsessive tendency "to do" replaced any reflection about the action: to see if it makes sense or not, if it has any purpose or not. As Goethe put it: *everything that expands me is true*. "We accumulate facts like we would gather riches, under the hidden belief that accumulation may bring-into-being."[66] The preset day propensity for the accumulation, in every form of it, e.g. material or knowledge accretion, the gathering technical or not-technical products and even creations or facts is just a way to conceal this malady. "I am rich in facts and creation, therefore I am." The contemporary individual is overwhelmed by the pathological fear caused by the danger of realizing the vanity of the *chosen* general and that is the reason why he comes to reject any form of general (as can be noticed in the case of ideological criticism). At times the hubris acquires such dimensions that not only does it suffer from the lack of the general, it even refuses it, as it the case with *acatholism*. "Acatholism is the malady of the human slave who forgot the existence of a master, even that of inner one."[67] Freedom is impossible in the absence of others,

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[63] Emilia Guliciuc, *Aporiile gândirii nicasiene* (Aporias of the Nicasian thought), Didactică şi Pedagogică Publishing House, Bucharest, 1999, p. 24.

[64] Sorin Lavric, "Reabilitarea individului în filozofia lui Constantin Noica" (Rehabilitation of the Individual in the Philosophy of Constantin Noica), in M. Diaconu, A. Rezuş and S. Vieru (eds.) *Equivalences*, Bucharest, 2. 2003, retrieved from http://www.equivalences.org/periodiques/ arguments-2/sl-ri.pdf, on November 8, 2010.

[65] "If is not really about the lack of general, it is maybe the lack of *other* general." C. Noica, *op. cit.*, p. 40.

[66] *Ibidem*, p. 38.

[67] *Ibidem*, p. 16.

they are presumed by it! But, moreover, the freedom is a general. It makes sense only when totality (unity in multiplicity) is involved and not merely the multiplicity alone. "Since the phases of the ethical system are the conception of freedom, they are the substance or universal essence of individuals. In relation to it, individuals are merely accidental. Whether the individual exists or not is a matter of indifference to the objective ethical order, which alone is steadfast. It is the power by which the life of individuals is ruled. It has been represented by nations as eternal justice, or as deities who are absolute, in contrast with whom the striving of individuals is an empty game, like the tossing of the sea."[68]

This is a malady of civilization: people have lost any sense of the general and thus the meaning of community (of living together). Look how accurately is described this process in Chinese culture: "Therefore, when the Tao is lost, remember that there is still goodness. When goodness is lost, there is still kindness. When kindness is lost, there is still the law. When the law is lost, there is still politeness."[69] Politeness is the last solution left in a world of histrionic individualism, when the people are estranged by the technology. *Techné* imposes, at the same time, that sort of "engineering mentality" that sees even people as objects that could be calculated, manipulated, controlled or even you can make experiments on them. In Heidegger's conception this is the danger of technology, the fact that it is a class of revealing: the way in which truth reveals itself as standing-reserve.[70] He calls this forms of revealing enframing (*ge-stell*). "Enframing means the gathering together of that setting-upon that sets man upon man, i.e., challenges him to bring forth, to reveal the real, in the mode of ordering, as standing-reserve."[71] In this way, ourselves become standing reserve, because we are challenged to set upon all things, including ourselves, that they may be ready to be ordered about by humans. And "as soon as what is unconcealed no longer concerns man even as object, but does so, rather, exclusively as standing-reserve,

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[68] G. W. F Hegel, *Philosophy of Right*, J. W. Dyde (trans.), London, 1896, p. 156, § 145.

[69] I used John R. Mabry translation from *God, As Nature Sees God: A Christian Reading of the Tao Te Ching*, Element Books, 1994. It is very gainful to see how are interpreted different "dwindling" determinations that this general Tao could have after different English language translators of Chinese text of the *Tau Teh Ching*. There is such project "Tao Teh Ching - Line-by-Line Comparisons" that allows you to browse this book, chapter by chapter, and see 29 different translations in line-by line comparisons. Retrieved from http://www.wayist.org/ttc%20compared/index.htm, on November 8, 2010.

[70] The linkage between technology and revealing become more clear if we take into account that revealing contains all bringing forth, which is the essence of causality, and causality and control instrumentality are the fundamental aspects of technology.

[71] Martin Heidegger, *The Question Concerning Technology and Other Essays*, Harper Torchbooks, New York, 1977, p. 20.

and man in the midst of objectlessness is nothing but the orderer of the standing-reserve, then he comes to the very brink of a precipitous fall; that is, he comes to the point where he himself will have to be taken as standing-reserve."[72] And because the revealing means in addition to bringing forth and destining, "the supreme danger"[73] to the freedom of humankind arises. It lies in the fact that the revealing to us of Enframing destines us into the process of Enframing, and hinders us to realize that other revealings are possible. ("Freedom is the realm of the destining that at any given time starts a revealing upon its way.")[74] Ultimately the man loses even the awareness of its own capacity for revelation. And this is its end.

The individualism could also go together with *horetita* (from the Greek ὀρός [horos] – *determination*). The latter consists in a failure to find the appropriate determinations that would correspond on the one side to individual being and, on the other, to its aimed general. "The malady expresses the torture and exasperation of not being able to make it according to the personal thought."[75] At personal level this illness results from the impossibility to have, for something general that receives an individual embodiment, appropriates determination. In its acute form it "accuse(s) a genial self-blindness, a hastening of determinations, a substitution of the real ones by the ones who are just possible, imaginary, artificial, with false fullness…"[76] In the present days, because of never seen before technical and social development, this illness suffered a mutation and changed into *ahoretita*. "It is totally different that you *want* to have determinations, like in horetita, and to *not* receive the appropriate ones, and to *refuse* them."[77] If the overwhelming force of the general that transformed determinations and crushed the individual determined the ancient tragedy, the modern tragedy stems from "the chaotic freedom of determinations and their pulverization in the end."[78] Things made possible by the technical, scientific and social revolutions allows anything to happen, opened the possibility of attributing the variable identity, or easily trespassing the class barriers in the social hierarchy. *Ahoretia* is the contemporary absurdity of the ocean of alternatives where nothing has any sense because anything could mean

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[72] *Ibidem*, pp. 26-27.
[73] "The destiny of revealing is in itself not just any danger, but *the* danger. Yet when destining resigns in the mode of reframing, it is the supreme danger." *Ibidem*.
[74] *Ibidem*, p. 25.
[75] C. Noica, *op. cit.*, p. 11.
[76] *Ibidem*, p. 85.
[77] *Ibidem*, p. 88.
[78] *Ibidem*, p. 23.

everything, is "the malady that sends the human being into the sands of the deserts, or the young people under bridges, that is nowhere."[79]

More then anything else, contemporary individualism is the manifestation of the individual's crisis: *todetia* (τόδε τι [tode ti] – individual reality). "To not have, for the determinations caught in something general, an individual reality. Manifestations can be organized in all kinds of orders, but they don't really *are*."[80] That happens because the rational being is fostered by the modern conditions – an already gained knowledge – and is unable to find any proper individual which will fit with the rich determinations that are possible. The pure and magnificent general is beyond any particular reality. This is the way "logicians and linguists dislike natural languages, sociologists dislike history, ideologists dislike the civil society, geneticists don't always like the real genetic codes and think to change both wheat and human varieties, while the cosmonauts could dislike even the Earth in the end. On all of them the reason becomes «rationalization», as the general always tried to bring in the world realities adequate for its perfection. Under general meanings accredited by the gained knowledge, the world becomes today one of the laboratory, retort, transplant, or one of artificial satellites and human colonization in cosmos, it becomes one of the planning, guiding and shaping human destiny."[81]

Todetita appears because modern individual life is crammed with surrogates of reality, that technique offers us, and deluded beliefs about the value and unique reality of the "economic wisdom" (i.e. the belief that we are what we consume and also in the pursuit of economic growth which the modern society is full of). The man is not longer himself but a sum of determinations attached to him in the process of consuming the economic goods. You are what you drink, eat, dress, drive, smoke, etc. "And yet, we, people, do not have these wishes instilled fundamentally. The clever choice that we make between one brand and another is the sheer invention of these determinations (products) with whose general (brand) we try to identify ourselves. The nostalgia of the paradise of lost values brings me now in the situation of asking myself: and still in Adam and Eve's story it was the apple's brand at fault? Or was the indifferent snake, whoever it may be it impersonated by nowadays?"[82]

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[79] *Ibidem*, p. 26.

[80] *Ibidem*, p. 27.

[81] *Ibidem*, p. 68.

[82] Răzvan Tudor, "Brandingul un tratament pentru todetie?" (Branding a Treatment for todetia?), in *Modern Solution for Continuous Education* (Soluții moderne pentru educația continuă), BRM Business Consulting, August 26, 2005, retrieved from http://www.brmconsulting.ro/index.php?obj= front&action=article_details&id=17, on June 10, 2010.

So, the individual is nowhere. It is missing from nature – because it considered itself above it, in society – because is different by anybody else, is not communitarian but unique, in knowledge – because the "true knowledge" is objective and have to apply for the each and every one. "In sciences, indeed, the man is or it must be an absence, like everything that is individual."[83] The dismissal of the individual for the community (state or tribe) is not just the characteristic of antic societies. In modern societies this phenomenon appears as well, although from a paradoxical process. "The conscious exacerbation of individual (assertion of everyone with all liberties, up to the vanity of every affirmation and histrionically: (…) is equal with its conscious denial. There is other type of atodetita. When it counts so much, the individual doesn't count at all."[84] This seems to be the essential paradox of individualism.

Actually, our individualism seems to comprise a malady complex. "After all, the European man is maybe the only one who took on him *all* maladies of the spirit."[85] Throughout its entire history, simultaneously or in different times, Europe suffer from these maladies and what we see today, the contemporary individualism, is both the scars and sequelae of its past diseases and the symptoms of its present illness.[86] The table of being's maladies reveals us the ontological fallacy of modern individualism which was concealed by the modern "anthropological sleep". The sociologization of the whole human reality conceals the true nature of freedom, which is *not* only a human value. There are degrees of liberty for the things as well. But both require always a general to rely on. That means the freedom cannot belong only to the individual or determinations. "So-called liberty of the individual to give any determinations does not represent the true liberty, but empty possibility; and the liberty of the determinations to not submitting to a general (liberties on plural) worth less this name, since is just the chaos of pure diversity. The liberty belongs to general and consists in the

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[83] C. Noica, *op. cit.*, 55.

[84] *Ibidem*, p. 111.

[85] *Ibidem*, p. 96.

[86] Noica relates these maladies with one or other dimensions of the (human) Spirit. The impossibility to achieve the proper general – catholita – is felt on the level of the sensibility, it is related more with the sentiments, the denial of the suitability of any individual embodiment of a foreseen general – todetita – is tied connected with the intellect and knowledge, and the disorder of determinations – horetita – is undertaken by the will. Similar, acatholita is an illness of the civilization, as atodetita belongs to culture, or ahoretia to religion and mysticism (as its main types – asceticism and ecstasy – proves).

delimitations it could gives to itself or could be given to it. You are or you can be free only when you are installed in general."[87] But not surrendered to it.

The inability to be for real (and not only in the form of owning, doing or imaging) stands for the exhaustion of the individual. The contemporary man awareness of its condition is magnificently represented by the cynical consciousness. It is the state of a being which ceased to hope, because it had no general (a utopia for fight for or an ideology for living for, as Mannheim already envisaged. "The disappearance of utopia brings about a static state of affairs in which man himself becomes no more than a thing." The cynical consciousness is unique precisely because it is founded upon the supremacy of the individual. The solitary individual can only be cynical, uncertain about his goals, pragmatic about his means. *The enlightened false consciousness* comprises both the refusal of any so-called general that would suit all individuals (*acatholism*) and the disregard of any determinations (*ahoretia*) precisely because of the wide range of choices available. Both are maladies of lucidity. They are lack any ground. The lack of the general equals, in fact, with the lack of goal, and the liberty of determinations equals with the pragmatism of the means. "The circumstantial morale" for which the behavior and the moral act is a means of reaching a goal, the only one, self-preservation of the individual as an individual in times of crisis,[88] betrays even the existential realism of ancient *Kynicism* because it is "a job half-done". Its realistic meaning refers to "the unscrupulous manipulation of all that can be considered means to a goal, *but not the goals themselves*."[89] The cynical consciousness exposes the truth of contemporary people.[90] The only goal is to preserve its existence in society. Since the natural environment was tamed, the social one became the vital wild immediate medium.[91] The efforts required for living and surviving in it, its social side, squeezes its entire energy and nothing left for understand the relation with its natural nature and ideative (cultural) nature, used only as means for handle with social tasks. There is a lack of balance within the heterogennous unity (the non-generical one) of the human being. *Zoon politikon*

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[87] *Ibidem*, p. 122.
[88] In this case the modern cynicism overlaps the Ancient cynicism in the respect that it is a "dirty, indecent realism" which is connected, regardless of any moral barriers, with "what is happening". Peter Sloterdijk, *Criticism of the cynical reason*, Polirom Publishing House, Iaşi, 2000, p. 230.
[89] *Ibidem*, p. 230.
[90] I developed this idea in "Locul omului în lume" (The Man's Place in the World), in Sorin-Tudor Maxim, Bogdan Popoveniuc (coord.), *Analele Universităţii "Ştefan cel Mare", Seria Filosofie şi Discipline Socio-Umane* (Annals of University "Ştefan cel Mare", Section Philosophy and Social-Human Disciplines), "Ştefan cel Mare" University Press, Suceava, 2007, pp. 47-59.
[91] Wild equal here with unknown (i.e. uncontrolled).

overwhelmed the other faces of the man. As I put it elsewhere: the men defeat the man.[92]

In conclusion, the individualism proves to be the sign of a bad condition, a major disarray in the order of things equally on individual, human being, and Being level. On individual level, the encouraged purpose of closed personality contradicts the minimal conditions for an individual existence. The individual is nurtured by the others and depends on them for surviving. From the birth and until its death he/she is bound into a system of established relationships which, to a large extent, hamper his will. So, the individualistic "homo clausus" is an allogenic part for any social organism because its linkages with the others, the gauge for personal identity, are rickety and this leads to a pathological state. Moreover, society itself is broken in different autonomous systems which steal from individuals even the possibility to envision any wholeness.

On sociological level of the human being, its social existence is overloaded with all importance, values, and meanings and thereby his links with the other constituents (nature and culture) is lost. The human understanding is stuck in sociologism, in immediateness of social interactions, incapable to find a meaning from itself. The social reality hides the general reality from him. And "the complete elimination of reality-transcending elements from our world would lead us to a «matter-of-factness» which ultimately would mean the decay of the human will."[93] So, its blind willing to be free forbids any submission to a general together with its never-ceasing hunger for determining itself as an individual self, dissolves any consciousness of the self as a standing subject. Its striving for liberty is doomed to failure in the absence of a proper general. "Freedom is inflexion of the general, and for man it is the *consciousness* of its inflexion, once the general is attained."[94] So not only that personal freedom involves and makes sense because of the others, but it needs a general from which it can vindicates its meaning. It supposes not just the liberty *against* the natural, social and ideological dependence, but also a movement of integration within this three-sided human environment. The individualism is a performance with other things, other people and other ideas. The aim of individual freedom is not into the singularity of the human person, but into its integrality. And integrality means not only the human being, but also the

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[92] "Feţele alienării" (The Faces of Alienation), in Sorin Tudor Maxim and Bogdan Popoveniuc (coord.), *Mileniul III. Dialogul Umanismelor?* (Milennium III. Humanism Dialogues?), "Ştefan cel Mare" University Press, Suceava, 2006, pp. 368-384.
[93] Karl Mannheim, *Ideology and Utopia. An Introduction to the Sociology of Knowledge*, Harcourt, Brace, Routlage & Kegan Paul, London, 1954, p. 236.
[94] C. Noica, *op. cit.*, p. 122.

being of the universe (either is it inanimate, social or ideative being).

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Emotional Load Identification in the Political Discourse

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Abstract

It is known that the political discourse "attack" on the two plans: of conviction (rational dimension) and of persuasion (emotional dimension), we proposed to analyse from lexical-semantic level all those discursive means that speaker's political succeed to change attitudes, opinions, feelings and political beliefs by his auditor. In this paper we identify the author's vocabulary which betrays his sensibility, more or less dramatic. By emphasizing the emotional component at the level of discourse, voters identify with the speaker, who becomes the personification of their common ideals. The idea is that the vocabulary betrays the speaker's level of drama and characterizes the speaker's orientation. When the object of study is the political discourse, especially in electoral context, an investigation on this dimension could give points to features influencing the voting public.

In this sense, we describe a platform (Discourse Analysis Tool – DAT) which integrates a range of language processing tools with the intent to build complex characterisations of the political discourse. An important political language processing problem is the text categorization. One of the important steps in our research was the classification task of the political emotional lexicon.

The method is intended to help political speakers to improve their discourse abilities, by comparing their speeches, and the public at large by evidencing hidden aspects of the emotional-linguistic abilities of their candidates. The platform integrates a library of statistical functions allowing comparisons on the same set of features of discourses produced by different speakers.

Keywords: *political discourse, natural language processing, elections, semantic analysis, presidential, journalist.*

1. Introduction

The motivation for our study relies on the need for objectivity in the interpretation of the political language situated at the intersection of three important symbolic spaces: the political space, the public space and the communicational space, as well as on the need to measure to what extend a discourse can influence its direct receptor, the electorate and in what ways.[1] The current approaches in analysing the political language are based on Natural Language Processing (NLP) techniques designed to investigate lexical-semantic aspects of the discourse. The domain of NLP includes a theoretically motivated range of computational techniques for analyzing and representing naturally occurring texts at one or more levels of linguistic analysis for the purpose of achieving human-like language processing for a range of tasks or applications.[2]

In this paper we describe a platform (Discourse Analysis Tool – DAT) which integrates a range of language processing tools with the intent to build complex characterisations of the political discourse. A linguistic portrait of an author is drawn by putting together features extracted from the following linguistic layers: lexicon and morphology (richness of the vocabulary, rare co-occurrences, repetitions, use of synonyms, coverage of verbs' grammatical tenses, etc.), semantic (semantic classes used) and syntax (complexity of syntactic constructions, the frequency of relative clauses, length of the sentences, number of clauses in sentences, subordinate/coordinate structures, etc.).

