



STUDIA UNIVERSITATIS

BABEȘ-BOLYAI



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**EDITORIAL OFFICE:** Hasdeu no. 51, 400015 Cluj-Napoca, ROMANIA  
Phone +40 264 405352

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## PROCESSES AND EFFECTS OF POST-SOCIALIST NEOLIBERALIZATION\*

Enikő Vincze

### Editorial

Our thematic block was initially announced by the journal *Studia Europaea* as a special issue regarding “the social effects of austerity”. This title could suggest that the guest editors would have liked addressing “austerity policies” as a technical matter with some sorts of consequences in what regards people's social conditions and/or their capacity to act as competitive actors within the “democratic capitalist regime”. In order to avoid such an interpretation from the very beginning, there is a need to at least briefly highlight that our perspective and aims are shaped by a political approach towards policies. Therefore, instead of a discussion about “the social effects of austerity”, in this journal issue we are actually expressing our will to have a contribution to the critical analysis of how is neoliberal politics envisioning, elaborating, implementing and evaluating the (austerity) policies that are (re)enforcing the power structures of capitalism. The papers of this thematic block are viewing the functioning of this large issue in different domains, such as: economic policies of liberalization and the pauperization of working class (Pantea); development policies in the context of the politics of dismantling the social state (Vincze); policies of forced evictions and housing politics (Vrăbiescu); social services and the role of NGOs in neoliberal state restructuring (Zamfir); human rights advocacy and the politics of obscuring structural issues of social and economic inequality (Safta-Zecheria); precarization of labour and neoliberal academic politics (Ivancheva); the politics of universal basic income and the possibility of the ideological consensus of liberalism and socialism (Butaru).

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\* Thematic bloc (guest editors: Lucian Butaru, Șerban Văetiși and Enikő Vincze)

According to our understanding, policies are not neutral means of expert actions to solve “a problem”, but are instruments of power: they do not only define how resources are distributed across the society (and how is, for example, legislation used to support employers and disempower workers, or to back up the real estate businesses and exclude the already marginalized from access to adequate and accessible housing), but are also creating the subjects (both the ones that are privileged, and those who are disadvantaged by them) and are justifying the produced social hierarchies. While creating ‘redundant’ or ‘surplus’ social categories as a result of its political economy, capitalist neoliberalism makes appeal to systems of cultural classifications. As a result, those individuals who are pushed into positions from where they are structurally unable to be ‘competitive’ on the ‘free market’ are rendered not only illegal or rightless, but also immoral and ‘undeserving’ citizens, and even more, as non-humans or non-persons ineligible for the fundamental human rights, including socio-economic, civic and cultural rights.

The papers of this thematic block do not go beyond neoliberalism by looking for post-neoliberal alternatives (in Romania, in the European Union, or globally), and in this sense they might not bring something new into the international debate on these issues. But, together, they are adding a strong argument for the need for enlarging in Romania, too, the critical discussions about neoliberalism and capitalism as global phenomena – regardless if they refer to the neoliberal shift of the post-Mao era in China (Pantea) or to the trans-national debates about the universal basic income (Butaru) or to how neoliberal reforms of higher education are leading to the precarization of the academic profession both in the ‘core’ and ‘periphery’ countries (Ivancheva); or if they tackle the larger issue of neoliberalization in the context of one country, Romania by analysing the ways in which national or international non-governmental organizations act as players of the neoliberal regime (Zamfir; Safta-Zecheria); or by discussing the politics and practices of citizenship dispossession through cases of forced evictions (Vrăbiescu); or by addressing the processes of state reform and the politics of entrepreneurial development as means by which the national and local actors are localizing patterns of global neoliberalism (Vincze). By placing these discussions into the discursive frame of ‘post-socialism’ we subscribe to the understanding that the collapse of real socialism was incorporated

into a global political context and had a role to play in the changes of the latter, while the globalization of neoliberal politics and economic policies did not only created the frames of this collapse but it also radically changed state capitalism and promoted the idea of the impossibility to imagine alternative regimes.

Besides their analytical potential, the value of these papers is about encouraging such debates within an academic space that is still marked by fears or hesitations about what a 'post-socialist context' might tolerate in what regards the critical analysis of capitalism and of its current form, neoliberalism. For in such a context 'post-socialism' means anti-socialism used as a discursive device not only in order to justify neoliberal policies while pretending to empower the individual in the front of an oppressive state, but also to sustain that globalization of capitalism as it happens today is not a political option, but a natural extension of the market as embodiment of freedom and guarantee of economic well-being. As scholars who happen to live on the Eastern edges of the European Union, we might demonstrate that the role of 'post-socialism' as ideology is to support the unconditioned celebration of capital across borders and the perverse understanding of private property as a supreme right of capitalist class privileged by the market-maker state, and as well as to exploit labour and/or to transform it into a 'redundant' subject in the name of individual 'competitiveness' and 'entrepreneurial spirit'.

Among the authors of this thematic block the reader might encounter some of the members of the Workshop for Social Criticism (*Atelierul de Critică Socială*, <http://pages.ubbcluj.ro/acris/sample-page/>) run at the Faculty of European Studies, Babeş-Bolyai University, Cluj-Napoca since December 2013; and as well as some of the participants on the conference "Modes of Appropriation and Social Resistance" (in particular on its panels about "Post-socialist Neoliberalism and the Dispossession of Personhood", and about "Roma Resistance in the Context of Development and Policy Interventions") organized in November 2014 at the Faculty of Sociology and Social Work, Babeş-Bolyai University by the Romanian Society for Social and Cultural Anthropology.



## BEYOND OR BESIDES NEOLIBERALISM? THE POLITICAL ECONOMY OF UNIVERSAL BASIC INCOME

Lucian T. Butaru\*

### Abstract

*This article intends to present comparatively the theoretical and political debates, past and present, on the universal basic income. The purpose of this comparison is to highlight the potential of acceptability of such a program, and the respective reticence and barriers it stirs. The potential of acceptability and implementation stems from the fact that the program was conceived before the split of the old left and continues to manifest itself in an area where the ideological consensus of liberalism and socialism is still possible. The reluctance seems to be due to the leftist radicalism, which remains quite strong, despite the ease with which such programs can be translated into the language of right. Reticence and concealment continue even today, despite the logical consistency of the solutions proposed and despite the evidence brought in using the tools of social sciences.*

**Keywords:** universal basic income, negative income tax, Austrian and market socialist economics

### Introduction

In this article, I intend to show how those who decide politically the fate of economy have ignored a pretty simple and old idea, and also sound enough idea for it to be supported by respectable thinkers: the idea of unconditional income.

*What is this all about?* The idea was present over time under different names.<sup>1</sup> In addition, there are numerous nuances regarding the precise

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\* Dr. Lucian T. Butaru, Lecturer in the Department of European Studies at Babeş-Bolyai University, Cluj, Romania.  
Contact: lbutaru@yahoo.com

<sup>1</sup> Universal Basic Income, Citizens' Dividend, Social Wage, Demogrant, Negative Income Tax, Basic Capital etc.

form of the benefice to be granted, but whether it is regarded as income or as capital, or as an annual or monthly pay, in all the variants, we find a common ground: granting this benefice should not be conditioned by the recipient's ability or willingness to work. At present, the formula that is most often used is UBI (Universal Basic Income). By "universal" we understand the fact that it is paid to any individual, regardless to the person's willingness or ability to work, regardless to the person's contribution to the social security budget, and even more interesting, regardless to the person's financial situation. This means that from the poorest to the richest resident of a state, everyone would benefit from this type of income. Besides the supplementary sense of universality that such a measure ensures, thus appalling the common sense of those accustomed to the exclusive assisting of the poor, this provision radically eliminates the bureaucracy involved in the allocation of benefits. Moreover, this does not seem to undermine the financial motivation to work since the benefit is received at the same level regardless to the increases of other sources of income of the beneficiary - unlike the competing formulations of the idea or any other anti-poverty policy, when such support is gradually cut as new sources of income appear. Therefore, we deal with an *ex ante* inequality correction applied to individuals caught in the game with diverse markets of capitalism at the expense of the *ex post* correction handled (or dealt with in the past) by the welfare state.<sup>2</sup> In order to realize the extent of the unequal treatments that the measure corrects we must define the term "basic":

*The UBI is called 'basic' because it is something on which a person can safely count, a material foundation on which a life can firmly rest. Any other income – whether in cash or in kind, from work or savings, from the market or the state – can lawfully be added to it. On the other hand, nothing in the definition of UBI, as it is here understood, connects it to some notion of 'basic needs'. A UBI, as defined, can fall short of or exceed what is regarded as necessary to a decent existence.<sup>3</sup>*

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<sup>2</sup> John Cunliffe, Guido Erreygers (eds.), *The Origins of Universal Grants: An Anthology of Historical Writings on Basic Capital and Basic Income*, New York: Palgrave Macmillan, 2004, p. XI.

<sup>3</sup> Philippe Van Parijs (ed.), *What's Wrong with a Free Lunch?*, Boston: Beacon Press, 2001, pp.

*How old is the idea and who are its supporters?* The idea in question precedes the appearance of the *Communist Manifesto*.<sup>4</sup> As an intellectual product of the old left, for which the principles seemed to matter more than the means required to implement them, the idea is likely to please both the liberals (who in the meantime became the flagship of the right) and the followers of the new left. "It is not uncommon to find champions of Basic Income among people who would never have even flirted with the idea of thoroughgoing change in the societies in which they live"<sup>5</sup>. Among those who promoted, reinvented or even mentioned ideas that can be included in this current we find names that reflect the entire contemporary political spectrum: Milton Friedman, James Tobin, John Kenneth Galbraith, Emmanuel Saez, Jonathan Grube, Erik Olin Wright, Peter Frass, Carole Pateman, Pierre Bourdieu, Antonio Negri, Michael Hardt, Philippe Van Parijs, etc.<sup>6</sup>

Consequently, UBI should be placed beyond or even aside from the cleavages produced by the current positionings towards the neoliberal policies. Coming from an old consensus that goes beyond the divergent visions of Maximilien Robespierre and Thomas Paine, the idea at the heart of UBI reconciles both the formal liberty and equality preferred by the liberals and their effective variants favored by the leftist. "Liberty, equality, and efficiency"<sup>7</sup> could become the basis for a renewed consensus that abandons the opposition between evolution and revolution, going on a road that does not exceed them, but simply takes a different direction. However, the possible cross-ideological consensus, as revealed by various supporters, does not seem to be enough.

*So, what's wrong with a free lunch?* The only problem with the idea was (and still is) that it is counter-intuitive in a context in which the cult of work and the motivation systems based on coercion define the cultural

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<sup>4</sup> *Ibidem*, p. 6.

<sup>5</sup> Daniel Raventós, *Basic Income. The Material Conditions of Freedom*, London: Pluto Press, 2007, p. 154.

<sup>6</sup> Dylan Matthews, "Basic Income: The World's Simplest Plan to End Poverty, Explained" in *Vox*, [<http://www.vox.com/2014/9/8/6003359/basic-income-negative-income-tax-questions-explain>], 8 September, 2014.

<sup>7</sup> Philippe Van Parijs, *Real Freedom for All. What (If Anything) Can Justify Capitalism?*, Oxford: Oxford University Press, 1998, p. 28.

systems. This is visible in all the writings, old and new, which address the issue. Most of these texts provide generous space to the battle against the prejudices of the time, although the idea was mostly ignored rather than disputed. The most striking aspect of the proposals on UBI is that the wheel has been reinvented since the dawn of capitalism, most of the early formulations remaining "in the dark corners of our knowledge"<sup>8</sup>.

### **Historical perspectives<sup>9</sup>**

The history of the proposals of this type, stemming from different social contexts, consists of isolated and episodic occurrences, which often ignored each other over the last two hundred years. In trying to find remedies to the misfortunes caused by industrial capitalism (sometimes conflated with the term "civilization"), philosophers and social reformers of different backgrounds and political orientations independently formulated proposals on guaranteed basic income / capital.<sup>10</sup>

What is interesting in the early formulations is that both the economy and the justice were considered political rather than technocratic. In this regard, citing just a few of the most concise statements made at the time, we learn that: "lands that have been reduced to private property are all usurpations"<sup>11</sup>; that "the privileged estates as well as their ascending humble imitators [the bourgeoisie], [...] have stripped people of their work"<sup>12</sup>; and that a society that is based on ownership is "a society that is not constituted of the entire population, but only of the rich"<sup>13</sup> and its sovereignty relies on force.

From this perspective, which calls under relativity any social order, any social reform that allows for those forced to sell their labour and those who did not even have the privilege of being exploited to gain dignity *within the system* is possible. In the words of cosmopolitan revolutionary

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<sup>8</sup> Cunliffe, Erreygers (eds.), *op. cit.*, p. VII.

<sup>9</sup> For an extended version of this historical perspective on UBI see Lucian Butaru, „Dezbaterea despre venitul minim garantat. O perspectivă istorică” in *Vatra*, nr. 10/2014.

<sup>10</sup> *Ibidem.*, p. XIII.

<sup>11</sup> Allen Davenport, "Agrarian Equality—To Mr. R. Carlile, Dorchester, Gaol (1824)" in Cunliffe, Erreygers (eds.), *op. cit.*, p. 93.

<sup>12</sup> Thomas Spence, "The Rights of Infants (1797)" in Cunliffe, Erreygers (eds.), *op. cit.*, p. 85.

<sup>13</sup> Agathon De Potter, "Social Economics (1874)" in Cunliffe, Erreygers (eds.), *op. cit.*, p. 74.

Thomas Paine, the law could be reformed so that "to maintain the benefits of what we call civilized life and at the same time to cure the evil that it produces"<sup>14</sup>. One interesting story of the time is the one that puts together the Enlightenment's mythology of the good, free and dignified savage in its natural state with Paine's observations on the "Indians" of North America. It matters less how much of it is projection and how much is observation, what matters is the existence of an alternative model of society that makes it possible for the poverty and misery visible "in any city and street in Europe" to be put forward as a product of social order rather than as a product natural order. This observation is important because society can be restructured, unlike the natural order that can not be negotiated.

On the other hand, the relativization of social order and, in particular, that of private ownership of land opens ways to design plausible technical solutions that are economically sustainable in "guaranteeing a salary or, in old age, a decent minimum income below which one can not fall"<sup>15</sup>. Since the legitimacy of ownership of land is questioned, the land belongs to anyone (for atheists) or to God (for believers) and, therefore, "its fruits belong to all"<sup>16</sup>. This opens a whole range of financing solutions, i.e. of payment for that minimum income that ensures the decency of a civilized life. I will not enlarge here on authors or traditions and their respective solutions but I will try to include everything in a global synthetic description: (1) the land and its resources can be viewed as a source of rent, and for the right to deprive others of its fruits one must pay a fee large enough as to ensure the subsistence of the deprived; (2) the land is a means of production that can be distributed to all in order to ensure a decent living for everyone; and (3) a more conservative or at least more prudent solution which, in order to avoid the problems of categorization (private property/ personal property or property obtained through hard work and thrift / property obtained from a privileged situation) considers taxing the right to inheritance - in various percentages,

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<sup>14</sup> Thomas Paine, "Agrarian Justice (1797)" in Cunliffe, Erreygers (eds.), *op. cit.*, p. 3.

<sup>15</sup> Charles Fourier, "Letter to the High Judge (1803)" in Cunliffe, Erreygers (eds.), *op. cit.*, p. 100.

<sup>16</sup> Joseph Charlier, "Solution of the Social Problem or Humanitarian Constitution, Based upon Natural Law, and Preceded by the Exposition of Reasons (1848)" in Cunliffe, Erreygers (eds.), *op. cit.*, p. 106.

ranging up to 100%. As payment for the decent living, we find two variants, "basic capital" or "basic income", both paid in kind or in money.

Like today, regardless of the technical solution they adopt, supporters of UBI spend a lot of time battling with the economic prejudices of the era. Even the presentation of the "mathematical"<sup>17</sup> or accounting side of the political proposition is a form of preventive legitimization. The same line is followed by the explanations relating to the fact that such expenses are already in place and basic income would just be a decent replacement of "all aid offered by the Poor Law"<sup>18</sup> or other similar policies; and in contexts where no such regulations exist, some authors call for the "abandoning of the bizarre convention" which argues that charity and private insurance would be more entitled to provide subsistence means in critical moments.<sup>19</sup> However, the most interesting critical battles are those that question the existing socio-economic structure. For example, Joseph Charlier notes that the hardest jobs, dangerous or socially menial, such as mining, waste management and any kind of "dirty work" are disproportionately paid in relation to their socio-economic utility and that a guaranteed basic income would correlate better utility with value, since it would leave aside despair as a form of motivation to work.<sup>20</sup> Similarly, but from a different perspective / context, Charles Marshall Hattersley foresees a balancing of forces in the sexual division of labour.<sup>21</sup>

### **Contemporary perspectives**

Contemporary debates on the idea of an income not conditioned by labour are mere resummptions of recurrent discussions. As long as it remained at the boundary between economic reform and political utopia, the issue of unconditional basic income has been reinvented under

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<sup>17</sup> *Ibidem*, p. 104.

<sup>18</sup> E. Mabel, Dennis Milner, "Scheme for a State Bonus (1918)" in Cunliffe, Erreygers (eds.), *op. cit.*, p. 126.

<sup>19</sup> Juliet Rhys-Williams, "Something to Look Forward To. A Suggestion for a New Social Contract (1943)" in Cunliffe, Erreygers (eds.), *op. cit.*, p. 166.

<sup>20</sup> Charlier, *loc. cit.*, p. 112.

<sup>21</sup> Charles Marshall Hattersley "The Community's Credit. A Consideration of the Principle and Proposals of the Social Credit Movement (1922)" in Cunliffe, Erreygers (eds.), *op. cit.*, p. 144.

different names and under multiple forms and variations with reference to technical solutions, ethical explanations or economic purposes. This mutual ignoring favored a sort of ideological ecumenism on the idea, knowing that ideological differences are not solely the result of incompatibilities of principles, but they also involve a serious dose of calculations based on strategic positioning on the market of political ideas. Nevertheless, ever since the idea has penetrated the academic circuit (at the end of the twentieth century), it ceased to be reinvented, and the conceptualization effort became repetitive rather than cumulative. Current synthesis of similar solutions achieved in different contexts and coming from different ideological directions, although seemingly irreconcilable, gave the idea additional momentum in the public space:

*More or less recently, at least in the European arena of political philosophy, an old proposal has gained renewed attention and, indeed, approval [...] but in our days, as is observed with some satisfaction by its adherents, it is no longer just an academic issue for philosophers of justice and political economists.<sup>22</sup>*

What is interesting in the current academic formulation is that this idea, which incorporates the radical left ideals regarding economic emancipation, is formulated in the terms of the radical right, in its democratic version (neoclassical liberalism). The situation is explained by the fact that political economy and therefore any political approach to the economic components of society are dominated by the neoliberal ideology which is in a dominant position since the 1980s.

From this perspective, which challenges the effectiveness of any action on socio-economic issues, old proposals are reformulated in terms that, although preserve the solution intact, cause fewer adverse reactions in both ideological camps. Most of the texts on the issue focus on the benefits of reducing the bureaucracy dealing with health and social security. And if the economic benefits seem rather hypothetical the moral benefits can be tailored to seem very tangible. This form of poverty eradication is more moral than others. First, it is more moral because it eliminates paternalism

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<sup>22</sup> Gijs van Donselaar, *The Right to Exploit: Parasitism, Scarcity, Basic Income*, Oxford: Oxford University Press, 2008, p. 102.

and other forms of social control caused by the welfare state and because it lays on thorough checking before granting assistance or other social benefits.<sup>23</sup> Secondly, it is more moral because it is universal in the sense that no criterion of discrimination operates in providing the income. Therefore, unlike the forms of support focused exclusively on the poor, the universal basic income does not generate the shame accompanying like a shadow the privilege of being granted a benefice.

The issue of economic efficiency slips quite plausibly in this type of analysis. For example, we may consider the issue of motivation to work determined by retaining the "marginal utility" in accumulating income exceeding the basic income. Similarly, the futility of any future settlement of the minimum wage can be taken into account. On the other hand, at the risk of upsetting some liberals, we could also address the possibility of eliminating the shortcomings masked by the excessive exploitation of the workforce hyper motivated by the spectrum of poverty.<sup>24</sup> This masked inefficiency can be extremely harmful in the context of a global market where, for example, some highly productive and innovative competitors can be removed by others, operating in a more permissive social-political setting, allowing them to reduce prices exclusively by under remunerating labour, thus neglecting innovations that increase the efficiency (not just in terms of accounting) of resources management. But if we do not wish to offend anyone, we can translate the whole story in ethical terms, as follows:

*Like marriage, the employment decision should always be 'truly voluntary' in order to reduce, if not eliminate, the potential for coercion in the employment relationship.*<sup>25</sup>

In line with such principled formulations, "real-libertarians can side with the old critics of alienation"<sup>26</sup> – because the story is about reducing

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<sup>23</sup> Guinevere Liberty Nell, Daniel Richmond, "A BIG Paradigm Shift for Society: A Speculative Look at Some of the Implications of Introducing a BIG" in Guinevere Liberty Nell (ed.), *Basic Income and the Free Market. Austrian Economics and the Potential for Efficient Redistribution*, New-York: Palgrave Macmillan, 2014, pp. 184-192.

<sup>24</sup> Lucian Butaru, „Criza economică văzută din afara economiei” in *Critic Atac*, [<http://www.criticatac.ro/9025/criza-economica-vazuta-din-exteriorul-economiei>]

<sup>25</sup> Theodore Burczak, "A Hayekian Case for a Basic Income" in Nell (ed.), *op. cit.*, p. 68.

<sup>26</sup> Van Parijs, *Real Freedom for All...*, p. 34.

state's impact on individuals' private sphere or because it concerns the conditions of possibility for free exchange:

*Mises and Rothbard stress that exchange in the market should be strictly voluntary. A BIG [Basic Income Guarantee] could transform the labour market into a truly innovative dynamic system of social exchange by ensuring work and consumption are truly voluntary. [...] The choice between a given job and starvation is not a voluntary choice; and the culture that fuels the "work ethic," productivism, and materialism out of many individual's fears that their loved one's preferences will not otherwise be filled, or that their children will starve, is a culture bred not out of preference but out of necessity.<sup>27</sup>*

Everything can be redefined so as to ease the ideological digestion of ideas. That is why most of the texts abound in references to Rawls, Nozick, Dworkin, etc – which on the other hand hinders, in terms of readability, the digestion of many academic texts addressing the issue. From this point of view, in a contest of boredom inducing readings, academic texts addressing universal basic income are strong competitors to texts on multiculturalism. Even the question of ownership of land, which has exhausted much of its economic stakes, could be redefined in the new key, which is acceptable even for the "Austrian economists":

*instead of nationalizing the land or taxing it and using the land to fund a BIG, it might make more sense to simply use the land as a way to estimate the appropriate size of the BIG. [...] The BIG could be funded with a tax upon the wealth that the economy as a whole has produced for individuals. Although the tax would be on the whole economy, the tax would be set to only raise the amount of the value of the land.<sup>28</sup>*

However, in the synthesis and academic redefinition process that we have witnessed lately, the radical relativist perspective of the past has

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<sup>27</sup> Guinevere Liberty Nell, "Welfare in the Austrian Marketplace: Bridging Austrian and Market Socialist Economics" in Nell (ed.), *op. cit.*, pp. 31-32.

<sup>28</sup> Nell, "Who Owns the Land? Land as the Basis for Funding of a BIG" in Nell (ed.), *op. cit.*, p. 179.

not been definitively abandoned. Ideas such as those claiming that work and individual merits can not be dissociated from natural resources seem to have sufficient moral authority and argumentative efficiency: "Let us now turn things round. It is easy enough to imagine what humans would produce without natural resources to work with: nothing"<sup>29</sup>. From here on it is just a step up to recalling the Marxist social contribution incorporated in any work, in any type of accumulation, however meritocratic or unusual it may be. Although not explicit, a rhetorical question haunts most of the texts: What would be the economic viability of any activity if it should pay for the historical acquisitions that allow it to function or if it was not possible to outsource the most expensive part of it: from the reproduction of labour force to the cost of repairing the damage caused by that business to the ecosystem in which it operates? Leftist radicalism that surfaces even in the most libertarian formulations of UBI could explain the reluctance that still reigns in the political environment - despite considerable theoretical advances, especially in the part concerning the financing, "one of the areas of Basic Income research where most progress has been made in the last ten or twelve years"<sup>30</sup>. EU structures seem to expect more noise from citizens mobilized around projects like European Citizens' Initiative for an Unconditional Basic Income<sup>31</sup> or Basic Income Earth Network<sup>32</sup>. Switzerland seems to advise its citizens to vote against the referendum on UBI to take place soon.<sup>33</sup> USA ignores the solution Milton Friedman<sup>34</sup> proposed decades ago, despite the fact that between 1968 and 1980<sup>35</sup> four

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<sup>29</sup> Philippe Van Parijs, *Arguing for Basic Income. Ethical Foundations for a Radical Reform*, London: Verso, 1992, p. 15.

<sup>30</sup> Raventós, *op. cit.*, p. 156.

<sup>31</sup> [<http://basicincome2013.eu>].

<sup>32</sup> [<http://www.basicincome.org/bien/aboutbien.html>].

<sup>33</sup> Karl Widerquist, "Switzerland: Government Reacts Negatively to UBI Proposal" in *Basic Income News*, August 29, 2014, [<http://binews.org/2014/08/switzerland-government-reacts-negatively-to-ubi-proposal>].

<sup>34</sup> Milton Friedman, *Capitalism and Freedom*, Chicago: University of Chicago Press, 2002, pp. 190-195.

<sup>35</sup> Robert A. Levine, et al. "A Retrospective on the Negative Income Tax Experiments: Looking Back at the Most Innovative Field Studies in Social Policy" in Karl Widerquist, Michael Anthony Lewis, Steven Pressman, *The Ethics And Economics of the Basic Income Guarantee*, Cornwall: Ashgate, 2005, p. 95.

extremely serious experiments scientifically proved the viability of the whole project. Results showed a very moderate reduction in labour supply (13% reduction of work effort)<sup>36</sup> due to work-incentive effects, and significant positive influences in school grades, teacher rating, and directly on test scores.<sup>37</sup>

## Conclusions

As presented above, we can see that UBI does not contradict the liberal principles or the socialist ones for that matter. UBI seems to be some sort of solution, which originated and remained within the ideological framework of the old left, and that brought together and can still (contextually) reunite liberals and socialists. Moreover, this is not a very complicated solution, technically speaking; it is financially feasible and does not require any form of coercion to be implemented. The current system of preventing wasteful spending or the system of allocation of genuinely rare goods remains in place. Even the social hierarchy remains unchanged. The only element that exits the system is suffering - specifically, we refer mainly to the physical suffering (hunger, cold, sickness) that reinforces traditional social suffering. So, what's wrong with a free lunch?

To some extent, the reluctance towards this proposal is understandable, because any change implies efforts to adapt and possible difficulties. If it becomes reality, UBI will change the rules of the economic game. This is a certainty. Basic Income could generate unforeseeable situations. The motivation system will be reconfigured. The relation between the less desirable poorly paid jobs and the much-needed well-paid jobs will also change. It is also certain that UBI will not solve all the internal contradictions of the current economic system. But it is silly to "disparage Basic Income for not attaining objectives which it is not designed to attain [...] is a bit like sneering at a malaria vaccine because it does not put an end to infant mortality."<sup>38</sup> Furthermore, the consensus the theme meets across the entire political spectrum is at least questionable (I refer only to the

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<sup>36</sup> *Ibidem*, p. 99.

<sup>37</sup> *Ibidem*, p. 96.

<sup>38</sup> Raventós, *op. cit.*, p. 190.

parties who are accustomed to governing): it is either ignored because it is unsatisfactory, or it is deemed irresponsible or populist.

Every time it came to the attention of those leading political battles, UBI has been considered either too much (for the right) or too little (for the left), without taking into consideration the theoretical arguments or social experiments already performed and analyzed. This means that somewhere along the way, the old radicalism that could unite the new camps lost some of its force and that both liberals and socialists of today have absorbed a significant dose of conservatism, beyond the natural progress that both camps made on their journey. In addition, that dose of conservatism comes from the common sense that currently seems to be out of phase, because it is structured by premises that are in fact mere remains of an outdated means of a production. Logically speaking, the cult of labour, social inclusion based on mutual obligations<sup>39</sup>, Malthusian fear and the ideology of scarcity cannot peacefully coexist with apocalyptic visions foreseeing the futility of humans in an economy increasingly automated, with global demand in decline due to unemployment and crisis of overproduction. If we compare today's fears and reluctance to proposals on universal basic income with those from the dawn of capitalism we see how much they are similar, although, in the meantime two hundred years of technological progress had passed. The only plausible explanation for today's reluctance, which could also emphasize the coexistence of old and new fears, is demagoguery - a demagoguery that uses the contradictions present at the time in the cultural system called "common sense" to legitimize a greater degree of social control.

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<sup>39</sup> André Gorz, "On the Difference between Society and Community, and Why Basic Income Cannot by Itself Confer Full Membership of Either" in Parijs, *Arguing for Basic Income...*, p. 184.

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## MARKET AND STATE POWER IN CONTEMPORARY CHINA. IS THERE A NEOLIBERAL SHIFT IN THE POST-MAO ERA?