Among the resources used for the study of natural language syntax, of a tremendous importance are the treebanks, large collections of sentences annotated by human experts at syntactic structures. The collection described in this paper refers to the Romanian language and has been acquired with the help of an interactive graphical tool which allowed easy annotation, visualisation and modification of syntactic trees, initially obtained as a result of an automatic parsing process.

Our purpose was to develop a computational platform able to offer to researchers in mass-media and political sciences, to political analysts, to the public at large (interested to consolidate their options before elections), and, why not, even to politicians themselves, the possibility to measure different parameters of a

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[1] D. D. Perlmutter, *The Manship School guide to political communication*, Baton Rouge, Louisiana State University Press, 1999, pp. 23-109.

[2] E. D. Liddy, "Natural Language Processing," in *Encyclopedia of Library and Information Science*, 2nd Ed. NY. Marcel Decker, Inc., 2001.

written political discourse. The paper is structured as follows. Section 2 shortly describes the previous work. Section 3 discusses the lexical, semantic and syntactic features having rhetorical values and section 4 presents a platform for multi-dimensional political discourse analysis. Next, the section 5 discusses an example of comparative analysis of discourses very distant in time, elaborated during elections. Finally, Section 6 highlights interpretations anchored in our analysis and presents conclusions.

2. Previous work

As we will see, one aspect of the platform that we present touches a lexical-semantic functionality, which has some similarities with the approach used in Linguistic Inquiry and Word Count (LIWC).[3] There are, however, important differences between the two platforms. LIWC-2007[4] is basically counting words and incrementing counters associated with their declared semantic classes. In the lexicon, words can be given by their long form, as a complete string of characters, or abbreviated, in which case the sign '*', placed in a terminal position, plays the role of the universal jolly-joker, replacing any character. For each text in the input, LIWC produces a set of tables, each displaying the occurrences of the word-like instances of the semantic classes defined in the lexicon, as sub-unitary values. For each semantic class, such a value is computed as the number of occurrences of the words corresponding to that class divided by the total number of words in the text. It remains in the hands of the user to interpret these figures. And there is no support for considering lexical expressions.

A previous version of DAT performs part-of-speech (POS) tagging and lemmatization of words. The lexicon contains a collection of lemmas (6000) having the POS categories: verb, noun, adjective and adverb. In the context of the lexical semantic analysis, the pronouns, numerals, prepositions and conjunctions, considered to be semantically empty, have been left out. Our version includes 30 semantic classes, chosen to fit optimally with the necessities of interpreting the political discourse, two of them being added recently.

The second range of differences between the two platforms regards the user interface. In DAT, the user is served by a friendly interface, offering a lot of services: opening one or more files, displaying the file/s, modifying/editing and saving the text, functions of undo/redo, functions to edit the lexicon, visualization

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[3] J. W. Pennebaker, Martha E. Francis and R. J. Booth, *Linquistic Inquiry and Word Count – LIWC2001*, Mahwah, NJ, Erlbaum Publishers, 2001.

[4] Retrieved from www.liwc.net, on December 2, 2010.

of the mentioning of instances of certain semantic classes in the text, etc. Then, the menus offer a whole range of output visualization functions, from tabular form to graphical representations and to printing services. Finally, another important development for semantic approach was the inclusion of a collection of formulas which can be used to make comparative studies between different subjects. A special section of the lexicon includes expressions. An expression is defined as a sequence: <root-list> => <semlist>, in which <root-list> is a list of roots of words, therefore each optionally followed by the '*' sign.[5] and[6] report similar approaches of human validation.

Completely new in DAT in comparison with other approaches is the facility for analyzing the political discourse from the syntactic point of view. DAT helps the user to identify and count relations between different parts of speech, to put in evidence patterns of use at the semantic and syntactic level, etc.

3. Lexical, semantic and syntactic features with rhetorical values

The study of political language should necessarily to rooted in an interdisciplinary approach, in which the sciences of the rhetoric, of the communication and politology cooperate with linguistics. The use of language in politics has a "sanctifying" role[7] in the tentative to gain the trust of the electorate. The object of language could seem sometimes incoherent, unfinished, deprived of sense, etc., if confronted against general rules or principles of the language, but it can still be deciphered and function adequately. The deviation from the rules of language construction can be intended, in which case it is commanded by some rhetorical or aesthetic goals, expressing thus strategic aspects of the production of discourse, or can represent social or cognitive characteristics of the speakers, as "memory limits, lacks in culture, etc."[8]

The trajectory of rhetorics (as a theory of discourse persuasivity) has been intimately interlinked with the political discourse (space of power legitimacy, lat.

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[5] D. Gîfu and D. Cristea, "Computational Techniques in Political Language Processing: AnaDiP-2011," in J. J. Park, L. T. Yang and C. Lee (Eds.), *FutureTech 2011*, Part II, CCIS 185, 2011, pp. 188-195.

[6] D. Gîfu, *Violența simbolică în discursul electoral* (The Violence of Symbols in electoral discourse), Casa Cărții de Știință, Cluj-Napoca, 2010.

[7] Murray Edelman, *The Symbolic Uses of Politics*, University of Illinois Press, Urbana, 1985. Originally published in 1964.

[8] Teun A. van Dijk, *Textual Structures of News in the Press. Working notes*, University of Amsterdam, Department of General Literary Studies, Section of Discourse Studies, 1972, p. 14.

discursus politicus) since Antiquity till our days. The only means to impose yourself in the public life is to convince by spreading your word. Today, the art of rhetorical discourse is understood only in correlation with performance, by combining in a highly elaborate way four ingredients: be rational, have ideas, master the language, use an adequate style. It is extremely difficult to make an objective evaluation of this magic mélange of methods, but at least some parts of it can be measured. It is what we try to do in this research.

3.1. THE LEXICAL-SEMANTIC PERSPECTIVE

The political speaker is determined to collect empathy and to convince the public.

Yet placing himself within the general limits of the political goals, very often a skilful politician studies the public for fixing the type of vocabulary and the message to be delivered. He might exploit connections between more daring ideological categories (as is for instance the class *nationalism*) and those generally accepted (for instance, belonging to the classes *social*, *work*, *home*). The present day political language puts in value the virtues of the metaphor, its qualities to pass abruptly from complex to simple, from abstract to concrete, imposing a powerful subjective, emotional, dimension to the discourse (the class *emotional*). The political metaphor may loose the virtues of poetical metaphor, becoming vulgar (the class *injuries*), in the etymological sense of the word.

3.2. THE SYNTACTIC PERSPECTIVE

Regarded as one of the most developed branches of semiotics, syntactic analysis aims at studying the relations between signs and the logical and grammatical structure at the sentence level.[9] Outside the sentence, rhetorical relations identify particular interdependencies that can hold between adjacent spans of text. Based on relations, the rhetorical schemes define patterns in which a particular span of text can be analyzed. But if we remain at the level of syntax, the text is formed out of an ordered sequence of language signs which are governed by a set of combinatorial rules.[10]

From this perspective, the syntactic analysis of political language aims at identifying patterns or idiosyncrasies in the written phrase of an author: the

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[9] W. C. Mann and S. A. Thompson, "Rhetorical Structure Theory: Toward a functional theory of text organisation", *Text* 8(3), 1988, pp. 243-281.

[10] Heinrich F. Plett, *Ştiinţa textului şi analiza de text* (The science of text and text analysis), Univers Publishing House, Bucharest, 1983, p. 55.

repeated use of some syntactic relations or linking expressions, their characterization as coordination or subordination, degree of breaking the grammar rules, etc.

4. A platform for multi-dimensional political discourse analysis

The concept behind the platform described in this paper is that the manner in which individuals speak and write betrays them. As such, the vocabulary opens a window towards the author's sensibility, his/her level of culture, her/his cognitive world, and, of course, the semantic spectrum of the speech, while the syntax may reveal the level of culture, intentional persuasive attitudes towards the public, etc.

Some of these means of expression are intentional, aimed to deliver a certain image to the public, while others are unintentional.

The Discourse Analysis Tool (currently at version 2) considers the political discourse from two perspectives: lexical-semantic and syntactic. The vocabulary covers 30 semantic classes, detailed below, considered to fulfil optimally the necessity of interpreting the political discourse in electoral contexts.

```xml
<?xml version="1.0" encoding="UTF-8"?>
-<classes>
<class name="swear" id="1"/>
<class name="social" id="2"/>
<class name="family" id="3" parent="2"/>
<class name="friends" id="4" parent="2"/>
<class name="people" id="5" parent="2"/>
<class name="emotional" id="6"/>
<class name="positive_emotional" id="7" parent="6"/>
<class name="negative_emotional" id="8" parent="6"/>
<class name="Anxiety" id="9" parent="8"/>
<class name="Anger" id="10" parent="8"/>
<class name="Sadness" id="11" parent="8"/>
<class name="cognitive" id="12"/>
<class name="intuition" id="13" parent="12"/>
<class name="determine" id="14" parent="12"/>
<class name="uncertain" id="15" parent="12"/>
<class name="certain" id="16" parent="12"/>
<class name="inhibition" id="17" parent="12"/>
<class name="perceptual" id="18"/>
<class name="see" id="19" parent="18"/>
```

```
<class name="hear" id="20" parent="18"/>
<class name="feel" id="21" parent="18"/>
<class name="sexual" id="22"/>
<class name="work" id="23"/>
<class name="achievements" id="24"/>
<class name="failure" id="25"/>
<class name="agreement" id="26"/>
<class name="home" id="27"/>
<class name="financial" id="28"/>
<class name="religion" id="29"/>
<class name="nationalism" id="30"/>
</classes>
```

Our interest went mainly in determining those political attitudes able to influence the voting decision of the electorate. But the system can be parameterised to fit also other conjunctures: the user can define at will her/his semantic classes and the associated lexica, which, as can be noticed, are partially placed in a hierarchy.

The development of the lexicon associated with these classes was done in several phases. We started with a small vocabulary (mainly looking for translation equivalents in Romanian of a subset of the LIWC-2007 classes). The words of this initial lexicon have been used as seeds in a trial to enrich the lexicon automatically by using DEX-online[11], the greatest public online dictionary for Romanian. To display the results, the platform incorporates two alternative views: graphical (pie, function, columns and areas) and tabular (Microsoft Excel compatible).

The new part of the platform offers also a range of syntactic analysis facilities. To cope with syntax, a dependency parser for Romanian has been trained on a dependency treebank. This corpus of syntactic trees (incorporating now over 3,500 tree structures) has been developed helped by a graphical editing tool (TreeAnnotator) and, later on, by the dependency parser itself. After the corpus reached the dimension of 1,000 structures, the development of the resource continued in a bootstrapping manner: the candidate new sentence was first parsed by the parser and then manually corrected. This way, the development of the corpus gained very much in speed. The format of the stored trees is XML, with the following elements:

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[11] Retrieved from www.dexonline.ro, on December 2, 2010.

• sentence – marking the sentences; its attributes are: a unique identifier and the name of the annotator who lastly worked over the sentence;

• word – marks individual words of the sentence; its attributes are: a unique identifier, the morphological tag, the lemma form of the inflected word, the ID of its parent word (the head in a dependency structure) and the name of the relation linking the word to its parent.

5. A comparative study

5.1 THE CORPUS

The corpus used for our investigation was configured to allow a comparative study over the discursive characteristics of two political leaders, both embracing liberal convictions, although in quite distant periods. The first one, I. C. Brătianu, is known as having led the basis of the liberal ideology in Romania, one of the most complex personalities of the Romanian history. The second political actor was chosen based on similar criteria: Crin Antonescu, a liberal political leader, right now in power. We are, this way, putting on the balance two styles of political discourse that are distant in time by one century and a half, interval which witnessed many changes in the state (the union of the Romanian provinces, wars, economical crises, etc.)

For the elaboration of preliminary conclusions over the two elections processes, conducted in December 1858 and November 2009, in Romania,[12] we collected, stored and parsed manually and automatically, political texts published by four national publications having similar profiles.[13] The corpus includes a collection of 1548 political sentences (units), each containing one or more clauses.

5.2. THE LEXICAL-SEMANTIC ANALYSES

Apart from simply computing frequencies, the system can also perform comparative studies. The assessments made are comprehensive over the selected classes because they represent averages on collections of texts, not just a single text.

To exemplify, we present below a chart with two streams of data, representing the political texts in electoral context between the two liberal leaders mentioned above.

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[12] G. Marinescu and C. Grecescu (ed.), "Ion C. Brătianu. Acte şi cuvântări" (Documents and speeches), vol. I – part I (june 1848 = december 1859), Cartea Românească, Bucharest, 1938, pp. 228-237.

[13] *Românul* (19th century), *Evenimentul zilei*, *Gândul* and *Ziua* (our days).

Our experience shows that an absolute difference value below the threshold of 0.5% should be considered as irrelevant and, therefore, ignored in the interpretation.

So, the graphical representation in Figure 1, in which the present day politician (in blue), is compared against the outstanding politician of the past (in red) should be interpreted as follows: Ion C. Brătianu's was interested more on Romanian specific aspects (the classes nationalism and people) uttered in an emotional tone (the class positive_emotional) than Crin Antonescu, whose discourse had an argumentative (the class rational) attitude, being also very much centred on labour aspects (the class work)
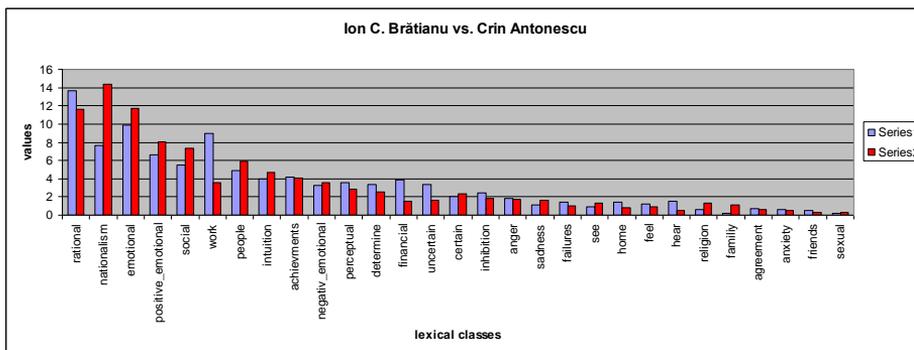
Fig. 1. *The average differences in the frequencies for each class after processing political discourses, between Ion C. Brătianu and Crin Antonescu.*

5.3. THE SYNTACTIC ANALYSES

In order to proceed with the syntactic analysis, the text bodies were annotated with syntactic information, in XML. Two sources of information have been used, involving manual and automatic annotation. Table 1 shows the corpus of documents annotated for syntax.

Political discourse	Number of units	Number of words	Number of units manually annotated	Number of units automatically annotated
Ion. C. Brătianu	869	20 844	200	669
Crin Antonescu	679	20 614	200	479

Table 1: *The collection of annotated texts*

The manually annotated treebanks (200 units for each political actor monitored) included the syntactic relations detailed in Table 2, with the respective frequencies.

We concentrated our analysis on three types of syntactic relations that we believe have an influential role in an electoral context, from a rhetorical-discursive point of view: adjectival, appositional and anacoluthic[14] (values in grey in the table). Note that these relations are not compulsory in the syntax of the phrase (as is the overtly expressed subject, for instance), and therefore, their use is strictly a matter of personal choice. As the values show, there is an obvious resemblance between the two speakers with respect to the use of these relations.

Syntactic type of relation (abrev.)	Ion C. Brătianu 1859		Crin Antonescu 2009	
	Number	*Percentage*	*Number*	*Percentage*
coord.	1040	13,1%	730	8,8%
prep.	910	11,5%	840	10,1%
a.adj.	680	**8,6%**	600	**7,2%**
c.d.	680	8,61%	840	10,1%
punct.	630	7,9%	880	10,6%
sbj.	590	7,4%	440	5,3%
part.	530	6,7%	640	7,7%
c.i.	430	5,4%	240	2,9%
a.subst.	360	4,5%	400	4,8%
a.vb.	310	3,9%	200	2,4%
det.	300	3,8%	360	4,3%
c.c.m.	240	3,0%	560	6,7%
n.pred.	170	2,1%	120	1,4%
aux.	140	1,7%	160	1,9%
a.adv.	120	1,5%	80	0,9%
refl.	120	1,5%	240	2,9%
anacol.	115	**1,4%**	95	**1,1%**
c.c.t.	90	1,1%	80	0,9%
neg.	90	1,1%	160	1,9%
ap.	85	**1,0%**	80	**0,9%**
c.c.l.	80	1,0%	120	1,4%
comp.	50	0,6%	80	0,9%
c.c.scop.	40	0,5%	120	1,4%
Total	7900	100,00%	8275	100,00%

Table 2 *Occurrence of dependency relations for political speeches corresponding to the two electoral contexts*

- The adjectival structure (8.6% – at the first author, 7.2% – at the second).

In terms of a rhetorical interpretation, the adjectives add colour to the discourse.

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[14] "Enunțul" (The statement), in *Gramatica limbii române* (Romanian Grammar), II, Academiei Române Publishing House, Bucharest, 2005, pp. 105-113, 619-31, 743-747.

They not only that bring a contextual, albeit new, information, but enhance the enounce by detailing it and developing it. The adjectival group is part of the rheme, not the theme, being placed (in Romanian) usually after the theme element. When it is placed in the thematic position it's role is emphatic, usually associated with a particular tone, but, generally, it does not change the content of the message. The relation reveals a certain taste for belletrist culture of the authors.
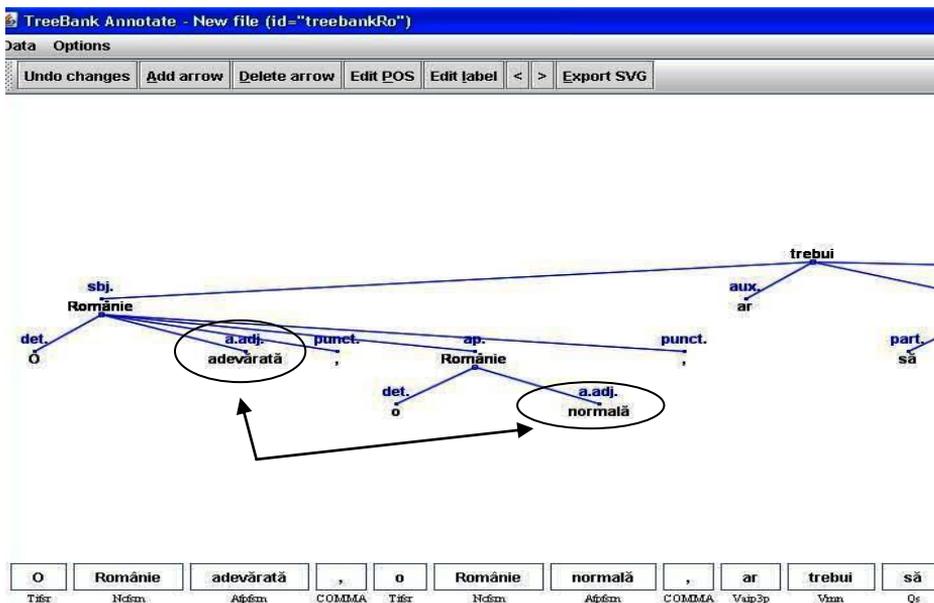
Fig. 2 *An adjectival structure on a dependency tree viewed with TreeAnnotator*

In Figure 2 the arrows highlight the presence of two adjectival structures: *Românie adevărată* (Real Romania), *Românie normală* (Normal Romania).

- The apposition structure (1% – at first author, 0.9% – at the second)

This is a dependency relation which holds between two lexical sequences, called base and apposition (the apposition being open to an unlimited number of terms).

Although they have some common characteristics, the apposition structure should be delimited from the syntactic relations of subordination and coordination, because between the base and the apposition there is no syntactic hierarchy. In our dependency structures, the appositive term is represented attached to the base.
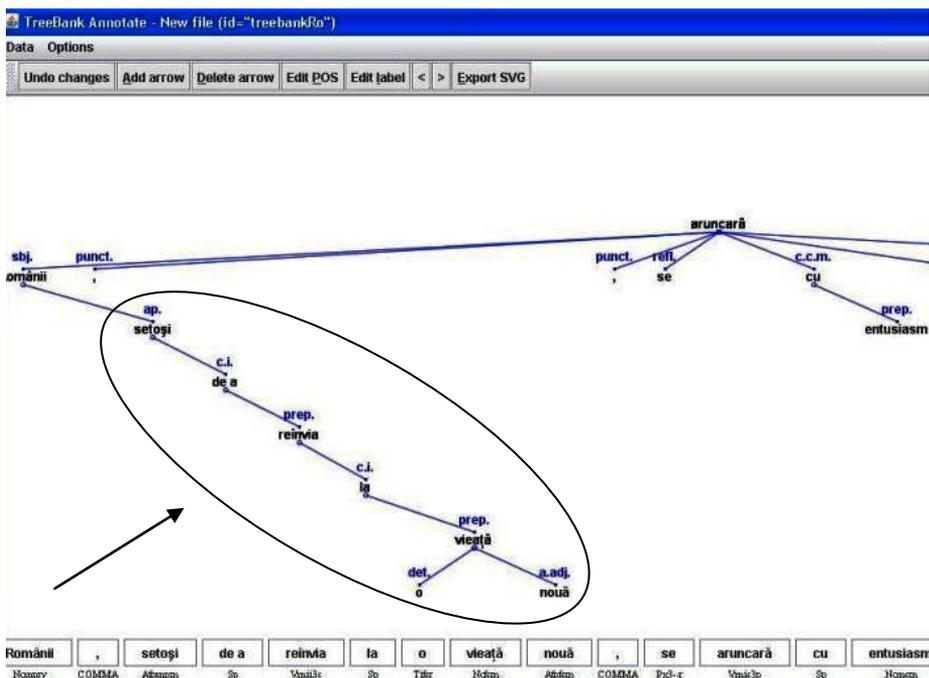
Fig. 3 *An apposition structure viewed with TreeAnnotator*

In Figure 3, the arrow highlights an apposition structure. The sentence "Românii se comportă cu entuziasm" (Romanians are enthusiastic) is interrupted by the apposition "setoşi de a reînvia la o viaţă nouă" (thirsty to attain a new life), which add contextual information to the main subject "Românii" (Romanians).

- The anacoluthic structure (1.4% – at the first author, 1.1% – at the second)

The anacoluthon marks an interruption of the syntactic construction (sentence, phrase). In general, the anacoluthon is considered an error in the grammar books. So, from a strictly literary syntax point of view it is forbidden. To evidence it automatically in texts is extremely difficult because it is rare and a parser need many occurrences to develop the ability to put it in evidence. In long sentences it is difficult even for an experienced annotator to note these intentional (or unintentional) errors, because the interspersed components have such diverse structures.

In the example in Figure 4, the principal sentence "După dânsul, veni mai târziu Regulamentul" (After him, the Regulation came later) is followed by the anacoluthon "căci el" (because it), which represents a suspended nominative (nominativus pendens) relation. The author feels the need for a change in the discourse theme, after upgrading the nominative "el" (it), which seems to have the function of subject near a predicate which was never uttered afterwards. The

experienced political actors use anacoluthic structures strategically in communication with the intend to focus the discourse or to highlight a particular element. In this example, the politician focuses on "Regulamentul" (the Regulation), and the subordinate concessive sentence "deși fu impus de străini" (although having been imposed by foreigners).
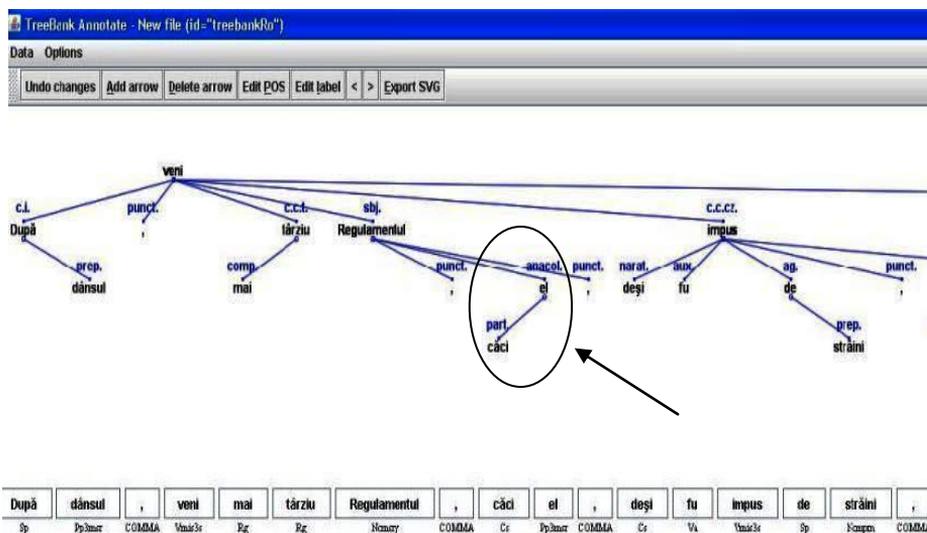
Fig. 4 *An anacoluthic structure viewed with TreeAnnotator*
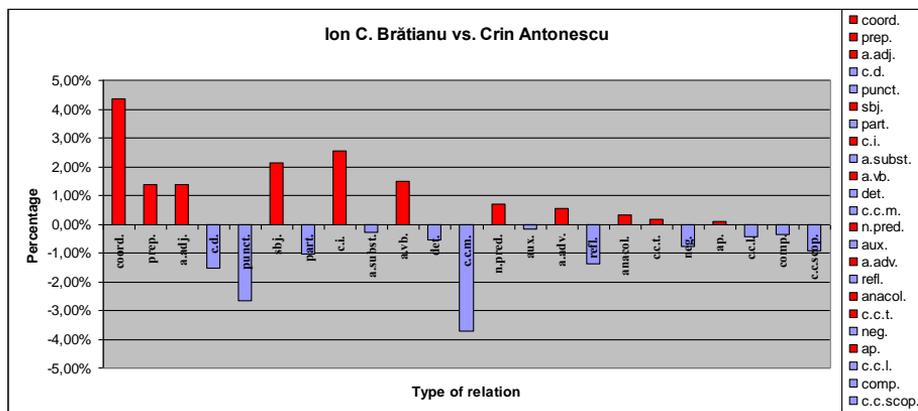
Fig. 5 *Syntactic differences between Ion C. Brătianu and Crin Antonescu*

The quantitative representations of syntactic relations offered by the platform allow easy comparisons between different authors. For instance, the one in Figure 5 compares the politician under test (in blue) against the 19th century landmark politician (in red). The absolute values show that both subjects use extensively the coordination relation, a distinctive feature of two highly educated

politicians, with an impressive discursive experience, but the plot in Figure 5 reveals that Brătianu is much more prolific in this kind of relation than Antonescu. His sentences are rich in attributive relations (a.vb, a.adv.) and indirect complements (c.i.). Also, in a language in which the subject can be omitted (null pronoun) he explicitly mention the subject (a sign of emphasis). In opposition, Antonescu uses short sentences (punct.), rich in negations (neg.) and is focused on the how (c.c.m.) in order to sustain his argues.

Conclusions

It is clear that some of the differences at the level of lexicon and syntax which we have evidenced as differentiating the two political actors should be attributed only partially to idiosyncratic rhetorical styles, because they have also historic explanations. Moreover, speeches of many public actors, especially today, are the product of teams of specialists in communication and, as such, conclusions regarding their cultural universe, for instance, should be uttered with care. For instance, the lexical-semantic analysis of I. C. Brătianu should be put in the context of the troubled historic epoch of Romania during his time, and from here the tendency for nationalism and the exploitation of the emotional string. As exemplified, syntactic structures such as adjectival, appositional and anacoluthic seem to have powerful rhetorical values in the political discourse.

Different politicians could raise the use of these structures to the level of a rhetorical strategy, therefore exploiting them perhaps too much. In other words, we have now the technological means to detect tendencies of manipulation of the receiver with the evident role of detouring the attention of the audience from the actual communicated content in favour of the speaker.

Many interpretation facets are pertinent to the specific context a discourse is being uttered. For instance, in an election context a discourse should be evaluated in function of the balance between the public agenda versus the political candidate agenda. Different intensities of emotional levels could also be evidenced, and we prepare a more fined grade scale of emotional expressions. It is a known fact that the audience can be manipulated easily (e.g., the Sadness class) by journalists/political candidates when their themes are treated with excessive emotional tonalities.

We are aware that many technological aspects have yet to be refined and enhanced.

One of the most important is the determination of the senses of words and expressions in context. In the future we intend to include a word sense

disambiguation module in order to determine the correct senses, in context, of those words which are ambiguous between different semantic classes, or between classes in the lexicon and outside the lexicon (in which case they would not have to be counted). Also, negations could completely reverse the semantic class a certain expression belongs to in certain contexts and need therefore special treatment. The collection of manually annotated texts is only at beginning, a starting point for an efficient automatic annotation. In the near future we will manually correct all the automatically annotated texts, improving thus the behaviour of the parser. Another line to be continued regards the evaluation metrics, which have not received enough attention till now. We are currently studying other statistical metrics able to give a more comprehensive image on different facets of the political discourse.

We believe that the platform has a range of features that make it attractive as a tool to assist political campaigns. It can be rapidly adapted to new domains and to new languages, while its interface is user-friendly and offers a good range of functionalities. It helps to outline distinctive features which bring a new, and sometimes unexpected, vision upon the discursive characteristics of political authors or columnists

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International Migration of Labor Force. Social, Economic and Demographic Implications

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Abstract

During the last years, the phenomenon of migration of labor force developed exceedingly. Starting from difficult situations like having no job, unemployment, having no place to live in, to professional performance and family reunification, Romanian people found a solution to all of these in migrating abroad.

International migration of labor force comes under different shapes and has at its origins several causes. However, the implications have a similar nature: implications of social, economic and demographic facture. As regards the social implications, they develop at the individual level, manifesting themselves by inclusion or exclusion in the destination country at family and community level. There are also economic and demographic implications that have specific directions in family, community and home country.

All these implications of migration have positive connotations on the one hand, by means of participation in improving the material situation of families and contribution to national economy, and negative on the other hand, both at the level of the individual who has suffered certain psychological and social changes, and at the level of family, where most of the times, separation between spouses and children lead to extreme situations. Not last, certain implications at the level of society occur, namely demographic implications where is being identified the decline and massive aging of population.

Keywords: *migration, labor force, implications, individual, family, society, integration, exclusion.*

Introduction

The phenomenon of migration has been developing exceedingly during the last years, based on economic, social, political etc factors. Migration stands for an increasingly important component of contemporary society, stimulating factor of

market globalization, instrument of adjustment of imbalances on the regional/local labor markets. International migration for work is presently the most dynamic form of population movement.

The concept of migration reveals two sub-concepts, namely emigration and immigration. Inclusion in one or other of the categories is based on how the destination movement of the person is related to the home country.

Emigration has a permanent character, being associated with the receiving of citizenship of the host country, and therefore, with obeying specific regulations. "Emigration is the process of leaving the country of origin in order to settle in another country, so according to current definition, the final change of domicile."[1]

Emigration is characterized by a relatively lower degree of economic development with a higher proportion of young people and working age population from the total population, as a result of a long period of high birth rates, lack of opportunities to use available labor force at the national level, the absence of economic investment efforts and of creation of new jobs. Migration is quite selective in what concerns certain aspects such as age, marital status, sex, education, etc. In this sense, adults are the ones who emigrate constantly, and children and the elderly migrate more rarely.

A second sub-concept is immigration. The term "immigration" is defined each international migratory movement, individual or mass-related, due to economic reasons, or family, work, study reasons or dictated by various situations with a negative impact – natural disasters, persecution, conflict, revolutionary events. "Immigration is the process of entry and settlement within a country, other than the origin country or previous adoptive country."[2]

Beside the two sub-concepts, another concept occurs, which highlights better the phenomenon of migration, the movement of labor force respectively.

Labor force movement is a narrower concept and represents the movement of people of working age, who have the age and physical condition necessary to perform various types of work in the international area. Every citizen of the country, according to the Constitution of Romania, has the right to free movement within the country and abroad, the guaranteed right to establish his residence in any locality in the country, to emigrate and to return in the country at any time. Exercising this right seeks protection of economic and social values, of fundamental rights and freedoms and good relations between countries. Also,

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[1] Valentina Vasile and Gheorghe Zaman (coord.), *Migrația fortei de muncă şi dezvoltarea durabilă a României* (Labor Force Migration and Romanian Sustainable Development), Expert Publishing House, Bucharest, 2005, p. 108.
[2] *Ibidem.*

exercising this right may be conditioned in certain situations, in order to prevent certain risks. "The right to free movement should not be understood in an absolute sense. The state may adopt a series of measures in order to restrict the conditions clearly set by this right, as it can enforce one to obey a number of conditions when leaving the country."[3]

International movement of labor force is actually the movement of labor force across borders in economic activities, due to technical and scientific cooperation on the international level. Labor force movement promotes the dissemination of technical knowledge and modern methods of work among the States affected by migration. Also, within the European Union, free movement of persons determines the achievement of a European way of thinking. "In theory, free movement of labor force, without interventions from the country of origin or the host country, has positive effects, balancing benefits."[4]

Referring to a national territory, a distinction is being made between internal migration, where the movement is within this country and external or international migration. International migration is a complex global phenomenon that has great influence on relations between states and, to a certain extent, is influenced by the policies embodied in specific rules in relation to migration and especially to immigration. International migration today takes place under several major forms: labor force migration, migration of family members of workers already settled abroad, migration forced by natural disasters, by political or religious persecution, wars, etc.

"International migration of work force means, in general, movements of single people or groups, families across national borders, in the hope of finding better living conditions."[5] Basically, international migration of labor force is the process of labor force crossing from one country to another, with the purpose of finding employment abroad; later on the migrants are to be remunerated by individuals, legal persons or other bodies for whom they carry out those activities. One feature of international migration of labor force is that it is closely linked to international capital flows. The trend of concentration of capital in service in

[3] Monica Şerban and Melinda Stoica, *Politici şi instituţii în migraţia internaţională: migraţie pentru muncă din România 1990-2006* (Politics and Institutions in international migration: Work Migration in Romania 1990-2006)*,* Fundaţia pentru o Societate Deschisă Publishing House, Bucharest, 2007, p. 14.
[4] Golinowska Stanislawa, *Economic Migration. Free Movement of Labor Force and Regulation*, Poland, 2002.
[5] Alexandru Albu and Ion Roşu Hamzescu, *Migraţia internaţionala a forţei de muncă* (International Migration of Labor Force), Ştiinţifică şi Enciclopedică Publishing House, Bucharest, 1987, p. 11.

developed countries causes a part of labor force from underdeveloped countries and developing countries to migrate in these countries. Related to the international migration of labor force particularly dramatic events take place, caused not only by changing the country of origin, but in most situations language, customs, cultural heritage, friends and concerns, etc.

International migration, from the viewpoint of the duration of movement, can be classified as long-term migration, where migrants remain in the country of migration for a longer period of time, temporary migration, where migrants seek work and remain for a short period time (1-2 years) and seasonal migration, where migrants move regularly to work, between the home country and the country of emigration. Another type of classification of international migration, according to the same criterion, is final migration, where migrants settle permanently and legally in the country of migration and circular migration, a migration of a "go-come" type, between the village or city in Romania and a foreign country.

International circular migration has currently in Romania the status of social innovation. A number of relatively new behavioral patterns, in given community and regional contexts, come to be diffused as social innovation. "Circular migration, unlike the final one, involves an ambivalent valorization, both positive and negative for the same place of departure or arrival, of permanent residence or temporary residence. The locality of permanent domicile related to the circular migration is dominant in Romania, positively valued in terms of socio-cultural aspect and negatively valued in terms of economic aspect."[6]

Dumitru Sandu sees in the circular migration a life strategy, which considers not so much an action, but a kind of perspective on the action, this perspective being found in the sustainable report between the goals taken and the means to reach them. A great majority of immigrants have transformed this type of "go-come" migration, a fashion and lifestyle, a way to earn a living and improve economic and social situation, a way to live together and relate to others. Many of them come to depend on this lifestyle, to indulge in living like this, finding it increasingly difficult to return to the lifestyle they had before emigrating.