Ana Pantea\*

### Abstract

*The aim of the present paper is to question the so-called neoliberal shift of the post-Mao era, apparently dominated by its the core principles: the liberalization of the market, decentralization and reduction of state power. Since the reform period of Deng Xiaoping, a new form of governance has occurred, generating at least two new phenomena: (1) the transfer of power of former local and central Party officials into the new economical sector (resulting in a new and powerful social class), (2) the increase of income inequality and the pauperization of some formally stable working classes. Although the Chinese political elites still show commitment to socialist values and the firm way of control, they achieved the aim of developing a richer state through market-driven principles, but paying the high cost of social conflicts. In addition, the new hybrid governance still uses traditional trustful personalistic ties (guanxi) in business and public sector, as well as authoritarian methods to achieve its normative goals: a wealthier and more equal society. Thus, the claim of a neoliberal makeup of China will be contested.*

**Keywords:** China after Deng, economic liberalization, guanxi, ideology, Legalism, market socialism, neoliberalism

“Let China sleep, for when she awakes, she will shake the world.”  
(Napoleon)

Critics and admirers of China’s economic reform agree that we are witnessing a unique episode of social and economic transformation of People’s Republic of China. Since 1978, the market-oriented reform has

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\* Ana Pantea is PhD teaching assistant at the Department of International Relations and American Studies within the Faculty of European Studies, Babeş-Bolyai University. Her research is focused on the ethics of international relations and state formation in East Asia. Contact: apantea@euro.ubbcluj.ro

greatly improved, through constant economic growth, the livelihood of more than 1.3 billion Chinese citizens. But in the same time, this path generated a highly unequal and divided society in which power and wealth are polarized by a small elite of party members and businessmen, while a large number of workers are deprived of employment and social rights. This development is interpreted by some academics as a sign of a “neoliberal restructuring”<sup>1</sup>.

In the following, I am going to argue that, despite some economic policies that bear similarity to neoliberal practices, China’s economic reform is hardly able to be characterized as being neoliberal, either from an ideological or governmental point of view, but more a new hybrid form of government. Such a theoretical position contests the mainstream Western view of the Chinese economy, according to which there are evidences of western style market economy – as there is a noticeable increase in power of local authorities, and a firm privatization project for more than thirty years. In such extent, the argument of expansion of neoliberalism in China among many economical domains and urban spaces, or certain social groups were considered to be justified<sup>2</sup>.

Considering the impact of numerous ideologies present in the contemporary People’s Republic of China (nationalism, developmentalism, soft forms of Maoism, Legalism, and social Confucianism, etc.) as well as the market reorientation and “open door” policy, these facts highlight a more hybrid form of governance which creates diversification of policies (partly centralized, partly liberal), a great transformation of social classes (new divisions of labor, new urban vs. traditional rural population, increasing regional gaps, etc); and a more flexible political discourse.

*After the economies of Western nations imploded in late 2008...[t]alk spread, not just in China but also across the West, of the advantages of the so-called China model – a vaguely defined combination of authoritarian*

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<sup>1</sup> See Hairong Yan, “Neoliberal Governmentality and Neohumanism: Organizing Suzhi/Value Flow through Labor Recruitment Networks” in *Cultural Anthropology*, no. 18, 2003, pp. 493-523.

<sup>2</sup> Cf. Ann Anagnost, “The Corporeal Politics of Quality (*Suzhi*)” in *Public Culture*, no. 16, 2004, pp. 189-208; Hairong Yan, *op. cit.*, pp. 511-518.

*politics and state-guided capitalism – that was to be the guiding light for this century.*<sup>3</sup>

### **Chinese Neoliberalism. A Western Perspective**

Neoliberalism may generally be considered “a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade.”<sup>4</sup> This doctrine refers to the reduction of public spending on social welfare such as education and health care, liberalization of trade and investment, privatization of state-owned enterprises (SOEs) and a transformation of government functions. As such, neoliberalism has been referred to as an “ideology” or a “hegemony” (as used by Stuart Hall)<sup>5</sup>, or a “doctrine” (as in the Chicago School of Milton Friedman), or a “rhetoric”, or a “logic of governance”. However it is defined, it is about processes of governance which seek to create a particular relationship between, on the one side, a minimal state, and on the other, markets, capitalist enterprises and populations.

Harvey has shown in his analysis the rise of a new “post-Fordist” form of capitalism, in association with shifts in the processes of production, exchange and consumption. Although, the spread of global neoliberalism has been associated with this new form of capitalism, it made possible for transnational corporations in nation-states to reorganize all dimensions of everyday life. According to him, most part of the world has become neoliberal, including China:

*the spectacular emergence of China as a global economic power after 1980 was in part an unintended consequence of the neoliberal turn in the advanced capitalist world.[..] By taking its own peculiar path towards ‘socialism with Chinese characteristics’ or, as some now prefer to call it,*

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<sup>3</sup> Edward Wong, “China’s Growth Slows, and Its Political Model Shows Limits” in *New York Times*, 11. 05. 2012  
[[http://www.nytimes.com/2012/05/11/world/asia/chinas-unique-economic-model-gets-new-scrutiny.html?\\_r=0](http://www.nytimes.com/2012/05/11/world/asia/chinas-unique-economic-model-gets-new-scrutiny.html?_r=0)], 10 September 2014.

<sup>4</sup> David Harvey, *A Brief History of Neoliberalism*, Oxford: Oxford University Press, 2007, p. 2.

<sup>5</sup> Stuart Hall, *The Hard Road to Renewal: Thatcherism and the Crisis of the Left*, London: Verso, 1988.

*'privatization with Chinese characteristics', it managed to construct a form of state-manipulated market economy that delivered spectacular economic growth (averaging close to 10 per cent a year) and rising standards of living for a significant proportion of the population.<sup>6</sup>*

According to this thesis, China indeed embraced neoliberalism through a two decades transformation from a closed system to an open dynamic center of capitalism. The argument that China is becoming neoliberal appears to be based on the conclusion that since the rise of Western neoliberalism and the liberalization of China occurred during the same period as time and were interdependent (through the outsourcing way of production in the West and the need of commerce opportunity in the East), they are similar in structure and in goals. The justification why China is neoliberal is that neoliberalism requires a large, easily exploited, and relatively powerless labor force, then China certainly qualifies as a neoliberal economy "with Chinese characteristics"<sup>7</sup>. The unique growth generated an unparallel social inequality, as much of the capital accumulated by private and foreign firms came from poorly paid labor. The result has been the eruption, after 2008, of different protests in many areas.

Apparently, Chinese workers don't seem prepared to accept the long working hours and the appalling working conditions as part of the price of modernization and economic growth, as well the non-payment of wages and pensions. Harvey and other authors argue that petitions and complaints to the central government on this score have risen in recent years, and the failure of the government to respond adequately has led to direct and more radical actions.<sup>8</sup>

Many other scholars in contemporary China have recently made claims that neoliberalism prevails in China. There are claims about the "neoliberal restructuring" of China<sup>9</sup>; about "a dominant rhetoric of neoliberal developmentalism"<sup>10</sup>; about neoliberalism in China as "a

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<sup>6</sup> See e.g. David Harvey, *op. cit.*, pp. 121-122.

<sup>7</sup> *Ibidem*, p. 144.

<sup>8</sup> See *Ibidem*, pp. 146-149.

<sup>9</sup> Yan, *op. cit.*, p. 511.

<sup>10</sup> Anagnost, *op. cit.*, p. 197.

national project about global reordering [...] a national imaginary about a post-Cold War world" and about a prevailing "neoliberal biopolitics" in China<sup>11</sup>.

On contrary, other important analysts characterize Chinese economy and social structure as having no included neoliberal elements, but a new economical vision which goes beyond Western neoliberalism principle. For instance, Nonini sees the dominant ideology of neoliberalism as being described through four main elements:

(A) markets are excellent: *unregulated markets maximize social happiness and individual satisfactions*; (B) state control over markets is horrible: *state regulation of or interference in markets distorts the otherwise optimal functioning of markets and should be minimized [...]*; (C) globalization is best: *free trade in capital and goods across national borders, and exports defined by comparative advantage without state impediments to mobility, allow markets to function best*; (D) rational, self-interested individuals are best: *the behavior of rational, self-interested, entrepreneurial individuals in markets as consumers, investors, bondholders, taxpayers, etc. is socially valuable as such because it is efficient in optimizing the use of capital and goods*.<sup>12</sup>

He argues a strong form of neoliberalism promotes all four claims – markets are excellent, state controls over them are horrible, globalization and free trade are best, and rational selfish market actors are best – within the rhetorics and practices that is hegemonic in a society. In contrast, a weak form of neoliberalism promotes some but not all of the four claims. The differences between the two forms are ones of degree, but the range is one along which a significant and important distinction can be made. "If neither the strong nor weak forms of neoliberalism nor the process of neoliberalization are present in China, [...] but its limits and what lies beyond it"<sup>13</sup> This new

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<sup>11</sup> Susan Greenhalgh, and Edwin A. Winckler, *Governing China's Population: From Leninist to Neoliberal Biopolitics*, Stanford, Stanford University Press. 2005, p. 9.

<sup>12</sup> Donald Nonini, "Is China Becoming Neoliberal?" in *Critique of Anthropology*, no. 28, 2008, pp. 153-154.

<sup>13</sup> Donald Nonini, *op. cit.*, p. 155.

economical perspective might be seen a fusion between different principles of governance.

### **The hybrid principle of governance**

Since 1978, the Communist Party has promoted “liberalization” and systematically installed a “socialist market economy” in China. When liberalization was being conceived, the Party adopted a paternalist development strategy which has been summarized by Liew<sup>14</sup> as to “make no Chinese worse off because of economic reform”. He notes that there was “a genuine desire of the Party, at least until 1992, to prevent the emergence of significant income differentials and to avoid social conflict”<sup>15</sup>, but the idea to *make no Chinese worse off* has been the subject of internal contention within the Party since then – as many party leaders and analysts agree that social inequality within China has increased greatly since the early 1990s<sup>16</sup>.

The state have created a hybrid form of hierarchic institutions that have combined older elements of Maoist governance (central planning and an socialist paternalism toward employees) with elements of market liberalization in order to develop forces of production, preserving the legitimacy of the Chinese Communist Party, and consolidating the base of economic accumulation of China’s “cadre-capitalist” class<sup>17</sup>. Over the last two decades, many state officials, particularly in urban areas, have come to assume new entrepreneurial roles while enlarging the vertical control of the state over local social and economic organizations, and incorporating them into governance.<sup>18</sup>

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<sup>14</sup> L.H. Liew, “China’s Engagement with Neo-liberalism: Path Dependency, Geography and Party Self-reinvention” in *Journal of Development Studies*, vol. 41, no. 2, 2005, p. 336.

<sup>15</sup> L.H. Liew, *op. cit.*, p. 335.

<sup>16</sup> Including Harvey and others.

<sup>17</sup> Cf. Alvin Y. So, “Beyond the Logic of Capital and the Polarization Model: The State, Market Reforms, and the Plurality of Class Conflict in China” in *Critical Asian Studies*, vol. 37, no. 3, 2005, pp. 481-494; Ana Pantea, “Noile forme de legitimare ale unei superputeri. Forța și riscurile interne ale Chinei” in *China in ascensiune*, Cluj-Napoca: PUC, 2011.

<sup>18</sup> Frank N. Pieke, “Contours of an Anthropology of the Chinese State: Political Structure, Agency and Economic Development in Rural China” in *Journal of the Royal Anthropological Institute*, vol. 10, no. 3, 2004, pp. 517-538.

Such a hybrid construction is in fact central to the new governing logic of the state, and is mediated by the culturally specific arts of personalistic relationship: *guanxi*.

*[T]he reforms created myriad opportunities for the reorientation of entrepreneurial energies from the political to the economic sphere, which party cadres and officials eagerly seized upon to enrich and empower themselves in alliance with government officials and managers of SOEs, often influential party members themselves. In the process, various forms of accumulation by dispossession, including appropriations of public property, embezzlement of state funds, and sales of land-use rights, became the basis of huge fortunes. It nonetheless remains unclear whether this enrichment and empowerment has led to the formation of a capitalist class and, more important, whether such a class, if it has come into existence, has succeeded in seizing control of the commanding heights of Chinese economy and society.<sup>19</sup>*

Arrighi presents the argument that the Chinese economical path follows Adam Smith's original *credo*. In fact, Smith advocated that the markets are a mode of organizing the society and are sources of domination within it, and not necessary sources of democracy. Smith anticipated the rise of China, but Arrighi goes further, concluding to see contemporary China as the next center of global capitalism. The new authoritarian capitalism challenges the Western model, and the Beijing consensus looks more appealing in several parts of the world.

### **New social classes and old values**

The new classes which have emerged over the last two decades with different private rights include *geti* (small business people), *minying* (private entrepreneurs), *guoying* and *dajiti* (two related kinds of managers in the public sector), and *guanshang/guanying* (former officials, turned private owners of sold State Owned Enterprises).<sup>20</sup>

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<sup>19</sup> Giovanni Arrighi, *Adam Smith In Beijing. Lineages of the Twenty-First Century*, Chapter: "Origins And Dynamic Of The Chinese Ascent", London: Verso, 2007, pp. 368-369.

<sup>20</sup> Chun Lin, *The Transformation of Chinese Socialism*, Durham: Duke University Press, 2006, p. 255.

Government and party high officials have been in the first line of those benefiting by privatization and liberalization, while private entrepreneurs have also emerged in the same context. Cadres transformed the collective local township into businesses for their own profit. After the early 1990s, under the “grasp the big, release the small” policy, *guanshang* cadres systematically diverted the profits of large urban SOEs into their own hands by using arrangement such as the “one manager, two businesses”.

In this context, *guanshang* formed prosperous partnerships with business people, including foreign corporate investors. They provided to the entrepreneurs vital information and access to credit and to markets; and they accorded their partners the political protection they have needed to evade labor, health, pension and other welfare regulations. In return, capitalists provided *guanshang* fees and gifts, integrated them into valuable social networks, mobilized overseas connections, and provided them with shares in the enterprises they formed. These trends point to the centrality of personalistic relationships between the members of this new rising cadre capitalist class within the class formation process.

As many researchers have pointed out, *guanxi*<sup>21</sup> or relationship is an important principle of the Chinese society. It has its origin in the Confucian thought, which includes a strong foundation on virtues as loyalty, reciprocity, good faith, diligence, kindness, benevolence, charity, politeness, trust, altruism and filial piety. Some scholars classify *guanxi* in different ways, showing its ubiquity in public life since the Qin Dynasty. It may be seen as well as a particular type of personal relationship, which has different types depending on the based *guanxi* is built, as, family ties, familiar persons and strangers. Others classify it according to its nature and purpose of interactions. There are three main types of *guanxi*: socio-affective *guanxi*, like family relationships, which involve primarily exchange of feelings in order to satisfy the need of love; instrumental

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<sup>21</sup> The term is literally made up by two distinct words: *guan* and *xi*. *Guan*, according to the Chinese dictionary, as noun, it can serve as a barrier or a juncture point that connects two different entities. As a verb, it means “to shut”, close or “turn off”. *Xi* is a conjunctive word that means in relation to or linked with something or somebody. *Guanxi*, as a final compound word, means “connections” or “relationships”. It can be related to individuals, families, organizations or networks and it operates in different life spheres as political, social and business sphere.

*guanxi*, the market type of resources-exchange relations as between buyers and sellers; and the mixed *guanxi*, which refers to the combination between the socio-affective *guanxi* and the instrumental *guanxi*, including both feelings and material benefits.<sup>22</sup>

Since reputation has a great impact on future business opportunities, Chinese highly officials and business people are very protective of it. *Guanxi* refers to building a relationship based on trust and credibility<sup>23</sup>. This may be achieved not only through socialization, but also through providing to counterparts with information about oneself and a company and convincing the other about a reliable source, an ideal business partner.

The strongest relationship-quality is characterized by the following: trust, which refers to benevolence, propriety, wisdom, righteousness and fidelity. Fidelity is loyalty and the repayment of a debt of gratitude and favors. Favor it is seen in Chinese culture as a humanized obligation, combining quality and relationships. Dependence, which is the Chinese desire for internal harmony, can be achieved through compromises, social conformity, non-offensive strategies and submission to social expectation. The last characteristic is adaptation, which refers to simplify the customization of products and services by suppliers to the request of others.<sup>24</sup>

*Guanxi* is a critical factor in business environment, as the stronger the relationship of trust is, the higher is the performance of a company. There is a strong correlation between *guanxi* and the sales growth, suggesting that *guanxi* helps it in positioning it in its market, establishing external relations, acquiring resources and establishing legitimacy. It provides an opportunity to improve market share through advanced

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<sup>22</sup> M. H. Bond and K. K. Hwang, "The Social Psychology of Chinese people" in *The Psychology of the Chinese People*, 1986, pp. 213-266.

<sup>23</sup> Cf. Brian Combrie, "Is Guaxi Social Capital?" in *The ISM Journal of International Business*, vol. 1, no. 2, 2011, pp. 6-19.

<sup>24</sup> Henry Y. H. Wong, "The Dynamics of Guanxi in China" in *Singapore Management Review*, vol. 20, no. 2, 1998, pp. 25-42.

competitive position and other applications of collaboration with competitors.<sup>25</sup>

*Guanxi* was crucial as well during the privatization process. The administrators of public resources and the managers of SOEs were able to transfer state-assets to the people they were connected to. This phenomenon creates an alliance between the economic and the political elite, both originally parts of the Communist party. Such a mutual relationship implies that the managers rely on the state to provide economic stability, access to market and protection of their interest; but in the same time, the political local elite takes some financial benefits as well.

*This has resulted in startling inequality in China. According to a government research, from 1988 to 2007, the income ratio of the top 10% earners against the bottom 10% has widened from 7.3 to 23 times. A recent Financial Times article reveals just how the “princelings” have come to dominate the lucrative private equity business in China. This is only the tip of the iceberg. Family members of high-ranking officials now occupy a sizable portion of the senior positions in the manufacturing, resources, construction and financial industries.*<sup>26</sup>

Following these data, there are evidences of a more hybrid than a neoliberal market in which state intervention and political power are vital for a small number of entrepreneurs. Undoubtedly, Chinese economy has incorporated certain elements linked to the policies of the accelerated liberalizers. These include marketization and exchange at the local level of production, geographic decentralization and the emergence of new national and local state-capitalist power holders.

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<sup>25</sup> Seung Ho Park, Yadong Luo, “Guanxi and Organizational Dynamics: Organizational Networking in Chinese Firms” in *Strategic Management Journal*, vol. 22, no. 5, 2001, pp. 455-477.

<sup>26</sup> Xibai Xu, “Neoliberalism and Governance in China”, research paper of *European Studies Seminars*, St Antony’s College, Oxford University, March 2011, p. 8.  
[<http://www.sant.ox.ac.uk/esc/docs/XibaiXuNeoliberalismandGovernanceinChina.pdf>], November 2014.

### **Socialist values and the importance of stability?**

Elites – factory managers, local government cadres and others with access to market resources – used their *guanxi* during the transition period with significant benefits. But what can be said about the employees? In fact, in the 1990s, Deng Xiaoping's policy of "grasping the large and releasing the small" (*zhuada fangxiao*) has changed the whole spectrum of working environment. The Party denationalized large numbers of "small" SOEs and the consequence has been that factories closed down, millions of urban workers lost their positions and cast into conditions of pauperization and the hopelessness of finding casual work in the new economical sectors. A few "large" SOEs were allowed to remain in operation and received large amounts of capital from state banks. For those still employed, work tasks intensified, but pay remained stagnant.<sup>27</sup> The third category of employees, those belonging to the commuter population, were allowed to go back to their rural villages, being protected by the use-rights of households to land provided them in the course of decollectivization. In addition, the residence permit system creates a virtual *apartheid* of rural and urban residents, making it illegal for migrant workers to reside permanently in cities. In the cities, ghettos are torn down as "illegal constructions"; street vendors are frequently harassed by urban administrative officer: and beggars are "removed" from the streets and sent to repatriation centers.

These collective traumas were often be coded by the Party elite as a challenge to the legitimacy of the Party and to their rule. For instance, the 1998 emergency resolution states: "Contradictions in society are becoming sharper daily; demonstrations, rallies, petitions, incidents involving attacks on Party and government show that social and political instabilities are increasing daily."<sup>28</sup>

Among the Party's claims to legitimacy, nationalism has risen to prominence in the post-Mao era. According to this doctrine, the Party has

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<sup>27</sup> Cf. Liew, *op. cit.*; Harvey, *op. cit.*

<sup>28</sup> L.H Liew, "What Is to Be Done? WTO, Globalisation and State-Labour Relations in China" in *Australian Journal of Politics and History*, vol. 47, no. 1, 2001, pp. 49-50.

as main goal not only to lead the vast population of China to prosperity, but also to guard against foreign hostile forces.<sup>29</sup>

One more argument is crucial to be mentioned on the minimal state:

*From a practical point of view, China's reform fails to achieve one the core objectives of neoliberalism – the limitation of state power. When Deng initiated the reform, the 'transformation of government functions' was one of his priorities. Several waves of administrative reform in the 1980s and 90s did make progress in the direction of 'small state, big society' by reducing the size and responsibility of the government.<sup>30</sup>*

But state power was not reduced, just transformed, as the state does still maintain its ubiquity and a formal commitment to socialist values. Like in past eras, social welfare is more of a manifestation of power – a charity through the will of the leader, than a real struggle.

Since the Warring State period, which means since the original moment of the development of the Chinese national identity – and the subsequent unification of China during Qin Dynansy –, the Legalist philosophical tradition proclaimed the importance of firm control in the process of formation of a legal system for the regulation of political, economic and social spheres.<sup>31</sup> The Legalists emphasized, since then, that the head of state was endowed with *shi*, the "mystery of authority", and as such his decisions must always command the respect and obedience of the people. The emperor brought legitimacy through *shi* and as such the public, rather than the private interest, came first ever since.

In order to conclude the discussion whether there is a neoliberal shift in the post-Mao Chinese economy, I would say that except the import of some neoliberal elements (especially connected to privatization), the Chinese economical and political model bear more Legalist and socialist features (strong state apparatus, *gunxi* practices and nationalism). In the

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<sup>29</sup> The idea of access of foreign capital to China invokes the memories of the "century of humiliation" and the Opium War which is used even today for a xenophobic discourse according to which Westerners only want to enslave and exploit the Chinese people.

<sup>30</sup> Xibai Xu, *op. cit.*, p. 5.

<sup>31</sup> See Han Fei Tzu *apud* Burton Watson, *Han Fei Tzu: Basic Writings*, New York: Columbia University Press, 1964, pp. 104 sqq.

new ideologically hybrid state, the protection of the former political and new economical elite remains the priority. In such extend, China's post-Deng reforms are in a way similar to the one implemented in Eastern European transition period when former political elite transferred its political power and economical privileges over the last turbulent decades. The unprivileged classes were the ones who paid the real cost of "neoliberalisation" with Chinese characteristics. As it has happened in Eastern Europe, this power-transfer blocked the real reforms through a more democratic political system. It remains the duty of present Chinese political leadership to fulfil the goal of a more inclusive and equal society.

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## THE AGE OF PRECARIY AND THE NEW CHALLENGES TO THE ACADEMIC PROFESSION

Mariya P. Ivancheva\*

### Abstract

*Neoliberalism has had destructive effects on the academic profession. While full-time academic employment has always been a privilege for a few, the academic precariat has risen as a reserve army of workers with ever shorter, lower paid, hyper-flexible contracts and ever more temporally fragmented and geographically displaced hyper-mobile lives. Under the pressure to 'publish or perish' a growing stratification between research and teaching has emerged. It has made academic work more susceptible to market pressures, and less – to public accountability. Focusing on a recent call for 'casual researchers' issued by Oxford University the paper indicates how the growing competition for scarcer resources has made academics finally aware of the inequalities engendered by neoliberal capitalism, but still incapable to mobilize.*

**Keywords:** neoliberalism, capitalism, academic labor, higher education, precarity

Over the last decades, university students and faculty started and joined movements against the neoliberal reforms of higher education. The cutting of research budgets, introduction of fees, and of a growing number of flexible fixed short-term contracts of teaching and academic staff led to decreasing work and educational opportunities, and increasing indebtedness, job insecurity, precarious labor and, ultimately, poverty. In the era of academic capitalism, the “corporate” or “entrepreneurial” university has become the dominant model of higher education.<sup>1</sup> University

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\* Dr. Mariya P. Ivancheva, post-doctoral research fellow, School of Social Justice, University College Dublin.

Contact: mariya.ivancheva@ucd.ie

<sup>1</sup> Sheil Slaughter, Gary Rhoades, *Academic Capitalism and the New Economy: Markets, State, and Higher Education*, Baltimore: Johns Hopkins University Press, 2004.

bureaucracies have expanded and initiated strict control and audit of academic production; academic labor has become growingly precarious and deprofessionalized.<sup>2</sup> An emerging global field of higher education has been increasingly homogenized upon the standards of Anglo-American research universities.<sup>3</sup> Peripheral universities have extended a self-colonizing effort<sup>4</sup> to make up for their “backwardness”.<sup>5</sup> They have embraced this struggle despite the scarce resources and asymmetric knowledge production between core and periphery.

While higher education has been turned into a profitable business in which mostly state funds are invested, it does not pay back into the state exchequer<sup>6</sup>. It benefits industries, commercial publishers, marketing consultancies, retail and service providers. The profit, however, is accumulated by exploitation of students and an increasingly growing number of academics who have joined the ranks of the working poor.<sup>7</sup>

Social scientists have become increasingly involved with these and other movements, and visible on popular and social media, narrating personal stories and reflecting on the growing casualization of academic labor. A number of scholars from the discipline and beyond have detailed the pressure of self-exploitation,<sup>8</sup> impoverishment and insecurity<sup>9,10</sup>

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<sup>2</sup> Susan Wright, Annika Rabo. “Introduction: Anthropologies of University Reform” in *Social Anthropology*, vol. 18, no. 1, 2010, pp. 1–14.

<sup>3</sup> Simon Marginson, “Global Field and Global Imagining: Bourdieu and Worldwide Higher Education” in *British Journal of Sociology of Education*, vol. 29, no. 3, 2008, pp. 303–315.

<sup>4</sup> Alexander Kiossev, “Self-Colonizing Cultures” in Bojana Pejic (ed.), *After the Wall: Art and Culture in Post-Communist Europe*, vol. 1, Stockholm: Moderna museet, 1999, pp. 114–177.

<sup>5</sup> Pavel Zgaga, “Looking out: The Bologna Process in a Global Setting” in *Norwegian Ministry of Education and Research*, 2006

[[http://www.ond.vlaanderen.be/hogeronderwijs/bologna/documents/WGR2007/Bologna\\_Process\\_in\\_global\\_setting\\_finalreport.pdf](http://www.ond.vlaanderen.be/hogeronderwijs/bologna/documents/WGR2007/Bologna_Process_in_global_setting_finalreport.pdf).]

<sup>6</sup> Kathleen Lynch, “New Managerialism, Neoliberalism and Ranking” in *Ethics in Science and Environmental Politics* vol. 13, no. 2, 2014, pp. 141–153.

<sup>7</sup> Matt Saccaro, “Professors on Food Stamps: The Shocking True Story of Academia in 2014”, *Salon*, 2014.

[[http://www.salon.com/2014/09/21/professors\\_on\\_food\\_stamps\\_the\\_shocking\\_true\\_story\\_of\\_academia\\_in\\_2014/](http://www.salon.com/2014/09/21/professors_on_food_stamps_the_shocking_true_story_of_academia_in_2014/)].

<sup>8</sup> Jeffrey Wilson, “How to Make a Living as an Adjunct: Teach 35 Classes” in *The Adjunct Project*, 2012.

[<http://adjunct.chronicle.com/how-to-make-a-living-as-an-adjunct-teach-35-classes/>].

<sup>9</sup> Colman McCarthy, “Adjunct Professors Fight for Crumbs on Campus” in *Washington Post*,

restless hypermobility,<sup>11</sup> the indebtedness of university graduates at the benefit of ever richer high-ranking administrative cadres,<sup>12</sup> and the increasing movement of academics who quit the academy.<sup>13</sup>

A generation of young scholars who enters the market with minimum income but under maximum pressure for visibility has to pay their own way to stay afloat. This often means that, despite the mass entry into higher education in the post-war era, once again only those from privileged families can keep playing the academic game.<sup>14</sup>

Senior academics, who contributed to the overproduction and competition, are also increasingly anxious about the bureaucratization of the application, recruitment, and self-evaluation, the brutal competition for short-term funding, and the excruciating income inequality between an ever smaller cohort of star academics and an ever growing reserve army of adjunct faculty.<sup>15</sup> Yet, instead of a profound rethinking in of academic labor relations, the skyrocketing number of PhD places within a shrinking job market is still the norm rather than the exception.

Against this background, a whole generation of junior academics is exposed to an ever growing casualization of labor. In Ireland alone, as a study of the collective Third Level Workplace Watch shows, a growing number of casual academics win on average 10 000 € annual income for an

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2014. [[http://www.washingtonpost.com/opinions/adjunct-professors-fight-for-crumbs-on-campus/2014/08/22/ca92eb38-28b1-11e4-8593-da634b334390\\_story.html](http://www.washingtonpost.com/opinions/adjunct-professors-fight-for-crumbs-on-campus/2014/08/22/ca92eb38-28b1-11e4-8593-da634b334390_story.html)].

<sup>10</sup> Ira Basen, "Most University Undergrads Now Taught by Poorly Paid Part-Timers" in *CBS News*, 2014. [<http://www.cbc.ca/news/canada/most-university-undergrads-now-taught-by-poorly-paid-part-timers-1.2756024>].

<sup>11</sup> Konstantin Zanou, "Scholar Gypsies' and the Stateless European Ideal" in *Chronos Magazine*, 2013. [<http://www.chronosmag.eu/index.php/k-zanou-scholar-gypsies-and-the-stateless-european-ideal.html>].