International migration, this complex phenomenon of our days, has been suffering various modifications. This type of migration, for most immigrants, has become a way of life, so that those who were working abroad tend to seek new opportunities and possibilities for leaving again.

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[6] Dumitru Sandu, "Migrația circulatorie ca strategie de viață" (Circulatory migration as Life Strategy), in *Sociologie Românească*, no. 2, Bucharest, 2000, p. 9.

Forms of Migration

International migration presently takes place under several forms:
- Migration of ethnic minorities to countries of origin;
- Migration of labor force;
- Family migration (migration of families of previously migrated workers) under the family reunification law as guaranteed by international law;
- Forced migration, caused by natural disasters, political or religious persecution, wars, etc.
- Moreover, these types of migration can also be classified according to the following criteria:
- Lawfulness: legal (that is achieved through compliance with given norms) and illegal (achieved by violation of rules, making it difficult to assess);
- Motivation: voluntary and involuntary, forced;
- Time spent in the country of destination: temporary, long-term, permanent.
- Other types of international migration are:
- Migration based on ethnicity. Theoretically, the state has the right to decide which one of the immigrants enters and receives right of residence in its territory;
- Postcolonial migration, referring to colonizing countries that have established strict rules for immigrants from former colonies;
- Economic migration, which is one of the most common forms in recent decades. It is motivated by differences between countries regarding access to resources and jobs, as well as crisis of certain specialties. Thus, many developed countries have "recruited" immigrants assiduously and continue to encourage highly skilled labor force migration from underdeveloped countries;
- Asylum seekers and refugees, which is the second biggest group of legal immigrants, after the one of labor force. As family migration, this category is protected by international law; those people have the right to remain in a State, even if they are not national citizens of that state, only if their only alternative is to return to a place where they fear of inhuman or degrading treatment or sanctions on well defined bases.

International migrants are divided into two main categories: those who migrate for pleasure and forced migrants.

"The first group consists of migrants who go abroad to work, study, and find there their family, or for other personal problems. The second group includes many people who leave the country to escape persecution, conflict, repression,

natural disasters or disasters caused by people, damages to the environment or other circumstances that endanger the life, liberty and means of survival."[7]

Although a grouping of international migrants has been done, still it is very difficult to distinguish between migrants who leave voluntarily and those that leave in a forced manner. The first ones may feel compelled to seek another home, because they have problems at home; forced migrants may choose a particular place of refuge, taking into consideration family or community ties or of economic opportunity. Migrants that leave voluntarily may consider themselves injured by the evolution of situations in their home country, and given that return is impossible, this makes them become forced migrants.

Referring to the present situation, and focusing on migrants that go to work abroad, we can say that although most of them seem happy to migrate, a significant part of them are constrained by the economic situation of their country of origin, by the difficult situations they face in the country, seeking thus solutions in this migration for employment abroad. All these have effects and implications at familial, economical and demographical level.

Causes, effects and implications of labor force migration

The general causes of migratory movements are manifold. They are attributed to overpopulation processes taking place in a huge range of so called secondary conditions, which reside in the economic, cultural, and health situation. When the natural growth of population is not followed by a corresponding increase in the level of labor use, in the growth of income, this phenomenon of migration for work can occur.

"Underlying causes of international migration of labor force stand whether on the economic conditions of that country, or on the general conditions of political, religious, national, geographical or other nature."[8]

The economic factor has always been considered the main cause of emigration. Lately this simplified view has been replaced by the acceptance of the idea of a plurality of factors, the most frequently cited in professional studies being: demographic pressure, deterioration of living conditions, political instability, environmental issues, cultural factors and influence of communication environments.

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[7] Octavian Floricel, *Migraţia internaţională Cauze, efecte, tendinţe* (International Migration. Causes, Effects, Tendency), Cetatea de Scaun Publishing House, Târgovişte, 2003, p. 10.
[8] A. Albu and H. Roşu, *op. cit.*, p. 19.

If we dwell on the economic factor, we can mention one of the major causes of population migration for employment, namely poverty.

"Poverty is a state of permanent lack of resources necessary to ensure a decent lifestyle considered acceptable in a given collectivity."[9]

In what concerns the concept of poverty, the emphasis is on the lack of resources. It's about lack of economic resources, as a general resource essential for the most activities of everyone's life. Being poor is equivalent to being deprived of economic and material resources.

The level of resources that settle the boundaries of poverty is the one that stops the implementation of a lifestyle considered to be acceptable to the community. Poverty is thus not simply a particular lifestyle, lower than the one considered acceptable by most of the community members, but the character of such a lifestyle, induced by lack of resources. Poverty occurs due to the lack in resources necessary to achieve a lifestyle considered normal by society, but also by a certain person.

"Poverty affects political values, inducing if not a sense of discouragement, then at least the state of indifference to community issues and decisions concerning it. Lack of income or their scarcity affects climate and family relations, position in society, cultural and educational status of people, and between ethnic groups a competition occurs for domination of resources."[10]

Thus, a large proportion of the population of the country, lacking the resources necessary for decent living, given this context of poverty, they sought a solution for getting out of the crisis, thus migrating to work abroad.

Also, population migration has effects and consequences.

Current sociological theory examines the effects of migration from the perspective of three areas: the effects of migration on countries of origin, on the destination country's population and on the migrants themselves. We also believe it appropriate to investigate small communities abandoned by immigrants, namely those in which migrants come.

Economic effects of international migrations depend largely on the participation of migrants in the economy of the destination country. When they have a job, they generally contribute to the national economy.

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[9] Zamfir Elena and Zamfir Cătălin (coord.), *Politici sociale. România în context european* (Social Politics. Romania in European Context), Alternative Publishing House, Bucharest, 1995, p. 34.
[10] M. Ciobanu-Băcanu, "O perspectivă socio-culturală asupra tranziției în România" (An socio-cultural perspective on Transition in Romania), in *Sociologia Românească* (Romanian Sociology), Nr.2/1993, Academiei Române Publishing House, Bucharest, 1993.

"The gains of national economy come from several sources. On the production plan, immigration allows the use of indigenous workers in a more productive way, by specializing them in a production of goods for which they are relatively more efficient. Specialization in consumption is also an attribute of profit."[11]

Demographically, international migration is an important part of population growth or decline during the coming decades. This phenomenon takes place in two ways: firstly migrants join the base population; then those who come from developing countries generally have higher fertility rates. Thus, demographically, the departure country suffers from this point of view.

We can also mention some of the effects and consequences on the family level of a family members leaving abroad. On one hand it helps to maintain family welfare and on the other hand children and the other remaining member are affected from the socio-emotional and educational perspective. It has been observed a role loading in such families, and one of the most frequent consequences of a family member's migration abroad is the phenomenon of divorce.

Thus we could say that international labor migration can have positive effects on economic side, but are not always the same positive effects on social and family side.

Integration and exclusion of migrants working abroad

Migration is accompanied by numerous contradictions, which manifest themselves with varying intensity from country to country and from period to period.

One of the contradictions is between integration and exclusion.

A great number of immigrants are integrated into the new society, but others cannot adapt and hardly withstand in a world they consider hostile. The most difficult period is that of integration in that society, to acquire the habits, culture, laws, to learn the language and to accept certain stereotypes and desires of people from the country of migration. Not always those who migrate are also accepted, but they confront many times with the phenomenon of social exclusion.

The real problem is the management of this process of labor force migration, ensuring achievement of objectives such as meeting the requirements of the labor market in European countries, areas where major imbalances appear, both at quantitative and qualitative level. When demand of labor is unmet, a modified

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[11] Octavian Floricel, *op. cit*, p. 27.

circuit is being created, between collapsed economy, the use of temporary migrants and creation of conditions for the arrival of other migrants.

Professionals with high education should benefit from a preferential way of emigration by satisfying requirements for the integration of immigrants, from family reunification to a policy adequate for work, school and home, and finally to an effective policy for obtaining residence and citizenship. "The marginalization of immigrants and the creation of ghettos is an unjustified punishment, it is contrary to the nature of European democracy and may become a threat to a country's democratic life. Massive influx of relatives may create conflicts from the moment when relatives do not meet professional requirements specific to the labor market."[12]

Difficulty of integration consists in the fact that whatever the model be, the integration process has quite different rhythms and intensities: integration in work is sufficiently rapid and appropriate, while for social, cultural and psychological integration, a longer period time is needed.

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[12] Octavian Floricel, *Migraţia şi criminalitatea* (Migration and Criminality), Bibliotheca Publishing House, Târgovişte, 2006, p. 40.

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Brands as Today's Practical Philosophies

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Abstract

The study of brand choices can lead us to consider, in a more realistic way, the construction of individuals and today's world, as well as trades and relations that undertake a range of interconnected social processes. Eventually, the extensive process of media consumption - choosing, buying, and using - of goods and services, could provide us with answers to important questions, like who the social actors are, what kind of rules do they follow, or what their values are.

In this sense, this paper will try to discuss the importance of cultural factors that are involved in the "brand to consumer" communication process, social and advertising campaigns, in targeting the emotional potential of the target audience.

Fallowing Marshal McLuhan's theory that each historical period is dominated by a certain human sense, we will debate over the status of brands as practical philosophies that promote a certain vision of our contemporary world. We will therefore take into consideration Marx's perspective that the concept of 'praxis' becomes central to the new philosophical ideal of transforming the world through revolutionary activity.

Furthermore, we will try to encourage a reconsideration of the structural transformations of our contemporary society and the public's huge exposure to the consumerist ideology.

Keywords: *brand, advertising, philosophy, hyper-consumerism, value.*

Obviously, with the analysis of the phenomenon of "brand" and "branding" we enter more and more the territory abstraction, of conceptualisation and signs. Too many attempts to define the brand have made it to be surrounded by a conceptually nebula, oscillating from the pragmatic concreteness of the economics, to the holistic approaches of the philosophy of culture. One explanation for this diversity may be that, although the term "brand" has been discussed by marketing experts, over the years its definitions were adjusted for the reference framework of practitioners or teachers from related fields of the communication sciences, social

sciences, or design. We believe, therefore, that the word "brand" and the discussions around it are the best contextualized summary of the contemporary world.

We chose to address such a topic from the perspective of practical philosophy because of the critical approach to its discourse. We will also try to support the role of philosophy in modern society, by presenting brands as a possible forms of practical philosophy that shape reality.

Therefore, we will try to justify philosophy's role in conceptualising the brand's activity from at least two points of view:

1) First of all, philosophy may be able to conceptualize in specific notions the fact that brands and the branding activity are fundamentally linked to the way we experience our contemporary life and how we offer a meaning to it.

2) On the other hand, a philosophical perspective on branding as "praxis" can improve the way in which a brand is though and built, by proposing models of actions at a social level. Acting as real "guidelines" of behaviour engaged in an open dialogue with the public, the powerful brands from nowadays can develop descriptive models for the way we establish a relationship, we think or we behave ourselves – establishing different ways of social activity.

While analysing in a thorough way the content of the Social Sciences, more and more theoreticians state the fact that definitions tend to be seen as "an endless spiral of language twisters."[1] We draw on the attention on the Social Sciences' perspective in order to reflect the similarities between different remarks as to identify an essence of what could be "a brand philosophy". Nevertheless, if we tried to analyse these various definitions not as concurrent, but as complementary ones, then we could be able to "unblock" them or to reactivate them in connection with their integrated and virtual history. Our work is going to support the approach of the branding phenomenon from a cultural perspective, contextually and dynamically speaking and according to the contemporary definitions given in an interdisciplinary approach. This means that the contribution of every perspective, including here the practical philosophy, participates in forming a perspective which is in a permanent exchange of contents and of the lens through which the phenomenon is visualized.

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[1] David Glen Mick, "The End(s) of Marketing and the Neglect of Moral Responsibility by the American Marketing Association," *Journal of Public Policy and Marketing* 26(Fall): 2007, pp. 289-292, retrieved from http://stakeholder.bu.edu/2007/Docs/Mick,%20David.%20Ends%20of%20 Marketing.pdf, on December 2, 2010.

If we recognize the capacity of the many ways through which the brands were comprehended and interpreted, then we cannot agree with just one definition to the concept of "brand" or "branding". The rich contexts and environments in which brands operate nowadays call out inevitably the multiplication of the definitions concerning this topic to an interdisciplinary approach.

As brands are considered in Economic Sciences as being immaterial entities that can propose new concepts, rules of social behaviour and values that endow with life, we advance the assumption that brands could be analysed as real formulas of practical philosophy that endow with life our contemporary period, giving it a specific perspective.

However, we are trying to start our approach from the simplest definition. In a short way of speaking, following Philip Kottler's conception, every brand can be analyzed as a name or a symbol which define or makes the difference between entities (not only at an economic level, such as products, but also at a personal stage) and which distinguishes itself throughout its attributes, benefits, values, culture, personality; all these features are being regarded as positive meanings sent from one field to a targeted other. And we should not be deceived: we speak about personal branding as well as we speak about a product brand or the brand of a country, because the "brand" notion is not granted to commodities. More than that, from a semiotic point of view every brand was defined as a mechanism which can produce speeches having a meaning that is going to be transmitted to the receivers.[2] It is the *sign-concept* characteristic of a brand that transforms it in a meaningful vector and places it among the post-fordism[3] approaches which emphasise its imaterial aspect, its mental image and the way in which these looms involve and associate symbols.

We define "the brand philosophy" as the overall coordinates concerning the existential identity of the trademark which are able to determine behaviour conducts at the social level. As a notion introduced by the language of the economic sciences, the "brand philosophy" is here considered as representing a specific behaviour of a brand towards its socio-cultural content. Expressions like *brand architecture, brand strategy, brand equity, brand value* which belong to the

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[2] Carlos Scolari, "Online Brands: Branding, Possible Worlds and Interactive Grammars," *Semiotica*, 169(1), 2008, pp. 169-188.

[3] *Post-fordism* refers to the name given to the dominant system of economic production, consumption and associated socio-economic phenomena, in most industrialized countries since the late 20th century. In our paper we will take in consideration the Neo-Schumpeterian approach, based upon the theory of *Kondratiev Waves*, in which post-Fordism is seen as the techno-economic paradigm of the fifth wave, which is dominated by Information and Communication Technology (ICT).

brand philosophy's glossary, point out the rational essence of the brand made up of ideas and concepts. These are means to describe the contemporary world by analyzing in a critical way the contents to which they belong. More than that, the mission, the vision or the values communicated by a brand's identity seeks to propose some patterns of value and behaviour to its targeted public.

From an organisational perspective, brands act on the community as indicators, by grouping values and immaterial characteristics in recognizable packets located on different levels of trust or approval. From the public's point of view, brands are not just a shortcut for our conception about the world but, however, they can be an expression of unuttered aspirations. This is, of course, the main care of the critics concerning brands as commercial instruments – in the way they create the desire, rather than accomplish it. Nevertheless, we believe that in this global content in which the hyper-customer is already educated concerning consumption, it is quite easy to recognize the strategy of the brands as to create a meaning for ourselves and for the others.

As O'Malley and Tynan[4] have already shown, the metaphor of interpersonal relations is quite useful here for analyzing the relations concerning brand communication. Taking into account this point of view, a brand can be comprehended as *an entity with personality whose characteristics are very much alike to those of human beings*. Recent studies concerning brand research have pointed out an important and revealing reconsideration about how branding operates at this level in terms of anthropomorphism. Studies have proven the transference of the attention from the producers to the public's response in order to differentiate services as to understand the way in which brands create value at a social level.

Thoughts on Brands and Anthropomorphism

The outlook of the brand anthropomorphism has been cultivated since 2000, starting with the sensory branding and the emotional experiences said to be offered by this entity (ex. Martin Lindstrom, *Sensorial Brands*), up to the idea of "the marriage" between a customer and a brand (according to William McEwen's point of view, *Married to the Brand*) and even to the affirmation of brand concept as *"Lovemarks"* founded love and respect (in Kevin Roberts' *Lovemarks* version).

Every brand appears to the contemporary society as an immaterial entity, "a living entity enriched and weakened by time, the cumulative issue of thousands of

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[4] Lisa O'Malley and Caroline Tynan, "Relationship Marketing in Consumer Markets: Rhetoric or Reality?," *European Journal of Marketing* 34(7), 2000, pp. 797-815.

little gestures" (Michael Eisner, CEO, Disney), turned into a real social and cultural phenomenon. In a society in which a choice of rational consumption is more and more replaced by a personal and emotional one, brands present themselves though "transparency, *positiveness*, consistency, ordinance, and affiliation – that is everything that human beings need as to define themselves. Brands mean identity."[5]

However, Gilles Lipovetsky considers that this emotional consumption corresponds only partially speaking about trademarks; it designates much more than the effects of a marketing trend, it belongs to the customer, "appearing as a self-conscious logic, based on the research of the sensations and of the great subjective benefit."[6] This fact matches with a re-evaluation in human being's nature and his relations with the objects around him; we do not look for the product any more, we do not want objects, but the vision and the imaginary view of a brand, the emotional involvement in its consumption. Therefore, it is natural why more and more brands try to assume an anthropomorphic appearance. In fact, we consider that the post-fordism period of time crossed by the contemporary society would correspond with a revaluation of the subjectivity, a keen need of individualization and personalisation at the social actors' level. This claim of the subject is not demanded in the absence of the merchandise, as our contemporary individual is aware of the power already gained by these objects. The regain of the vitality concerning the subjectivity will be therefore done by relating to the objects. The individualisation of Man begins with the very consumption of commodities.

We live in a universe of hyper-realities consumed in a more and more assumed ways, in which patterns, language twisters and social codes determine and maintain behaviours, in which the multimedia communication offer experiences much more intense than the ordinary reality. In this world, human beings abandon the desert of everyday life in the favour of the isolated tastes offered by the patterns of the mental images. Thus brands are feeding our imagination. This means only the fact that brands have become much more than a mark of the producer. They look like an environment or a social engine because they establish a relationship between people, they "touch" them in different ways and meanings, they transform their lives and, therefore, they transform themselves.

From this point of view, what makes the difference between a brand and any other type of sign is its extraordinary inconstancy of its senses. In other words, the

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[5] Wally Olins, *Despre Brand* (On Brand), Comunicare.ro, Bucharest, 2008, p. 27.
[6] Gilles Lipovetsky, *Fericirea Paradoxală* (Paradoxical Happiness), Polirom, Iaşi, 2008, p. 37.

practical quality of a brand consists in the fact that there is no meaning that should be patterned before this process or forever. Being tributary to a social content (even to a global one), the brand is predestined to an endless semiotics "but not from the Pierce's point of view in which every sign supposes an infinite semiotics, as every person who interprets something becomes in his turn a sign,"[7] but with the meaning of a perpetual readjustment of the sign to the forever changing social reality. Following the pattern of ideologies,[8] brands can be comprehended as mental conceptions due exactly to the limited matrix of meanings, to the competitive contents of notions in which they were generated. In other words, taking into account the fact that brands join the human being's accomplishment in a certain socio-cultural space, this fact becomes necessary for the conceptual environment of our society of hyper-consumption and it is obvious for us to recognize the everywhere presence of the brands in our existence.

By recognizing the power of advertising to express the identity of the brands, Bernard Cathelat sustains the fact that "advertising is not only a commercial speech, but also a political speech, a social speech, a moral speech and at the same time, an ideological one." Therefore, an extremely important issue for analysing brand philosophies is the socio-cultural influences on human being by taking into account the messages of the brands communicated in advertising's rhetoric. Cathelat discusses this topic from McLuhan and Baudrillard's perspectives, in the sense of assembling human individuality on external seductive factors which leave their mark on us from early childhood. We are not in full agreement with such a perspective, but we may notice the external socio-cultural references that lead the social actor to pass though different levels of intercepting suggested behaviours. During all "the training" received in their education, the individual assimilates (and sometimes interiorise) different principles, standards, roles, values, patterns of moral behaviour that facilitate his social integration.

On the other hand, the contemporary sociology emphasizes the fact that, as to be able to interact at the social level, every person has to adopt some forms of behaviour accepted by the community, by appropriating and gathering certain accepted forms of behaviour, such as social and cultural rules, or lifestyles. These are in most cases their reasons of behaviour, this one becoming the engine of their activities.

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[7] Nicoleta Corbu, *Brandurile globale. O cercetare cros-culturală* (Global Brand. An Cross-cultural Research), Tritonic, Bucharest, 2009, p. 77.
[8] Stuart Hall, "The rediscovery of ideology: return to the repressed in media studies," in ***, *Culture, Society and Media Studies,* Arnold, London, 1982, pp. 52-86.

In these circumstances, advertising fulfils an important role; it tries to please every person's needs from a symbolic point of view (although, we may say, not only from this point of view) while taking into account the cultural patterns of our society. In this process of hyper-consumption, more than ever, advertising has to assume this role, in view of the existence of a universe with pulverized values, a universe divided and segmented according to some norms that belong rather to the subjectivity of lifestyles than to the educated norms (either ethic, social or aesthetic ones). Advertising has to address to a cultural level and propose symbolical satisfactions which should correspond to the social re-evaluated patterns, ways of living, self-images, patterns of existence and behaviour with which individuals can relate themselves.

In the same way, we ought to take into account the norms which determine the roles that every person assumes during their social existence. These norms show the social attitudes that the person adapts to every situation. These norms depend on social and socio-cultural models, on domestic and professional models, on stereotypes of behaviours that depend, among others, on age, sex or social statute.

Brands, Advertising and Lifestyles

We must draw every one's attention to this point and make the distinction between "ordinary norms" and "role norms" as perceived in practical philosophy. The ordinary norms are those that can suffer a generalization concerning a group or even our society. All these form the totality of values, convictions and even life habits of a group or of our society. The role norms have a much more restricted signification, an individual social function, being those that determine the role that every person plays in the social life, the way he chooses to participate as a social actor in a context. They are however registered in a collective logic and they have to be first of all accepted from a social point of view.

In this way, the brand communication allows the consumer to respect some norms, to assume its role, respectively to assume its statute by accepting the values that the product and the brand propose or promote. In the same time, it helps the customer to adapt to social changes, to the evolutions and the transformations that belong to the local trends or other social manifestations working just as a practical philosophy "guide". The transmission of life governing rules from a brand's perspective to its public can be realized by using the communication models of the media. These models rely on contemporary norms of socio-cultural interaction and play their part of social guidance.

As a communicative link of the brand philosophies, the advertising discourse proposes to decode the human beings' role expectations and especially to discover the link between the products and these expectations, allowing the product through its symbolical power to confirm and to impose a role for its consumer. By its adjustment, structure, regularity or its complementary process, the product guarantees to its user the acceptance of the role that it suggests. Sometimes, these roles are static and easy to be determined; the power of the contemporary advertising consists in the discovering the dynamic ones and accomplishing them, or, even more, discovering new roles, and imposing them by using an associative presentation. In this way, promoting the idea of changing the social rules, respectively of the new roles that could result from this, means to put an end to some educational schemes, while we expect to the human being to put up resistance in this respect. A new pattern could be adopted if it is presented on the basis of some patterns that already exist, socially accepted and registered in the culture of the group. As far as we recognize the important role that it plays, we may say that advertising is an element of balance for the contemporary hyper-consumerist towards the loss of his/her values. Though its communication models, advertising permits the diminution of social differences, the attenuation of the conflicts between classes, the reduction of the differences between generations, the development of the tolerance of everything that may be different, etc.

Therefore, the value of the brands consists, at last, of the ability to organize more or less distinct forms of affective turnovers on the personal level. A brand becomes a mechanism that includes, strengthens and examines such emotional investments as to offer measurable and consequently valuable results. In the same spirit of what we have presented up to now, we can maintain the fact that brands are mechanisms used for transforming the affective "energies" into valuable forms of immaterial work. That is why the point of view that we take into account in this paper aims to emphasize the fact that every brand, regarded as an immaterial entity, has become for the society of hyper-consumption a mirror that expresses itself as personality, affiliation, individualization, by describing, concisely speaking, conceptual patterns and way of behaviour that can be registered in a pattern of philosophical practice. That is the reason why we consider an absolutely necessary the study of integration in the brand activity, of life governing rules in their synthesized and evocative form.

The challenge that brands address to their public represent, in fact, the voice of an entire media culture which tries to express itself with the help of specific means. In this way, we try to put forward a challenge concerning the brand

philosophies from another point of view than the one we were used to, meaning the brand philosophies seen as real forms of value communication of a consumption culture. These take upon themselves not only a instructive and practical role in the contemporary society, but they also succeed in joining the chaotic development of a person who knew the postmodern decentralization. In the same time, a brand never forgets to advance the value norms of the products and of the society. On the other hand, as long as branding uses advertising as the voice for the masses, this communication instrument must be regarded as the emanation of a certain social, political and cultural order in which the public would recognize itself or would want to recognize itself. That is why the life styles proposed by the different brand philosophies -- such as "Think different!" (Apple), or "Just do it!" (Nike) – can be easily used and exploited for the purpose of forming the socio-cultural progress as to offer alternatives to the cultural styles and to the speeches that have existed up to now.

Therefore, *we consider that brands and the lifestyle models proposed by them (what we called brand philosophies) act on the social level in the same way the modern philosophical systems used to function*: by shaping ways of behaviour and by supporting a certain point of view concerning the contemporary world with which they identify themselves. The way we accept that every branding activity reflects the reference of the contemporary human being to the world and this activity is capable to propose different models of human activity and interaction, the existential co-ordinates of the mark identity – presented by us as brand philosophies – can become legitimate topics of a critical and philosophical approach.

However, the *praxis*[9] trends of the contemporary brands, which have become more and more powerful and capable of living for the present interdisciplinary research, proposes to open the perspective of a new approach of the topic, by offering some viable premises regarding a new research direction to the practical philosophy. As the artisan of the qualitative progress of the products, as well as the interpolation that permitted a new direction in valuing companies' profit to the consumer, the brand philosophies have brought first and foremost maybe the most important ethical value of hyper-consumerist society: freedom of choice.

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[9] A term used since Aristotle; by *praxis* we will not understand "something distinguished from theory", but more an "accepted practice or custom". We will consider in here Marx's perspective that the concept of *praxis* becomes central to the new philosophical ideal of transforming the world through revolutionary activity.

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Contribution of Feminism to the Deliberative Democracy Concept Evolution

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Abstract

In 1818 Hannah Mather Crocker, one of the first feminists' representatives, simultaneously stated that God "has endowed the mind of women with equal powers and capabilities" to those of a man and that "to convince by means of reason and power of persuasion should be both the duty and the adequate privilege of women".

A hundred years later promoters of universal suffrage used the same formula of equality, with a slight difference. In a strategic meaning, they based their demarche upon the power of persuasion, because of the little political power they had. However, many of them were convinced that women would bring virtue in the area of politics, extending the maternal condition to the public domain, replacing rough power with the power of persuasion and party politics with progressive beneficent governing.

Many theorists who support those ideas nowadays in their writings are not trying to replace a political vocabulary based on power with a careful, intimate one. Their goal is to integrate within political thinking a rich vocabulary and a sum of life-based aspects that have been neglected because they were usually assigned to the domestic field and were classified as private, non-political or even anti-political.

Keywords: *feminism, political theory, gender relations, democratic system, deliberation.*

Politics without domination is a goal with a long genealogical line to which both sexes contributed. Claude Henri de Saint-Simon, one of the first prophets of socialism, and Edward Bellamy, a nineteenth-century American Utopian wanted to replace people government with things administration. Karl Marx's dream was for the gradual "proper political power", (i.e. of class rule) to disappear gradually. Mill and Barker replaced pure power not by administration, but with deliberation. Yet, when women acknowledged proper domination free politics, their language

contained echoes of their life experience as mothers.[1] The result was not entirely the same. Parental care – a special form of identification with the others' welfare – made its start in politics.

In 1818, Hannah Mather Crocker, one of the first feminists, claimed that God "endowed women with equal intellectual powers and mental faculties" as men and that "convincing by means of reason and persuasion must be a duty and a privilege befitting women". One hundred years later, path breakers used the same formula of the universal voice, but with one distinction. In a strategic sense, they relied on persuasion as they had little political power. However, many of them were convinced that women would bring virtue in politics extending the maternal condition to the public sector, replacing power with persuasion and party politics with a beneficial progressive governing.

Many theorists who write today starting from these ideas do not try to replace a power-based political vocabulary with another one based on care or privacy. Their goal is to integrate within the political thinking a vocabulary and a set of life experience aspects that are rich, but which have been neglected because they used to be assigned to the domestic field and have been considered as being private, non-political or even anti-political.

The attention paid to relations is not synonymous with the parental care. Nancy Chodorow, an expert in sociology, states that in a society where the maternal care is excessive during early childhood, male children tend to follow their need to detach from their mothers more than female children do. Thus, men may be less aware of the intrinsic links with other people in their relationships. For this reason, or for reasons related to a long tradition of subordination, in the United States girls and women seem to put a higher price on their relations with other people than boys and men do. Girls and women are capable of a greater degree than men to interpret facial expressions and other clues within the climate of relations between people. In public, women speak less and listen more than men do. For many generations, women have been taught to listen carefully to what the people around them say. In the fifth century BC, Sophocles said that "silence is women's crown".

Learning to listen carefully – but not to be confined to silence – seems to trigger better decisions. Experiments made by the social psychology experts suggest that the best group decisions – those that have the best chance of providing a "right" answer or a creative solution – are taken when the group members ask for

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[1] Barbara Ehrenreich, *The Hearts of Men: American Dreams and the Flight from Commitment*, Anchor Books, New York, 1983, p. 63.

the views of people initially belonging to a minority. When an experimental group of people are instructed to allow all its members to speak, their decisions are superior to those generated by a group of people that do not receive any instructions of this kind. When leaders facilitate the formulation of minority's opinions, the groups give better results than those given by groups without leaders.[2]

In addition to promoting an ethical concern and ability to listen carefully feminist women also claim that emotions play an important role in deliberations. Emotions help us know what we want to be. Good quality deliberation cannot be facilitated by "the exclusion of emotional states". On the contrary, the solutions that can benefit everybody often require the emotional ability to guess what the others want, or at least the ability to ask questions in this regard in a genuine and non-threatening curious way. The emotional skill is essential if conflicting people are to communicate those feelings that sometimes are at a subconscious level, and sometimes those unnoticed data that can help building a solution which should take into account the interests of all.

The members of certain trade unions sometimes declare strike to support the claims of other unions; some people without children sometimes vote for tax increases designed to generate funds for improving schools. Such actions are based not only on rational adherence to the maximums meant to have universal validity or on the belief in the effort to obtain the greatest welfare for the greatest number of people, but also on a process that inspires congeniality and solidarity, or adherence to a principle. The presence of certain people with interests that differ from one's interests makes it difficult for somebody to insist on some claims based on pure self-interest. When people with claims that are in competition get to face one another, the conflict generates not only selfish competition, but often leads to a clarification of how emotional behavior based on self-interest might harm other people. When individuals are capable of commitment or solidarity of principle, emotional engagement helps self expression changes that are necessary in order to reach a way of thinking focused on "we" instead of "I".

But who are these "we" in a deliberation? "We" can easily represent a false universality, as it was the case of "humanity". Even if said and believed by the subjects, this term may mask a ratio contrary to their interests. Women's experience related to silence, to unexplored desires, to words that do not reveal or mean what they say (and, thus, are not heard), as well as to subtle forms of

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[2] *Ibidem.*

domination prompt theorists and politicians to pay attention to the unequal power traps related to deliberation.[3]

The positive side of silence allows for a careful listening. On the other hand, a whole relative silence history makes the female political actors to understand more easily that when deliberation becomes acting, it excludes many people who are not actors by nature or education. When deliberation is a logical demonstration, it excludes many people who are not able to state their demands governed by intense emotions in clear enunciations. When a large number of voices compete to be heard in a deliberation, samples of opinion that gets to be heard are not fully representative.

Maintaining personal desires in a state that is not final make it even harder for one's intellect to learn to decipher the signals that one's ego emits with respect to what and how soon one wants. However, the cultural mandate of women as partners and mothers suggests maintaining their wishes to an interim state. The fact that women know how easily this can be done helps them realize that the deliberative meetings must strive to help participants discover what they really want. Preferences themselves, let alone interest, are not given. They require provisional stating, testing, examining in the light of the causes that trigger them, deep analyzing and finally adopting. Creative deliberation must rely on the institutions that promote opposition as well as on adequate behaviour the good behaviour allowing uncertain weighing and changes of opinion which take into account the nature of the process as a trial or attempt. Only such safety mechanisms may allow participants to know exactly where they want get.

The concern about the subtle forms of exerting power dominated the equalitarianism and the commitment to consensus which characterized the beginnings of radical women's movement. Today, it continues to inspire the experiments conducted by the National Women's Studies Association in equalizing power. U.S. women's organizations generally share this concern. Since the beginning, League of Women Voters made decisions "with the consent of a substantial number of members, which was representative for all members, concluded following a number of studies and group discussions." The goal is deliberation and decision made by means of persuasion.

If used without certain distinction, the practices meant to ensure equality and consensus can undermine deliberation rather than promoting it. One needs

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[3] Barbara Ehrenreich, *Fear of Falling: The Inner Life of the Middle Class*, Perennial, New York, 1989, p. 88.

experiments to evaluate the potential of different methods, and feminist practice offers a great abundance of such experiments.

It is easy to mistake the normative assumption that concern or attention-based methods are good in themselves (or promote values that are valuable in themselves) for the empirical assumption according to which women are more likely to adopt such means. Whether women differ from men in these respects is not so relevant. One should however be able to find a language that should promote in a convincing way any claim without pleading gender as a reason.

Similarly, the claim that feminists can add something new to the political theory because they understand women's life experience does not necessarily mean that women "essentially" differ from men. The only necessary thing is for life experience to be unevenly distributed between men and women. A very small difference in this respect can become a big difference in terms of self-awareness and in terms of how society is perceived.[4] These distinctions, if amplified, influence our ways of knowing, helping us see the world differently - and sometimes more clearly.

Over the decades that separate us from the Second World War, American political science experts have generally regarded democracy as a phenomenon similar to the market economy. According to this conceptual model, voters pursue their own goals, while politicians act as brokers, trying to satisfy a number as large as possible of competing requirements. Lately, however, theorists have begun to question the validity of this model and to highlight the importance of deliberation and the common welfare within viable democratic systems.

Thus, it is very important to determine the evolution of the deliberative democracy concept, whose roots are in ancient Greece, and which has received contributions from leading philosophers of the eighteenth and nineteenth centuries such as James Madison and John Stuart Mill.[5] This triggers the interest in revealing the contribution that feminism can bring to the contemporary debates on governance by consensus. Women's life experience offers new ways of considering power, community involvement, while women's organizations are examples of experiments with different forms of deliberative democracy.

For centuries, while men ran governments and wrote political philosophy treaties, women's life experience was a negligible influence on the democratic thought and its practical application. Lately, however, feminist ideas have come to be at the center of new debates on the nature of democratic politics. The dominant

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[4] *Ibidem*, p. 109.
[5] Francis Fukuyama, *The End of History and the Last Man*, Avon Books, New York, 1992, p. 83.

tradition of political science considers democracy primarily as a way to embed rooted individual desires in their own interest. Those who criticize this tradition emphasize that any viable democratic system requires that citizens and their representatives should not only think of "I" but also as "we" Democracy involves public discussion of common problems, and not just counting the silent individual hands in the air. And when people talk among themselves, the discussion often determines the participants to relate their own interests to the wider context of community interests. Indeed, in an ideal situation, the democratic process does not solve the conflict only through the will of the majority, but also by the discovery of solutions that integrate the interests of minorities. Thus, a "deliberative democracy system" is not confined to recording the preferences that individuals already have, but it stimulates people towards a different way of thinking regarding their own interests.[6]

Two aspects of feminist literature make a significant contribution to the debate on deliberative democracy. One of them - that highlights women's increased educational contribution - modifies and enhances the deliberative background by providing images and practical experience models of that specific area in their life. According to this view, socialization of women and the role they play in raising children, among other causes, leads them to pay special attention to transform the "I" into "we" and to seek ways of solving conflicts by balancing different and often countered wishes. The feminist authors propose this self-definition ability in broader terms as a model for a democratic political environment.

However, as feminists know it very well, turning "I" into "we" by means of political deliberations can easily mask the subtle forms of control. This distinction dealing with the inequalities between men and women in the political power, and which is provided by the other aspect of the feminist literature, helps us to discern among other forms of domination, such as those based on wealth, which can also contaminate the deliberative process.