<sup>12</sup> David Francis Mihalyfy, "Higher Education's Aristocrats" in *Jacobin Magazin*, 2014. [<https://www.jacobinmag.com/2014/09/higher-educations-aristocrats/>].

<sup>13</sup> Alexandra Lopez y Royo, "Why I'm Quitting the Academy" in *Times Higher Education* 2013. [<http://www.timeshighereducation.co.uk/comment/opinion/why-im-quitting-the-academy/2006622.article>].

<sup>14</sup> Sarah Kendzior, "Professors Making \$10,000 a Year? Academia Is Becoming a Profession Only the Elite Can Afford" in *Altnet*, 2014. [<http://www.altnet.org/education/professors-making-10000-year-academia-becoming-profession-only-elite-can-afford-0?page=0%2C0>].

<sup>15</sup> David Berliner, "Academic Anxieties," 2014. [<http://davidberliner.over-blog.com/2014/09/academic-anxieties.html>].

average of eight and a half years after finishing their PhD. In 63% of the cases this income is generated by hourly paid work, done in 62% of the cases by women.<sup>16</sup> In Ireland again, a recent study by the Higher Academic Authority has shown that men still get 70% of all permanent academic positions in all seven universities in the country.<sup>17</sup> The situation is similar in other countries where despite the fact that women make for the majority of completed PhD dissertations, the ratio of employment is still at their detriment.<sup>18</sup> Women are particularly exposed to vulnerability with less access to permanent positions, and more emotional labor and care-giving functions both in and out of the academy. While those who have children feel losing the academic game because of the domestic burden of care in ever decreasing welfare conditions, those who do not have children feel deprived of private life due to growing imperative to do replacement teaching and administrative work.

Beyond national trends, a growing “internationalization” (i.e. transnational flexibilization) of academic work makes it a difficult subject of both research and organized resistance. To stay in the academic game after finishing a PhD, in an English language research institution, one is usually required to put up with flexibility and recurrent migration. Those who get to do a post-doc or get a full-time fixed-contract teaching position are usually pressed to find time out of work in order to turn their PhD into publications. The shorter the time of the contract the higher the probability is that they return unprepared to the ever more competitive job-market.

On the road of celebrated “internationalization” many are pressed to curtail their previous social and professional networks, and change countries every few months or years, if lucky. Many suffer loneliness and depression while others have to take on the responsibility of moving their whole families along or commuting across regional or national borders to make ends meet. The others, who – out of choice, or often out of necessity – opt out of the game of transnational mobility, fall easily in the trap of zero-

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<sup>16</sup> Third Level Workplace Watch, “Precarity in Irish Academia: An Infosheet” in *Third Level Workplace Watch*, 2014. [<https://3lww.files.wordpress.com/2014/11/3lwwinfographic.jpg>].

<sup>17</sup> Higher Education Authority (HAE), Ireland, “Gender and Academic Staff” in *HAE*, 2014. [<http://www.heai.ie/gender-and-academic-staff>].

<sup>18</sup> Daniel De Vise, “More Women than Men Got PhDs Last Year” in *Washington Post*, 2010. [<http://www.washingtonpost.com/wp-dyn/content/article/2010/09/13/AR2010091306555.html>].

hour teaching and precarious research arrangements in order to stay afloat.<sup>19</sup> Both groups are dependent on local or international clan-like arrangements of loyalty and hierarchy.<sup>20</sup> While university administrations outnumber academic faculty, academics do ever-growing amount of administrative work of (self-) evaluation to fit the demands of the 'global knowledge economy'. Individualized contractual arrangements and access to benefits and resources encourages cruel competition among colleagues and friends, and breaks all solidarity.

Research and teaching institutions have not responded adequately to the new crisis, but have rather sought ways to justify new levels of exploitation by the acknowledgement that that is how "the system works". An advertisement of Oxford's Centre for Migration, Policy, and Society (COMPAS) for "casual researchers" showed a new precedent of both contractual arrangements and of language that normalizes the precarious situation of many scholars.<sup>21</sup> It promised just over 12 GBP for hour, of a 12 weeks' long research position, in which a scholar would arrange, conduct, transcribe, and encode 20-60 interviews with 'irregular migrants' and 8-24 interviews with their employers. On the one hand, this could mean a neat short-term research opportunity with payment that would allow a trained researcher to earn over a period of three months what one could gain for a year of full-time academic work. It also did not sound particularly exclusive or demanding in terms of credentials – one did not need to have a completed PhD or even an MA in a specific disciplinary field. On the other hand, the ad sounded more like a description of a job that could be done within a one- or two years' contract, with benefits, as a part of an intellectual community, and as co-author of the final product of the project. The position also clearly required a specific profile. Put together, the requirements described a researcher at least at an advanced doctoral level, who has developed and could easily activate a vast network of up to sixty

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<sup>19</sup> Jeffrey Wilson, "How to Make a Living as an Adjunct: Teach 35 Classes" in *The Adjunct Project*, 2012. [<http://adjunct.chronicle.com/how-to-make-a-living-as-an-adjunct-teach-35-classes/>].

<sup>20</sup> Alexandre Afonso, "How Academia Resembles a Drug Gang", 2013. [<https://alexandreafonso.wordpress.com/2013/11/21/how-academia-resembles-a-drug-gang/>].

<sup>21</sup> Third Level Workplace Watch, "Precarity in Irish Academia: An Infosheet" in *Third Level Workplace Watch*, 2014. [<https://3lww.files.wordpress.com/2014/11/3lwwinfographic.jpg>].

potential informants among “irregular migrants” from specific national and linguistic groups.

Around this debate, a number of contradictions and questions come to the forefront of an aggregate community of young researchers. Firstly, the outrage which this announcement caused among the academic community was instantaneous, with thousand posts of the first response to the ad on the social media.<sup>22</sup> Yet, how can a serious effort for self-organizing be carried out by people, exposed to multiple contractual arrangements within even the same university, let alone different institutions or countries?

Secondly, the question of what is to be done to fight against academic precarity, strikes into the heart of the involvement of academics with politics. While more and more young scholars have less and less the financial privilege of extended research and time for emersion into the studied reality and extensive reflection and writing, they are more and more engaged with movements. Yet, what advantages and limitations does this new ethos present to the profession? The neoliberal short-term flexible contracts, the enormous work-load of teaching and publication under the “publish or perish” imperative, and the incentive for short-term project-based research-oriented fundraising all compartmentalize the experience of research. In a life of accelerated mobility and inflated demands of work and activist involvement, they create a fake dilemma between political commitment and thorough academic work. It creates a dichotomy between those in permanent position, who can afford time to research, think, and write, but who are critiqued as becoming a part of the establishment, and the precarious academics who have none of these privilege, and whose political work is often seen as a lost cause for their academic advancement. And while the new ethos of academic-activist requires a reassessment of the relation between political involvement and knowledge production, meaningful public intervention still stay beyond the scope of overworked scholars cast invisible as workers and human beings.

Last, but not least, the question remains if the new conjuncture is not a painful but timely reminder for academics. Being in the academy has often been a privilege that has allowed the majority of us, even when we have researched marginalized groups’ plight for survival and dignity, to

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<sup>22</sup> *Ibidem.*

stay far removed from these political struggles. “Academic freedom” has often been used to fend off demands for public engagement of intellectuals at the service of the society at large.<sup>23</sup> Against this background, the casualization of academic labor is a good lesson to remind us that while a system creating extreme inequalities persists, no one is immune from the “neoliberal race to the bottom”.<sup>24</sup>

## Acknowledgment

This paper has been developed in conversation with many friends and precarious academics as me. Still, I would like to make special notice Camelia Badea and Aga Pasieka. The panels we prepared with Camelia for the Annual meeting of the Romanian Society for Social and Cultural Anthropology in Cluj Napoca, and with Aga for the Annual meeting of the American Anthropological Association in Washington serve as a basis for some of the reflection of this paper. I would also like to thank the members of Third Level Workplace Watch for being an inspiration and context for research-informed struggle against academic precariousness. An earlier and much shorter version of this paper has been published on the blog of Allegra Lab.

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<sup>24</sup> Third Level Workplace Watch, *op. cit.*

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## NGOs AS POSTSOCIALIST SOCIAL SERVICES PROVIDERS AND THE PROFESSIONALIZATION OF OTHERING

George Zamfir\*

### Abstract

*In the process of neoliberal state restructuring, NGOs gained a prominent role in the production of social services. By using a case study focused on NGO relations in Ferentari, a Bucharest neighborhood, I claim that NGO work of gaining legitimacy as social services providers relies on the production of otherness. The effort of producing expertise by presenting areas affected by advanced marginality as having internal explanations and solutions can be viewed as the professionalization of othering.*

**Keywords:** non-governmental organizations, social services, postsocialism, identity politics, professionalization

In 2013, the Romanian government proposed the establishment of the state-led Project Ferentari Foundation as a means of tackling poverty among the Roma of Ferentari neighborhood in Bucharest, as well as among other Roma communities from all over the country, in a conjoint effort with NGOs. Through this measure adopted by the Parliament in 2014, state institutions reiterated the exceptional character of poverty in the case of Roma, a situation presumably requiring special measures. Ferentari's image as the locus of marginalization and the epitome of Roma plight in Romania was reinforced. Moreover, the initiative cements the role of NGOs as instruments of providing social services.

Wacquant<sup>1</sup> argues that advanced marginality, a deeper, more entrenched version of the process, is an effect of neoliberal politics. While

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\* George Zamfir is PhD student at Babes-Bolyai University.

Contact: george7zamfir@gmail.com

<sup>1</sup> Loïc Wacquant, "Urban Marginality in the Coming Millennium", *Urban Studies*, no. 10, 1999.

states are rolled back though budget cuts aiming at minimal social intervention, NGOs increasingly become key elements in the production of social welfare. They act by producing a social distance which renders people who end up marginalized because of structural processes into needy subjects who have to be educated into self responsabilization.

My claim is that even though they are presented as alternatives to state social services, NGOs do not intrinsically represent a non-statist alternative. Instead, in some instances, they are an essential part of the process of neoliberal state restructuring.

The paper departs with a literature review on neoliberal changes, on how NGOs raised to prominence in global development and on the relevant transformations in postsocialist Romania. I am using a case study based on the interaction of NGOs in Ferentari, a Bucharest neighborhood, to describe how these organizations actively participate in the process of social services reconstruction in a postsocialist country. Ferentari's portrayal is pervaded by a consistent work of contrasting. The paper looks at how those contrasts are instrumentalized through NGO work.

I claim that by using various technologies of othering, NGOs can be seen as both locus and agents of neoliberal state restructuring. I conclude that some types of NGO activity can contribute to the reinforcement of advanced marginality by inherently obscuring background structural processes. I assert that an effect of these processes is the professionalization of othering.

## **Contexts**

The act of contextualizing is often embedded in geographical approaches, but avoiding to treat spaces as bounded containers can lead to richer understanding of how 'contexts animate action', Clarke<sup>2</sup> claims. Even though this is the foundation for most comparative works, he adds, the container approach poses the risks of obscuring the influence of border's permeability and the flows of people, capital or ideas. Clarke<sup>3</sup> favors a 'relational view of place' after Massey, "in which places are produced by their location in fields of relationships (economic, social, political, cultural

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<sup>2</sup> John Clarke, "Contexts: Forms of Agency and Action" in Christopher Pollitt (ed.), *Context In Public Policy And Management*, Cheltenham: Edward Elgar Publishing, 2013, pp. 22-35.

<sup>3</sup> *Ibidem*, pp. 22-35.

and more)" and suggests that looking at contexts, not context leads to more insightful analyses, as it can unravel more complex relations of determination.

Bounding Ferentari geographically seems to be a challenging project for most people involved in the Ferentari debates and projects. The team coordinated by Roma Welfare Organization, one of the main NGOs working in the area, to write a research report on Ferentari, met the same challenge as well. Thus, Ferentari is not, first of all, a geographical place, but an idea, a playground where various forces, interests, relations and reflexivities are displayed and performed by different social actors. The Ferentari debate can be placed in connection to relevant unfolding processes.

### **Changes in welfare policies and governance**

An underlying debate regarding the production and distribution of welfare services is the one between what is public and what is private. Clarke and Newman dismiss the 'hybridity' approach, which encompasses a previously clear distinction between sectors. Instead, they propose the idea of 'assemblage' because it "points to the multiple sources, resources and combinations that appear to be at stake in these organizational innovations"<sup>4</sup>. One reasoning behind this proposal is that the idea of public is constantly changing<sup>5</sup>.

In 1991, the European Communities forged the creation of an internal market in welfare, bringing state and private welfare providers on the same line<sup>6</sup>. Implicitly, new modes of governance imposed market principles, bringing the politics of social services to a 'services-consumers' approach<sup>7</sup>, while stigmatizing the publicly provided welfare<sup>8</sup>. Romanian organizations contracted almost 80 per cent of the allocated EU structural

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<sup>4</sup> Janet Newman, John Clarke, *Publics, Politics and Power. Remaking the Public in Public Services*, London: Sage Publications, 2009, p. 95.

<sup>5</sup> *Ibidem*.

<sup>6</sup> Mary Langan, "Social Services: Managing the Third Way" in John Clarke *et al.* (eds.), *New Managerialism, New Welfare?*, London: Sage Publications, 2000.

<sup>7</sup> Amparo S. Pascual, Eduardo C. Suárez, "The Government of Activation Policies by EU Institutions" in *International Journal of Sociology and Social Policy*, no. 9-10, 2007, pp. 376-386.

<sup>8</sup> John Clarke, Sharon Gewirtz, Eugene McLaughlin, "Reinventing the Welfare State" in John Clarke, *op. cit.*

funds for the development of human resources as of February 2011<sup>9,10</sup>. It indicates that Romania's accession to the EU changed the funding landscape for governmental and nongovernmental organizations, enlarging the amount of funds available for welfare services for NGOs.

Ferguson and Gupta<sup>11</sup> describe the shift in Western democracies from the Keynesian to the free-market policies, suggesting that this does not imply a matter of less government, but a new governmentality that acts toward individual responsabilization. Albeit governmentality differentiates the state from the civil society, seeing the first as a specific contributor to regulation<sup>12</sup>, describing the NGOs as distinct from the state and the market implies a separation from politics<sup>13</sup>. State and civil society rely on each other for the production of legitimacy<sup>14</sup>, and subsequently, in numerous circumstances, nongovernmental organizations and their home governments share intimate connections<sup>15</sup>. While the proponents of governance perspective emphasize the raised authority of non-state entities in politics, there is a risk of neglecting their dependency on state support for legitimate and effective functioning<sup>16</sup>.

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<sup>9</sup> Iulian V. Brasoveanu et al., "Structural and Cohesion Funds: Theoretical and Statistical Aspects in Romania and EU" in *Transylvanian Review of Administrative Sciences*, no. 33E, 2011, p. 40.

<sup>10</sup> However, effective payments in projects approved represent just 2.2 percent

<sup>11</sup> James Ferguson, Akhil Gupta, "Spatializing States: Toward an Ethnography of Neoliberal Governmentality" in *American Ethnologist*, vol. 29, no. 4, 2002, pp. 981-1002.

<sup>12</sup> Hans-Martin Jaeger, "'Global Civil Society' and the Political Depoliticization of Global Governance" in *International Political Sociology*, vol. 1, no. 3, 2007, pp. 257-277.

<sup>13</sup> William F. Fisher, "DOING GOOD? The Politics and Antipolitics of NGO Practices". *Annual Review Anthropology*, no. 26, 1997, pp. 439-464.

<sup>14</sup> Ronnie Lipschutz; Cathleen Fogel, "'Regulation for the Rest of Us?' Global Civil Society and the Privatization of Transnational Regulations" in Rodney B. Hall, Thomas J. Biersteker (eds.), *The Emergence of Private Authority in Global Governance*, Cambridge: Cambridge University Press, 2003.

<sup>15</sup> Fisher, *op. cit*, *passim*.

<sup>16</sup> Philipp Genschel, Bernhard Zangl, "Transformations of the State: From Monopolist to Manager of Political Authority", University of Bremen, Collaborative Research Center: Transformations of the State, no. 76, 2008.

## Civil society and NGOs as social movements

There are two competing views on the role and ontology of NGOs<sup>17</sup>, one from a Hegelian side where civil society and the state are linked and imply economic interests, and another from a Toquevillian side where the two are separate and civil society is a space where people associate freely. Fisher and Mohan argue that in the international aid arena, donor discourses are fueled by the Tocquevillian approach.

Sampson<sup>18</sup> describes the 'project society' he observed in the Balkans. This type of society works according to the rules imposed by donors; it is a world where the wooden discourse of concepts such as 'capacity building' and 'good governance' is embedded in everyday social practices. This is a world, Sampson continues, where the most valued type of knowledge is the abstract one. Consequently, who possesses it can have a say in the distribution of resources.

While NGOs are sometimes portrayed as being a part of the 'Third Sector' or 'Civil Society', implying a stable role in a functionalist view of society, some theorists such as Stubbs<sup>19</sup> describe NGOs as a social movement. NGO-ization refers to a process of restructuring of the social contract while referring to the values behind the production and distribution of goods and services. Stubbs discusses the process in relation to globalization and neoliberalization.

## Development discourse and the rise of the NGOs

A major concept in the development discourse is that of 'community', which Murray Li<sup>20</sup> tackles by appealing to Rose's criticism of government through community. This approach is constructed on an underlying paradox, "[c]ommunity is assumed to be natural, yet it needs to

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<sup>17</sup> Giles Mohan, "The Disappointments of Civil Society: The Politics of NGO Intervention in Northern Ghana" in *Political Geography*, no. 21, 2002, pp. 125-154.

<sup>18</sup> Steve Sampson, "From Kanun to Capacity-Building: The 'Internationals', Civil Society Development and Security in the Balkans" in P. Siani-Davies (ed.), *International Intervention in the Balkans After 1995*, London: Routledge, 2003.

<sup>19</sup> Paul Stubbs, "Community Development in Contemporary Croatia: Globalisation, Neoliberalisation and NGO-isation" in Lena Dominelli (ed.), *Revitalising Communities in a Globalizing World*, Hampshire: Ashgate Publishing, 2007.

<sup>20</sup> Tania Murray Li, *The Will to Improve. Governmentality, Development, and the Practice of Politics*, Durham & London: Duke University Press, 2007.

be improved”<sup>21</sup>. As such, Murray Li continues, the work to engage with is that of optimizing the already present according to an ideal, and when community is found to be natural and authentic, it has to be protected, as it is vulnerable <sup>22</sup>. Although the international development field as a postcolonial emergence has been dominated by large institutions such as the World Bank or the International Monetary Fund, geographers Bebbington, Hickey, and Mitlin propose a timeline of the emergence of NGOs as alternative in development<sup>23</sup>.

They view a first phase as one that took place until the late 1960’s. There were only a few small agencies, most of them based in the north-western countries, that were concerned rather on solving one issue by philanthropy and engaging in advocacy.

A second phase takes place until around 1980-1985. A growing number of NGOs appear in a structural move by Northern states “to institutionalize NGO projects within their national aid portfolios” <sup>24</sup>. Increased expectations accompanied by easier access to funding from European sources.

The authors describe the next period until the early 1990s as a third phase, when the number of NGOs dramatically increased, while their role in the development project crystallized. The neoliberal discourse managed to encompass the NGOs through the provision of funding while global processes of economic instability were taking place, political democratization in a liberal democratic sense was occurring, and new concepts such as ‘civil society’, ‘participation’, and ‘empowerment’ were gaining prominence. A fourth phase is placed after the early 1990s proclaimed the ‘end of history’, when the NGOs behavior resembles the one of mainstream Development and thus begins to blur its attribute of alternative. NGOs gain higher access to the policy process, their role in poverty reduction substantially increases and standardizes and, in some instances, they act as contractors of public services.

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<sup>21</sup> *Ibidem*, p. 232.

<sup>22</sup> *Ibidem*, p. 233.

<sup>23</sup> Anthony Bebbington, Samuel Hickey, Diana Mitlin, “Introduction: Can NGOs Make a Difference? The Challenge of Development Alternatives” in Anthony Bebbington, Samuel Hickey, Diana Mitlin (eds.), “*Can NGOs Make a Difference? The Challenge of Development Alternatives*”, New York: Zed Books, 2008.

<sup>24</sup> *Ibidem*, p.12.

Fisher<sup>25</sup> underlines the ambivalence of the idea of NGO by pointing its attractiveness both to the critics and to the proponents of development. Still, one result of these processes was that the NGOs were getting 'too close for comfort'<sup>26</sup> with other actors, risking to lose their praised characteristics. Nevertheless, 'too close for comfort' translates a presumed ontological separation and autonomy between various actors.

## NGOs and the politics of development

To unveil the possible role of NGOs in development, Fisher<sup>27</sup> follows Ferguson<sup>28</sup> in distinguishing between two types of critics of the hitherto development project: one that believes in the righteousness of the process and another that does not, even though both of them are dissatisfied with the implementation. The first type has "an instrumental view of NGOs, regarding them as apolitical tools that can be wielded to further a variety of slightly modified development goals"<sup>29</sup>, seeing some characteristics (less bureaucratic, more flexible) as standing in opposition to those of the state. The second type of critics lauds the NGOs for their potential to challenge power relations and politicize issues, despite the fact that they run a risk of becoming a part of the "antipolitics" machine of development<sup>30</sup>, which obscures political relationships.

Mosse<sup>31</sup> supports a similar vision, according to which "[s]uccess' and 'failure' are policy-oriented judgments that obscure project effects", although he underscores that going beyond the approaches based on the development machine's automaticity and looking at "complex agency of actors in development at every level"<sup>32</sup> can shed more light on the complexity of the policy process. The question of how development

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<sup>25</sup> Fisher, *op. cit, passim*.

<sup>26</sup> M. Edwards, D. Hulme, "Too Close for Comfort: NGOs, the State and Donors" in *World Development*, no. 6, 1996, *apud* Bebbington et al., *op. cit.*.

<sup>27</sup> Fisher, *op. cit, passim*.

<sup>28</sup> James, Ferguson, "The Anti-Politics Machine: 'Development,' Depoliticization, and Bureaucratic Power in Lesotho", Cambridge: Cambridge University Press, 1990

<sup>29</sup> Fisher, *op. cit, p. 444*.

<sup>30</sup> Ferguson, *op. cit, passim*.

<sup>31</sup> David Mosse, *Cultivating Development. An Ethnography of Aid Policy and Practice*, London: Pluto Press, 2005, p. 19.

<sup>32</sup> *Ibidem*, p. 6.

politics are produced is further enlarged by Boltanski, who asserts that “[t]he re-legitimation of humanitarian action and its representation are going through a process of re-politicization<sup>33</sup>.

Fisher<sup>34</sup> lists 16 acronyms to illustrate that “[t]he term ‘NGO’ is shorthand for a wide range of formal and informal associations” and argues that by seeing them as an area of scientific investigation, the development discourse can lead to their colonization by powerful actors. He proposes an analysis of the processes and relationships unfolding in various fields and involving numerous actors, instead of a scrutiny of a set of organizations, with a focus on the micropolitics of these organizations “as fragmented sites that have multiple connections nationally and transnationally”<sup>35</sup>. In this analytical sense, the state shares similar characteristics and an analysis of the relation between the NGO field and the state should take into account similar precautions, Fisher continues. So why is the study of micropolitics and micropractices important in Fisher’s account? Because, he states, larger change can occur through their transformation and the adjustment of their originating discourse.

Atlani-Duault<sup>36</sup> provides an edifying account of how Transcaucasian post-soviet states ended up being categorized as developing after the status of confederate state disappeared. She describes the efforts and stages through which the International Development Organization - a pseudonym - forged the construction of a civil society through its focus on supporting small NGOs. In the USSR, the state institutions were the only legal form of association between people and IDO’s emphasis on ‘good governance’ is explained as an opposition the soviet ‘monolithic model’ of governance. Any failure of projects developed by NGOs could thus be explained by blaming “the forced social uniformity of pre-democratic days”<sup>37</sup>, a specific characteristic of this part of the world.

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<sup>33</sup> Luc Boltanski, “The Legitimacy of Humanitarian Actions and their Media Representation: The Case of France” in *Ethical Perspectives*, vol. 7, no. 1, 2000, p. 15.

<sup>34</sup> Fisher, *op. cit.*, p. 447.

<sup>35</sup> George E. Marcus, “Ethnography In/Out of the World System: The Emergence of Multisided Ethnography” in *Annual Review of Anthropology*, vol 24. pp. 95-117 *apud* Fisher, *op. cit.*

<sup>36</sup> Laetitia Atlani-Duault, *Humanitarian aid in Post-Soviet Countries: An Anthropological Perspective*, New York: Routledge, 2008.

<sup>37</sup> *Ibidem*, p. 111.

## **NGOs and civil society in Romania. From markers of democracy to social services providers**

The post 1989 Romania has witnessed the emergence of a field of organizations called 'the civil society'. Romania's accession in the European Union in 2007 produced a strong impact upon the understanding of what 'civil society' is. In the previous period, various organizations focused on human rights, cultural and other issues associated with a liberal discourse represented the long awaited 'civil society'.

Due to the newly large amounts of available funding for non-state actors, especially in the social services area, the post European Union accession period is marked by organizations that began to adapt to the new model, while others have been specifically founded with this in mind. Many organizations portray the European Union as a 'donor', and adopt the available role slots, among which the one of social services provider appears as an adequate and sustainable one. The idea of civil society as a distinctive part of society from the state gradually gained prominence and support from the governments, culminating under the right wing governments after the second half of the 2000s. These governments produced a discourse that conveniently captured and redelivered the European Union's principles on the production and distribution of social services.

In 2010, the Romanian meta-NGO Foundation for Civil Society Development (FCSD), counted over 62 000 organizations, among which 21 000 are financially active<sup>38</sup>. According to the same report, after 1998 the NGOs started delivering more social services and contracting government funding according to new regulations<sup>39</sup>.

The Romanian civil society after 1989 was born in a clear demarcation from politics, as intellectuals, trade unions and NGOs claimed in 1990 that "we are not parties and we are not engaged in politics"<sup>40</sup>, move

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<sup>38</sup> Mihaela Lambru, Anuța Vameșu, *România 2010. Sectorul neguvernamental – profil, tendințe, provocări* (Romania 2010. The nongovernmental Sector: profiles, tendencies, challenges), p. 7. [[http://www.fdsc.ro/library/conferinta%20vio%207%20oct/Romania%202010\\_Sectorul%20neguvernamental1.pdf](http://www.fdsc.ro/library/conferinta%20vio%207%20oct/Romania%202010_Sectorul%20neguvernamental1.pdf)]

<sup>39</sup> *Ibidem*, p. 8.

<sup>40</sup> Laura Grünberg, "Women's NGO's in Romania" in Susan Gal, Gail Kligman (eds.), *Reproducing Gender. Politics, Publics and Everyday Life after Socialism*, Princeton: Princeton University Press, 2000, p. 310.

which aimed at conveying good intentions in opposition to how politics were perceived in the previous period.

An increased number of women NGOs, NGOs for disabled people, children with special needs are often categorized as having a 'social' character. Corporate social responsibility campaigns and the emergence of a trendy social economy field imagined for disabled people or other groups convey as well an understanding of the 'social' as an area of problems which the state or the market cannot solve; thus the necessity for this type of organization of action as a compensation for those people's inability to actively pursue income generation in market terms. The construction of identity politics, which are inherently based on the production of differentiation end up in calling for policies which must take into account the group characteristics and create specific subjects of policies, whether they might be Roma, women, disabled, poor or any combination of those. The policies in a society categorized as such require specialized knowledge on the specific characteristics of the target groups and specialists who can produce it.

### **Case study – Construction of Ferentari through NGO practices**

Ferentari is a Bucharest neighborhood located in the administrative Sector 5. The neighborhood, nicknamed Ferentexas, is perceived as Bucharest's most feared area, according to a 2012 mental map<sup>41</sup>. It is also commonly identified as a Roma neighborhood, especially through mass-media coverage, although the size of the Roma population and that of the whole population, for that matter, is unknown. Official census data covers administrative regions, whereas neighborhoods are fluid geographical entities. As it is constructed in the public imagery, the neighborhood can be viewed as Bucharest's "internal Orient"<sup>42</sup>.

Ferentari is an appealing area of research because it represents a fertile field due to its characteristic of being a thick and active organizational area. It is a field where identities, legitimacies and

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<sup>41</sup> Cristian Ciobanu, "Bucharest Fear Map", 2012. Available at: [<http://mentalgeo.wordpress.com/2012/01/07/harta-fricii-in-bucuresti/>].

<sup>42</sup> Gergő Pulay, "La Crâșma din Ferentari: ghetto-ul care dă strălucire centrului", *Blogul de Urbana. România Urbana*, 2009. [<http://socasis.ubbcluj.ro/urbanblog/?p=251>], 25 November 2014.

conceptions of social justice are being established and institutions are being shaped. Moreover, structural forces and agency pervading various political layers interact and animate action. Hence, the debate on Ferentari is not one about an area in Bucharest, but one on larger issues such as the neoliberal restructuring of the production of welfare.

The paper is based both on active research, as well as on my experience as an NGO worker. I will further use fictional names, instead of the organizations' real names. My initial research goal was based on the idea of finding out how NGOs interact in a competitive environment. After interviewing workers at NGOs focused on Ferentari, I decided to narrow my research focus on the interaction between four main actors.

My first contact with Ferentari occurred while I was working as a project assistant for Roma Welfare Organization (RWO). During that time, I got in contact with a Romani teacher at the Ferentari School, as well as marginally with Community Health Association (CHA) and Grassroots Initiatives Association (GIA). These three NGOs have been founded less than ten years ago.