Theorists of deliberation also forget sometimes about power. In quite often situations when there is no policy that can bring benefits to everybody, democratic systems require finding a way to legitimize a process by which a group of people cause another group of people to do what they do not wish to do. To avoid giving too much credit to the status quo, democratic societies must facilitate different ways to exerting power. They might make constraint legitimate, virtually giving all

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[6] *Ibidem*, p. 97.

citizens equal power in the process.[7] The system is successful when each of them loses by solving some problems, but wins when solving other problems. Feminism, both as educational and non oppressive, can emend political scientists' vision who so stubbornly and unrealistically insist that politics can only be about power, as well as deliberation theorists' beliefs who either reject power altogether or overlook the ways in which very powerful people often use in their own benefit the openness of deliberation, its procedures and many participants' guidance to the common welfare.

It is expected that in following decades feminism should become a rich source of awareness not only in gender relations, but also in most of the other types of relationships involving unequal power or one's welfare the others' welfare identification. Whatever the chosen strategy, feminists need allies when their goal is to improve political thought and practice in general. In the near future, feminists may find allies among experts in political theory and empirical political theory who have become concerned with the deliberation quality lately. And when democracy theorists are looking for useful ideas that can arouse interest, they can find such ideas in the ever richer feminist literature.

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A Hermeneutics of the Consumer

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Abstract
The problem of the consumer must be considered both from his perspective, in his primordial quality as buyer, the one receiving the product, as well as from that of the producer, of the maker, of the one sending a commodity into the world. On the one hand, the producer must sell, must enchant and convince of the necessity that there is in the consumer's world of a particular product, of its great importance and the inescapable need that the potential buyer has for the producer's very product. On the other hand, the consumer, the buyer, must be persuaded into receiving the commercial good, opened arms, (inevitably) at a cost. Consequently, it is vital to comprehend the relation between the two terms, its dynamics and immediate consequences.

Keywords: *reading, morality, manipulation, power, reason.*

One of the few means to understand the marketplace and the manner in which it functions, its very internal dynamics, is through the phenomenological method. At the same time, it shows us both how the producer thinks, his movements in the commercial field, and how the buyer lets himself swayed by his enchanted words, as well as other verbal charms. It needs be said that, in the economic world, there are no people – in the common sense of the word, viewed in their humanity. Yet it is a world inhabited by potential buyers, consumers.[1] Thus, one only exists in one's relation to economics, and not independently, but as an integrated part of the economic system that determines one's status from the very

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[1] For a perspective on consumer behaviour and the formation of consumers, see James U. McNeal, *On Becoming a Consumer. Development of Consumer Behavior Patterns in Childhood*, Elsevier, (published in several cities) 2007, p. xiv, "consumer behavior patterns begin shortly after birth and develop in tandem with physical/motor development and with cognitive development, and, in fact, I found the three so interrelated that they can be separated only for exposition's sake. Thus, I realized that consumer behavior cannot take place until there is adequate motor and cognitive development, but that these do not develop outside/without consumer behavior. Consumer behavior grows the body and the brain and the contents and abilities of each."

first moment. The result is a seller-buyer world.[2] Yet, how does such a hermeneutics of the economical process look like? How are financial articulations detached and intertwined?

First of all, let us linger a moment in the space of the concept of *apparition*. The concept of apparition – or *phenomenon* – is one of the fundamental landmarks of phenomenological thinking. It is here precisely, as we shall see later on, that the very stake of any financial player on the market is hidden. Apparition is that which offers itself primarily, that which lets itself be easier seen, that which lies within our reach, close at hand. And here we find incorporated that which interests us the most, the products proposed for sale.

Heidegger, nonetheless, takes quite a deep insight and pierces the situation through so as to show us that many times an apparition can be taken for appearance. In fact, most often than not apparition can and may be seen as appearance.[3] The cause is that reason, as it is based on sight, can be tricked into interpreting one as the other in a game of what-you-see-is-what-you-get/have. For instance, when we see that the sun is revolving around the earth, or that it fuses with the sea, along with all types of illusions that force language itself to incorporate, render and promote them, to bring them into the realm of the visual, we easily consider our perceptions to be truthful, adequate to reality. Reason takes for true that which only seems so. For that reason we say that the sun has risen – we *see* that it rose to the sky from the ground, and we express it linguistically. However, we are using an archaic, obsolete language, metaphoric expressions, to express truths that are, in their very essence, scientific.

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[2] "We start with the consumer for a couple of reasons [...]. At the end of the day, we sell a commodity. The only thing that really differentiates us is the consistency of our quality, our understanding of consumer behavior, and - most importantly - the power of our brand. We have to know more than our competitors about what consumers want in terms of quality, how they use our products, and the end benefits they desire from using our products. And understanding what consumers think and feel about our brand and the relationship they have with Chiquita is imperative. Why do consumers have such a passionate feeling for our brand and what must we do to keep that relationship alive?" *Consumer-Centric Category Management. How to Increase Profits by Managing Categories Based on Consumer Needs*, ACNielsen, with John Karolefski and Al Heller, John Wiley & Sons, Inc., Hoboken, New Jersey, 2006, p. 270.

[3] For another perspective, involving the consideration of *appearance* as *simulation*, see Jean Baudrillard, *Simulations*, Semiotext[e], USA, 1983, p. 83: "Three orders of appearance, parallel to the mutations of the law of value, have followed one another since the Renaissance: **-** *Counterfeit* is the dominant scheme of the «classical» period, from the Renaissance to the industrial revolution; **-** *Production* is the dominant scheme of the industrial era; **-***Simulation* is the reigning scheme of the current phase that is controlled by the code."

As Heidegger shows us, we operate with *circumspection*,[4] that is, we bring the world to us, to the natural that lies within us, and not to a mechanical robotization. Yet, if we think more incisively, is it not precisely on this relation, appearance-apparition, that the producer places his bet in his search for his beloved profit? However, it must be said, the relation is no real relation, yet a form of interdependence that seems to tend towards duality. As Heidegger indicated, apparition exists in itself, that is, the thing itself; therefore, it may exist without appearance. On the contrary, appearance has no purpose, finds no ground in itself, it is tied down to apparition.[5] Simpler said, in order for appearance to be possible, it is required that its ground be equally present, and that is apparition. Even more plainly put, in order for a producer to sell you an illusion, a bottle containing some drink, or anything else, he requires a product. And then, how are things really like?

The produces will put everything at stake and bet his fortune on people's perception, on their manner of letting themselves hunted down by publicity and an abstract environment. A seller shall frequently joggle apparition and appearance and almost all the time shall deliver to the market only the appearance, and not the apparition. The motif behind this stratagem is simpler than in plain sight: he cannot do things in any other way for, in the first place, he has – phenomenologically speaking – no real access granted to apparition. In the end, were we to look through Heidegger's eyes, no one has. And yet, without having any knowledge of hermeneutics, the merchant shall play this game instinctively,

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[4] Martin Heidegger, *Being and Time*, Joan Stambaugh (trans.), State University of New York Press, Albany, 1996, I, III [69], p. 65: "Our association with useful things is subordinate to the manifold of references of the «in-order-to.» The kind of seeing of this accommodation to things is called *circumspection.*"

[5] "We say «seeming» and know the rain and the sunshine. The sun shines (scheinen: to appear, to seem, to shine). We say: «The room was dimly lit by the light (*Schein*) of a candle.» The Alemannic dialect uses the word *Scheinholz* – that is, wood (*Holz*) that glows in the dark. From depictions of saints, we are familiar with the saint's halo (*Heiligenschein*), the radiant ring around the head. But we also know about false saints (*Scheinheilige*), those who look like saints, but are not. We encounter the mock battle (*Scheingefecht*), a manoeuvre that simulates battle. While it shines (*scheint*), the sun seems (*scheint*) to move around the earth. That the moon, which shines, is two feet wide – that just seems that way, it is just a seeming (*Schein*). Here we come across two kinds of Schein and *scheinen*. But they do not simply stand next to each other; instead, one is derived from the other. The sun, for example, can seem to move around the earth only because it shines – that is, glows and in glowing appears (*erscheint*), that is, makes itself manifest (*zum Vorschein kommt*). And in the shining of the sun as glowing and radiant, we also experience this radiation as warmth. The sun shines: it shows itself and we feel warmth. As the lustre of the halo, the shining of the light makes the bearer manifest as a saint", Martin Heidegger, *Introduction to Metaphysics*, Gregory Fried and Richard Polt (trans.), Yale University Press, New Haven & London, 2000, pp. 104-105 [76], § 37. Cf. Martin Heidegger, *The Basic Problems of Phenomenology*, Alfred Hofstadter (trans.), Indiana University Press, Bloomington & Indianapolis, 1982, p. 151, §14. [*214-215*].

using this type of thinking that sees that for a product to be sold, it shall be served as a means to *quench* a false need. And here is an example. Apparition: a costumer shall be thirsty. Appearance: A consumer shall be thirsty *but* thirsty for a particular product. This is the image of the key to economy, whether it be advanced, trivial, barbaric, specialized, technologicalized, things shall never change, shall continue thus endlessly. From here all things sprout, all commercial relations, commerce, commodities and all the rest.

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Lustration and Reform in Romania

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Abstract

On August 6th, 2010, the deadline for redrawing a lustration law passed almost unnoticed in political circles. The history of Romanian lustration, begun five years before, had, thus, come to an end.

The paper will be structured in three chapters, each seeking to highlight some of the key characteristics that made it impossible for lustration and reform to be efficiently implemented in Romania. The first chapter, entitled On Lustration, looks at how transitional justice was implemented in other post-communist European states and what key factors that were present there could not be (or are still not) found in Romania. The second chapter, called On Reform, attempts to explain that the true essence of post-communist reform was never completely grasped by Romanian political and civil societies. The third and last chapter, Conclusions, suggests new ways to tackle the issue of transitional justice and highlights the (still present) need for measures that would steadily do away with the negative remnants of Romania's communist past.

Keywords: *traditional justice, lustration, reform, communist past, Securitate, P.C.R., pact of silence, Council for Studying Former Security Archives.*

On August 6th, 2010, the deadline for redrawing a lustration law passed[1] almost unnoticed in political circles. The history of Romanian lustration, begun five years before[2], had, thus, come to an end. Yet, how serious can we consider the attempt at passing the law was? Was it truly a genuine claim for transitional justice or merely a political game which was doomed from the onset and that had very different purposes? This paper looks at the history of lustration in Romania and

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[1] PRO TV news broadcast on August 6, retrieved from http://stirileprotv.ro/stiri/politic/legea-lustratiei-a-fost-ingropata-definitiv-de-parlamentari.html, on December 1, 2010.

[2] The original draft of the law was subjected for debate on June 13th in 2005 and is available for viewing at: http://webapp.senat.ro/senat.proiect.asp?cod=10291&pos=0, retrieved on January 31, 2011.

attempts to prove that, not only such a law is still necessary (as the very failure to enact one up to this point demonstrates) but it must also be associated with a broader context of reform that will truly and finally sever all the negative ties with the former regime, that still play a role in altering the way in which Romanian society functions.

The paper will be structured in three chapters, each seeking to highlight some of the key characteristics that made it impossible for lustration and reform to be efficiently implemented in Romania. The first chapter, entitled *On Lustration*, looks at how transitional justice was implemented in other post-communist European states and what key factors that were present there could not be (or are still not) found in Romania. The second chapter, called *On Reform*, attempts to explain that the true essence of post-communist reform was never completely grasped by Romanian political and civil societies. The third and last chapter, *Conclusions*, suggests new ways to tackle the issue of transitional justice and highlights the (still present) need for measures that would steadily do away with the negative remnants of Romania's communist past.

For the first chapter, I refer to books and articles that analyze transitional justice (with a focus on lustration) in the other Eastern-European states that broke away from communism in 1989. The aim of this first part is to suggest that efficient transitional justice can only be successfully implemented in the context of a more ample reform program that replaces communist legacy with democratic practice. Without a tandem of the two, any discussion concerning lustration cannot be seriously taken into consideration in any meaningful way. In this sense, Romania's failure to reform is both the cause and the consequence of a lack of lustration.

In the second part I explain why the essence and spirit of what "reform" means was never truly captured by policy makers. Post-communist reform in Romania rarely took the shape of more than patch-work to fix the former regime's more flagrant flaws or adapt to new (mostly economic) realities that the state could no longer cope with using the tools left behind by the pre-revolutionary establishment. In this sense, Romania's suffering over the past 21 years has been closely tied with the absence of a nation-wide strategy for development and integrated policy-making for the consolidation of democratic institutions. As will be seen in chapter two, the only cohesive action taken for national development on a medium and long-term scale has been connected directly with accession to international organizations. Romania's bid for Euro-Atlantic integration was the only more or less concentrated set of efforts (domestically branded as short-term

efforts) that offered incentives for implementing a certain degree of institutional discipline with regard to public policy. However, this came at the price of heavier state-intervention, centralization and control over a newly formed and developing civil society.

The third part builds up on the conclusions of the previous two chapters and draws a parallel between the faulty perception of reform, the most significant political actors and the failure to officially dispose of the legacy of communism via transitional justice in general and lustration in particular.

On Lustration

The act of lustration, or "ceremonial purification"[3], refers to the vetting of former Communist officials from public office.[4] From a legal point of view, any law that seeks to enforce such a measure must stipulate clearly: to whom the law applies (the people defined as being members of the former Communist apparatus which played a great enough role to be considered hazardous for the new regime), what the nature of "purification" is (if the people in question are to be trialed, expelled from office at once or at a later date, forbidden access to what categories of offices or positions, etc) and the duration of the measure (for how long each category of people is to be denied access to public office and how long the law of lustration is to be active). It can already be seen that the issues brought into discussion by such prerequisites is likely to be a judicial nightmare. Simply trying to rightfully identify an individual as a former communist official can be challenging enough, given the many practical, normative and, not least of all, ethical and logistic considerations that need to be answered to. Of course, the ideal situation would be to have clearly established lines of division between repressive and non-repressive offices in a communist regime and sufficient archive evidence to determine who did what. However, especially in the Romanian example, such was not the case. Due to the very nature of the regime, it is virtually impossible to determine, without any reasonable doubt, the mere identity of the individuals

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[3] According to the Merriam-Webster dictionary, retrieved from http://mw2.merriamwebster.com/dictionary/lustration, on December 2, 2010.

[4] Cyntthia Horne, "Late Lustration in Poland and Romania: Better Late than Never?," *Paper presented at the annual meeting of the American Political Science Association*, Hyatt Regency Chicago and the Sheraton Chicago Hotel and Towers, Chicago, IL, August 30, 2007, p. 2, retrieved from http://www.allacademic.com/one/prol/prol01/index.php?cmd=prol01_search&offset=0&limit=5&multi_search_search_mode=publication&multi_search_publication_fulltext_mod=fulltext&textfield_submit=true&search_module=multi_search&search=Search&search_field=title_idx&fulltext_search=Late+Lustration+in+Poland+and+Romania%3A+Better+Late+than+Never%3F, on January 31, 2011.

responsible for past abuses. Most decisions which could potentially draw condemnation in future years were communicated verbally and often personally from the higher-ups to the lower ranks, making it difficult to trace the source and to identify each contributor and potential perpetrator. In the monolithic regime of Ceauşescu (described as being "sultanistic" due to the total and unrestricted submission of the party and the state to the will of the leader[5]), orders did not always follow a clear chain of command. Orders would trickle-down from the top but would not always make use of the same hierarchy and whoever did not expressly need to know could easily have been bypassed as all were equally obliged to follow instructions from the top. This made it very easy and convenient, in the closing days of the Revolution, to pin the entire blame for the traumas of communism on the dictatorial couple.[6] Any suspected perpetrator of the former regime could (and many times did) try to claim to have acted on command from the top and even the new government seemed expedient in believing such claims and rushed a trial that would silence the Ceauşescu couple.[7] How much this was encouraged by the new establishment and to what end remains open for debate and will not be further elaborated in this work. It is sufficient, for the purposes of this paper, to note that, from a legal viewpoint, the very nature of the regime makes proper identification of perpetrators, crimes and accomplices difficult at best. One must also consider that parts of the archives (that likely contained incriminating evidence) have been destroyed, while others still remain inaccessible.[8] These facts alone, without adding any form of political involvement, would be enough to hamper attempts to enforce effective transitional justice in the early stages of transition.

Transitional justice is a form of dealing with oppressors of a former regime, once that regime has been toppled, and also an attempt to do right by the victims or the descendants of victims. While it cannot claim to be fully capable of ensuring equity and fairness, the process of transitional justice is first and foremost supposed to grant the new regime legitimacy and symbolize severing all ties to the old system for good. It deals mostly with two categories of people: perpetrators

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[5] Juan Linz and Alfred Stepan, *Problems of democratic transition and consolidation: southern Europe, South America and Post-Communist Europe*, John Hopkins University Press, Baltimore, 1996, p. 70.

[6] Vladimir Tismăneanu, *Stalinism for all seasons: A political history of Romanian communism*, University of California Press, 2003, p. 277.

[7] *Ibidem.*

[8] Holger Dix and Corina Rebegea, "The Short History of the Romanian Lustration Law," Konrad-Adenauer-Stiftung Country Report, July 21st, 2010, p. 4, retrieved from http://www.kas.de/wf/doc/kas_20185-1522-2-30.pdf?100802134740, on December 3, 2010.

and victims. While the tools for compensating the victims have to do largely with restitution of property and recognition of suffering (with some material gain in many cases), lustration is a tool designed to deal with the members of the former regime that are thought to represent a threat to the new order. Lustration is not a form of punishment or a treatment reserved for perpetrators alone, but rather a way of protecting the nascent institutions from being infiltrated and perhaps even hijacked by the old elite. When looking at it from this perspective, it would seem imperative to adopt a lustration law as early-on as possible in the transitional process. However, one must always keep in mind that removing officials from public positions is not always a wise decision if one cannot identify competent and reliable substitutes to put in their place.