Roma Welfare Organization was founded as a result of an international debate on Roma issues. The RWO director initially oriented it towards policy work, but later on he decided to engage in practical projects aimed at promoting edifying solutions to Roma poverty. Consequently, the NGO decided to open a Day Care Center in a Ferentari school. Grassroots Initiatives Association appeared several years before RWO. After several attempts of developing projects in neighboring areas, GIA decided to work with children in the Ferentari School. Activities started more than two years before RWO decided to open the Day Care Center in the school.

Community Health Organization was a semi-autonomous branch of a larger Roma NGO. Focused on health issues, CHO offered medical services which included changing used needles and syringes with new ones to local drug addicts. CHO workers are widely regarded as local people.

The Ferentari School has a large population of Roma students. Consequently, the school decided to hire a Romani teacher, who turned into a local gatekeeper over time. NGOs developing projects in the school saw her as a pivotal character in the projects' success.

NGOs working in Ferentari specifically attempt to solve what they envision as problems by spatially bounding the intervention areas. Space becomes a pervading characteristic of NGO work struggling to tackle social problems belonging to what Wacquant dubs advanced marginality<sup>43</sup>. While previous processes of marginalization were connected to macroeconomic cycles, its advanced version is decoupled from larger economic processes. Spatial concentration of enduring poverty coupled with area stigmatization can serve as indicators of advanced marginality in urban areas. Thus, if there is one aspect dominating the neighborhood's current social position, that is social class, however combined with ethnic characteristics.

The current state of Ferentari, as that of other areas, can be described as a result of government policies of urban abandonment<sup>44</sup>. The Bucharest municipality heavily invested in the refurbishment of the city's historical center to develop a rich nightlife scene which brings funds to the local municipality, while marginal neighborhoods received less attention. As such, Ferentari can be seen as a neighborhood of relegation, in Wacquant's terms.

In Ferentari's case, what is regarded by NGOs as social marginality ends up devoid of structural economic explanations by recasting the problems in terms of cultural identity. In Anthias's terms, the process can be seen as the culturalization of social relations in projects based on the uses of diversity and integration ideas. "The cultural is divorced from the structural and material, and 'othered' populations are endowed with culture seen as a thing which people carry with them"<sup>45</sup>.

A prevalent practice of NGOs developing projects in Ferentari is that of spatially bounding the area of intervention. Using empirical data, I will next examine how NGOs can become vehicles which reenact marginality through some of their practices in Ferentari.

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<sup>43</sup> Loïc Wacquant, "Urban Marginality in the Coming Millennium" in *Urban Studies*, no. 10, 1999.

<sup>44</sup> Idem, "Class, Ethnicity and State in the Making of Marginality: Revisiting Urban Outcasts", 2013  
[<http://loicwacquant.net/assets/Papers/REVISITINGURBANOUTCASTS-Danish-article-version.pdf>].

<sup>45</sup> Floya Anthias, "Moving Beyond the Janus Face of Integration and Diversity Discourses: Towards an Intersectional Framing" in *The Sociological Review*, vol. 61, 2013, p. 324.

I argue that NGOs attempt to gain legitimacy through persistent spatialization practices. An effect of these practices is the professionalization of othering, which occurs while people and organizations engage in legitimization practices. I will further analyze how NGO activities take shape by looking at the circumstances in which key people started working in Ferentari and how they interacted. Moreover, I will analyze how a research report on Ferentari released by Roma Welfare Organization is used as a legitimization vehicle.

### **Personal and institutional quests for legitimacy**

Legitimacy for intervention is gained through personal and institutional channels. In Ferentari, outsiders and locals depend on each other if they plan on developing successful projects. However, the relation between them is mediated by a structural pressure of proving a personal ability to provide viable solutions.

Neoliberal governmentality relies not on less government, but on different approaches focused on individual responsabilization. NGO beneficiaries are often portrayed as people eligible to overcome their condition, but NGO workers have to go through similar stages before passing education further on through projects.

As a Roma woman, the Romani teacher working in the Ferentari school is often considered a local, although she does not originate from Ferentari. Structural conditions combined with personal ambition pushed her into becoming a successful Roma woman, regarded as a positive example.

However, the road was quite difficult. In less than 10 years, she managed to obtain her undergraduate degree, a master degree and she was on the road to a PhD diploma. In the meantime, she was involved in innumerable national and international projects. Since she started working in Ferentari, she gathered piles of diplomas from short term courses and workshops on education and inclusion. Most of the projects have been focused on using Roma identity as an instrument in the fight against ethnic poverty.

The Romani teacher's position was repeatedly questioned by a part of her colleagues in what could be understood as institutionalized racism. Her constant quest for improvement and certification entails a defense

mechanism based on a strong need to reach a higher level of legitimization and recognition and, consequently, to secure her position. She was co-opted in at least one RWO project aimed at young Roma and worked closely with GIA as well.

Grassroots Initiatives Association was established after a team of young social scientists decided to develop educational projects, as well as experimental projects aimed at fostering social transformation. GIA's leader had been involved in social research projects on squats around Europe and poor marginal communities in Romania.

After a couple of attempts to develop adult oriented activities, the team realized they are not experienced enough for that step. A first attempt of developing a conjoint project in a neighborhood close to Ferentari ended up with GIA' retreat, as the other partners had a pitiful attitude towards the beneficiaries. Next, GIA got geographically closer to Ferentari School after its members tried to develop long term projects in a similar close-by area.

They did not manage to wholly 'enter' this second neighborhood, as their main contact and community leader moved out. The need for experience in mediating between worlds – neighborhood and outside world, as conveyed by a story of failure in this respect, was also a main reason to abandon the area. GIA leader considers the episode to be a useful experience in adjusting the preconceived ideas about the neighborhoods she has not visited before to their reality. An educational experience to be further used in Ferentari, which is a more 'hard-core' area.

When RWO started working in Ferentari, the organization was at its beginnings. Thus, organizational practices were constantly in the making. Routine was not a very a prominent characteristic for the staff and collaborators – a sign that attempts of discovering an organizational path and profile predominated.

Mentoring and exposure to role models were key aspects of most projects, whether the target was represented by children or young adults. Gradually, after the day care center had been launched, most of the funds were directed toward starting new activities with children: sports, dances, games, social and financial education, doing homework, photo-video projects and excursions.

Roma Welfare Organization's director emphasizes his high social mobility. He presents himself as someone who came from the slums, but managed to attain higher education. He easily revolves in high circles, travels to conferences and talks around Europe on racism, discrimination and antidiscrimination policies.

In the same time, he recounts how he goes 'in the ghetto' and sees disturbing images such as minors taking drugs surrounded by piles of garbage on the road to prostitution. As he tries to solve these problems on his own by going grass roots, he also aims to raise awareness at the higher political level. This is where he claims to fill the gap by connecting a profoundly disconnected political-bureaucratic set of rulers to the reality, while in the same time working directly to solve as many problems as he can on his own.

By looking at how the director and architect of RWO presents himself and how RWO is designed, a high degree of consistency between his personal discourse and action can be noticed, as RWO seems to be an institutional emulation of the director's personal trajectory. The director constructs himself as a person – institution, who presupposes that he, as a successful individual, is an example that personal struggle is socially rewarding.

RWO sees a trip from the central office to the Ferentari School as more than mere physical movement; it is an exploration of a land far away, especially for visitors. It entails that physical distance translates accurately into social distance. This trip is closely connected with the personal trajectory and wide social mobility of RWO's director.

As a human rights NGO, RWO stays closer to power sources, because spatial proximity can produce greater impact, Gordon<sup>46</sup> claims, adding that the debates on spatial proximity and social space render the border line between government and civil society as more blurry than it is usually portrayed.

Taking high-level European politicians to Ferentari was regarded as a core activity for RWO. When a high European official was visiting RWO's day care center in Ferentari, the office staff and resources would mainly be

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<sup>46</sup> Neve Gordon, "Human Rights, Social Space and Power: Why Do Some NGOs Exert More Influence Than Others?" in *The International Journal of Human Rights*, vol. 12, no. 1, 2008, pp. 23-39.

directed, as much as possible, toward planning the event in minor detail. For a couple of days, the organization was turning into an event planning and implementation committee, following all the details from providing water supplies to following how the event was portrayed by the media. Consequently, an internal detailed document titled "Procedure regarding the unfolding of meetings with external participants" has been established.

Visits of high-level Western European politicians are used to portray RWO as link between two disconnected worlds, upper-level politics and reality. However, in order to secure the desired status, RWO has to prove that reality is consistent with their description. Thus, visits require extensive planning and frame making, including the conversion of an initially uncooperative school principal to accept the RWO presence in the institution she ran.

### **Enter the hood**

"Enter the hood" is a phrase used by both Grassroots Initiatives Organization and Roma Welfare Organization. It aims at conveying the image of a bounded area with its own internal logic and rules, a place in a sense disconnected from the ones around it. It is a place of mystery and unknown, which requires exploration to be discovered and acted knowledgeably upon it.

Because Ferentari appears so distinct, distant, poorly understood and feared, it is considered a challenge for NGOs, it becomes a rite of passage to maturity for them. GIA, as well as RWO, intended to develop pilot projects in Ferentari's School that could be further replicated in other areas, as it has subsequently happened. Results obtained through projects in Ferentari School are considered benchmarks of NGO work.

Although GIA has, allegedly, implemented projects with similar design, RWO publicly claims that their initiative is, to their knowledge, a premiere. Claims on innovative solutions to old, well known problems can thus be assured. Implicitly and explicitly, innovation is the solution where the state institutions' uniform policies proved unsuccessful, due to inherent characteristics such as rigidity or corruption.

The vision of GIA's leader of what should be done with the children is similar to that of RWO's director. She "always considered that children can change parents, you know? [...] That is the parents' minds are too

corrupted and they are lost, many of them, you know as well! And there's nothing you can change with adults... I mean you have what to, but there's a need for integrated work!" Her solutions are based on the development of specifically targeted NGOs, but in the same time, she reflects that a more professional action would be that of collaborating with local administration, as opposed to her previous approach.

Children are deemed adequate NGO beneficiaries because they are not yet bestowed with responsibility for their current condition. Mentoring and activating school children living in a very poor area are the solutions to improve livelihoods because success can be attained through struggle and demand for improved livelihoods. Inherently, structural problems such as unemployment are rendered less determinant for the future of these children. These are all well-known and often stated, but the hope is that the properly guided children will 'get out of there'. This is undertaken by discursively separating the children from their background. Areas of action towards solving the problems are compartmentalized and followed by fragmented, independent interventions. If there are problems such as unemployment, improper housing, poor school performances, drug abuses, they are treated by different experts.

This trajectory is not only suitable to children, because parents have opportunities to prove their worth as well, according to RWO's plans of hiring ex-convict volunteers to work in the day care center, as they might follow a path toward improvement of their lives by hard work and active learning.

### **Professionalization of othering through knowledge production**

The research report on Ferentari issued by RWO was part of a larger project, which included the development of a day care center inside the Ferentari School designed to serve as model of good practices for other schools in the ghetto. As the condition of ghetto and its lack of good governance were already stated, the social research was designed to describe precisely how dire the situation was in reality, because a single visit in such communities as such will prove the failure of all the previous projects, the report stated.

Debated in RWO's office, as well as in the report, is the idea of a public policy focused on ghettos. Reasons supporting an introduction of

the term in official public policy language are implied and appeals to European funding to solve such issues are stated. The uneasiness in providing a definition of the research area pervaded most of the research design and it is stated in the report as well. Although the report claims to be dealing with Ferentari, its content clarifies that it deals mainly with one specific street and most chapters focus on this area.

Nearly all chapters rely on an academic style through references to social sciences literature and appeals to rigor and scientificity. The RWO director's chapter uses a different approach. Descriptions of criminality, which takes various faces, are narrative and devoid of academic pretensions. What comes out of it is the image of a grass-roots activist who witnessed the hell-hole where, following the text's structure, drugs, thefts, prostitution, violence, and incarceration – the latter being unavoidable - are part of the quotidian.

The conclusions of the report warn that due to the recent economic downturn, poor people from other areas are expected to end up in Ferentari, along with other indications of Ferentari's involvement in structural processes. The concept of ghetto receives increased attention in many of the chapters and its usage is backed by the fact that it is already used and present in public conscience. It further explains that 'ghetto' is a term with a meaning looser than in the urban American cases. However, preceding descriptions of cases of extreme spatial isolation outside territorial administrative units through displacement of Roma populations that happened in other European countries, along with cases from Romania, build up an image of an area with special characteristics.

Overall, while parts of the report clearly state that structural processes have a large impact on how Ferentari became a 'ghetto', the provided solutions strongly supported publicly by the Roma Welfare Organization through its projects are aimed at empowering individuals, without emphasizing structural problems.

What it comes out of the report is an image of a bounded, isolated area with a different logic than other poor areas, hence requiring innovative approaches (such as justice management in ghetto communities). The report implies a necessity for expertise in dealing with such cases. The solutions appear to be the appeal to European Commission

policies, which can be better implemented by those NGOs involved in the process, translating in a call for governance changes.

The repeated appeal to EU institutions seems to convey the fact that Romanian public institutions turned into competitors in the market of social services.

### **Grass-roots politics and relations between NGOs**

In order to produce a sense of legitimacy, NGOs portray public institutions as monolithic entities that cannot provide the adequate services needed by populations with specific problems. Legitimacy of intervention is produced by making the population legible to outsiders through various types of reports. Thus, after NGOs learn the local problems, they can claim to be capable actors of developing projects aimed at solving them.

However, NGOs act as conveyers of local problems to the outside world, meaning that social problems are translated. Learning the local language becomes an imperative. The local is a key actor in the process of translation. Consequently, gaining the support of local people turns into a core task.

Community Health Organization (CHO) was regarded as a local NGO. Established a couple of years before Roma Welfare Organization and Grassroots Initiatives Association started working in Ferentari, CHA operated an on-the-spot medical facility. People from the neighborhood allegedly visited the medical doctor appointed by the association. Most importantly, the facility distributed free syringes to drug addicts living in the vicinity.

Both RWA and GIA saw CHA as a type of local initiative that could stand as project partner. As a local, the association was not seen as a capable competitor. Rather, CHA was regarded as a community gatekeeper and a potential capital of legitimacy. To achieve the status of grassroots organizations, RWA and GIA needed CHA's support.

Roma Welfare Organization organized a meeting with CHA to propose a potential partnership on community development projects. However, the CHA leader was reluctant towards the proposals. One of his employees ended up working with RWA later on as a sports instructor for school children. Grassroots Initiatives Association attempted to co-opt the health center in their projects as well. Before RWA arrived in the area, GIA

repeatedly advised CHA to apply for funding without any success. After insisting that their own project would help them attain legitimacy in the eyes of the local population, GIA decided to write a project application on their own, portraying CHA as lazy.

After GIA received funding for a project where they inscribed CHA as partners, the relation inversed. The health center told GIA they will not sign the partnership because there are many people posing similar propositions and they need to test GIA by assessing how the project will turn out and sign the partnership afterward. The GIA leader was furious because they dared proposing that, saying it should have been backwards.

The story shows how the two organizations ran on different rationalities. For GIA, developing projects is a crucial NGO activity and sees NGO development as a means of achieving social change. Seeing that CHA has not internalized this vision is disappointing because it translates into a failure to engage with locals who were expected to be receptive to empowerment ideas.

At least one health center member collaborated with both RWA and GIA. One day, when GIA was renovating a football field behind the Ferentari School, RWA had a Western European ambassador visiting the day care center. According to the GIA leader, the CHA member went to the meeting with the foreign ambassador instead of helping them renovate the field. After the meeting inside the school ended, the CHA employee arrived and kept his promise of helping GIA with the renovation work.

Although RWA and GIA had one attempt of communication when RWA arrived in the area, they had not communicated ever since. Incidentally, CHA managed to clarify the gap between RWA and GIA while attempting to swim in the muddy organizational field. For GIA, it became clear that RWA plays in a different league, meaning that it could not withstand competition any longer. Shortly after, GIA decided to move its activities in other neighborhoods.

The episodes describe how interaction between various NGO actors focused on working at different levels takes place in the field. To survive and, moreover, to thrive, NGOs engage in competitive practices that do not take place on leveled ground. Grass-roots micro-politics in Ferentari – searching for the local while relating to organizations with similar interests – convey the image of an institutional field in the making.

## Concluding remarks

By providing another layer of understanding of the policy process intricacies, this paper provides an answer to Mosse's call to take into account the complex agency of actors involved in the development process<sup>47</sup>. The paper presented a case study to suggest that while NGOs produce development projects they take part in what I call the professionalization of othering.

The slot of othering professional is created as an effect of the interaction between public and private institutions that offer courses and certifications for highly specialized professionals. In the case study I presented, an othering professional gains expertise by presenting the effects of marginalization in localist terms that combine ethnic and cultural characteristics. Under the neoliberal regime that stresses competition between NGOs for financial resources, NGOs have to rely on the work of accurately delimiting the problems and solutions from a spatial perspective through a persistent work of contrasting in order to produce particular welfare subjects.

Some NGOs strive to answer with solutions that place the responsibility of overcoming advanced marginality on the populations themselves. Changing mentalities is thus seen as a key solution to social problems. However, this line of thought is inherent to the financing lines for which NGOs have to compete.

While continuously presenting the current condition of the Ferentari neighborhood population as disconnected from larger structural processes, NGOs act as agents and locus of neoliberal state restructuring. For NGOs attempting to gain legitimacy as social services providers, Ferentari is a means of proving capacity to provide localized, yet replicable, solutions to structural processes of marginalization.

Postsocialist states undergo processes of repoliticization of welfare services. The case of NGOs working in Ferentari suggests that the effects of advanced marginality are seen through institutional assemblages which can reinforce marginality by emphasizing otherness. The result can be interpreted as the effect of a development project based on the

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<sup>47</sup> David Mosse, *Cultivating Development. An Ethnography of Aid Policy and Practice*, London: Pluto Press, 2005.

depoliticization of marginality by recasting social problems in terms of ethnic identity politics.

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# ENGAGING THE POLITICS OF NGO HUMAN RIGHTS ADVOCACY: A CRITICAL READING OF AMNESTY INTERNATIONAL'S MEMORANDUM TO THE ROMANIAN GOVERNMENT CONCERNING INPATIENT PSYCHIATRIC TREATMENT

Leyla Safta-Zecheria\*

## Abstract

*The present paper takes as its starting point the Amnesty International memorandum to the Romanian government concerning in-patient psychiatric treatment issued in May 2004 in order to offer a critique of the politics inherent to the human rights discourse regarding mental health care treatment in Romania. Issued just briefly before EU-accession, the memorandum had strong discursive effects, which challenged the monopoly of doctors over defining issues of psychiatric treatment. The paper looks at the memorandum from three angles: (1) investigating the linguistic manufacturing of systemic human rights violations, (2) the practice of objectifying institutionalized people and voicing claims on their behalf, as well as (3) obscuring structural issues of social and economic inequality that lead to the institutionalized of the "newly" poor. The three issues for critique are interrelated: through the linguistic manufacturing of a systemic human rights problem, the legitimacy of a claim to an unacceptable state of affairs is fabricated. This claim is in its term made on behalf of and about institutionalized people, and not elaborated together with them. Moreover, in the terms of the claim, people are reduced to instances of suffering and thus re-enforce AI's narrative, which references and replicates international human rights standards. Finally, institutionalized people are not only deprived of a voice in this process, they are also targeted by a political project that views them primarily with the lens of their right to freedom and*

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\* Leyla Safta-Zecheria holds an MA degree in European Ethnology from Humboldt University, Berlin and is a PhD Candidate at the Doctoral School of Political Science, Public Policy and International Relations at Central European University, Budapest.  
Contact: leylasz@yahoo.com

*obscures an understanding of their condition in terms of its economic and social reality.*

**Keywords:** human rights, mental health, deinstitutionalization, advocacy, voice, Amnesty International, Romania

## Introduction

Soon after I began my research on mental health care institutions in Romania, I came across reports documenting human rights violations in psychiatric hospitals. These reports<sup>1</sup> were so compelling that I mistook them for a faithful and precise image of what I understood to be the reality of psychiatric institutions. Through this I became a victim (as well as a co-producer) of what Lori Allen describes as the human rights discourse's "production of the impression of immediation"<sup>2</sup>. This paper tries to re-work my initial identification with the human rights discourse regarding mental health care institutions in Romania, as illustrated by its most prominent document, a memorandum issued by Amnesty International to the Romanian government in 2004.

My original trust in this way of producing and presenting knowledge, characteristic of the human rights discourse came also from the availability of information. What is widely known about undignified situations people are faced with in asylum-like places outside of their walls, is known mostly through the monitoring activity of NGOs<sup>3</sup>. Nevertheless this activity is entangled with these NGOs advocacy practices, practices that seek to and also partly succeeded to lay the grounds for pressuring Romanian governments into policy change. As mentioned above these claims for action are based on a specific way of producing and presenting knowledge about the mental health care system, as well as on a

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<sup>1</sup> I refer here to the reports issued by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), as well as the Amnesty International memorandum, which forms the basis of the current analysis, as well as other reports issued by the Center for Legal Resources (CLR)

<sup>2</sup> Lori A. Allen, "Martyr Bodies in the Media: Human rights, Aesthetics, and the Politics of Immediation in the Palestinian Intifada" in *American Ethnologist*, vol. 36, no. 1, 2009, p. 164.

<sup>3</sup> As well as rumors and scandalizing press articles concerned with human rights violations, but these are not the object of the present paper. Certain press articles also reproduce the logics of representation outlined in this paper, inherited from the human rights discourse.

predetermined normativity that of legally codified international human rights standards, the political implications of which I will investigate in the present paper.

Despite sharing in the general and very legitimate concern for the well-being of institutionalized people (this is the concern that made me identify with the human rights discourse in the first place), the goal of the present paper is to critically engage with the way in which human rights reporting constructs the issue of mental health care reform. For this illustration, I chose to look at the most prominent document concerning human rights issues in psychiatric hospitals in Romania, the Amnesty International Memorandum to the Romanian government sent in May 2004<sup>4</sup>.

The Amnesty International Memorandum marked a significant moment in the recent history of the Romanian mental health care reform. Most importantly, it addressed the issue of care from a perspective that challenged the monopoly of doctors and exposed ongoing oppressive practices in such a way that they then had important effects on policy documents, as well as on the acquiring of legitimacy of then already existing progressive non-hospital centric mental health care services in Romania.

The memorandum was sent at a very timely moment: EU accession was to follow in 2007 and one of the central Copenhagen Criteria that had to be “fulfilled” before accession was to warrant the presence of stable institutions ensuring among other things the respect for human rights<sup>5</sup>. The AI memorandum thus formed the basis for constructing psychiatric care practices as violating human rights and including mental health care deinstitutionalization<sup>6</sup> as an issue to be monitored by the European Commission during pre-accession.

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<sup>4</sup> This assumption rests on previous research I have conducted in this field.

<sup>5</sup> See Copenhagen criteria political criteria, available here: [[http://europa.eu/legislation\\_summaries/glossary/accession\\_criteria\\_copenhagen\\_en.htm](http://europa.eu/legislation_summaries/glossary/accession_criteria_copenhagen_en.htm) accessed on 29 November 2014].

<sup>6</sup> Deinstitutionalization as a normative paradigm involves the closure of large, asylum-like psychiatric institutions and the shifting of the locus of care into the “community”, through services that vary from country to country and region to region; sometimes addressing socio-economic issues such as housing and sometimes only focusing on medical treatment or occupational therapy.

This timeliness contributed to its importance in terms of discursive effects that then travelled into policy effects. The monopoly of the doctors over defining mental health care issues was cracked<sup>7</sup> and a new set of actors claimed legitimacy for defining the nature and quality of treatment from the “newly arrived” epistemology of human rights<sup>8</sup>. This was possible due to the power relations inherent to the EU accession process, which favored knowledge-production informed by a human rights epistemology over the voices of a professional class, which was strongly associated with the state and consequently with the system commonly described as “state-socialism”.

In terms of content, the AI memorandum presented findings from six psychiatric hospitals, as well as accounts by professionals about the situations in other hospitals. These included observations about living conditions, lack of medication and therapy, the failure of the government to protect institutionalized people from violence (emanating from other patients) and the lack of services and opportunities in the community<sup>9</sup>. The main claim addressed to the Romanian government concerned starting a process of systemic reform towards deinstitutionalization, ensuring that most people in these hospitals would eventually come to live in the “community”.

The report was received cautiously by the Romanian government, which chose to criticize both the claims of the report in terms of

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<sup>7</sup> Preliminary interviews and informal conversations with mental health care professionals indicate that until today the findings of Amnesty International are disregarded by medical professionals, as they are considered to have been produced by people who weren't aware of the « real » situation in these institutions. Nevertheless, the legitimacy I refer to in this paper is one pertaining to the public discourse and not to the relevant professional circles.

<sup>8</sup> This modality of knowledge production was initiated by the Council of Europe's CPT (Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment) in the 1990s, but it did not have the publicizing effects the AI report had, due to the fact that reports were generally published a long time after the visits were conducted. The Center for Legal Resources' program Advocate for Dignity continues this modality of knowledge production much in the vein of AI until today. Despite describing a logic, which I see as inscribed in the human rights discourse, the findings of the present paper should not be considered to be directly and uncritically applicable to other main representatives of this discourse. The differences and similarities between the institutional logics of knowledge production within the human rights discourse warrant further reflection.

<sup>9</sup> See AI memorandum.

“information gathering”, as well as engage on different, stigmatizing epistemic grounds, with the findings of the report. For example, the cases of violence of institutionalized people towards staff or other people within the institutions were ascribed to the “pathology” of mental illness and prolonged hospitalization<sup>10</sup>. At a later point in time, the government issued its own memorandum calling for a rehabilitation of the present mental health care system, as well as a compromise between the existing and the “Western model”<sup>11</sup>.

Significant pressure during the pre-accession monitoring phase determined further changes in the mental health care system, but these will not be part of the focus of the present inquiry. It is safe to say that, as an initial moment, the publicizing of the AI memorandum at the time preceding accession to the European Union spurred strong, scandalized reaction in the public discourse, as well as in the then central political discourse of the European Commission. As this memorandum opens this very significant strand of political discourse, it makes sense to investigate its politics through the way in which it appears in the report.

In the following, I will concentrate on the politics of the AI memorandum and will approach it from three angles, after first explaining the conditions of possibility for the human rights discourse represented by AI to emerge. The three angles will allow me to critically engage with: firstly, the legitimization strategies employed by the NGO and how they travel into the presentation of their findings, fabricating an unacceptable state of affairs. Secondly, I will address the practice of advocating on behalf of institutionalized people<sup>12</sup>, and not together with them, as embedded in

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<sup>10</sup> See government reply to the AI memorandum (in the sources section), as well as tables in the appendix summarizing the « dialogue » between AI and the Romanian government.

<sup>11</sup> See government memorandum (quoted in the sources section).

<sup>12</sup> I have chosen the formulation “institutionalized people” to refer to those people that find themselves spending time as patients or residents in mental health care facilities. This formulation is meant to go beyond the medical discourse (seeing them as patients), as well as AI’s approach seeing the same group as “patients/residents”, in stressing that not all people institutionalized are really patients (and thus legitimately there). This formulation albeit constructing the research subjects in relation to the institutions allows for a distancing from the way in which this group is constructed in both discourses relevant to the present analysis, as well as stresses the power relations at play in institutionalization as a defining experience. This terminology has been introduced to the Romanian discourse by another (very different) human rights report, see Oana Gîrlescu et al., „Drepturile noastre: Drepturi

AI's approach to reporting, as well as the political consequences of this practice: the exclusion of the voices of institutionalized people from an important political project that directly concerns them. Finally, there will be an exploration, through the lens of "social cases"<sup>13</sup>, of the way in which AI engages with creative practices of confronting the neoliberalization of welfare already existing (at the time of the visits) in the Romanian mental health care system. This will allow for an investigation into what AI constructs as a human right, an approach which is strongly focused on civil rights and freedoms, rather than on social and economic rights. The claim will be put forward: that AI's approach emphasizes an understanding of the individual as a bearer of civil rights and obscures the structural reasons that lead to the institutionalization of poor people. Thus, the report misses the opportunity of making a broader claim to remaking the texture of the citizenship relationship between the Romanian state and institutionalized people, that would include a stronger emphasis on voice and contextually situated material dignity.

### **Conditions of possibility**

Although AI had started its monitoring visits in late 2003, the spark that made the human rights discourse thoroughly enter the public discourse came from a visit to one of the few forensic psychiatric hospitals in Romania, that of Poiana Mare. AI found that at least 17 people had died in the two winter months preceding the visit (January, February)<sup>14</sup>, apparently from malnutrition and hypothermia, and that 84 institutionalized people had died under similar circumstances the previous

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sexuale și reproductive ale femeilor cu dizabilități intelectuale și psihosociale", 2014  
[\[http://www.drepturisexuale.ro/wp-content/uploads/2014/05/OUR-RIGHTS\\_raport-1.pdf\]](http://www.drepturisexuale.ro/wp-content/uploads/2014/05/OUR-RIGHTS_raport-1.pdf)

<sup>13</sup> "Social cases" are cases of medicalized poverty, in the sense that this term is used by doctors to refer to people that would not qualify for a medical diagnosis warranting institutionalization, but who are considered to require institutionalization mainly on the grounds of being seen as too poor to live outside of the hospital settings. For an analysis of "social cases" in the Romanian mental health care system, see Jack R. Friedman, "The 'Social Case'. Illness, Psychiatry, and Deinstitutionalization in Postsocialist Romania" in *Medical Anthropology Quarterly*, vol. 23, no. 4, 2009.