In post-war Germany, for example, many of the civil servants and other elites that had worked for the Nazi regime were kept in office for practical reasons.[9] The reconstruction required skilled bureaucrats and other trained personnel which could not be created overnight. In this particular case, the issue was made easier to cope with due to Germany's resolve to come to terms with its past, accept its history and work to build a better future. The civil service, thus, behaved with utter professionalism, leaving behind any Nazi sympathies that might have existed.[10] As a conquered state, Germany underwent a process of "denazification" in both its Soviet and its Allied occupied zones.[11] How this was done differed but the ultimate goal was the same: to eliminate former Nazi officials from higher positions in the state and remove the remnants of the ideology from among the population. The case of post-war Germany, however, is different from the case of Eastern Europe in 1989 and afterward. In the GDR, for example, the reunification that was unilaterally declared opened the way for the institutions of West Germany to extend their reach all the way to the Oder. This helped greatly, as the former communist elite could be completely replaced with officials from the former GFR. This did not, however, eliminate the problems of what to do about the former Stasi collaborators, estimated at about one eighth of the population.[12] Screening and identifying the former perpetrators and exposing

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[9] Taylor Cole, "The Democratization of the German Civil Service," *The Journal of Politics*, Vol. 14, No. 1, February, 1952, pp. 3-18.

[10] *Ibidem.*

[11] For further information see Timothy R. Vogt, "Denazification in Soviet-Occupied Germany: Brandenburg 1945-1948," Harvard University Press, Cambridge, MA, 2000 or Toby Thacker "The End of the Third Reich: Defeat, Denazification & Nuremburg January 1944 - November 1946," Tempus, 2006.

[12] J. Moran, "The Communist Tortures of Eastern Europe: Prosecute and Punish or Forgive and Forget?," *Communist and Post-Communist Studies*, vol. 27, no. 1, 1994, pp. 95-109.

the crimes of the Stasi are still ongoing processes.

By contrast, Romania's regime overthrow happened violently and there was no "outside help" when it came to the civil service. Basically, the old elites had to be vetted, removed or prosecuted while, in the same time, creating a new and untainted class of public officials to take their place overnight if the state was to have any real chance to function properly. In Romania, such a feat was not possible, given the conditions. It was the only country where, in 1989, the Communist Party suddenly ceased to exist and left a void of power.[13] Unlike any other case in East-Central Europe, in Romania there were no political opposition parties or organizations to which power could be turned over. The giant PCR simply collapsed and left all power available to whoever was in the best position to take advantage.[14] As such, it comes as no surprise that the new leaders were the same people of the old administration. Excepting the most high-ranking communist officials and few others, most members of the bureaucracy and the public service remained the same. This is especially true in the case of the Securitate, which was renamed the Romanian Intelligence Service but very little else was modified in terms of its structure or composition.[15] Naturally, since the new establishment had an interest in preserving its position, there was little incentive to change how the state operated, particularly in terms of the secret services (which are essential in any troubled state) and especially in terms of keeping information about the past secret.

If exposing the crimes of the former regime was difficult enough in Germany, where it was possible to replace most public officials, in Romania the process proved next to impossible. The post-revolutionary government showed anything but a willingness to apply transitional justice. The Securitate files were classified for the next four decades; there was no vetting and no attempt to do right by the victims.[16] The trial of the Ceauşescu couple was more a mockery of democratic practices than an actual exercise of justice and legality, yet it was presented to the people, along with the execution, as a triumph of the Revolution. Numerous television reruns showed the dictatorial couple after the execution, in what seemed more of an attempt to explain that the nightmare of communism had ended with them than a successful beginning of transitional justice. As far as the authorities were concerned, executing Ceauşescu was the only thing needed to offer the people satisfaction after more than 40 years of dictatorship.

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[13] Cynthia Horne, *op. cit.*, pp. 30-31.
[14] *Ibidem.*
[15] *Ibidem.*
[16] *Ibidem.*

If lustration itself was impossible due to lack of access to the Securitate's files, other transitional justice measures could have been implemented, such as restitution of property. The Petre Roman government did break-up the large collectivized cooperatives and did redistribute the land; however, this was not an act of transitional justice, as peasants were not given the choice of refusing parcels or of demanding financial compensation instead. Law no. 18/1991 – the Land Law – came at a time of turmoil in Romania and it is likely that, given the upcoming elections of 1992, the measure of a land reform had more electoral purposes. In other words, the new establishment built its legitimacy through redistribution of land and other measures meant to silence the public who opposed it (such as revolutionary certificates and privileges)[17] instead of through immediate steps taken toward transitional justice. Also worth mentioning is that the same degree of restitution was not achieved in the case of real estate. Former owners are still battling to regain properties lost during the communist regime or to be awarded adequate compensation even today.

The fact that almost no time was wasted in drafting, passing and then implementing a Land Law is, most likely, testimonial to the fact that the Romanian state no longer had the means to invest in agriculture. If in 1989, irrigation systems covered about a third of all arable land (around 3.2 million hectares), only a few years later, much of that had been stolen or left to abandonment.[18] The same can be said about industry, infrastructure and others. While these facts may appear to have little to do with transitional justice or lustration, they highlight an inability or unwillingness to reform the state at any level. Basically, the Romanian establishment in the early days of post-communism was content to maintain many of the mechanisms that had been used prior. The situation could be described as that of a child who has managed to escape rigid adult supervision. With no authoritative figure forbidding access to the candy box, the child would most likely indulge to the point of nausea. This is, in many ways, what Romanian society *at every level* did, as there was no incentive to behave otherwise. There are many stories of families who, after being deprived of consumer goods for years or even decades, adopted a lifestyle beyond their means in those early years, only to

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[17] Adriana Mica, "The Lustration with Two Heads and the Myriapod Transitional Justice in Romania", article published on memoria.ro website in 2008, p. 2, retrieved from http://www.memoria.ro/?location=view_article&id=1881&l=en&page=0, on December 9, 2010.
[18] Mihaela Radu, "Distrugerea sistemelor de irigații a secătuit potențialul agriculturii" (The Destruction The Sistem Of Irrigations Ruined The Potential Of Agriculture) in the online version of *Capital* magazine, November 9, 2009, retrieved from http://www.capital.ro/detalii-articole/stiri/distrugerea-sistemelor-de-irigatii-a-secatuit-potentialul-agriculturii-127717.html, on December 8, 2010.

accumulate debts later on. From this perspective, it can be argued that the first post-communist government was not heavily preoccupied with democratization but rather with securing as good a position as possible for its members from a political, personal and financial point of view. Events like the "mineriade", the decision to register the National Salvation Front as a party running for elections (in spite of earlier promises not to do so)[19] the rapid, chaotic and dubious privatization of industry, the Constitution of 1991 and many others, highlight this disturbing tendency to act in detriment of long-term state interests and with complete disregard for the will of society at large. It comes, then, as no surprise that there was no serious discussion concerning lustration until the first electoral turnover in 1996.[20]

A law concerning Access of Former Communist Officials and Members of the Totalitarian Regime to Public and Political Positions was passed in June of 1998, stipulating what categories of former PCR members were banned from what positions within the state and also creating the Council for Studying Former Security Archives.[21] However, these measures had only limited effects, as public access to the former Securitate's files was denied to the public and, thus, there could be no talk of lustration.

Similarly to Romania, Poland also had a difficult time with lustration, the difference being that talks concerning the matter had been initiated as early as 1989.[22] Its main issues came, much like in the Romanian case, from a lack of political will to see such measures implemented. Tadeusz Mazowiecki, the first non-communist Prime Minister, had a policy of "forgive and forget,"[23] yet the political advantages of using lustration measures against the opposition proved too tempting. Time and again, information was leaked to the media, causing a wave of distrust to emerge not only against the political class, but against lustration itself.[24] The example of Poland is relevant because it offers an example of what has been called "late lustration."[25] By the time the establishment in Poland was willing to make a change to how it went about lustration, fifteen years had already passed from when communism was toppled. By that time, a law forbidding access to public office for members of the former regime's apparatus was indeed irrelevant. Poland was a member of the European Union and it was difficult to imagine the

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[19] Steven D. Roper, *Romania: The Unfinished Revolution*, Routledge, 2000, p. 66.
[20] Cynthia Horne, *op. cit.*
[21] *Ibidem.*
[22] *Ibidem*, p. 20.
[23] *Ibidem.*
[24] *Ibidem*, p. 21.
[25] *Ibidem*, p. 22.

communist legacy could still haunt Polish society. Still, the new president Kaczynski supported laws that were far broader in size, scope, duration and transparency than anything ever attempted before.[26] Such laws were not meant to target former officials but bureaucrats, clerks and civil servants at large (journalists, policemen, diplomats, academics, company executives, etc.) By enforcing such measures, the government would target the very core of society. Late lustration is far more expensive, time consuming and delicate to undertake and, for this reason, it is paramount to have a clear definition of who to look for. In this case, screening was supposed to reveal the former secret police collaborators and neutralize the thread they might have posed to society. Poland's determination to discard every remaining communist influence shows that, at least as far as awareness is concerned, society is still preoccupied with its legacy and is prepared to take steps to improve. Romania's standpoint, however, has been far more passive. Even today, society does not seem to want to tackle the issue of its past and any official discussion regarding lustration or the crimes of communism is met with surprising disinterest. Considering that Romania's transition has been, by far, the most painful and arduous of any ECE country, the silence that surrounds problems concerning transitional justice is indicative of "general tacit, de facto amnesty, which is the result of a pact of silence – concluded between politicians and citizens."[27]

That "pact of silence" was supposed to be broken by the lustration law of 2005. The proposal[28] was meant to introduce much tougher measures against former officials, collaborators, bureaucrats and civil servants of the communist regime. In this, it was very similar to the late lustration measures implemented in Poland.[29] The notable difference is that, while Polish officials rallied and passed the law, Romanians did not show any signs of eagerness in this direction. Though reports at the time were at least cautiously optimistic as to the benefits of such an endeavor, it became clear in time that many hopes were exaggerated. The law spent the next five years in Parliament. Looking at the timeline, one notices that there was no real sense of urgency surrounding it. From the time it was submitted (June 16th, 2005) and adopted by the Senate (April 10th, 2006), until it was finally

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[26] *Ibidem.*

[27] *Ibidem*, p. 30.

[28] For the original text of the law, as well as its progress and subsequent modifications see http://webapp.senat.ro/senat.proiect.asp?cod=10291&pos=0 (due to technical issues beyond my control, the link may not always function properly).

[29] Cynthia Horne, *op. cit.*

adopted by the Chamber of Deputies (May 19th, 2010),[30] the law of lustration seemed trapped in a circle reminiscent of the works of Franz Kafka.

May 19th was greeted with some enthusiasm by domestic and international media[31] after the lustration law was finally approved and sent to the Presidency. However, any supporter of the law had much to be disheartened about when the Constitutional Court blocked the initiative on grounds of unconstitutionality after being solicited by several senators and deputies.[32] Its motivation was based on several arguments, most of which were conceptual rather than technical in nature.[33] Firstly, the Court ruled against the idea of "collective guilt", mentioning that crimes should be assessed on a case-by-case basis, rather than according to a general label.[34] Secondly, given that 21 years had already passed, communism was no longer considered a great enough threat to either the regime or public morals so as to justify lustration.[35] Thirdly, the European Court of Human Rights is given as an example of jurisprudence. Zdanoka versus Latvia and Ungureanu versus Romania were cases offered as precedents in which ECHR ruled against restricting civil rights for the sake of lustration.

While the Constitutional Court did admit to the legitimacy of the overall goal, it criticized the law as being disproportionately harsh and questioned whether simply belonging to the former communist apparatus was sufficient reason to justify vetting from offices. In doing so, it basically allows the practices of the past to continue as they always have. Currently, no public official is required to declare having been part of the communist party, only of the secret police. Even so, former collaborators are not considered to be incompatible with most positions and proof of collaboration is difficult to produce, given the fact that secret police archives are still inaccessible to the public or prone to alteration.

The Constitutional Court's ruling does seem sound at first glance, but there is hardly any technical discussion as to the constitutionality of the lustration law. The Court rejects the idea of retroactive justice but fails to offer satisfactory explanations as to when it may be applied and under what circumstances,

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[30] For the progress of the law in the Chamber of Deputies see http://www.cdep.ro/pls/proiecte/upl_pck.proiect?cam=2&idp=6394, retrieved on January 31, 2011.

[31] Mediafax saluted the outcome of the vote in an article published later that same day, retrieved from http://www.mediafax.ro/english/romania-adopts-lustration-law-6134882, on January 3, 2011.

[32] http://www.hotnews.ro/stiri-esential-7385355-update-curtea-constitutionala-legea-lustratiei-este-neconstitutionala.htm, retrieved on January 31, 2011.

[33] The full Court ruling can be found at http://webapp.senat.ro/senat.proiect.asp?cod=10291&pos=0, retrieved on January 31, 2011.

[34] Dix Holger, *op. cit.*, p. 4.

[35] *Ibidem.*

especially if considering cases of late lustration such as in Poland. The power of legal precedence is also exaggerated, as the Court seems to attempt more to align itself to ECHR standards that to pursue objective legality according to the guidelines of the Constitution. One can also raise questions as to the political motivation behind the Court's decision, as some of the justices might have been directly targeted had the law been implemented.[36] If this is indeed the case, then Romania finds itself in a tragic paradox where those in charge of passing a lustration law are the same people that would have most to lose as a result of it. Because power after 1989 was held by largely the same people as before, lustration never happened. Because lustration never happened, the same people who were in power just after 1989 are still in power today or have had the means to promote their protégées to high-ranking positions.

The very fact that a law of lustration has not yet been passed in Romania is an argument in favor of its necessity. Had such a law been proposed, subjected to public debate and found to be redundant, the argument of irrelevance could have been applied safely. But, given that attempts at such a law have been made, passed, approved by the President and later rejected on grounds of unconstitutionality by a court whose members (they themselves potentially affected by the law) presented a relatively unconvincing argument, is sufficient reason to suspect that there still are enough former communist officials in well-placed positions to stall, block or even reject a law of lustration. One can hardly imagine another reason why a law could be neglected in such a manner or ignored for so long a time by the legislative. Electorally speaking, lustration has been invoked on a regular basis, yet none of the victorious parties has committed to this end. Legislative initiatives seem to linger in Parliament without being given too much thought. On a more humorous note, one could compare the lustration law of 2005 to a sort of political "Boogie-Man" meant to frighten the opposition from time to time. No genuine attempt at lustration is taken seriously, except in the context of political rivalry.[37] To have a law, debate on it and reject it as costly and/or unnecessary is a way to bury the issue once and for all; but to drag the issue on for years before finally adopting the law, then reject it on grounds of unconstitutionality and then have it fade into oblivion by "forgetting" to draft a new proposal in due time goes to show the exact level of respect that is manifested toward democratic institutions and practices, transitional justice and political life in general in Romania. In spite of assurances from the president of the Chamber of

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[36] *Ibidem.*
[37] Cynthia Horne, *op. cit.*, p. 37.

Deputies that a new law would be drafted, when the Parliament reunited for the autumn session of 2010, no new proposal was presented.[38] If it were not for the parliamentarians' final act of apathy when it came to drafting a new proposal for lustration, it could have been argued that the 2005 law was a genuine effort to promote transitional justice. All those involved (senators, deputies and the president) could have argued good intentions and placed the blame for failure solely on the Constitutional Court. However, every stage of the law's five year track toward eventual rejection is marked by a distinctive sense of indifference. It therefore makes little difference if the Constitutional Court was biased against the law or if the promulgated proposal was indeed unconstitutional after five years of parliamentary debate. The end result is the same: Romanian state institutions continue to function awkwardly and unprofessionally even after two decades of post-communism.

In short, it could be said that the early period of post-communist Romania was not a time of rapid and radical change (as was the case in most other ECE countries) but of a rather slow lagging of the old ways, with the notable exception that the country was required to compete economically in an aggressive free-market in which it lacked the means to perform. Throughout the period, every government either lacked a long-term development strategy or the willingness to apply one which had been proposed. In needing to adapt to the new realities, the Romanian political elite has distinguished itself mostly through patch-work and improvisation rather than a determination to rebuild from scratch. As the next chapter describes, lustration cannot be separated from genuine reform. The two are connected not only in principle, but also in how they are implemented.

On Reform

From an etymological point of view, the noun "reform" means an "amendment of what is defective, vicious, corrupt, or depraved" or "a removal or correction of an abuse, a wrong, or errors."[39] When used as a verb, the word has two meanings that are politically relevant:

1. a : to put or change into an improved form or condition
    b : to amend or improve by change of form or removal of faults or abuses
2. to put an end to (an evil) by enforcing or introducing a better method or course of action.

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[38] The story was presented on a news broadcast and is available at: http://stirileprotv.ro/stiri/politic/ legea-lustratiei-a-fost-ingropata-definitiv-de-parlamentari.html, retrieved on January 5, 2011.
[39] Definition taken from the Merriam-Webster online dictionary, available at: http://www.merriam-webster.com/dictionary/reform, retrieved on January 31, 2011.

Romanian political discourse over the past 21 years has been mostly preoccupied with the first meaning - that of fixing what is faulty and bringing improvements to what already exists. As described in the previous chapter, the same people were maintained in the same offices as before 1989 and there were few changes in the way the state functioned at institutional level. There has been no government that has not promised reform or employed the term to describe activities which can more appropriately be called experiments. Measures such as a different grading system or different types of evaluation in Education were dubbed "reforms" but hardly any change was brought to the curricula. The students who took the Baccalaureate exam in 2007 will surely remember having one hundred possible topics posted online, as well as the scandal that followed.[40] Similarly, the students who took the same exam in 2010 had to cope with a different issue, namely not having any more stages of oral examination. This new change in methodology yielded catastrophic results and revealed the flaws of the Educational system.[41] Significant changes were brought to the methodology on an almost yearly basis, yet the principle behind the curricula remained more or less unchanged, with students still having to learn (many times by heart) a large amount of useless information and obsolete skills.[42] To say that the Ministry of Education, Research, Youth and Sports is lacking an overall strategy would, in this sense, be fairly accurate, as there is a large gap between what is taught in school (even, sometimes, at college level) and what the job market demands. Genuine reform would, in this case, set out to correlate what is offered with what is requested.

Similarly, we can notice a lack of strategy and momentum in many other instances. The Ministry of Tourism and Regional Development has struggled for years to identify a proper country brand to attract visitors. "Romania-Land of Choice," "Romania-always surprising" and others are just a few examples of how the country was promoted over the years, with little success. Meanwhile, a country brand such as Dracula has been largely overlooked in the place of the Carpathians

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[40] Many students were irritated about the subject which was randomly selected for the written stage of the Romanian Language and Literature exam. For more detailed accounts see: http://www.hotnews.ro/stiri-arhiva-1056473-lacrimi-bac-din-cauza-subiectelor-romana.htm, retrieved on January 5, 2011.

[41] In 2010, more students failed the Baccalaureate than at any other time after 1990: http://www.adevarul.ro/locale/bucuresti/BAC_2010-_Astazi_aflati_ce_note_ati_luat_la_examen-_Ramaneti_pe_adevarul-ro_pentru_rezultate_0_291571274.html, retrieved on January 5, 2011.

[42] Even today, schools in Romania teach obsolete computer programming such as Borland Pascal or MS Dos and there is little or no emphasis placed on practical skills like Internet navigation, MS Office or even Flash or Java programming which could be useful for job applications.

or even sea-side resorts.[43]

What these examples (and many others) prove is that the prevalent notion of "reform" is distorted. Looking back at the definition, we notice that authorities have thus far tended to emphasize the first meaning of the word and ignore the second. Reform is not a measure taken for the sake of patch-work, but a systematic demolition, followed by reconstruction of an entire system. This is the essence of "enforcing or introducing a better method or course of action." Reform is not a shallow change but a drastic reevaluation of the principle being pursued. Reform during transition must, therefore, necessarily start by tearing down the principles on which institutions function. Once a new, democratic principle is placed at the core of each institution, one can start to rebuild its functioning around it. For this very reason, transitional justice is best started as soon as the former regime is overthrown. Otherwise institutions will continue to function according to the old principles. The more the process is delayed, the harder reform becomes.

In Romania, it is interesting to see that principles used during communism are still applied today. The Ministry of Education still encourages universities to enroll as many students as possible, thus sacrificing quality for quantity, as the best students are mixed-in with lesser able kin. The government, through subsidies, still encourages industrial giants and state-owned companies operating at a loss. One could cynically conclude that the goals of today are the same as those of communism and the only thing that has indeed changed are the tools used for achieving them. One particularly relevant example is that of the Ministry of Tourism and Regional Development continuing to promote picturesque destinations even though there is hardly any infrastructure capable of taking potential visitors to those respective objectives. For example, the Black Sea coast is advertised as an ideal attraction yet the most convenient means of reaching it from Bucharest (road and rail) are overcrowded in summertime and the housing and boarding opportunities are more of a deterrent for potential tourists. This highlights a complete lack of an integrated national strategy aimed at achieving a set goal.

For the past decades, ministries have seldom, if ever, collaborated efficiently in order to set, pursue and achieve a national goal. The exception that is most commonly invoked is that of the 2000-2004 administration, which was guaranteed

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[43] *The Guardian* actually expressed astonishment that one of the most famous characters in the world was not integrated into a country-marketing strategy: http://www.jurnalul.ro/stiri/observator/the-guardian-romania-ignora-dracula-o-marca-erotica-internationala-558461.html, retrieved on January 5, 2011.

accession into the EU,[44] however the "efforts toward integration" became "efforts toward accession" as there was no plan for what would follow after January 1st 2007. Every measure taken in that time (from building the Sun Highway to drafting an amended version of the Constitution) was presented as being necessary for European integration but at no time was it mentioned that integration begins with accession and that 2007 would not represent an end of efforts but a beginning. The legacy of that period is perhaps best represented by the degree of suppression that was placed on civil society by the increasingly more powerful state.[45]

Conclusions

In many ways, there is a connection between reform and lustration. Whereas the former is concerned with changing the way in which institutions function (the technical element), the latter is concerned with changing the people that operate within the institutions (the human element). If we indeed consider reform as a complete reorganization of the state, starting from its very principles (as a new Constitution, in fact, does) then we must also acknowledge that new individuals are also required to ensure the state can properly function. The office holders of the former regime were trained and experienced in performing their tasks according to a set of ideas that became redundant once the regime changed. Believing that they would operate differently simply because new principles have been declared would be naïve to say the least. A drastic reform of the institution must therefore always be followed by a reform of the office holders. In this, lustration and reform are both mandatory and inseparable.

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The Revision Procedure, the Role of the Constitutional Court in the Referendum Procedure and the President Dismissal

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Abstract

The revision procedure combines specific techniques of the representative democracy with those specific to direct democracy, both by enshrining popular constitutional initiative, and by giving the social corpus the possibility to intervene at the end of the revision process towards a referendum. The Constitutional Court has no constitutional control on any laws resulting from the referendum. The referendum is actually a popular revocation, so the president is revoked, not dismissed.

Keywords: *Constitution, Constitutional Court, president, referendum, law, democracy, representative democracy, direct democracy, popular constitutional initiative, Chamber of Deputies, the Senate, referendum procedure, president dismissal.*

1. The Referendum of Revision

Article 151 paragraph 3 of the Constitution:

"The revision is definitive after its approval by a referendum held within 30 days from the date of adoption or proposal of the revision."

Mihai Constantinescu and others comment that Article 151 regulates the hypothesis of derived constituent power and states that it belongs to the two Chambers of Parliament, invested as Chambers of revision by the text of the Constitution.[1] The revision procedure of the Constitution is a special one, different from that used for the adoption of other types of laws: a qualified majority of two thirds is needed for the debate and adoption a constitutional law. The comparison

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[1] Mihai Constatinescu, Antonie Iorgovan, Ioan Muraru and Elena Simina Tănăsescu, *Constituţia României revizuită – comentarii şi explicaţiii* (Romanian Constitution revised – Comments and Explanations), All Beck, Bucharest, 2004, p. 340.

of this regulation with articles 75 and 76 underlines the relatively rigid character of the Romanian Constitution, which enjoys greater stability than other types of laws.

The revision combines specific techniques of the representative democracy with those specific to direct democracy, both by enshrining popular constitutional initiative, and by giving the social corpus the possibility to intervene at the end of the revision process towards a referendum. The referendum provided in the final paragraph of Art. 151 is ulterior to the adoption of the constitutional law made by the representative forum with the role of constituent derived power and it has the meaning of a popular confirmation of the achieved changes and the role of suspenseful condition to produce legal effects of the revision. It makes the further intervention of any other state authorities in the revision procedure unnecessary and lacking legal effects. The period laid down by the Constitution for organizing this referendum is one of decay and its expiration before organizing the referendum has as an effect the invalidity of the decision adopted by the derived constituent power.

The revision from 2003 did not alter the provision on the referendum.

The revision of the Constitution is final after its adoption by referendum. Cristian Ionescu notes that, although the Constituent refers to the adoption by the two Chambers of the draft revision of the Constitution and to the completion of the revision, this does not mean that the revision's approval by referendum would be a procedural phase of the adoption of a legislative initiative regarding the revision by the Chambers. The two stages of the revision are distinct and complementary, the completion of the revision having an intrinsic legal value, similar to that of adopting the draft or proposing the revision by the Chamber of Deputies and the Senate. Each phase has distinct but legal effects.[2]

The introduction of the revision's approval by referendum implicitly operates an adjournment of the procedure stipulated by article 77 of the Constitution, meaning that the revision law adopted under constitutional provisions is not sent to the President of Romania for promulgation, awaiting the outcome of the referendum. This does not mean that the revision law adopted by the Parliament would be provisory until the results' referendum confirmation by the Constitutional Court.

The referendum is made within 30 days from the date of passing the draft or the proposed revision and it is necessary because the Constitution was approved in

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[2] Cristian Ionescu, *Drept constituţional şi instituţii politice, Sistemul constituţional românesc* (Constitutional Law and Political Institution. Romanian Constitutional System), vol. II, Lumina Lex, Bucharest, 2001, p. 107.

a similar procedure. The author believes that by the silence of the Constituent Legislator, the law of revision will have to be promulgated by the President. An opinion considers that the law of revision must be promulgated after being adopted by referendum. In reality, the Constitution promulgation procedure is not necessary, because constitutional provisions clearly state that it "shall enter into force after the approval by referendum."

Ion Deleanu found that the revision of the Constitution is made in two stages: the debate and adoption in both Chambers and the completion of revision by referendum. In fact, the Constitution promulgation procedure is not necessary, because the constitutional provisions clearly state that it "shall enter into force after the approval by referendum." Without a referendum within 30 days from the adoption of the project by Parliament, the decision of the elect will be invalidated.

Cristiana Sandru makes a difference between the original constituent power and the constituent derived power. She considers that constituent power is original when it manifests through the development of a constitution and the derived constituent power is the competent one to amend the constitution[3]. If the Romanian Constitution is declared rigid, and it is so because it needs a special procedure for its revision, then the constituent power must be special, but in our case the Parliament is competent to vote for change, in quorum of 2/3 or ¾.

Here we see a change in the Constitution of 1991, which stipulated that if the law was found unconstitutional by the Constitutional Court, it would return to Parliament and be adopted with a quorum of two thirds; it was a final law and the promulgation was compulsory.

The conclusion was that the revision of the Constitution could be done without a referendum and a necessary quorum needed to revise the fundamental law. The Legislature from 2003 has rectified this aspect, stipulating in article 147 "In cases of unconstitutionality of laws, before promulgation, Parliament is obliged to reconsider those provisions to bring them into line with the Constitutional Court." Therefore, the Revision without a referendum is not possible; the question remains whether it can be a revision with referendum, but without Parliament under the Article 90.

2. The Role of the Constitutional Court in the Referendum Procedure

Article 146 letter i) from the Constitution:
"The Constitutional Court shall:

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[3] Cristiana Sandru, "Despre revizuirea constituţiei" (On the Revision of the Constitution) in the *Dreptul* Magazine, year V, no. 3, 1994, p. 40.

i) supervises the observance of the procedure for organization and holding of a referendum and confirms its outcomes.[4]

"Ion Deleanu issues on the text some considerations, which he calls" summary"[5]:

a) The organization and holding of a referendum, the confirmation of the results have been subject to organic laws that detail the prerogatives of the Constitutional Court.

b) On the basis of the powers conferred by the Constitution and the organic law, the Constitutional Court is not called just to confirm the results, but also to ensure the organization and unfolding.

c) Because the Constitution does not distinguish between different forms of referendum laws, the author concludes that the designation conferred to the Constitutional Court in the field is concerning all forms of national referendum.

The Control of the Constitutional Court on organizing the referendum and its results involve two dimensions:

a) The Court's Control involves controlling the organic laws of the referendum, a previous control, a preventive, and an abstract and political one only for sensing and not by default.

b) Solving under the conditions of the law, the actions in electoral contentious and confirming the referendum results represent in fact the substance of the constitutional provisions in subparagraph i).

So, the Constitutional Court has no constitutional control on any laws resulting from the referendum. Given that Parliament would decide to hold a legislative referendum the motivation "such a law-expression of the original will-power is above the will of any power."[6]

3. The President's Dismissal

Article 59 of the Constitution:

"If the proposal of suspension from the office has been approved, within 30 days it is organized a referendum on the president's impeachment."

Mihai Constantinescu explained that a referendum is justified because it was chosen by throughout the electorate body inside a constituency comprising the entire country, and can not be dismissed than still by the defined electorate body.[7]

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[4] *Constituţia României* (Romanian Constitution), Erc Press, Bucharest, 2003, p. 49.
[5] Ion Deleanu, *Instituţii şi proceduri constituţionale* (Constitutional Institution and Procedures), vol. II, Servo-Sat, Arad, p. 452.
[6] *Ibidem.*
[7] Mihai Constantinescu et. al., *op. cit.,* p. 153.

Cristian Ionescu believes that to ensure the symmetry that justifies a referendum for the President's dismissal, it should that the Constitutional Court to declare the suspension in order to hold the referendum.[8]

The president's dismissal is defined by Tudor Drăganu as "the act by which the President of the Republic is deprived of the mandate's exercise received from the voters as a result of a referendum... that has declared him guilty of a serious violation of the Constitution."[9] One problem is setting the date of dismissal: the date when the Constitutional Court could declare the referendum as being valid.

There are raises more questions about this referendum of dismissal.

The first question is whether the president can be dismissed. If the referendum is an expression of legal symmetry elevated into a principle, it should be mentioned that only the president is elected by the people, without the intervention of the Parliament. In the procedure described in Article 95, this procedure can not be initiated until after the suspension in a joint session of both Chambers. The referendum is actually a popular revocation, so the president is revoked, not dismissed. The dismissal should involve only the players who have given him the mandate: the people and for legality and fairness the Constitutional Court.

Also such revocation is a feature of the imperative mandate, which is expressly prohibited by the constitutional law. The introduction of such provisions may be interpreted as a derogation from the principle stipulated in Article 69.

The President is elected, and *per se* he can be revoked.

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ESSAYS

PRESENTATIONS

REVIEWS

Paul Goma: From the Calidor. A Bessarabian Childhood

Review

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Published at "Lumina" Publishing from Chisinau in 2010, being the fifth edition, the novel by Paul Goma *From the Calidor. A Bessarabian childhood*, as the first part of the autobiographical cycle, offers to the novelist the possibility to recover an "age of gold" and, with it, a well-deserved place in the Romanian literature, usurped, by the way, by the dimension of the anti-communist dissidence.

Divided into twenty-one chapters, accompanied by *Foreword*, the writing responds to a need to transcend the real world and the present time, releasing itself from its dominance "here" and "now", transferring into a space with predilection to reverie and romance. With an exceptional sense of language, we are placed into a "fairytale biotope" exempt of any temporality, in an area over which the naturalness of the rustic existence floats, descending from a long tradition, only the historical events having the power to hardly annihilate the seemingly eternal rusticity of this ideal state, visible in the anti-romance and deconstructive impetuosity of the writing.

Systematically mixing the layers and the chronologies, Paul Goma describes a world ravaged by time, when the space and the time determine the fate of people: "as a son of my father, I am convinced that at first was neither the egg, nor the chicken, but geography – the mother of history: Tell me where you are, in space, so that I can tell you what happened to you in time."[1] Abolishing the hierarchies, history plays with the destiny of inhabitants of Mana, invading them with shadows, blaming their ideals, replacing the values, making them live in a forever hostile maturity. The cause must be sought, according to I. Negoiţescu, not only in the subsequent course of history, with the well-known vicissitudes, but also the

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[1] Paul Goma, *Din Calidor. O copilărie basarabeană* (From the Calidor. A Bessarabian Childhood), Lumina, Chişinău, 2010, p. 18.

original impact with it, deeply stuck in the subconscious. That's why – continues the literary critic – *From the Calidor*, Paul Goma's novel, is crossed by a lyricism as authentic as it is larval, more transparent than obvious, welcome in a narrative manner completely devoid of picturesque. A continuous inner crying feeds this lyricism with its lustral and purifying waters.[2]

"Why haven't left for the first refuge, that from the 40's?"[3] – It is the question that apparently concerns the child Goma, essential question addressed to the father "since I was able to ask questions". Building his *Calidor* around this "Why", returning "from the distance of forty years and three thousand kilometers – at the beginning, not just in my Mana, in its round universe and round forever, but "by there"; around – as around as possible"[4], this "son of Bohr", robbed by history, recovers his freedom, re-begins to live from the moment he can ask questions. Relying, at the beginning, on the incomprehensible reasoning of his father ("you're missing much more easily than less. When you have much to lose, you can afford yourself to lose – you have enough to…,"[5] the author comes to discover it by his own experience (giving the example of a poetess who, arrived in Paris, said she preferred to starve than to work with her "hands"), being determined to learn and follow it. Bound through the umbilical cord to the mythical time, Paul Goma is bound through the paternal reasoning to the historical time, the family symbolizing a constantly revolving sphere between departure and return, the mother's hand supporting the space of the two wanderings.

Although the novel operates on the full scale of the time, the leitmotif of the composition *I am sitting in the calidor of the house from Mana*, repeated, usually, at the beginning of the chapters, becomes an ordering principle, but acting only at the present time, thus merging with the sole time of Eden.

Even if he does not respect the chronological order of the events, the author builds a balanced prose protected by irony and humor from "falling into sentimentality and romance", but not from falling from Heaven, "from myth to history". Eradicated from the sacred space of existence, the child gets from the light into the darkness, the year 1944 marking the beginning of a darkness of refuge for many Bessarabians.

Wanting to cover everything – object reported, in fact, to the whole creation of the Bessarabian, *From the Calidor* represents the beginning, but at the same time, the continuity of *the beginning* (*another* beginning). The author sets no

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[2] Ion Negoiţescu, *Scriitori contemporani* (Contemporary Writers), Dacia, Cluj, 1994, p. 195.
[3] P. Goma, *op. cit.*, p. 7.
[4] *Ibidem*, p. 220.
[5] *Ibidem*, p. 13.

threshold, leaving the door open, so that he could always "have something to do there, around", *do, redo, re-see, un-do* and *do it again*, "*As the First Day. Of course: from the calidor*". Breaking the barriers of conventional syntax and becoming a *man of the verb* (skilled for inventions, as he would say), without being free, easy, "literaturized", cathartic, Paul Goma lives, through his writing, with maximum intensity, parodying and also poetizing and all that "for the benefit of freedom as principle of creation"[6]. Building his work not only from what "have happened", but rather, from what "would have happened" ("literature does not work with the truth – «it was true», but with the probability, with «it could have been true»"), anticalliphile and anti-mannerist, proving "a different refinement than the formal-aesthetic one, discovering a different poetry than the one having its source in lyricism, ethnography or textual preciosity, the author of the *Passions after Pitesti* programmatically refuses the poeticism, but not the poetry (we could even write Poetry),"[7] building, from his Calidor with *shadows* and *lighst*, not only a history of him, but a history of us all ("his drama perfectly mirrors the drama of the whole nation"), as noted Liviu Cangeopol, reverberating, in various accords, either an ontic tension or a paradisiacal recovery, "but everything according to his living experience".

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[6] Nina Corcinschi, "Printre figurile şi tropii lui Paul Goma" (Among Figures and Tropes of Paul Goma), *Metaliteratură*, no. 5-6 (25), 2010, p. 83.
[7] Andrei Ţurcanu, "Paul Goma: atitudine şi poezie" (Paul Goma: Attitude and Poetry), *Metaliteratură*, no. 5-6 (25), 2010, p. 88.