<sup>14</sup> Amnesty International AI Index EUR 39/002/2004.

year. Press reports speak even of 170 people that had died in 2 years (from a capacity of about 500 beds)<sup>15</sup>.

It was this terrible occurrence that made the action of AI of investigating the conditions in the hospitals legitimate. A visit by a representative of the Ministry of Health had taken place one day before the NGO monitoring visit that uncovered these horrible occurrences<sup>16</sup>, pointing to the fact that internal monitoring mechanisms had turned a blind-eye on such bluntly horrifying conditions<sup>17</sup>.

It was this initial situation that conferred AI a privileged position of presenting its findings: not just because EU accession was near, but also because the findings from Poiana Mare pointed to the existence of appalling conditions. The scandalous nature of these specific findings was then presented by AI as being representative of the whole system<sup>18</sup> and became the basis for establishing the human rights discourse on mental health care.

It is here that an analytical distinction in terms of conditions of possibility should be made between two different occurrences that appear intuitively and intrinsically linked in the human rights discourse.

First, what had happened at Poiana Mare, as well as the precarious infrastructure AI observed in the hospitals visited by the delegate, as well as staff shortages appear as consequences of a shrinking, delegitimized state. Some of the conditions of possibility<sup>19</sup> relate to precarious-ized infrastructure, insufficient funds<sup>20</sup> and, in the case of Poiana Mare, the isolated nature of the hospital and its hospitalization effects on both institutionalized people and staff<sup>21</sup>.

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<sup>15</sup> [<http://www.9am.ro/stiri-revista-presei/Actualitate/32628/Genocidul-Poiana-Mare.html>] and [<http://www.gds.ro/Actualitate/2006-11-13/Lobby+pentru+Spitalul+Poiana+Mare/>]

<sup>16</sup> [<http://www.gds.ro/Actualitate/2006-11-13/Lobby+pentru+Spitalul+Poiana+Mare/>]

<sup>17</sup> Or maybe chose not to publicize such findings, this was also previously the case of monitoring visits conducted by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the findings of which were generally publicized only two or three years after the visits.

<sup>18</sup> AI memorandum, p. 1.

<sup>19</sup> This list of conditions of possibility is by no means exhaustive, but it should suggest the political economy behind these occurrences.

<sup>20</sup> See *Gazeta de Sud* (2002) quoted in Mental Disability Advocacy Center, "Romania - Poiana Mare Psychiatric Hospital: Background Research", 2004.

<sup>21</sup> CPT report 1998, p. 85. The report was published after a surprise monitoring visit in 1995.

Second, the conditions of possibility for the way these undignified practices were “discovered”, presented and carried by and into the human rights discourse as arguments supporting an agenda of deinstitutionalization should be addressed. For the propagation of the human rights discourse championed by AI to become institutionalized and acquire the strength it did, the conditions of possibility relate to, AI’s reputation in engaging with human rights (as a “clean” actor, as opposed to the tainted “post-socialist”, corrupt state). Furthermore, the accession to the European Union that was to take place in 2007 played a decisive role in the legitimization of the human rights discourse. This coincided with a widespread push for deinstitutionalization around the globe, which saw this process as offering the premises for better, less oppressive and less stigmatizing treatment.

Whereas the conditions of possibility for the unnatural and unjust deaths and living conditions to occur formed the basis for the diagnosis of the problem of psychiatric treatment as violating human rights, the conditions of possibility for the AI discourse on human rights to flourish inscribed deinstitutionalization as the solution to the problems of psychiatric treatment in Romania.

In short, by interpreting this state of affairs in its report, AI created the impression that because such horrible things have been proved to happen in psychiatric hospitals, the only way to stop human rights violations would be to proceed with deinstitutionalization and close hospitals.

Nevertheless, while the conditions of possibility for the occurrence of these terrible situations relate to a shrinking state infrastructure, the claims inscribed in the demands of AI push the shrinking of the state even further by envisioning a downsizing of what is presented as an illegitimate human rights violating infrastructure. As will become apparent from the following, these kind of transformations of the infrastructure of psychiatric care may push the poorest of institutionalized people onto the streets, as both the family and the community as envisioned spaces for the fulfilment of human rights, may further the marginalization of institutionalized people that AI claims to counter.

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The report also describes conditions similar to those found by AI 10 years later, proving the path-dependency of these conditions.

### Three angles of entry into the politics of the report

In the following, I will analyze the report from three angles: firstly, I use a discourse analytical perspective highlighting the strategic functions of language, developed by Chilton and Schäffner<sup>22</sup>, to address how the reality of systemic human rights violations is created through the reporting practices of AI. In this I will built on the strategic function of language as a means for legitimization and delegitimization.<sup>23</sup>

AI and the Romanian government find themselves in a relationship of power, which is dis-favorable to both at the same time. AI, as an NGO, needs to justify how its limited findings are both credibly systemic (despite the limitations in number of places visited), and striking enough to make a convincing case of the full neglect by the state that legitimizes their intervention in a space over which they have no “jurisdiction”. This is the case, despite the fact that as an international NGO and a marker of the “new post-socialist times”, AI can be considered to enjoy a high amount of legitimacy. As will become apparent from the following, legitimization strategies travel into the language of the report, homogenizing the reality presented beyond what can be inferred from the limited observation that had taken place.

Secondly, the construction of institutionalized people in the reporting of AI will be addressed, and to what extent we can ascertain that the report speaks on their behalf, and, if not, to what extent their existence and everyday life is objectified in the process, dispossessing them of the representation of their identity beyond the objectified image of human suffering<sup>24</sup>.

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<sup>22</sup> Paul Chilton & Christina Schäffner, “Discourse and Politics” in Teun A. Van Dijk (ed.), *Discourse as Social Interaction*, London: Sage, 1997, pp. 206-230.

<sup>23</sup> *Ibidem*, pp. 206-230.

<sup>24</sup> This practice of objectifying subjects as well as « policy or action targets » is somehow inherent to most social policies and humanitarian interventions, a broader genealogical investigation into this practice would be necessary. Nevertheless, for the parsimony of the account at this point, I will draw on the following observations regarding the representation of refugees in humanitarian discourse, which I find also holds true for the context at hand: “[...] humanitarian agencies represent refugees in terms of helplessness and loss. It is suggested that this representation consigns refugees to their bodies, to a mute and faceless physical mass. Refugees are denied the right to present narratives that are of consequence institutionally and politically.” see Kumar Prem Rajaram, “Humanitarianism and Representations of the Refugee” in *Journal of Refugee Studies*, vol. 15, no. 3, 2002, p. 247.

Finally, the construction of “social cases”, as people arbitrarily deprived of their liberties, will also be called into question and contextualized. This will allow to ask what kind of a political claim is made by the report and what are its inherent and arguably unresolvable tensions.

### **The way legitimization strategies shape findings: looking beyond systemic human rights violations**

The Romanian government did not request an evaluation of the protection of human rights within the services provided by the institutions under its administration. When AI sent its memorandum it had therefore to argue that there are sufficient grounds for concern to legitimize the demand for action made by an actor operating outside of the state. Moreover, the fact that AI is an external, non-government funded body, supposedly also imposed limitations on the extent of the documentation the NGO could perform before issuing its report. However, despite these limitations, the report did manage to argue for the need of a systematic reform. This involved a strategic use of both the structure and language of the text of the report, which will be analyzed in the following.

The AI report is based on six visits to psychiatric hospitals in Romania by an AI delegate in November 2003, as well as February 2004.<sup>25</sup> There the AI delegate allegedly talked to staff members and administrators, which were mostly very cooperative. Additionally, the report is based on media reports, as well as “substantial” information received from “people who have worked in many psychiatric wards and hospitals in Romania over a period of many years”<sup>26</sup>. The report remains unclear regarding how this information was passed on to Amnesty International.

This concern is not trivial, considering that the Romanian psychiatric system comprises 36 psychiatric hospitals, as well as 75 psychiatric departments in general hospitals<sup>27</sup> and a number of state and NGO provided services outside of the hospital-system. Given the resources

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<sup>25</sup> AI memorandum, p. 1

<sup>26</sup> *Ibidem*, p. 2. Interestingly, on page 10 of the memorandum, interviews with patients are also mentioned as a source supporting a claim, although this procedure is not listed with the other methods in the beginning.

<sup>27</sup> Information based on the government report, quoted in the sources section.

of AI, the field research was necessarily selective, but the selection process could have been presented in a more open manner.

This was arguably a strategic choice, as we can infer from the further structuring of the presentation of the findings: in the very beginning of the report the visited hospitals are nominally mentioned (Bucharest, Poroschia, Mocreă, Gătaia, Ștei and Nucet). Yet, later on, there is little and sometimes no distinction made between observations made during visits and interviews on the spot and what had been reported by other informants of AI or the media. This has a black-boxing effect making the extent of the knowledge that AI had at the point artificially look larger. This can be observed for example in a quite elaborate passage describing the conditions in the Târnăveni psychiatric ward:

*The majority of the patients in the women's psychiatric ward of the Târnăveni general hospital were accommodated in 2003 in two large rooms which were kept constantly locked. There were around 100 patients in the so-called 'upper locked ward' and about 50 patients in the 'lower locked ward'. Adjacent to the latter was the 'lower locked side ward' where about 10 women with very severe disabilities were held with no access to running water and the toilet had no plumbing. Patients did not have access to basic toiletries and had only one opportunity a week to shower. All women on the wards were expected to shower within two hours when hot water was available on Fridays and no towels were provided. Staff did not ensure that women in the 'lower locked ward' and 'lower locked side ward' were appropriately dressed. Patients often walked around scantily clothed or naked and very few had shoes. The hospital floor was often cold and wet. In the 'lower locked side ward' the floor was often covered in faeces and urine because many patients held there were incontinent. Some patients spent the entire day in urine-soaked or faeces-covered clothing and bedding. Patients did not have an adequate and varied diet. In the 'lower locked ward' and 'lower locked side ward' the patients were made to take their meals in the dormitory area, although there was a dining area close by. They were served through a small opening in the door and were not supervised by the staff during the meal. They were not provided with cutlery and ate using their hands. Metal bowls used at mealtimes were often thrown by patients at each other, frequently resulting in injuries. The bowls were not collected*

*immediately after mealtimes. At lunch time patients had to hand in the bowls that they had used for the soup, which were then reused by another patient without being washed. Women in the locked wards had their hair cut very short or shaved. Patients often had to share beds, particularly in the 'lower locked wards' where, because of shortage of adequate mattresses and blankets, patients were sometimes huddled three to a bed.<sup>28</sup>*

The impression is conveyed that this situation was observed by the AI delegate: the reader is introduced into the reality of 2003 (which corresponds to the time frame of the first AI visits), details are given about the small events of everyday life and a general impression of participant observation is constructed. Nevertheless, when the reader returns to the passage introducing the sources, it is easy to observe that the hospital in Târnăveni had not been visited by an AI delegate. The reader is then left to ask, whether the account came from professionals working in the hospital or from a media report.

Furthermore, throughout the rest of the report, representativeness of the findings for the entire Romanian psychiatric system is produced through linguistic devices. Certain findings that were characteristic of visited hospitals are presented as a general situation through attributes such as "many" and "most". Examples include: "Many of the buildings containing psychiatric hospitals visited by Amnesty International's representative as well as those described in the reports received by the organization were in a poor state of repair and required major refurbishment. Most wards were inadequately furnished and decorated; in many place the mattresses and bedding were poor, sometimes completely inadequate."<sup>29</sup> and "In many wards and hospitals the level of personal hygiene was generally inadequate. Patients and residents took showers in poor facilities, usually only once a week."<sup>30</sup>

Admittedly, this type of presentation contributes to the parsimony of the account. However, it should be noted that naming the hospitals, where this seems to be the case, would have contributed both to the

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<sup>28</sup> AI memorandum, p. 7, I have quoted the passage extensively, as I will refer to it at a later point in the paper as well.

<sup>29</sup> *Ibidem*, p. 6.

<sup>30</sup> *Ibidem*, p. 6.

traceability of the account and could have been perceived as an act of helping the government identify the institutions that require further attention. The choice to black-box the exact location of inadequacies is consistent with AI's goal of demanding a systematic and thorough reform that would shift the locus of care from hospital to community and not an issue-driven rehabilitation, as the one the government originally proposed<sup>31</sup>. Similarly, the generalist wording deployed, contributes to the wider goal of stigmatizing psychiatric hospitals as such.

Finally, when concrete examples are given (as is the case with the elaborate quote detailed above regarding the situation in the Tărnaveni psychiatric ward), they are deployed to illustrate situations of extreme human tragedy, isolation and neglect.

The strategic use of language by AI serves primarily the purpose of producing the legitimacy necessary for its claims to be acquire legitimacy in this context, but it also contributes to the subtle strategy of dissimulating the actual weakness of the material presented.

This construction of failure of the entire system (based on arguably weak, yet shocking material), allows AI to do two things: first, it supports its claim of systematic reform towards deinstitutionalization, arguing for the closure of such institutions. Secondly, it delegitimizes the state as the carer for the well-being of institutionalized people.

### **Advocating on behalf of people and the representations it implies**

Let us now return to the above mentioned extracts from the report with the question of representation in mind. As already detailed above, among the sources narrating discontents with psychiatric treatment in Romania, we find visits to hospitals, as well as information provided by staff and people who have previously worked in the system. Apart from a passage on page 10, where patient interviews are mentioned (the passage reads "few patients interviewed by Amnesty International had been informed about the medication that had been prescribed to them and their effects"), the general picture seems to have been obtained from the staff of the visited, as well as of other institutions. This leaves the question open:

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<sup>31</sup> For a summary of the differences between the two approaches please see the Appendix.

what narratives would have arisen, had AI asked the people in these institutions about their understanding of their condition?

This question has broad implications for the argument AI makes as such, which is made on behalf of the “lives, dignity and well-being” of patients and residents in psychiatric hospitals which AI states are not protected sufficiently. Yet, dignity, I argue, is taken away from the people AI seeks to protect through rendering them speechless in an important political project involving proposals of “a better life” to be “granted” to them by the state.

This image of speechlessness and helplessness<sup>32</sup> is constructed also through the use of a passive voice in describing the situation of institutionalized people. This is visible in the elaborate quote from the report presented above, but also runs through the entire report. Examples include: “the admission of such patients was carried out at the request of patients families”<sup>33</sup>, “The vast majority of its 98 residents had been transferred to Nucet from institutions for children”<sup>34</sup>, and later in the report “The majority of the patients were inappropriately dressed, mostly in pyjamas, which were in some cases in tatters. [...] At mealtimes there were always disturbances, fights breaking out between patients and residents who were poorly supervised”<sup>35</sup>.

These accounts go beyond mere helplessness and speechlessness, as they objectify the people living in these institutions as mere and “pure” victims of state policies and bureaucratic-medical action. In this AI, as an NGO, seems to have inherited a state-discourse of objectification of those perceived only as “policy targets” and ignores the creative potential that integrating their voices could bring to the practice of advocacy. The paternalist (welfare) state discourse is re-inscribed into a similarly paternalist discourse, but which does not take responsibility for any action, limiting itself to only voicing discontent on behalf of those it paternalizes.

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<sup>32</sup> Cf. Rajaram, *op. cit.*

<sup>33</sup> AI memorandum, p. 5.

<sup>34</sup> *Ibidem*, p. 5.

<sup>35</sup> *Ibidem*, p. 7.

## Social cases and arbitrary detention

“Social cases” have been described as arising from the intersection between the dismantling of the welfare state in the nineties, the competitive economical model, which forced people into situations of poverty, and psychiatrists’ desire to protect these people.<sup>36</sup> This protection takes the form of providing people, who are considered by psychiatrists to be very poor, with a diagnosis that will allow them to access the welfare provisions of hospitals.

Theorized by anthropologist Jack Friedman, “social cases” replicate a concept, which is still much in use by mental health professionals today. As a reference point and category, it is part of the medical discourse regarding psychiatric treatment in Romania and therefore pertains to a different discursive repertoire, which AI engages with on its own grounds. The medical discourse was already dominant ahead of the publishing of the AI memorandum.<sup>37</sup>

It is not surprising that the framing of the issues of “social cases” is strikingly different in the AI report from the one outlined above. The report states:

*Many of the people placed in psychiatric wards and hospitals throughout the country apparently do not suffer an acute mental disorder and many do not require psychiatric treatment. Their placement in psychiatric hospitals cannot be justified by the provisions of the Law on Mental Health and they should also be considered as people who have been arbitrarily deprived of their liberty. They had been placed in the hospital on non-medical grounds,*

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<sup>36</sup> Jack R. Friedman, *op. cit.*

<sup>37</sup> Interestingly, Friedman also contrasts his conceptualization of “social cases”, emphasizing that it is different from that of AI (Friedman, *op. cit.*, p. 387). In his elaboration, he only mentions the second part of the quote detailed below, which stresses the trans-institutional biography of “social cases” addressed by AI, delimiting AI’s conceptualization from his own. In my view, his conclusions about social cases outlined above hold true for those addressed by Amnesty International as well, as “arbitrary detention” occurs in relation to the dismantling of the welfare state and the downsizing of services outside of hospitals, as well as the increased difficulty of making a living in the present economy. My preliminary interviews with mental health care users, medical and social professionals, also point to the existence of “social cases” that can be understood in similar terms, what the relationship to neoliberal welfare politics is concerned.

*apparently solely because they could not be provided with appropriate support and services to assist them and/or their families in the community. [...]A large number of people, who are sometimes referred to by the hospital staff as 'social cases', are young adults who had been placed in the psychiatric hospitals following their release from institutions for children with mental disabilities. Their needs, particularly to be integrated into the life of the community, are not being addressed.*<sup>38</sup>

This framing is primarily a legal one, subtly accusing the state and conclusively those professionals involved in this process of arbitrarily detaining people, which is a serious criminal offense. Friedman also outlines that people are generally unaware of their “diagnosis”, as social cases, which he sees as indicative of the fact that they are not subverting the welfare state for benefits (he refers here to Scott’s “weapons of the weak” and how it doesn’t work in this context)<sup>39</sup>. Seeing the people subjected to this form of combating poverty as unaware of their condition (and negating their capacity of understanding what makes them appear sick<sup>40</sup>), makes AI’s claim of “arbitrary detention” quite plausible.<sup>41</sup>

Nevertheless, the underlying issue of the political economic forces that push people into this situation of institutionalized and medicalized poverty is not addressed directly by the report. At the end of the report a key-word solution involving an enumeration of appropriate services in the community is mentioned.<sup>42</sup> It is questionable whether the services proposed could be offered at all given the precarious state infrastructure that lead to the human rights violations that made possible the publicizing of the AI memorandum.

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<sup>38</sup> AI memorandum, p. 3.

<sup>39</sup> See Friedman, *op. cit.*, p. 389-390.

<sup>40</sup> *Ibidem*, p. 390.

<sup>41</sup> Friedman is also unclear onto how this process of becoming a social case is seen by the people affected by it. His conclusion that they are unaware of their condition seems quite implausible to me and warrants further investigation through ethnographic fieldwork.

<sup>42</sup> This is done at the very beginning of the recommendations when a very comprehensive, but quite neutral set of services that should be developed by local authorities is mentioned (including case-management, protected, protected housing and protected employment). See AI memorandum, p. 17.

What remains is that the claim for the deprivation of liberty and an infringement on the human right to freedom, which is a civil right (following T.H. Marshall's distinction of civil, political and social rights<sup>43</sup>) is made as a primary claim. Secondary to this, appears a less substantial engagement with the social and economic rights of these people once outside the realm of the hospital. Here a wider and more far-reaching claim of economic or social empowerment could be made by addressing the situation institutionalized people are likely to be faced with once they will leave the realm of the hospital. Here the structural roots of the problem of "mis-diagnosis" should be addressed, as well as the likeliness of being stigmatized in the "community" and the broken family ties that are likely to have resulted after (long) periods of time of institutionalization.<sup>44</sup>

If psychiatric institutions were for a long time, and still are one of the last institutions that could act – albeit very problematically – as a "poor house", the question arises which institutions could fulfill such a role (and eventually make it unnecessary), once people are to be discharged from the hospital. This would entail re-thinking the economic and social relationship fabric between the state and the citizens known as "social cases" that have been (at least according to the report, Friedman's article and media reports) purposefully misdiagnosed in order to access otherwise unavailable support structures. Stigmatizing mental health institutions as places of arbitrary detention and discrediting the support system they offer neglects

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<sup>43</sup> T. H. Marshall, "Citizenship and Social Class" in Sian Lazar (ed.), *The Anthropology of Citizenship*, Chichester: Wiley Blackwell, 2013.

<sup>44</sup> Joao Biehl (in *Vita: Life in a Zone of Abandonment*, Berkley and Los Angeles: University of California Press, 2005) offers a compelling illustration of well-meant deinstitutionalization and its entanglement with the practices of marginalization acting through the family and the imagined community. (See especially Part 3). For example on p. 125 Biehl writes: "Meanwhile, Catarina [the ethnography's main protagonist, whose story Biehl follows through as it becomes entangled with the Brazilian psychiatric deinstitutionalization] psychiatric records narrated the pharmaceutization of care and her successive abandonment to the family and by the family, working in the end as proxy-psychiatrists. ", as well as later on p. 138, generally on the effects of the reform: "the mad were literally expelled from the overcrowded and inefficient psychiatric institutions, little new money was allocated for alternative services, and the responsibility for caring for patients was left to communities that did not in fact exist ". These two imagined spaces for care outside of hospitals (the family and the community) both fail in Catarina's biography and she becomes a resident of Vita, a place that Biehl describes as a "zone of abandonment".

contextual and political economic factors and ignores their social function within the everyday welfare-politics of “transition”. The solution proposed by AI of eventually establishing community based services, including protected housing and employment is a good starting point, but it only tips the tip of a more far-reaching iceberg. Furthermore, by mentioning keywords of a potential transformation of infrastructure, the memorandum reduces the potential political claim to mere “technical” components of services, thus adding a further dimension to the de-politicization of this issue through the exclusion of institutionalized people’s narratives.

## **Conclusion**

The three issues for critique presented above are interrelated: through the linguistic manufacturing of a systemic and in service structural terms universal human rights problem, the legitimacy of a claim to an unacceptable state of affairs is fabricated. This claim is in its term made on behalf of and about people who were at that time institutionalized, and not elaborated together with them. Moreover, in the terms of the claim, people are reduced to instances of suffering and thus re-enforce AI’s narrative, which references and replicates international human rights standards<sup>45</sup>. Finally, the people from within these institutions are not only deprived of a voice in this process and portrayed as impersonal instances of suffering, they are also targeted by a political project that views them primarily with the lens of their right to freedom and obscures an understanding of their condition in terms of its economic and social reality. This makes them be targeted by a reform that seeks to dismantle (an albeit very oppressive) system that has found a creative (yet very problematic) way of addressing the issues arising from being trapped in a condition of poverty by the economic environment governed by competition that emerged in the 90s.

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<sup>45</sup> Violation of international human rights standards is a recurring motif in the memorandum (see for example p. 2), this situates AI in a legal understanding of human rights, which are legal in nature (albeit tied to an international, nationally ratified set of codifications) and not necessarily human rights pertaining to anyone, because of his or her human condition (which would have been a more inclusive understanding, not tying rights to membership in a political community). As outlined above this has implications for the kind of claims AI’s memorandum is limited to, namely those of rehearsing international human rights standards and “best professional practice” (see p. 1 and p. 16 for illustration).

AI's politics pushes an agenda of deinstitutionalization, which is insensitive to the structural constraints that have pushed people into a condition of poverty, which was then medicalized by well-meaning psychiatrists taking the shape of the "social case" "diagnosis". This insensitivity shapes the politics of AI setting it in line, at least partially, with the neoliberal welfare transformations, which have structurally co-produced this "diagnosis".

Yet, this congruence (of neoliberal welfare transformations and AI's politics) should not be overstated. The AI memorandum does mention social rights, such as protected housing and protected employment and care rights in the form of out-patient treatment on one of the final pages of the report<sup>46</sup>. The report also stresses that the reform should ensure the fulfillment of social, economic and cultural rights, as well as the rights to education and family life<sup>47</sup> and freedom from abuse<sup>48</sup>. These claims though lacking the strong argumentative support offered in favor of closing institutions set the report aside from one promoting a long-term neglect of institutionalized people.

Nevertheless, AI's understanding of individuals is one of primarily bearers of civil rights, which could best be fulfilled away from the paternalism of institutions. At this point, it makes sense to ask whether a more-open ended and context-sensitive solution, which would overcome state and medical paternalism, but at the same time emphasize material dignity would be possible and how it would look like. For this an open-ended process of reform, involving the incorporation of the creative potential of narratives of institutionalized people would be necessary.

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<sup>46</sup> AI memorandum, p. 17.

<sup>47</sup> *Ibidem*, p. 16.

<sup>48</sup> *Ibidem*, p. 17.

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## Appendix

Summary of the dialogue between Amnesty International and the Romanian (Năstase) government prompted by the release of the memorandum in May 2004 (for references see the sources section above):

	AI memorandum	Gov. reply	AI reply	Gov. memorandum
Speaker's position	Initiative	Reactive	Reactive	Initiative
Document type	Memorandum	Statement/ reply	Statement/ reply	Memorandum
Purpose	Demand action from the government	Justify non-action; challenge the AI report	Challenge the gov.'s justification, add information	Outline measures to be taken
Length	20 pages	3 pages	4 pages	8 pages
Language	Romanian/ English <sup>49</sup>	Romanian	English	English

Legitimacy and credibility strategies as apparent from the documents analyzed in this chapter (summary)

	AI memorandum	Gov. reply	AI reply	Gov. memorandum
Sources	6 visits to psychiatric hospitals and accounts by professionals	Ministerial controls and professional accounts	Includes additional media reports	6 visits to psychiatric hospitals by Inter-ministerial Commission
Production of credibility	Appeal to the "universality of human rights standards", contrasted with depictions of extreme "human tragedy"	De-escalation Challenging Validity/ Facticity of the AI report	Emphasis on the "human tragedy" Personalized universalism	Appropriating part of the goals  Subtle exposure of AI "universalism" as Western

<sup>49</sup> The English language document has been selected for the purpose of this analysis, as it was the dominant language in the analyzed "dialogue".

	<p>Selective findings in a general manor</p> <p>Ascribing blame</p>	<p>Presenting contradictory information</p> <p>Externalizing blame</p>	<p>Sweeping generalizations</p> <p>Further black-boxing of information collection as "field research"</p>	<p>Emphasis on resource limitations</p>
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Evolution of policy frames (categories based on Verloo, 2005)

	AI memorandum	Gov. reply	AI reply	Gov. memorandum
Diagnosis	<p>Systematic human rights violations:</p> <p>Placement</p> <p>Living conditions</p> <p>Lack of medication and therapy</p> <p>Failure to protect against violence</p> <p>Lack of services and opportunities in the community</p>	<p>Fundamental rights as protected</p> <p>Mental illness pathology</p> <p>Prolonged hospitalization as producing violence</p> <p>Opportunities in the community exist</p> <p>Legal framework is directly applicable</p>	<p>Crisis of services producing "human suffering"</p> <p>Government as in denial of "reality"</p>	<p>Recognition of overcrowding</p> <p>General problems with sanitation and heating</p> <p>acknowledged</p> <p>Special legal provisions and CPT provisions as respected</p> <p>Deaths ascribed to chronicle affections</p> <p>Alternative therapies as present</p>
Prognosis	<p>Transformation of the entire system to be in line with international human rights standard</p>	<p>Solutions for certain issues</p>	<p>Transformation of the entire system to be more humane</p>	<p>Rehabilitation of the system</p> <p>Priority within the framework of health reform</p> <p>Compromise between existing health care system (including available resources) and the Western model :</p>

				Legal framework Infrastructure Improvement of living conditions and sanitation Staff training Need to restructure services
Normativity	Global deinstitutionalization frame International Human Rights Treaties Reform necessity as fundamental	Malfunctioning as regular and acceptable	Need to end a tragic situation  Universal morality	Reform as quality enhancing of services

## NOT QUITE CITIZEN: THE POLITICS OF CITIZENSHIP DISPOSSESSION ENGAGING A TERRITORIAL ETHICS OF BELONGING

Ioana Vrăbiescu\*

### Abstract

*The article engages with the debate on politics and practices of citizenship dispossession that affect individuals and families pushed to precarious housing conditions. Taking recent evictions cases in Bucharest, Romania, the paper tackles the right to housing as a citizenship right.*

*Following Foucault (1984) understanding of space as 'fundamental in any exercise of power' and the individual in its political territorial sense, the citizenship dispossession is a direct result of state actions. The paper discusses how in citizenship space becomes territorialized, and people are dispossessed by their right to exercise citizenship by placing a "doubt" on their territorial identity. In any modern circumstances citizenship is considered to be something that nobody can take away unless a person is classified in a state of abnormality. Still, in Romania, the state proves capable to withdraw rights guaranteed by citizenship according to a territorial ethics of belonging and consequent political methods. Thus, individuals and families without means to show their housing existence, which are defined by the state, are deprived of their rights by having the identity card issued for a temporary period of one year – a condition that deeply affects their daily life, the freedom of movement, and their human existence as these limitations are transferable to children, etc.*

*The territorial aspect of citizenship is embedded in nation-state. Limiting the mobility for citizens dispossessed previously by a territorial protection appeals to what Soysal calls "a citizenship model [where] the 'outsiders' are not only*

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\* Ioana Vrăbiescu, PhD, Affiliated Scholar, Institute for Migration and Ethnic Studies, University of Amsterdam.

Contact: ioana.vrabiescu@gmail.com

*immigrants, but also the 'lesser' Europeans, who have the added burden of proving the potential and worth of their individuality." (2012, p. 3). The neoliberal turn and the return to nation-state centred citizenship charges the individual responsibility and exonerates state's territorial violence.*

**Keywords:** dispossession, neoliberalism, ethics of belonging, territorial identity, Roma families

## Introduction

Within the housing policy and rights to housing, a highly debated issue proves to be the housing nationalization and restitution in Eastern Europe.<sup>1</sup> It has been argued by Zerilli that "the transfer into private property of assets that formerly belong to the state represents a central dimension of the social restructuring currently experienced by the former socialist countries."<sup>2</sup> Chelcea<sup>3</sup> has shown that "restitution should be regarded primarily as a genealogical practice, where the dispossessed kinship groups recreate relations with ancestors and recalibrate relations with living kin"<sup>4</sup> which exhibits how social restructuring through housing policy has been experienced in a violent way in Romania.<sup>5</sup> In recent

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<sup>1</sup> Jozsef Hegedus, Ivan Tosics, Bengt Turner, (eds.) *The Reform of Housing in Eastern Europe and the Soviet Union*, London: Routledge, 1992; Martin Lux, "Efficiency and Effectiveness of Housing Policies in the Central and Eastern Europe Countries" in *European Journal of Housing Policy*, no. 3, 2003, pp. 243-265; Nóra Teller, Martin Lux, (eds.) *Social Housing in Transition Countries*, London: Routledge, 2012.

<sup>2</sup> Filippo M. Zerilli, "Sentiments and/as Property Rights: Restitution and Conflict in Post-Socialist Romania" in Maruska Svasek (ed.), *Postsocialism: Politics and Emotions in Central and Eastern Europe*, New York: Berghahn, 2006, p. 75.

<sup>3</sup> Liviu Chelcea, "Marginal Groups in Central Places: Gentrification, Property Rights and Post-Socialist Primitive Accumulation (Bucharest, Romania)" in *Social Changes and Social Sustainability in Historical Urban Centres: The case of Central Europe*, 2006, pp. 107-126.

<sup>4</sup> Liviu Chelcea, "Ancestors, Domestic Groups, and the Socialist State: Housing Nationalization and Restitution in Romania" in *Comparative Studies in Society and History*, vol. 45, no. 4, 2003, pp. 714-740.

<sup>5</sup> Lavinia Stan, "The Roof Over Our Heads: Property Restitution in Romania" in *Journal of Communist Studies and Transition Politics* vol. 22, no. 2, 2006, pp. 180-205; Ion Radu Zilișteanu, "National Housing Policies In Romania Between 1990 And 2010" in *Romanian Economic Business Review* vol. 6, no. 1, 2011, pp. 126-132.

analysis of spatial and racialized marginality, Vincze and Raț<sup>6</sup> depict the mix conditions of classism and racism that exclude Roma ethnics from housing regulations. Moreover, Vincze explains how anti-Roma "racism legitimizes neoliberalism and its actions by defining Roma and non-Roma relations as a relation of (inborn) difference and not one of inequality produced by in-built systemic power hierarchies."<sup>7</sup> Suffering from continuous spatial and racial segregation, limited and forced mobility, besides being rendered victims of structural violence, Roma ethnics are taken responsible for their socio-economic exclusion. My argument here builds on the nation-state's territorial ethics of belonging underlying on citizenship dispossession's neoliberal practices that affect in Romania especially, already a racialized and socio-spatial excluded category of citizens.

The article examines the influence of neoliberal politics and practices implemented in post-socialist Romania through an analysis of the territorial dimension of citizenship. First, the argument is exposing the theoretical debate on neoliberal impact as conditioned, among others, by political mobility, i.e. the Westernization of Eastern European states' politics. Then, the second section details on the de-territorialisation of the state and the loss of the right to housing as results of citizenship dispossession under neoliberalism. The case study of Vulturilor 50 evictions in Bucharest reflects and details the building of neoliberal politics of citizenship dispossession disclosing state's territorial ethics of belonging and its structural violence. The final section of the paper follows the argument showing a potential territorial ethics of belonging embedded in the nation-state's power structure that dilutes and hierarchizes citizenship.

Discussing the neoliberal turn in post-socialist Romania, the article is prone to engage with the debate on the right to housing as a citizenship right. Particularly, here I will tackle the commodification and dispossession of citizenship in the neoliberal state through the politics of privatization,

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<sup>6</sup> Enikő Vincze, Cristina Raț, "Spatialization and Racialization of Social Exclusion. The Social and Cultural Formation of 'Gypsy Ghettos 'in Romania in a European Context" in *Studia Universitatis Babeș-Bolyai Sociologia*, no. 2, 2013, pp. 5-21.

<sup>7</sup> Enikő Vincze, "Urban Landfill, Economic Restructuring and Environmental Racism" in *Philobiblon: Transylvanian Journal of Multidisciplinary Research in Humanities* vol. 18, no. 2, 2013b.

expressly what in post-socialist Romania took the form of property restitution (*retrocedări*) that affects individuals and families pushed to precarious housing conditions.

One crucial transformation of the neoliberal turn has been the shift in the political regime in Eastern European countries during the 1990s, leading to what is still being called “transition” – commonly qualified as the shift from state-centred system to the democratic regime based on capitalist market economy. In order to fulfil the standards for admission to the European Union, the countries’ politico-economic evaluation has been structured by neoliberal ideology and has been put into practice through politics of privatization of states’ assets, state’s withdrawal from social security support, simultaneously doubled by administrative shrinkage. The transition meant for ex-socialist states the change towards a clear individualization of responsibility together with the creation and development of civil society organizations. A bonanza of projects and idealistic enthusiasm increased the number of non-governmental organizations and social activities, regardless of the damage produced to social support and against the obvious benefit of capital owners.

During the transition context, the processes of state’s de-territorialization and re-territorialization designate certain norms and regulations run according to the neoliberal principle. Embedded in the paradigm of the nation-state, the territorial aspect of state power stretches its meaning as an organizing principle of the social and political life of people and institutions. Under the neoliberal logic, the transition suggest a redefinition of territory – its meaning, its politics and its boundaries. Focusing on the right to housing, I will depict the consequences of neoliberal politics on the loss of rights, and the implications of the abstract notion of territorial identity used by the state as means of control and surveillance of its population. Then, deciphering the commodification of territory that permits “the market to decide” against the state structure, I will point to the politics of house stock privatization in ex-socialist Romania built on this ideology.

Finally, the case study reveals how the sovereign power has been entitled to disregard families by invoking the right of the individual to be protected while, for example, is sending separately husbands and wives, women and children or teenagers to shelters. The evictions following

property restitution show how the state lawfully dispossesses the individual of its citizenship rights by placing a doubt on his/her territorial identity, manipulating an ethical label – “they don’t belong here”. Thus, the state’s authorities unaccountably dismantle without replacing the locative spaces of citizens.

The structural violence enables the state power to legitimize the citizenship dispossession by removing fundamental rights, such as cancelling permanent ID cards and replacing them with “temporary” legal documents of citizenship. I will argue that the citizenship dispossession starts with the imposed status of a person defined as belonging to a territory, particularly to a dwelling place. The territorial ethics of belonging represent that aspect of structural violence which controls and surveils persons by limiting or forcing their mobility, by limiting or incapacitating them to exercise the right to housing. This translates a form of violence that recalls to the understanding of the territory as structural to the nation-state power, and applies the universalization of rights and market deregulation as desired mechanisms of neoliberal strategy.

The people dispossessed by citizenship are left to enact strategies of resistance: turning their life present to the political realm, pointing the intentional dispersed responsibility among authorities, demanding the right to housing as citizenship right, claiming back their full citizen’s status. People submitted to state violence are enacted politically only after dispossession. They become politically active from the outside, demanding their belonging to the political corpus of the nation-state.

### **Neoliberalism and global political mobility**

Neoliberalism as a theory has been considered the most powerful ideological and political project of global governance. Far from being a clear cut concept, neoliberalism “stands for a complex assemblage of ideological commitments, discursive representations, and institutional practices, all propagated by highly specific class alliances and organized at multiple geographical scales.”<sup>8</sup>

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<sup>8</sup> James McCarthy, Scott Prudham, “Neoliberal Nature and the Nature of Neoliberalism” in *Geoforum* vol. 35, no. 3, 2004, pp. 275-283, p. 276.

Scholars have already distinguished among geographically and temporally political disparities<sup>9</sup>, developmental unevenness<sup>10</sup> or capacity to cope with globalization demands<sup>11</sup> when analysing the triumph of neoliberal practices.

The logic of neoliberalism entails the deregulation of the financial system and state's restructuring through: privatization and commodification, financial shrinkage of administrative power, shifting responsibility towards the local level administration without the basic endowments or the unaccountable international institutions, and towards the voluntary sector characterized by non-binding standards and rules.<sup>12</sup> David Harvey explains how this deregulation has led to a direct collaboration between the capital and the citizen, in lack of state institutions' involvement, putting to work the framework of "accumulation by dispossession". Moreover, the process of "commodification of everything", of social relations, nature and ideas, has been translated in a production of goods that can be sold in a de-regularized market under the neoliberal ideology of capitalism.

Peeling the layers of welfare state and social security promise, the nation-state paradigm is reinforced by the approval of supra-state and international organizations over territory and people. The state withdrawal from social welfare provisions and the deregulation and reregulation of financial sector constitute those neoliberal practices whose achievement has been, as Harvey put it, "to redistribute rather than to generate wealth and income."<sup>13</sup>

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<sup>9</sup> Noel Castree, "Neoliberalising Nature: The Logics of Deregulation and Reregulation" in *Environment and Planning A* vol. 40, no. 1, 2008, pp. 131-151; Neil Brenner, Nik Theodore, "Cities and the Geographies of 'Actually Existing Neoliberalism' " in *Antipode* vol. 34, no. 3, 2002, pp. 349-379.

<sup>10</sup> Ray Forrest, Yosuke Hirayama, "The Uneven Impact of Neoliberalism on Housing Opportunities" in *International Journal of Urban and Regional Research* vol. 33, no. 4, 2009, pp. 998-1013; Bram Büscher, Murat Arsel, "Introduction: Neoliberal Conservation, Uneven Geographical Development and the Dynamics of Contemporary Capitalism" in *Tijdschrift voor economische en sociale geografie* vol. 103, no. 2, 2012, pp. 129-135.

<sup>11</sup> Saskia Sassen, ed. *Deciphering the Global: Its Scales, Spaces and Subjects*, London: Routledge, 2013.

<sup>12</sup> David Harvey, *The New Imperialism*, Oxford: Oxford University Press, 2003; David Harvey, *A Brief History of Neoliberalism*, Oxford: Oxford University Press, 2005.

<sup>13</sup> David Harvey, *op. cit.*, 2005, p. 159

Individual responsibility comes to replace the state's social protection. The individuals are left without financial resources and thus obliged to form groups and civil coalitions, NGOs and to work on advocacy campaigns in order to defend their rights. The civil society sector was from the very beginning of neoliberal turn meant to fill the lack of social provisions after the withdrawal of the state.<sup>14</sup> The NGO-ization of civil society and the encouragement of the public-private cooperation release the state of any actual responsibility towards its citizens, making rights even more dependent to the existent or non-existent state provisions. The eviction's case from "Vulturilor 50" reveals the situation when entire families are split and left homeless by applying the "case-by-case" norm and advancing solutions available only for individuals.

The individualization and commodification operated under the neoliberal ideology have gendered consequences. Women are the most affected by the combined strategy of individual responsibility and the shrinkage of state protection. The gender gap deepened by neoliberal practices can be easily detected on women's social status and their bodies, but also in the development of women oriented and feminist NGOs or civil society informal groups.<sup>15</sup>

However, some scholars have challenged the neoliberal taking over the ideological battlefield, either from a bottom-up perspective emphasizing social movements, or from a top-bottom one, pointing to elite interests.<sup>16</sup> Neoliberal ideology has been argued to suffer deep transformations once it meets the local contexts, with a special focus on the transition in Eastern European and ex-soviet countries,<sup>17</sup> and particularly

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<sup>14</sup> *Ibidem*, 177

<sup>15</sup> Leslie Kern, Beverley Mullings, "Urban Neoliberalism, Urban Insecurity and Urban Violence. Exploring the Gender Dimensions" in Linda Peake, Martina Rieker (eds.), *Interrogating Feminist Understandings of the Urban*, London: Routledge, 2013, pp. 23-40.

<sup>16</sup> Pierre Bourdieu, *Practical reason: On the Theory of Action*, Stanford: Stanford University Press, 1998; Jean Comaroff, "Beyond bare life: AIDS, (Bio) politics, and the Neoliberal Order" in *Public Culture* vol. 19, no. 1, 2007, pp. 197-219.

<sup>17</sup> Adrian Smith, "Articulating Neoliberalism: Diverse Economies and Everyday Life in 'Postsocialist' Cities" in *Contesting Neoliberalism: Urban Frontiers*, 2007, pp. 204-222; Nóra Teller, Martin Lux, (eds.) *Social Housing in Transition Countries*, London: Routledge, 2012; Dorothee Bohle, Béla Greskovits, *Capitalist Diversity on Europe's Periphery*, Ithaca: Cornell University Press, 2012; Sonia Hirt, Christian Sellar, Craig Young, "Neoliberal Doctrine Meets the Eastern Bloc: Resistance, Appropriation and Purification in Post-Socialist Spaces" in

on its effects and consequences in Romania.<sup>18</sup> Furthermore, it has been recognized that neoliberalism has a polyvalent character being a geopolitical and geoeconomic project,<sup>19</sup> emphasizing the transformation of geographical, territorial and urbanized spaces<sup>20</sup>.

Reflecting further on the policy mobility from a hegemonic power to periphery, Cochrane and Ward are binding the neoliberal power expansion to global geography and geopolitics. The globalized policies "find their expression and are given their meaning in particular, grounded, localised ways, how they are translated through practice and how that translation in turn feeds back into further circulation."<sup>21</sup> At the same time, the political mobility might be interpreted as challenging the locality of power if we consider the processes of adaptation to and negotiation with the hegemonic and dominant power. The inherent politico-economic organization of post-socialist countries are not considered unshakable legacies, but rather dependent on how citizens are perceiving the assets and liabilities.

Within the process of political mobility, the states unequivocally reshape their territoriality as part of the negotiation of their sovereignty. The territorial redefinition takes place not by moving borders, but rather through institutional reorganization and interpretation of citizenship.

### **De- / re-territorialization and citizenship dispossession**

The process of de- and re-territorialization of nation-states takes place under the neoliberal expansionist logic acting through the

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*Europe-Asia Studies* vol. 65, no. 7, 2013, pp. 1243-1254; Peter Rutland, "Neoliberalism and the Russian Transition" in *Review of International Political Economy*, vol. 20, no. 2, 2013, pp. 332-362.

<sup>18</sup> Cornel Ban, "Neoliberalism in Translation: Economic Ideas and Reforms in Spain and Romania", PhD Thesis University of Maryland, 2011; Dan Cărmidariu, "Dismantling a Weak State: The crisis as a Pretext for Even More Neoliberalism in the Romanian Economic Policies", *MPRA Paper* no. 40349, 2012, pp. 196-206.

<sup>19</sup> Neil Brenner, Nik Theodore, "Cities and the geographies of "actually existing neoliberalism"" in *Antipode* 34, no. 3, 2002, pp. 349-379.

<sup>20</sup> Saskia Sassen, "The Repositioning of Citizenship and Alienage: Emergent Subjects and Spaces for Politics" in *Globalizations* vol. 2, no.1, 2005, 79-94.

<sup>21</sup> Allan Cochrane, Kevin Ward, "Guest editorial: Researching the Geographies of Policy Mobility: Confronting the Methodological Challenges" in *Environment and Planning A*, vol. 44, no. 1, 2012, p. 9.

dispossession of socio-political and existential dimensions of human beings, such as citizenship.

Following Foucault's understanding of space as "fundamental in any exercise of power"<sup>22</sup> and of the individual in its political territorial sense, citizenship dispossession proves to be a direct result of state's actions. The territorialization of space within citizenship emphasizes the function of territory as people's appropriation of space. Consequently, I argue that the right to housing as well as the territorial identity are embedded in citizenship, reinforcing the territorial aspect of state power.

The extensive literature of interdisciplinary writings about de- and re-territorialization of the state and geo-political spaces<sup>23</sup> attest a scholarly concern with the dynamic of geographies of state power and spatial state intervention. The politics of de- and re-territorialization and practices of citizenship dispossession stream out not only from the neoliberal ideology, as rooted in Western countries, but rather from a particular set of socio-political conditions. The consequences of neoliberal global politics for the nation-state should be framed equally through de- and re-territorialization. First, the state has been de-territorialized through the process of withdrawal from social provisions, minimising its legislative and financial support for social housing. Second, the re-territorialization of the state emerges as part of the global geographical expansion of capital with the support of the nation-state's sovereignty. The capital accumulation is made possible by spatial strategies that preserve and increase the nation-state power. The political networks and alliances are conceived geographically: redrawing maps, renaming places, creating overlapping structures of power in order to let governmentality to action in a re-territorialized way. Specifically, I will indicate here how neoliberal expansion reshapes the power structure through two entangled and simultaneous processes that redefine the territory: the erosion of the right to housing and the commodification of territory. Subsequently, I will point to a territorial

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<sup>22</sup> Michael Foucault, Jay Miskowicz, "Of other Spaces" in *Diacritics*, 1986, pp. 22-27.

<sup>23</sup> David Held, *Global Transformations: Politics, Economics and Culture*, Stanford University Press, 1999; Stuart Elden, "Land, Terrain, Territory" in *Progress in Human Geography*, vol. 34, no. 6, 2010, pp. 799-817; Philippe Cauvet, "Deterritorialisation, Reterritorialisation, Nations and States: Irish Nationalist Discourses on Nation and Territory Before and After the Good Friday Agreement" in *GeoJournal*, vol. 76, no. 1, 2011, pp. 77-91.

ethics of belonging redefined by the neoliberal ideology that requires a reinforced and less accountable state, while placing people outside the framework of rights.

In the first instance, the right to housing represents both a right lost as a result of state's shrinkage, giving the argument developed above on the right to housing as a citizenship right, and as an *abstraction* that entitles the political to monitor and evaluate the territorial identity of the citizens. The other process through which neoliberalism shapes the power structure is the commodification of territory characterized as the state action directed against the very structure of the state. Here, de-territorialization points to the core meaning of territory, which was used for standardizing, homogenizing and disciplining social and material reality.<sup>24</sup> State's de-territorialization under the neoliberal political strategy is made possible by the commodification of territory that will allow and prioritize the market decision. Then, through re-territorialization the state will reinforce the power of legitimizing the status of belonging for its citizens.

However, the meaning of the territory is changed by the state withdrawal from the social provisions, including the right to housing, but also by the fact that state territorial authority is challenged by other forms of territorial governance. Once defined only by the sovereignty of state power, the territory would start signifying more and less in the political realm. If the loss of territory means harming the privilege of another state, with the commodification of territory that flows into the market, the territory has stopped belonging to the state. Thus, the state territorial supremacy coexists together with other forms of power over territory, for example, the regional model of multilevel governance and citizenship is based on nation-states' membership although it aims to construct another type of political community. Different other forms of governmentality, at local or supra-state level, might diffuse the meaning of territory as the privilege of the state.

Taking into account the territorial dimension of citizenship, I will discuss further on how citizenship dispossession occurs, by making a distinct reference to the right to housing. Specifically, in which way the

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<sup>24</sup> Marco Antonsich, "On Territory, the Nation-State and the Crisis of the Hyphen" in *Progress in Human Geography*, vol. 33, no. 6, 2009, pp. 789-806; Joe Painter, "Rethinking Territory" in *Antipode* vol. 42, no. 5, 2010, pp. 1090-1118.

entwining of citizenship and territory allows state power to intervene into people's lives? How does the state act in a territorial way so the effect will be the dispossession of citizenship, a loss of right or unaccountable politics?

On one hand, Harvey argues that if we consider that "dispossession entails the loss of rights," this might lead to a dangerous universalistic rhetoric of rights. This rhetoric of rights makes clear that the state and capital render rights as "derivative of and conditional over citizenship."<sup>25</sup> Further on, Harvey explains the imperialist expansion of capital as being necessary. The capital accumulation has been fulfilled through the expansion of "neoliberal regime of rights" to a global geographical scale. Moreover, following Henry Lefebvre's critique of political theory that should include a spatialized analysis of politico-economic processes, and Brenner and Elden's focus on the territorial aspect of state power,<sup>26</sup> I suggest here to decrypt the right to housing as defined by the convergence of the territorial aspect of state power and the global expansion of capital.

Consequently, if we consider the right to housing as a citizenship right, we risk strengthening the idea that the nation-state is the only legitimate source of rights, although alternative spaces for citizenship contestations are continuously produced:

*undocumented immigrants, legal and illegal residents of squatter settlements, favelas and township have, in certain instances, taken charge of the local spaces they inhabit. They make their own living space and livelihood not because of, but often in spite of, the state institutions and laws.*"<sup>27</sup>

The right to housing is a necessary fiction for capitalism. Within neoliberalism, this fantasy is traded, it becomes negotiable, having limits and a price. Thus, being part of the stock of rights guaranteed by citizenship, the enactment of the right to housing becomes dependent on

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<sup>25</sup> Harvey, 2005, p. 180.

<sup>26</sup> Neil Brenner, Stuart Elden, "Henri Lefebvre on State, Space, Territory" in *International Political Sociology* vol. 3, no. 4, 2009, pp. 353-377.

<sup>27</sup> Faranak Miraftab, "Right to the City and the Quiet Appropriations of Local Space in the Heartland" in *Remaking Urban Citizenship: Organizations, Institutions, and the Right to the City*, 2012, p. 191.

the state. Using the territorial aspect of state power and the globalized dimension of neoliberal order, the right to housing qualifies as one important means of power expansion; a power constituted as a “dialectical relation between the territorial and capitalist logic of power”<sup>28</sup> that confirms the right to housing as the expression of the phenomenon of accumulation by dispossession.

On the other hand, some scholars have sought a far-reaching global perspective over dispossession as also having a social and existential dimension, while citizenship dispossession is only one aspect of a continuous violent action of homogenization.<sup>29</sup> The dispossession pushes people towards a point where their solidarity is challenged. People are entitled to act politically when they possess rights, and when that does not happen, the distinction between those that have rights and those that do not have rights (“illegals”) becomes superficial but also dangerous. First, because dispossession separates people in a dangerous way as the power acts unjustly, either if legitimate or not – “the legal means are as unjust and illegitimate as the illegal ones.”<sup>30</sup> Second, the dispossession is nothing else but violence that *relocates people outside the framework of rights*.

Crucially, the unjust acts of power are creating disruption in a social corpus, emphasizing the individualistic logic in society. The dispossession blurs the social dimension of humanity denying the individualism as much as pricing it for the alleged empowerment of people living in a life deprived of rights. The dispossession belongs to the mechanisms of political and existential exclusion decided by the sovereign power. The de-humanized, abnormal individuals are left to bare life at the complete disposal of institutional violence. The strategies of resistance to state violence and unjust acts of power end up by legitimizing the power structure once again.

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<sup>28</sup> Harvey, 2005, p. 178.

<sup>29</sup> Judith Butler, Athena Athanasiou, *Dispossession: The Performative in the Political*, New York: John Wiley & Sons, 2013.

<sup>30</sup> Butler and Athanasiou, 2013, p. 25.

### **Case study: Bucharest, Vulturilor 50**

On 15th of September 2014 in Bucharest, a walking distance from downtown, in a residential neighbourhood built in the beginning of XX century, some hundred people were evicted from the houses in which they had been living for almost thirty years. The eviction procedure requires the National Guard (*jandarmerie*) intervention only with the presence of court enforcement officer. Thus, when the court enforcement officer arrived, the National Guard took control of the entrance of housing complex and stopped people entering the yard and the buildings. No one could enter, but only those wanting to exit their goods. Further negotiations between dwellers, activists, several politicians and the court representative were conducted inside the houses. Eventually, all 23 families officially living in the housing complex signed the eviction agreement having the expectation that their situation will legally be solved. The hope relied on pressuring the state to allocate social housing, formally demanded for years and legally available and accessible.

Factually, the state put in practice the order for eviction, allowing dwellers and social activists to react to a *de facto* citizenship dispossession. According to the national legislation,<sup>31</sup> the state should have provided social housing to the tenants before enacting the eviction. That did not happen. What happened was that during the next hours, days and weeks after the eviction, the authorities offered unfeasible and unacceptable solutions: sending to separate shelters women and men from same family disregarding completely the children's situation; offering for 3 days shelter in the night asylum; or offering to an extended family of 12 members to pay the rent to two-rooms' apartment for only six months period.<sup>32</sup>

By now the story line is not breaking the news for any modern society, and could remain just a sad event unless deeper analysis into the Romanian housing system and dwelling development would show the multilevel dimension and potentiality to harm. The particularity of this

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<sup>31</sup> For the legislation concerning property restitution in Romania and tenants protection, see 112/1995; OUG 40/1999; law 83/1999, OUG 94/2000; law 10/2001 modified in 2009; OUG 74/2007 and Law no. 84/2008 rectifying and endorsing OUG no. 74 /2007. For social housing and protection for evicted persons, see: 341/2004; OUG 74/2007 and no. 57/2008 that modifies the law 114/1996.

<sup>32</sup> Michele Lancione, *Interview Liviu Negoitǎ*, 2014.

event reveals the entangled neoliberal exploitation and the inherited socio-economic housing system: the consequences of the ex-regime's nationalization policies, the state's control of population, forced urbanization, lack of financial exertions and a welfare-job related right to housing. The nationalization process started in June 11, 1948, being extended towards 1950s, allowing the impoverished state to use all the housing stock in the after-war period of huge dwelling shortage. Besides an intense dwelling labour and the economic boost that the socialist regime engaged in the following decades, the bureaucratic and systematic control of the population has been maintained through the centralized welfare-job related economy. To these housing policies it should be added the state's obsession with free urban planning and eradication of nomadism.<sup>33</sup> Before 1989, the obligation to have a legal working place, turned vagrancy as well as nomadism into illegal actions - a racist institutional attitude converted nowadays but still in practice.

Historically, in Romania the right to housing and housing policies are stigmatized by representing a controversial civil right and a bad state management during the socialist regime. The right to housing was defined according to the socialist state Constitution, stipulating that "every citizen was entitled to the right of housing and the state had the obligation of providing adequate housing to every citizen."<sup>34</sup> The centralized socialist regime embraced a non-residential segregation policy, encouraging the mix of population in residential areas. Moreover, the welfare-job related system meant that social housing was distributed according to the recommendation from the state company for which the citizen was working. Following this principle, some Romanian Roma ethnics have been relocated to poor and old houses complex on Vulturilor 50 Street.<sup>35</sup> The

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<sup>33</sup> National Archives of Romania, file no. 10.010/7.05.1952.

<sup>34</sup> Adrian-Nicolae Dan, Mariana Dan, "Housing policy in Romania in transition: between state withdrawal and market collapse", conference paper, 2003 [[http://socioumane.ulbsibiu.ro/sociologie/NYESS/Papers\\_Sibiu\\_2003/12.%20Adrian%20Dan.pdf](http://socioumane.ulbsibiu.ro/sociologie/NYESS/Papers_Sibiu_2003/12.%20Adrian%20Dan.pdf)].

<sup>35</sup> For details informing the evictions that took place in Vulturilor 50, see: [<http://fcdl.ro/interviu-cu-o-evacuata-din-str-vulturilor-marti-23-septembrie/>]; [<http://fcdl.ro/interviu-ziua-evacuarii-din-str-vulturilor-15-septembrie/>]; [<http://jurnaldinvulturilor50.org/2014/12/17/politicapolitics/>];

twisted situation would condition the right to housing on a working place, while the working place itself would have been guaranteed by the state. The rhythm of dwelling construction during four decades ('50-'80) turned out to be not less impressive than other Eastern or Western European countries, summing by 1989 around 85% of the total state stock housing.<sup>36</sup>

The situation has changed dramatically after the socialist regime fall, "in 1990 from the total of new dwellings 88.1% were built with state funds, and in 2001 only 5.0% [and] in 2002 to 2.7% from total."<sup>37</sup> Moreover, the decentralisation of housing stock management placed this responsibility on the local authorities, but without the necessary funding for maintenance. The shrinkage of the state social protection started immediately under the new regime, deploying for more than two decades politics and practices for privatization of the state assets. The public housing sector in Romania is still small comparing to any other country, even for Eastern Europe, having the renting sector stabilized only in urbanized areas, and poor social housing programs. Thus, the housing sector as a whole has been permanently expose in the post-socialist period to economic volatility.

Generally, Eastern European countries were submitted to a shift due to housing management reform, from a state centralized ownership to a market driven housing policy. Still, the differences between the countries are considerable due to both a

*result of specific 'path dependency' process which is inherent in the past pre(socialist) development, i.e. demographic, socio-economic, institutional and cultural aspects of policy development and during the process of transition from socialist to market based housing provision in 1990s.*<sup>38</sup>

After the socialist regime fall, Romania has developed a specific path in housing policy, by selling out the social housing stock to the

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[<http://www.vice.com/ro/read/viata-unui-copil-evacuat-125/>];

[<http://fcdl.ro/jur-de-100-de-persoane-din-sectorul-3-sunt-aruncate-strada/>].

<sup>36</sup> Dan and Dan, 2003, p. 2.

<sup>37</sup> *Ibidem*, p. 3.

<sup>38</sup> Natasha Pichler-Milanovich, "Urban Housing Markets in Central and Eastern Europe: Convergence, Divergence or Policy 'Collapse'" in *European Journal of Housing Policy*, no. 2, 2001, pp. 145-187.

tenants<sup>39</sup> and almost stop any financial support for sustainable urban development, a proper state withdrawal from housing provision. Next to it, the property restitution laws were adding a layer of legislative confusion and practical problems. From the first law issued in 1991 to the latest in 2013, the state put together a legislative framework regulating both property restitution (the right to land or other properties of those forcibly dispossessed by the communist regime through the nationalization process), as well as legal protection for the tenants of disputed properties. However, the laws on property restitution did not specify any sanctions for failing to respect the provisions regarding tenants' protection. The laws issued were not clarifying the circumstances in which the claims for a property can be done, who is entitled to reconstitute and to whom, or how the state will compensate the actual loss of the property (houses or buildings demolished during the socialist urbanistic policies). On one hand, the state lost almost immediately a huge housing stock, by transferring the state housing to the market, and on the other hand, the state kept property over another big stock of unregulated properties without the financial or legal possibility to manage it.<sup>40</sup>

Shortly after 1989, the tenants living in nationalized houses experienced the consequences of this poor legal framework, before and after the dwellings were returned to their ex-owners or their heirs. In fact, the evictions and the housing shortage in urban areas became a phenomenon representative of the transition period in Romania. Moreover, the fact that the right to housing is not anymore a Constitutional right, being framed under the National Housing Law (114/1996), leaves homeless people at the disposal of the local authorities' regulation. The condition for the local authorities to be accountable towards people left homeless, gets down to an administrative rule: having official domicile in that territorial-administrative area. Ironically, once a person becomes homeless, the domicile stops existing. In that sense, the local administration cannot any more be made responsible for the housing needs of a homeless person.

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<sup>39</sup> Law 61/1990.

<sup>40</sup> The authority in charge of managing dwellings and other real estate properties of state's and Bucharest municipality is The Real Estate Fund Administration (Administrația Fondului Imobiliar, [<http://afi.pmb.ro/>]).

However, the territorial identity of a person converges with another 'path dependency' from the centralized state's regime, namely the control of the population. Following the bureaucratic ex-socialist system of population's control, the authorities' responsibility towards the citizens depends on the domicile recognition: the address registered on citizens' national ID card. The domicile is not the same as residence, i.e. the dwelling-place. The domicile is proven through a dwelling contract of property ownership, renting or legally living in an owner's dwelling-place. The domicile is needed by the parents in order to issue the birth certificate for their children, as well as for every child by the age of 14 in order to have issued the national identity card. An official ID card represents citizenship and is issued under the condition that a person can attest the domicile with a legal contract. The practical consequences are obvious: unless a homeless person is still using the ID card in a pseudo-legal way, the law stipulates that any change in the domicile status should be announced and leads to a change of the ID documents. The homeless people are issued a temporary ID card with the available period of maximum 1 year.

On Vulturilor 50, everybody was aware of the eviction and was waiting to happen. The families were already prepared for the worse, but having hope for a different fate. Like in a theatre scene, pretending to live a normal life with the hope that can turn real, some families have sent their children to school, others have gone to working places, but still few dozens were remaining, the elderly and the teenagers. Since the process of property restitution ended in 2002 with the verdict favouring the owner, most of them knew about the consequences and the subsequent selling. They were also aware of the real estate mafia being helped politically by different parties without exceptions. Most of the tenants with whom I talked had their own evaluation of the political actors involved: the city mayor, the district mayor, the Roma political representative, the local police, the National Guard, the activists and journalists. Out of them, the journalists and the activists' were mainly welcomed, and received with confidence. After the eviction, the social activists organized and helped as much as possible those people left homeless, by giving them tents and blankets, preparing meal for the children or providing different necessities for a certain period of time and disposing by limited resources. Social

activists' attitude was not intended to be a charity work, but a declared political voice with the clear aim of creating a resistance group.

In 2014, a couple of months before the eviction on Vulturilor 50, another eviction took place in Bucharest, in Rahova-Uranus neighbourhood, and another one was ready to be put in practice few weeks after (Șerban Vodă 113). Only in Bucharest the number of evictions increased as the locative space reaches 52%, the highest rate in Europe, and the people evicted are thousands.

The eviction in Vulturilor 50 has been announced long time before the fact took place, and nobody should have been surprised. Several factors lead to the paradoxical situation: the lack of legal representation for the evicted persons, the lack of education and self-organization of the community of evicted persons, the disproportion between the evicted people and the new landlords etc. Yet, the resistance group was enacted politically after the eviction and counts on the *de facto* homelessness of those evicted. Precisely, as one of the people evicted stated to an official meeting in the Romanian Parliament house where she was invited to talk about the eviction and the consequent situation: "I had to be first thrown in the street in order to be able to come here."<sup>41</sup>

### **"They don't belong here": the territorial ethics of belonging**

Among the neoliberal policies, housing sector has been at the forefront of states' transformation in ex-socialist countries where it proves "central to the overall shaping of opportunity structures in societies in terms of family formation, mobility and asset accumulation."<sup>42</sup> Specifically, the literature<sup>43</sup> tackling the housing policies under the Romanian neoliberalism is rather scarce, although it turns out to a good level of analysis focusing also on the particularity of Roma housing exclusion.<sup>44</sup>

<sup>41</sup> N.V., public conference intervention, February 2015.

<sup>42</sup> Ray Forrest, Yosuke Hirayama, "The Uneven Impact of Neoliberalism on Housing Opportunities" in *International Journal of Urban and Regional Research*, vol. 33, no. 4, 2009, p.998

<sup>43</sup> Gyöngyi Pásztor, László Péter, "Romanian Housing Problems: Past and Present" in *Studia Universitatis Babeș-Bolyai Sociologia* no. 1, 2009, pp. 79-100; Adrian-Nicolae Dan, Mariana Dan, *op. cit.*, 2003.

<sup>44</sup> Adrian Nicolae Dan, "Excluziunea de la locuire a populației de romi" in *Revista de Asistență Socială* no. 3-4, 2009, pp. 83-103; Cătălin Berescu, Mina Petrović, Nóra Teller, "6 Housing

The territorial ethics of belonging refers to certain aspects of the state power under the neoliberal rule: the territorial prerogative of the nation-state given by its monopole of violence over a territory; the commodification of citizenship and territory; the territorial presence de-linked from the access to citizenship; the moral exclusion - placing a "doubt" over the territorial identity or belonging of citizens. The doubt fundamentals the moral exclusion in a territorial ethics of belonging. The territorial ethics of belonging refers to the abstract understanding of citizenship, where the citizens of a state would have by default a territorial identity.

First, the borders of a territory represent already a violent gesture and the manifestation of power, being constitutive to the nation-state. Second, as I argued before, the processes of de-territorialization and re-territorialization imply that the territories are not fixed, they depend on each state's politics and actions that charges the individual responsibility and exonerates state's territorial violence. Third, the access to territory does not guarantee anymore the access to citizenship or to the rights or benefits that are coming with it. Fourth, the territorial identity of a citizen, namely its natural or naturalized belonging that gives him/her the potential to demand citizenship according to human rights, or to demand the rights given by citizenship, can be doubted. The doubt over the territorial identity reflects a moral exclusion with legal and normative consequences in the life of people.

Legally and administratively the state can constraint a citizen to prove its legalized territorial status, defined by the state within the local structure of authority. Particularly in Romania, the state will withdraw rights embedded in citizenship for those citizens unable to provide necessary housing documentation. Individuals and families without the means to show their dwelling status are deprived by their full rights guaranteed by citizenship and attested by the usual identity card. They found themselves having issued on their name another type of identity card. This identity card is issued temporary, according to local authorities' decision, but not for more than one year period. This condition deeply

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Exclusion of the Roma" in *Social Housing in Transition Countries* no. 10, 2012, pp. 98; Enikő Vincze, "Socio-Spatial Marginality of Roma as Form of Intersectional Injustice" in *Studia Universitatis Babeş-Bolyai Sociologia* 2, 2013, pp. 217-242.

affects the daily life, fundamental rights of citizens, such as the right of free movement or other civil rights (ability to make a mortgage, to have loans, to be employed etc.), and the bare human existence as these limitations are transferable to children. For example, there are uncountable situations where children at the legal age of 14 are unable to demand the identity card if their parents cannot prove the housing contract, or that they cannot benefit from state protection because they are homeless. If anything, the Romanian state issues identity documents for children that are inheriting the same “temporary” status as their parents.

In order to remove the identity card of a citizen and issue a provisional one, the state appeals to a territorial ethics of belonging and its consequent politics. A certain doubt is placed over the territorial belonging of a citizens unless legalized housing status is provided. This doubt, this moral exclusion, is translated normatively by the state, thus inflicting violence by citizenship dispossession.

There is an increasingly complex institutional framework through which rights and obligations are stratified among citizens and non-citizens, as well as between citizens: measuring of wealth and income, discursively bounding to the politics of integration, creating levels of deservingness and belonging that enforce the individual to obey the structural political system. The citizenship becomes graduated or underpinned by “the hierarchies of deservingness/undeservingness, belonging and non-belonging.”<sup>45</sup> At the core definition of citizenship remains the territory, subjugated to politico-institutional spaces. “They don’t belong here” reflects the territorial boundaries settled within the citizenship. The dispossession of citizenship happens progressively, starting with the doubt over the territorial identity and the right of housing.

The political meaning of the territory has been settled as serving the power structures against the unprotected life of human beings, those that are “not-quite-citizens”. Thus, the dispossession of citizenship is necessary linked by the state of abnormality of an individual. When an individual is de-classified, dispossessed of rights, s/he enters a state of abnormality where the institutions are losing the link with the individual. The bounded

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<sup>45</sup> Bridget Anderson, Isabel Shutes, Sarah Walker, *Report on the Rights and Obligations of Citizens and Non-Citizens in Selected Countries. Principles of Eligibility Underpinning Access to State Territory, Citizenship and welfare*, 2014, p. 5.

relationship between citizen, state and territory is reconfigured. The not-quite citizens are those individuals stripped away of their rights, pushed outside the realm of politics, outside of framework of rights. This state's production of *de facto* non-citizens through politics and practices of citizenship dispossession affect individuals and families pushed to precarious housing conditions. The analysis of the post-socialist Romanian housing policy, the geo-political positionality in negotiating the ideology to be embraced has shown the undisputable way in which the lack of the right to housing leads to the dispossession of citizenship.

## Conclusion

Any eviction is a dramatic event but the state leans to convert it in a routine, giving a bureaucratic meaning to otherwise an unjust practice of power. The people left out to live in the streets are stripped away of their rights, with their freedom of movement limited to peripheral existence. The relocation outside the framework of rights leads to institutionalized destitution of human beings. Disregarding or refusing the right to housing affects deeply the social structure.

The state contributes to the political enactment of people by violently dispossessing them of citizenship rights. The politically enacted people can only become as such and create a resistance group to a *de facto* situation of homelessness and citizenship deprivation. Otherwise they are not considered political actors. The power acts unjustly and violently without being accountable for its actions, but on the contrary, legitimizing and reinforcing its status.

What lingers over pertains to the territorial ethics of belonging underpinned by the neoliberal project. While the process of capitalist accumulation has been described in concordance with territorial specific forms of state power, it is the underling territorial ethics of belonging that articulates citizenship. The dispossession of citizenship happens progressively, starting with the doubt over the territorial belonging and the ignored right to housing. Once the state institutionally and financially withdraws from supporting the right to housing, the full access to citizenship cannot be guaranteed anymore.

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Legislation:

For the legislation concerning property restitution in Romania and tenants protection see: 112/1995; OUG 40/1999; law 83/1999, OUG 94/2000; law 10/2001 modified in 2009; OUG 74/2007 and Law no. 84/2008 rectifying and endorsing OUG no. 74 /2007.

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## GLOCALIZATION OF NEOLIBERALISM IN ROMANIA THROUGH THE REFORM OF THE STATE AND ENTREPRENEURIAL DEVELOPMENT<sup>1</sup>

Enikő Vincze\*

### Abstract

*The study captures how global neoliberalism has been localized starting from the end of the 2000s, acquiring particular relevance and significance in post-socialist Romania, newly integrated in the European Union. Moreover, it observes that especially from 2010, while neoliberalism has been constructed and justified as the political recipe or the alleged solution for economic crisis, it solidified as The taken-for-granted political economy of the country. The analysis goes through the presidential speeches between 2009 and 2011 that have transformed the provisions of the economic policy of the European Union, the World Bank and the International Monetary Fund in discursive justifications that made sense in Romanian context, most importantly framing them as the demand for reforming the state. Furthermore, the analysis descends into the contexts of two settlements from Romania to show how local actors translate/produce the neoliberal model of development, and how they articulate visions of neoliberal entrepreneurial competition and culture in local development programs. Eventually the paper observes how nowadays in Romania too, neoliberal governance reinvents itself by transferring the social role of the state to 'local communities' and demands from them competitiveness in the vein of a "community-led local development" paradigm, which is a new tool of neoliberal governmentality that re-creates the relationship between the citizen and the state.*

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<sup>1</sup> English translation of the article "Glocalizarea neoliberalismului în România prin reforma statului și dezvoltarea antreprenorială", published in the volume *Epoca Traian Bănescu. România în 2004-2014*, coordinated by Florin Poenaru and Costi Rogozanu, Cluj-Napoca: TACT, 2014, pp.245-277.

\* Dr. Enikő Vincze is professor at Babes-Bolyai University, Cluj, Romania.

Contact: eniko\_vincze@euro.ubbcluj.ro

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## Introduction – topic and approach

Many analysts, among them Brenner and Theodore<sup>2</sup>, Sheppard and Leitner<sup>3</sup>, or Morange and Fol<sup>4</sup> - going beyond the limits of neo-Marxist structuralism - refrain from descriptions that portray neoliberalism as a homogeneous regime imposed by powerful international actors on passive, marginal states. Side-lining neo-Marxist approach, they are prone to interpret advancement of neoliberalism as a process of diversification of the core structure of neoliberalism (as for example the term *variegation of neoliberalism* coined by Brenner and Theodore in 2010 suggests). For these authors neoliberalism is an ideology that adjusts to particular local context in an overarching global neoliberal environment. They consider that neoliberalism is a process that permanently reinvents itself and has the capacity for self-regulation, it generates crises but also reactions to crises, and advances unequally from one local context to the other. Taking up this theoretical challenge, my study wishes to capture the way global neoliberalism has been localized starting from the end of the 2000s, acquiring particular relevance and significance in post-socialist Romania, newly integrated in the European Union. Moreover, it observes that especially from 2010, neoliberalism has been constructed and justified as the political recipe or the alleged solution for economic crisis, however - as a particular phase of the formation of capitalism in Romania - it started to make its effects earlier.

Using the term glocalization of neoliberalism I want to foreground the transnational flux of neoliberal ideology, the role of local actors and the consequences of hybridization and creolization (discussed in other contexts for example by Appadurai<sup>5</sup> or by Hannerz<sup>6</sup>). My study is a contribution to

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<sup>2</sup> Neil Brenner, Nick Theodore, "Cities and the Geographies of Actually Existing Neoliberalism" in *Antipode*, vol. 34, no. 3, 2002, pp. 349-379.

<sup>3</sup> Eric Sheppard, Helga Leitner, "Quo Vadis Neoliberalism? The Remaking of Global Capitalist Governance After the Washington Consensus" in *Geoforum*, vol. 41, no. 2, 2010, pp. 185-195.

<sup>4</sup> Marianne Morange, Sylvie Fol, „City, Neoliberalisation and Justice” [Translation: John Crisp] in *Justice spatiale/Spatial Justice*, no. 6, 2014, pp. 1-29.

<sup>5</sup> Arjun Appadurai, *Modernity at Large: Cultural Dimensions of Globalization*, Minneapolis:

the understanding of how powerful players located on different levels produce and promote this ideology depending on their interest and spaces of negotiation, but also on territorial and historical circumstances in which they occur. Nevertheless, I do accept that wherever it emerges, the political core of neoliberalism is constituted by the fact that it employs a process of state engineering through which the state reconstitutes itself as a machinery instrumental in social stratification and classification<sup>7</sup>. This is the very reason why analysing the reform of the state, with special eye for the period of 2009-2014, is well-suited to grasp the process of entrenchment of neoliberalism in post-socialist Romania.

On discursive level, economic de- and restructuring in Romania after 1990 has been articulated by making appeal to the need for democratization and marketization of economy (or westernization in a general sense) and to implicit anti-communist arguments, since the new regime promised the assurance of the right to property, freedom, and economic prosperity. The former socialist political block collapsed during the crises of the Fordist model of capitalist accumulation and the expansion of capital accumulation into the spaces of the former East European socialist countries. Meanwhile, local political elites transferred state property in private hands through privatization (taking advantage of previously held positions that raised their level of 'competitiveness,' instrumental for becoming the 'winners' of transition). However, in the newly emerged context, Romania seemed to be a desirable target for foreign investments attracted by land and natural resources that could be privatized, and by cheap and 'disciplined' labour force. Furthermore, Romania's accession to EU almost coincided with the global financial crisis caused by capitalism. Neoliberal policy of crisis management has had serious effects on the population, so many people found themselves even more redundant and precarious than they were in the previous decades. International financial institutions' 'life buoy', repeatedly thrown to the Romanian Government since 2009 in the form of loans, came with a set of

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University of Minnesota Press, 1994.

<sup>6</sup> Ulf Hannerz, *Cultural Complexity*. New York and Chichester: Columbia University Press 1992.

<sup>7</sup> Loïs Wacquant, "Three Steps to a Historical Anthropology of Actually Existing Neoliberalism" in *Social Anthropology/Anthropologie Sociale*, vol. 20, no. 1, 2012, p. 71.

conditions that were acting as means and instruments of neoliberal governance internalized and incorporated by the Romanian government of that period of time. The President of Romania articulated a local political discourse for the public, which served to justify "economic recovery" made in the spirit of reforming the state (i.e. transforming it into a market-maker state and dismantling the welfare state).

In what follows, in Chapter 1 my study shows how Bănescu's speeches between 2009 and 2011 have transformed the provisions of the economic policy of the European Union, the World Bank and the International Monetary Fund in discursive justifications that made sense in Romanian context. Meanwhile, the president, self-named as "player president" has become one of the main actors in spreading global neoliberalism in the country through public policies. Furthermore, my analysis in Chapter 2 descends into the contexts of two settlements from Romania to show how local actors translate/produce the neoliberal model of development and how they articulate visions of neoliberal entrepreneurial competition and culture in local development programs. As such, local actors act as interested parts in neoliberalism or as players of the 'reformed state'.<sup>8</sup> In the concluding section of the article I suggest how

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<sup>8</sup> In this study, I refer in particular to Aiud and Calafat, where we have conducted fieldwork from October 2012 until June 2014 in the frame of Faces and Causes of Marginalization of the Roma in Local Settings: Hungary - Romania - Serbia. Contextual inquiry to the UNDP/World Bank/EC Regional Roma Survey 2011. A joint initiative of the United Nations Development Programme (UNDP), the Open Society Foundation's Roma Initiatives Office (RIO) and the Making the Most of EU Funds for Roma Inclusion program, and the Central European University/Center for Policy Studies (CEU CPS). Desire Foundation coordinated phase two and three of contextual research in Romania ([www.desire-ro.eu](http://www.desire-ro.eu)). The second phase entitled Faces and Causes of Roma Marginalization: Tools and methods for evaluation and data collection aimed at describing economic, social and public policy factors that reproduce social and spatial marginalization of Roma in local context. In this phase of the research we conducted field research in 25 settlements in Romania. (Vincze and Hossu 2014; Vincze 2014). Phase three (Causes and Faces of Exclusion of the Roma in Local Communities), during which we carried out fieldwork in three settlements (Aiud of Alba county, Calafat of Dolj county and Lungani commune of Iași county), describes the dimensions and mechanisms of inclusion and exclusion as processes influenced by ethnic relations embedded in the context of larger local societies. Besides, the research on the Spatialization and racialization of social exclusion: Social and cultural formation of 'Gypsy ghettos' in Romania in European context forms the base of our approach to social and spatial marginalization closely connected to neoliberal regime, and tackles the relation

despite being increasingly criticized worldwide, but much less in Romania, neoliberalism recovers in Romania's new strategy approved in 2014, which sets up the relation between the Government, the European Commission and the World Bank. I observe how, through measures that "reduce poverty" or social exclusion, (Romanian) neoliberalism promises to move from the welfare state exemption phase to a stage where social policy attempts to correct the social consequences of the previous period (from *roll-back* to *roll-out*<sup>9</sup>). In this process neoliberal governance reinvents itself by transferring the social role of the state to 'local communities' and demands from them competitiveness in the vein of "community-led local development" paradigm.<sup>10</sup>

Describing all these developments my study aims to grasp the particularities of neoliberalism's glocalization in Romania today: how this process is constituted not only by the global ideology of contemporary capitalism, but also by the local process of reforming the state that promotes development in the service of internal and external economic and political capital, thus acting as a factor of the formation of capitalist neoliberalism; and how neoliberal governance stabilizes by employing techniques of governmentality<sup>11</sup> in reconstituting subjects and citizenship.

## 1. "Modernizing the state" – the neoliberalizing discourse in Romania and silencing its social effects (2009-2014)

In 2009, during the launch of the *Report of the Presidential Commission on the Analysis of Social and Demographic Risks in Romania*<sup>12</sup> President Traian

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between capitalism and racism. The research begun in 2001 with the support of a CNCS – UEFISCDI, PN-II-ID-PCE-2011-3-0354 grant (sees for example Vincze and Raț 2013, or visit [www.sparex-ro.eu](http://www.sparex-ro.eu)). Ideas on economic development and progress were among the topics we researched in the cities where we carried out fieldwork (Cluj, Târgu-Mureș, Miercurea Ciuc, Ploiești and Călărași) (Simionca 2013).

<sup>9</sup> Morange and Fol, *op. cit.*

<sup>10</sup> Dezvoltarea locală plasată sub responsabilitatea comunității. Politica de coeziune 2014-2020, [[http://eufinantare.info/Documente/community\\_ro.pdf](http://eufinantare.info/Documente/community_ro.pdf)], [[http://ec.europa.eu/regional\\_policy/sources/docgener/informat/2014/community\\_en.pdf](http://ec.europa.eu/regional_policy/sources/docgener/informat/2014/community_en.pdf)].

<sup>11</sup> Michel Foucault, „ The Subject and Power” in *Critical Enquiry*, vol. 8, no. 4, 1982, pp. 777-795.

<sup>12</sup> The discourse can be accessed on the internet page of the Romanian Presidency [[http://cparsd.presidency.ro/upload/mesaj\\_lansare.pdf](http://cparsd.presidency.ro/upload/mesaj_lansare.pdf)].

Regulations regarding the Presidential Commission for the Analysis off Social and

Bănescu's implicit (and main) message coined the need to substantiate the so-called political "structural reform and modernization of the state." Meanwhile, in March 2009 Romania signed a loan agreement with the International Monetary Fund (IMF), European Commission (EC), World Bank (WB) and the European Bank for Reconstruction and Development (EBRD) for the amount of 19, 95 billion Euros.<sup>13</sup> The loan consecrated a new phase of structural adjustment policy<sup>14</sup> in Romania, being conditioned mainly by reducing budget deficit.

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Demographic Risks in Romania, and the report launched in 2009 are available at: [[http://cparsd.presidency.ro/upload/CPARSD\\_raport\\_extins.pdf](http://cparsd.presidency.ro/upload/CPARSD_raport_extins.pdf)].

<sup>13</sup> After 1990, the first such loan allocated to Romania came from EBRD in June 1992 for supporting "actions, objectives and policies for the implementation of structural adjustment of the economy", more precisely to "finance urgent imports necessary for execution of the program" [<http://lege5.ro/Gratuit/heydmmzr/acordul-de-imprumut-imprumut-de-ajustare-structurata-intre-romania-si-banca-internationala-pentru-reconstructie-si-dezvoltare-din-02061992>]. As far as the IMF loan from 2009 is concerned that was justified by telling the public that the loan is needed to "help the country in reducing the effects of global financial crises." However, some analysts state that, as it happened in other countries too, the loan and the accompanying structural adjustment in Romania work as means to subordinate the economy of the country to the economic interests of powerful states such as USA or Germany, and they negatively impact on workers' rights, public spending for social protection and social development, because they support privatization of goods, deregulation in economy, exports at the expense of local population, etc. (John Horvath, "The IMF and Romania: A Road Well Travelled", 2009 in *Heise Online*, [<http://www.heise.de/tp/artikel/30/30129/1.html>]).

<sup>14</sup> Structural Adjustment Programmes (SAPs) were economic policies the World Bank and the International Monetary Fund imposed on developing countries (or low and medium income countries) in the beginning of the 1980's. Since then, the program consists of conditional loans allocated to countries for structural adjustment of the economy: it means cutting public expenses and promoting market competition as part of the neoliberal agenda represented by the World Bank. These economic policies encourage governments to reduce their role in controlling the economy and to open up their own economy for external competitors/investors. Thus, Structural Adjustment Program assumes privatization, but also conditions that facilitate increase in the number and value of foreign investments (Foreign Direct Investment, FDI). Neoliberal capitalism holds that these are an indicator for classifying national economies and economic growth. Critical analysis on SAPs, and on the relation between adjustment economic policy and deepening poverty and marginalization in local populations are expressed for example in the SAPRIN (Structural Adjustment Participatory Review International Network) Report of 2002 ("The Policy Roots of Economic Crises and Poverty. A Multi-Country Participatory Assessment of Structural Adjustment", pp. 173-188, accessible here: [[http://www.saprin.org/SAPRI\\_Findings.pdf](http://www.saprin.org/SAPRI_Findings.pdf)]).

In January 2011, we did clearly find out what was about the urge for reforming the state promoted by President of Romania in the context of the agreement with the IMF.<sup>15</sup> Justifying the measures taken by the Government in 2009 and especially in 2010, Traian Băsescu announced that the "welfare state no longer could work in Romania" and that "intervention is less painful now than when we reach a higher level of debt that amounts to 70%, 80% of the gross domestic product." (More detailed analysis of the political discourse about the end of the "social state" in Romania follows in Chapter 1.1 of this study).<sup>16</sup> We have to evaluate this argument in the light of the fact that Romania has continued to be among the countries with the lowest levels of public debt in the EU (in 2007 this was 13.0% of GDP, while for example Belgium had a debt ratio of 84.9%;<sup>17</sup> in 2009 Romania's public debt ratio was 23.9% of GDP, at least three times lower than that of France, 78.1% of GDP;<sup>18</sup> in 2013 Romania reached the level of 38.9% of GDP, but in the same year for example Germany had a debt ratio of 78.4% of GDP<sup>19</sup>). Thus, public indebtedness alone could not have justify cutting funds for social policies. Moreover, cutting funds are not justified also because the population of Romania is second in terms of poverty rate; life expectancy in this country is among the lowest in Europe; and funds for social welfare represent one of the smallest shares of GDP compared to other Member States. For example, in 2007 social expenditure in Romania represented 12.8% of GDP compared to 29.5% in Belgium and 30.5% in France;<sup>20</sup> in 2009, the percentage allocated to social protection was below 20% of the GDP in

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<sup>15</sup> President Traian Băsescu's declarations in the debate about the Institutional reform of the Romanian state. Assistance state, minimal state or efficient state? (Reforma instituțională a Statului Român. Statul asistențial, statul minimal sau statul eficient?), organized by the Institute for Liberal Studies and Konrad Adenauer Foundation in 2011, are presented in a Press release which can be accessed here:

[[http://presidency.ro/?\\_rid=det&tb=date&id=12696&\\_prid=ag](http://presidency.ro/?_rid=det&tb=date&id=12696&_prid=ag)].

<sup>16</sup> Right after the public presentation of this 'diagnosis' many critical analysts reflected on it (for example Raț, 2011; Stoiciu, 2011).

<sup>17</sup> EUROSTAT, "Key Figures on Europe. 2009 edition", p. 33.

<sup>18</sup> EUROSTAT, "Key Figures on Europe. 2011 edition", p. 21,

[[http://epp.eurostat.ec.europa.eu/cache/ity\\_offpub/ks-ei-11-001/en/ks-ei-11-001-en.pdf](http://epp.eurostat.ec.europa.eu/cache/ity_offpub/ks-ei-11-001/en/ks-ei-11-001-en.pdf)].

<sup>19</sup> EUROSTAT, "Basic Figures on the EU, First quarter 2014",

[[http://epp.eurostat.ec.europa.eu/cache/ity\\_offpub/ks-gl-14-001/en/ks-gl-14-001-en.pdf](http://epp.eurostat.ec.europa.eu/cache/ity_offpub/ks-gl-14-001/en/ks-gl-14-001-en.pdf)].

<sup>20</sup> EUROSTAT, "Key Figures on Europe. 2011 edition", p. 87,

[[http://epp.eurostat.ec.europa.eu/cache/ity\\_offpub/ks-ei-11-001/en/ks-ei-11-001-en.pdf](http://epp.eurostat.ec.europa.eu/cache/ity_offpub/ks-ei-11-001/en/ks-ei-11-001-en.pdf)].

countries like Poland, Estonia, Slovakia, Bulgaria, Romania and Latvia, while in countries like Denmark (33.4%), France (33.1%), Sweden (32.1%), the Netherlands (31.6%) and Germany (31.4%) the ratio was evidently higher.<sup>21</sup>

Consistently echoing the President's statements in 2009 and 2011, the *Romanian Government's Convergence Program 2011-2014* – in which Romanian government instituted on local level the European Council's decisions of 2010 on the coordination of budgetary policies in the Member States – reiterated the principles of Structural Adjustment Program. The *Convergence Program* made explicit the austerity measures imposed to Romania and transformed them into the taken-for-granted principles of political economy. Although these initiatives are defined as "anti-crisis measures" they are pretexts to justify a new phase of neoliberalism's entrenchment in Romania. In Chapter 1.2 I will describe these measures in more details.

### **1.1. Demonization of "social state" in the political discourse of 2009-2011**

Even though the Romanian president had used terms such as "*people's needs*" in his message of 2009, he resorted to the phrase mainly to criticize how, after 1990, governments and politicians in Romania "*used social policies as electoral currency to 'buy out' the goodwill of voters*". The President expressed concern about the diagnosis that the

*state instead of helping in the formation of more and more consistent and powerful middle class, it has increased dependency on the state thickening the group of socially assisted, which today reached the number of 11 million persons.*

The report he launched using the above mentioned message reveals the existence of severe social problems in Romania. However, instead of identifying their structural causes and adequate solutions for them, the president's political discourse reshaped its meaning by embedding it in a moralizing discourse. This discourse was based on the supposed complicity between the populism of political actors on the one hand, and the

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<sup>21</sup> EUROSTAT, "Key Figures on Europe. 2013 Digest of the Online Eurostat Yearbook", p. 92, [[http://epp.eurostat.ec.europa.eu/cache/ity\\_offpub/ks-ei-13-001/en/ks-ei-13-001-en.pdf](http://epp.eurostat.ec.europa.eu/cache/ity_offpub/ks-ei-13-001/en/ks-ei-13-001-en.pdf)].

"dependence" of impoverished citizens on welfare benefits on the other hand, as if this relationship was not in itself a power relation within which those who have the power to distribute and allocate resources exploited others who were in a more disadvantaged situation. Moreover, the presidential speech put into the same category the people in situation of "welfare dependency", and people who are beneficiaries of *"preferential allocation of resources to small groups of people connected to decision makers (of luxury salary and pensions)"*. In addition, the president limited the meaning of social policy to "social assistance for those who cannot work". Associating the need for dismantling the welfare state with the critique of certain electoral/governmental practices that waste public money by allocating privileges to those in power, and reducing the essence of social policy to the production of "dependent citizens", this discourse demonized the very idea of social rights and justice.

From the *Report of the Presidential Commission for the Analysis Social and Demographic Risks in Romania*, the president of Romania learnt that the accountability of policy makers in what regards the needs of the population means developing and implementing "prudent, consistent, well-targeted and effective" social policies that "balance between those needs, on the one hand, and economic realities and socio-demographic disparities in the country, on the other hand". To this end, in 2009, Traian Băsescu promoted the idea of public-private partnerships, which given the state's withdrawal from social roles, is expected to *"concentrate all available resources to reduce social inequalities"*. However, he failed to ask himself what should the state – which supports private investors through legislation – do to mobilize the latter to secure human rights, for example in relation to their employees and in what regards labour relations, under conditions in which the state itself fails doing this for its citizens.

The presidential statements from 2011 justified the withdrawal of the state from its social functions resorting to the economic crisis in Romania, or to its financial inability to fulfil this role by saying:

*it is one thing to try to impose welfare state in a highly developed country with great economic outputs and quite another to want to impose exactly the same type of state in a country like Romania, with an economy in transformation and not yet powerful enough.*

Thus, he turned from the moralistic arguments expressed in 2009 to a financial-pragmatic reasoning, and reached sharp political conclusions: in the next decade Romania needs an efficient state, whose performance and efficiency is measured by the degree in which he gives up, withdraws from its social and welfare tasks. All this happened under conditions in which the post-socialist state have supported and continues to support privatization of public goods, and in which by upholding this system of (re)distribution of resources the state deepens inequality between those who own and control means of production and decision making, and those who are deprived of such instruments. Towards the end of his argument, Băsescu suggested - without expressing the explicit relation between European neoliberalism and the politics of crisis in Romania -, that there is only one strategy financed in Romania and this is the one we should follow: *"we have to apply what we agreed on when we joined the European Union in 1 January 2007."*

The economic crisis in the president's discourse is used as an argument supporting neoliberalism (introducing market principle in all areas of life), a discourse articulated during the structural adjustment program imposed by the IMF loan in 2009. In the context of this program a series of changes were introduced: a new Labour Code was elaborated (which, under the pretext of "flexibilization" contributed to the precarization of labour); the administration of police, hospitals and schools was transferred to municipalities; the requirement for cost efficiency was introduced in the sphere of education and healthcare; and the general claim for reforming the social assistance system became the order of the day. The president expressed the need to create a *"powerful state that gives perspective for its citizens"* and an *"efficient state instead of one that can no longer cover its own costs"*, and mobilized the following warnings: *"the state was excessively generous in terms of various forms of aid "; "too many hospitals with too many beds, with little prevention activity and too much activity in hospitals"; "all the help you give to those who need them, and to those who are not eligible for them is packaged in the 'welfare state' phrase and we have a clear conscience that we wasted some resources again and reduced the appetite for work again"; "social policy should not be focused on those who have land, but expect welfare and the land remains uncultivated, and should not target those who do not accept any kind of work at certain times"*. Complementing the statements of the president,

Prime Minister Emil Boc – the administrator of the austerity measures and of the agreement with the IMF, which consecrated the integration of Romania into the neoliberal order – suggested in 2011 that "modernizing" Romanian legislation at that time had the aim to "*create a competitive labour market in relation to what is happening in Europe and in the world.*"

## **1.2. Convergence policy as a means of advancing neoliberalism in Romania during 2011-2014**

In March 2011 the Government approved Romania's participation in the *Euro Plus Pact*, announced by the European Council in the same month. A month later the government launched the *Convergence Program 2011-2014*. This program summarizes all those governmental measures that have accommodated in Romania in an exemplary manner the EU policies regarding "*budgetary surveillance and coordination of economic policies.*" The document presents the assumed objectives (also called "anti-crisis measures") as part of the promotion of "*fiscal and structural reforms to boost flexibility in the Romanian economy*" in the context of entering the Eurozone. Observing the larger political context of the production of this document, one should note that in the period 2012-2014 Romania signed "*a new joint EU/ IMF precautionary financial assistance program that will strengthen the medium-term reform program started in 2009-2010*".

Skimming through the *Convergence Program* document, we find all the standard requirements of neoliberal capitalism regarding entrenchment of privatization (its extension on energy and transport sector) and marketization of education and health; reforming state owned enterprises in the spirit of corporate governance (which aims at maximizing profits); transforming the state into a policing instrument that oversees public spending in areas that affect the already impoverished population. Several other measures such as "*increasing control over applications for social benefits*" or "*monitoring and evaluating cost effectiveness in health*" or more generally "*limiting expenditure on goods and services, and reducing subsidies*" were added to the provisions related to stimulation of investments in the private sector and to the consolidation of stability in the banking system.

"Competitiveness" and "fiscal sustainability" are the key terms of this vision of development promoted under the auspices of "economic recovery". In its chapter on "competitiveness", the *Convergence Program*

2011-2014 refers to the elimination of legal and administrative barriers to trade in electricity and gas, and to the elaboration of a plan for the deregulation of energy prices. The measures promoting "flexibility", as stipulated in the new Labour Code, enhanced employers' "competitiveness", while - on the other side - the labour of the dispossessed became regulated through, for example, legislative control of day-labour and apprenticeship. The discursively articulated idea of active life, active inclusion and financial discipline supported the "sustainability of public finances". The Convergence Program translated the ideal of "active life" into several measures such as: gradually increasing the retirement age, and the increase of full contribution period to 35 years for women and men by 2030; tightening conditions for benefiting of partial early retirement; and freezing the pension point for 2011. In the social field, "financial discipline" translated into central and local governmental measures to "*rationalize social benefits*" and to "*eliminate programs that are not subject to testing financial means.*" The public sector was targeted with the expectation that the share of GDP spent on salaries should be reduced: this meant the continuation of the "*prudent policy started in 2009-2010*" as far as, according to the envisaged plan, the share of these expenditures has to "*be reduced to a level around 6.5% of GDP in 2014 (from 9.4% of GDP in 2009).*" Further, although the indicator of healthy life expectancy at birth clearly shows that in 2010 the Romanian population was lagging (with 57.5 years among both women and men) behind the EU-27 average (61.7 years for men and 62.6 years for women),<sup>22</sup> the state subjected healthcare to financial rationalization by measures such as: the introduction of co-payment for medical services; limiting the number of contracted hospital admissions by 10% compared to the level in 2010; reducing the value paid by the government for drugs in national healthcare programs; reducing the number of financed hospital beds.

The legislative measures taken by the Romanian Government in 2010 adopted in advance the economic policy sketched in the *Convergence Program 2011-2014* also in what regards the sources of revenues for the budget, and continued to protect the privileged social categories by maintaining the flat tax system and reducing taxation of profit by 4.9%.

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<sup>22</sup> *Ibidem*, p. 52.

### **1.3. Conclusions – entrenching neoliberalism by transforming "anti-crisis measures" into a permanent economic politics**

Compliance with the *Convergence Program 2011-2014* and with the agreement with international financial institutions became the first and most important benchmark of contemporary Romania's economic policy, including the direction its development should take. We have already seen how discourse on global economic crisis justified the imperative of "macroeconomic recovery" and of "making public policies efficient." In the same time, discourse on crisis transformed the problem of crises into a weapon used by parties in their political struggles. Economic crisis has become the new engine of neoliberal ideology and policy, complementing (but not entirely replacing) the previously dominant topic of anti-communism as the main red thread of capitalist restructuring in Romania after 1990.

On the level of everyday life, the current effects of debts to the IMF and the International Bank for Reconstruction and Development (to which Romania joined in 1972) resemble the policies of "economic adjustments" and "rationalizing consumption" from the 1980's (the decade of consolidation of neoliberalism worldwide), a policy that implied a dramatic worsening of living standard for the population of Romania. Moreover, the socialist state sacrificed quality of life and the living standard of the population on the altar of major public investments of that decade (House of the People, the Danube-Black Sea Channel, urban systematization, etc.). The new post-socialist stage of neoliberalism deepened and aggravated previous social inequalities and material deprivation generated by the dominant economic policy promoted by the Romanian nation state in close connection with international financial institutions. Austerity measures that have deprived citizens of resources necessary for the reproduction of their labour force and for the sake of profit-generating benefits, and that have penalized them if they resorted to informal strategies (in housing, employment, and migration) for securing their self-sustenance have always been in at the core of a politics of economic development based on relations of indebtedness.

We live in a stage of neoliberalism, where "anti-crisis measures" have become the essence of Romanian economic and social policy. Once "anti-crisis measures" are made permanent, hopes for the population in

terms of improving living conditions are projected on the stage of competition for European funds. Thus, social justice promised by the European Social Agenda becomes a field of competitiveness and merit, since neoliberal policy extracts it from the sphere of human rights. Those who do not succeed in becoming "competitive" in this market are supposedly "not deserving" social welfare, quality education, decent jobs and housing, and even high life expectancy. Thus, apart from structuring economy and the relationship between state, market, and citizens, neoliberalism creates the new ideal of human being (the 'new man' of our epoch) who is competitive and entrepreneurial, and as such qualifies as 'human' and benefits from human rights (including rights for housing, labour, etc.), but it also produces social categories that are perceived as 'undeserving' citizens or even sub-human.

## **2. Entrepreneurial development and entrenchment of neoliberalism on local level**

Based on the discourse analysis of documents related to development programs promoted by the municipality of Aiud and Calafat, in the following I illustrate how local decision makers translate into local schemes neoliberal ideas on development reiterated today by the European Commission and the World Bank. Finally, I point out that these models based on entrepreneurial ideology transforms development into a business of local authorities, private companies, consulting firms or NGOs, and I also suggest that these models are far from being based on rights and from serving social justice. The analysis identifies key terms of this model (competitiveness, entrepreneurial culture, public-private partnership, and marketization), and the way they acquire local meanings during the process by which the local decision makers offer public support to market and private investors, and foster the withdrawal of state from its social responsibilities to citizens.

### **2.1. Development perspectives for Aiud (2007-2013): entrepreneurial culture, competitiveness and marketization**

The Development Strategy for Aiud City defined "community interest" supposedly served by this strategy through the following key terms: sustainable development, urban regeneration, fostering

competitiveness, and improving local governance<sup>23</sup>. The City Council developed and adopted the strategy in February 2008 in the spirit of Romania's accession to the European Union. Action plans of the Strategy articulated and heavily focused on directions and operational programs defined by the Structural Funds in Romania.

The Strategy disclosed prevailing institutional thinking about the responsibility of local authorities and about the priorities they set regarding the following negative characteristics of the city: disadvantaged geographical position, poor infrastructure, labour migration, poor use of the given agricultural potential, lack of involvement on the part of community actors in local decision-making processes. This strategy reinforced on local level the generally accepted entrepreneurial vision according to which public authorities must support private businesses by creating investment opportunities for them, creating fiscal facilities and allocating land and infrastructural conditions. The ideal of a state that creates market trickled down into these local plans to create an industrial park and an information office dedicated to investors, providing them with information on the economic potential of the settlement, including its labour force. The strategy identified 60 action plans to ensure "city competitiveness" in the hope that economic agents and small and medium enterprises in the first place will attract European funds for the implementation of plans in industry, agriculture, tourism and environmental protection, while public-private partnerships will organize programs for training individuals who will work for them. On the other hand, the Strategy noted that the competitive advantage of the settlement was that it provided cheap labour for local and foreign investors. It expressed the belief that the key to economic modernization is marketization of tourism and of agriculture (the latter currently producing

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<sup>23</sup> PAEM Foundation Alba from Alba Iulia elaborated the strategy in the name of the Municipality [<http://www.paemalba.ro/>]. PAEM Foundation was established as non-governmental organization at the end of the 1990s. It benefited from partnerships with local and county level authorities. Consultancy in European projects and technical assistance in designing public policies make up their domain of expertise. However, they implement also development programs (they collaborated with PAKIV Roma Association from Alba Iulia in one of their projects, ROMA-RE, on developing social economy for Roma in the area of recycling packaging materials. For the text of the Strategy access this link: [[http://www.aiud.ro/AplicatiiOnline/Hotarari\\_2003\\_2008/2008/02.februarie/h50\\_2008.pdf](http://www.aiud.ro/AplicatiiOnline/Hotarari_2003_2008/2008/02.februarie/h50_2008.pdf)].

mainly for subsistence). Economic modernization is defined as transformation of an economy based on intensive work into an economy based on intensive capital investments and technology.

Regarding social services, the Strategy defined only six action plans and emphasized that they should be outsourced to private partners. The arguments behind this choice were manifold: lack of funds and the need to prevent the ever increasing cost of social services; the idea that local government cannot provide for the full range of social services people would need; 'concern' about the consequences of assuming full responsibility in this field that allegedly could reduce the degree in which citizens and communities would participate in the life of the settlement. Regarding the development of human resources, the Strategy mentioned that the municipality of Aiud saw its role in cultivating entrepreneurial and managerial culture among its citizens: "entrepreneurial culture and spirit and entrepreneurship are key to reversing the negative effects of structural adjustment and restructuring of industry, because they can generate economic and social alternatives and improve the economic status of social groups under risk of unemployment."

Based on the information available about the implementation of Structural Funds in Romania,<sup>24</sup> one may observe that in 2008-2013 the Municipality of Aiud has implemented several major infrastructural development projects to extend water and sewerage networks, rehabilitate the medieval fortress, to valorise tourism in the Valley of Aiud by modernizing roads (a project of about 7 million Euros), and to rehabilitate the structure of Bethlen Gábor College (through another project worth 7 million Euros). Proppers Humanitarian Foundation Aiud<sup>25</sup> in partnership with the County Agency for Employment and several consulting firms and non-governmental organizations specializing in vocational training implemented four projects on human resource development. Local companies in the field of precast reinforced concrete, construction, and

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<sup>24</sup> For example, on the Structural Project's website, [<http://www.proiecte-structurale.ro/Proiecte.aspx?cuvCheie=Aiud&cID=5>], or in the Guide of City Halls [[http://www.ghidulprimariilor.ro/list/cityHallDetails/prim%c4%82ria\\_aiud/129445](http://www.ghidulprimariilor.ro/list/cityHallDetails/prim%c4%82ria_aiud/129445)].

<sup>25</sup> Working from 2010, the Foundation's activity was based on contracts with the County Agency for Employment and with the Municipality of Aiud. It provided services for public authorities (for example through its office for consulting citizens).

garden furniture implemented three projects for small and medium enterprises.

## **2.2. Development perspectives for Calafat (2012): public-private partnership, competitiveness and preservation of rural heritage**

Taking advantage of the European Union's funding opportunities and development policies, particularly of the European Agricultural Fund for Rural Development (EAFRD) the Municipality of Calafat in partnership with 19 villages (most of them from south-east Dolj county and a commune from Mehedinți County) has designed in 2012 a Local Development Plan for a territory called Calafat micro-region. The "Calafat" Local Action Group (LAG) was established as an NGO<sup>26</sup> in accordance with the procedures established by the Ministry of Agriculture and Rural Development in November 2012. Its main goal is to contribute to raising the attractiveness and competitiveness of the area as well as of its products and services. "Calafat" LAG is a public-private partnership with 25 members: seven municipalities, nine companies and nine NGOs are enrolled as members of the partnership. In addition to its mayor, the following organizations represent the city in "Calafat" LAG: the private company SC Tradex Industries Ltd, the Local Association of Small and Medium Employers (PLIMM), the Organization of Fishermen, and the Association for the Integration of Roma in Oltenia.<sup>27</sup> The municipality outsourced the design of the Local Development Plan to a company that is not named in the document. The company has collaborated with the

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<sup>26</sup> Information about "Calafat" LAG can be found at: [<http://calafat.org.ro/>]. Besides the presentation of the Plan for Local Development, those interested in "Calafat" LAG can find on this page documents of the organization and information about project calls. However, there are no information about implemented local projects, or submitted project. In the chapter "implemented policies" the page presents a project of 2 million euros in the domain of fishery.

<sup>27</sup> According to the webpage containing the catalogue of non-governmental organizations in Romania, the Association was established in 2009 [<http://www.stiriong.ro/detaliu-csc/vrs/IDcsc/3362>]. It defines itself as a non-profit organization that delivers humanitarian aid and social services, and as an organization dedicated to combating discrimination and poverty, as well as to integrate vulnerable groups on the labour market, and also to community development. The Association does not have its own virtual interface and I did not find relevant information about its activities.

Spanish LEADER experts, while "Calafat" LAG expressed its desire to outsource further expertise related to this Plan.

"Calafat" LAG was empowered to implement the LEADER program as a consequence of being selected by the Ministry of Agriculture and Local Development together with other 120 similar micro regions with a population between 10,000 and 100,000 people. The LEADER program is based on the premise that public authorities do not have institutional, human, and financial resources for developing and implementing local development plans. Therefore, private-public partnerships such as the Local Action Group must provide these kinds of resources. The model promised to expand citizen participation beyond administrative decentralization enshrined by the Public Administration Act of 2001, which in turn stipulated the establishment of Associations for Inter-Community Development to coordinate the development of the so-called Metropolitan Areas or micro-regions. However, we can see that LAGs have limited capacity. In fact they can only reproduce the structure of local power relations being already under the control of strong organizational structures (such as local authorities, private companies, non-governmental organizations established for attracting European funds, organizations that often had already been interconnected in previous years). In fact these local groups do not extend decision making mechanisms toward the system of participatory democracy or real citizen participation. Participatory justice promised by this system cannot be real because LAGs act more as technical managers of European Funds, and even if they are responsible for drafting Local Development Plans (the frame program of individual projects), plans are designed according to already established operational programs agreed by the Government and the European Commission. As such citizens are unable to exercise control over these processes.

The concept underlying the idea of LAGs in post-socialist Romania has another important aspect worth mentioning: LAGs promote a development model supported by the condemnation of communism. The planning document "Calafat" LAG repeatedly appeals to this argument, saying that difficulties in establishing partnerships between various actors can be explained by the communist legacy, which has diminished confidence in collective initiatives and in particular in the formal, institutional forms of association; on the other hand it argues that under-

development in the region owes much to forced and artificial industrialization during socialism, which in turn was restructured during transition to market economy after 1990 and the collapse of public companies. These arguments seek to justify the eligibility of Calafat for the LEADER program (originally tailored for rural areas) using the following logic: the settlement was artificially turned into a city, local development is rather poor, the local economy is based on agriculture, and in fact Calafat is a city with rural outlook in terms of services, however it does have the potential or capacity to promote an urban model in this micro-region.

During the elaboration of the Local Development Plan for the territory covered by "Calafat" LAG, the municipality reported three infrastructural development programs included in its Development Strategy for 2007-2013. Having a total budget of approximately 17 million covered by PHARE and European Funds for environmental protection, these programs have aimed to improve public utilities, to extend water and sewerage networks, and to modernize waste management. The conclusions of the Local Development Plan in 2012 focus on the following immediate priorities in the area: development of small and medium rural economic and tourism enterprises through skilling people in entrepreneurship; development of social infrastructure, local heritage, and services provided to communities and maintaining rural heritage and identity of the region; capitalization, modernization, and technological improvement of agriculture so that subsistence agriculture practiced by households will be transformed into agricultural production for markets; training programs; and supporting the Local Action Group itself. Despite these ambitious plans translated into 64 project ideas, the Local Development Plan identified a relatively small budget of about 3.5 million euros, but anticipated an annual cost of about 300,000 euros for the operation of the LAG itself.

### **2.3. Conclusions – neoliberalization through entrepreneurial development**

Reconfiguring state's role in development and thus its relationship with the market on the one hand, and citizens and society on the other hand is one of the core dimensions of development promoted in Romania, a trend that is also (re)produced on local level (as we have seen above in

the example of Calafat and Aiud). The way in which local authorities define themselves as powerful agents working for private economic investors, and as weak actors who cannot (and should not) address the social consequences of economic restructuring, is a sign of the broader paradigm that reconfigures post-socialist Romania in a neoliberal tone. Based on the concept of entrepreneurship, the economic and social development model supports the entrenchment of neoliberalism in Romania, as elsewhere in the world. The model is based on and in the same time promotes the idea that "human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade."<sup>28</sup>

In a post-socialist context, arguments that favour this model of economic and social organization and development strongly relate to the condemnation of communism and the welfare state, which is discursively associated with communism. Anti-communism is the main attitude that informs the efforts to reconfigure the role of the state, so that state becomes the creator and maintainer of an institutional framework, which extends the principles of market competitiveness into all areas of life, including development strategies. The cost of this change is that public officials become allegedly unable to provide for social services, a phenomenon that is not perceived as something that (re)produces social injustice, but as a type of (desirable) governance. Such processes unfold also on local level - as the above analysis related to Aiud and Calafat showed. Their immediate result is that cities cease to constitute spaces of social reproduction and become territories of competition and competitiveness (Jessop 2002). In this process, not only that the idea of the need to cultivate an entrepreneurial spirit guides the discursive construction of development, but also the design of development plans becomes a business in itself. Municipalities outsource this task to companies and national NGOs that benefit from the support of government or presidential administration and secure their existence from funds gained from World Bank, the European Union, and other transnational institutions. Many local NGOs are created in order to attract funds usually through consulting firms specialized in project application and management. In this system, the ability to attract external

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<sup>28</sup> David Harvey, *A Brief History of Neoliberalism*, Oxford: Oxford University Press, 2005, p. 2.

funds becomes a feature of a desirable of self, i.e. the enterprising self (both in the case of individuals, and that of legal bodies). The system stigmatizes those who do not meet this requirement as 'undeserving' subjects of development processes. In these circumstances, local development strategies, even if they are very ambitious in terms of planned programs, are at risk of not being translated into effective interventions since for various reasons local actors (let alone marginalized people) are unable to design 'competitive' projects on the market of private funds.

Besides all this, we should recall the conclusions formulated in Chapter 1 of this study, which affirmed that practices of neoliberal governance in Romania became prevalent and highly visible with the austerity measures imposed on the population from 2010 as a nicely packaged condition credited in the structural adjustment program of the International Monetary Fund. Nowadays one may see how this trend is maintained and continued in the "*competitive cities*" development model the World Bank recommended to Romania at the end of 2013. The model defines competitive cities as the engines of development.<sup>29</sup>

## **Final conclusions – "state reform" from neoliberal governance to governmentality**

Development policy for the period after 2014 is shaped by two main strategies agreed by Romania in relation to the World Bank<sup>30</sup> on the one hand, and with the European Commission<sup>31</sup> on the other hand. The World Bank took the role of consultant and advisor for the Romanian Government

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<sup>29</sup> See the Report on "Competitive Cities. Reshaping the Economic Geography of Romania" [[http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/IB/2014/02/20/000456286\\_20140220151016/Rendered/PDF/843240v10Full00s0Box382123B00O0U070.pdf](http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/IB/2014/02/20/000456286_20140220151016/Rendered/PDF/843240v10Full00s0Box382123B00O0U070.pdf)]. The report has been written and presented to the Romanian Government and in particular to the Ministry of Regional Development and Public Administration as a proposal for regional development for 2014-2020. Its aim would be to improve absorption capacity of Structural Funds. Proposals formulated in the Report of World Bank were fundamental for the elaboration of the Partnership Agreement 2014-2020 between Romania and the European Union.

<sup>30</sup> World Bank, "Country Partnership Strategy for Romania for the period 2014-2017" [<http://documents.worldbank.org/curated/en/2014/04/19552473/romania-country-partnership-strategy-period-fy2014-2017>].

<sup>31</sup> Partnership Agreement România adopted by the European Commission in August 2014 [<http://www.fonduri-ue.ro/propunerea-oficiala-a-acordului-de-parteneriat-2014-2020>].

in designing the proposal for using European funds in 2014-2020. Thus, the relationship between national and international actors in terms of development planning, or conceptualizing development strategy in relation to what European funds have to offer is reproduced again.

Along with the Report on *Competitive Cities* Report, which in turn meant the application of the *World Development Report 2009: Reshaping Economic Geography* program on the case of Romania, the World Bank has prepared another study (which seems to become an important document for development in Romania in the next decade). The latter affirms: "Romanian cities continue to face a number of critical challenges: they have significant pockets of poverty, with poor and marginalized groups working under their productive potential; [...] they suffer with respect to basic service provision and overall quality of life."<sup>32</sup> In April 2014, the World Bank released the report containing the findings of research on marginalized urban communities<sup>33</sup> and a practical manual on strategies for integrating marginalized urban communities in Romania.<sup>34</sup> The latter presents the approach named *community-led local development* (CLLD), which is the model of local development that falls under the responsibility of the community, a model that European Commission recommended to Romania for 2014-2020. In turn, the LEADER paradigm discussed in the present study in relation to perspectives on development promoted in Calafat provides the base for this paradigm too. These models are based on the neoliberal approach to community development. CLLD promises social change by increasing community participation in local governance, but practically replaces social justice with procedural justice<sup>35</sup>. Along with allocating the problem of solving social exclusion to European funds

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<sup>32</sup> World Bank, "Competitive Cities: Reshaping the Economic Geography of Romania. Integrating Urban Marginalized Communities and Making EU Structural Funds Work for the Poor" [<http://www.worldbank.org/en/results/2014/04/11/reshaping-the-economic-geography-of-romania>].

<sup>33</sup> The report on "The Atlas of Urban Marginalized Areas in Romania" is accessible here: [[http://backend.elard.eu/uploads/wb-project-in-ro/atlas\\_24april\\_en.pdf](http://backend.elard.eu/uploads/wb-project-in-ro/atlas_24april_en.pdf)][http://backend.elard.eu/uploads/wb-project-in-ro/integration\\_strategies\\_a4\\_en\\_print.pdf](http://backend.elard.eu/uploads/wb-project-in-ro/integration_strategies_a4_en_print.pdf)].

<sup>34</sup> The manual on "The Elaboration of Integration Strategies for Urban Marginalized Communities in Romania" is accessible here: [[http://backend.elard.eu/uploads/wb-project-in-ro/integration\\_strategies\\_a4\\_en\\_print.pdf](http://backend.elard.eu/uploads/wb-project-in-ro/integration_strategies_a4_en_print.pdf)].

<sup>35</sup> Morange and Fol, *op. cit.*

without framing the individual projects in the local development strategies, this 'community development' - that under the attractive pretext of empowerment transposes the responsibility to solve the problem from those who create the problem to those who suffer from it - reproduces social exclusion by stigmatizing those who are not 'competitive' on the market of funds classifying them as 'undeserving' or even unable to develop.

In this very current context we see a new phase of entrenching neoliberalism, which is seen by some as a sign of a post-neoliberal (or post-Washington consensus) trend to the extent that these strategies promise the recuperation of the social dimension contained in the European agenda. Others<sup>36</sup> think that these adjustments actually reinforce neoliberalism through a false neo-Keynesianism, being in fact an adaptation of capitalism to the crisis it created. In the spirit of the latter, I note that the key terms of "poverty alleviation" actions remain those familiar to us from the neoliberal ideology of the previous decade. They aim at developing competitiveness and entrepreneurial culture among the population (including disadvantaged groups), or empowering individuals to solve problems they face (case studies in Chapter 2 reveal how this global vision of development translates into local idiom). Economic and social development promoted in these strategies remains the job of public-private partnerships or "local community" without changing the main trend regarding neoliberal governance in which the state serves the market at the expense of the social. It will continue to support private investment attracted in Romania because of "its competitive advantage" (cheap labour force) and to justify/ naturalize deepening social inequalities.

The existence of two perspectives on development in Romania (entrepreneurial development based on competition, and a model of inclusive development, which, as we have seen, is also conditioned by competitiveness) can be explained by the interpretation proposed by Morange and Fol<sup>37</sup>. The authors show how entrenchment of neoliberalism

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<sup>36</sup> Jamies Peck, Nik Theodore, Neil Brenner, "Neoliberal Urbanism Redux?" in *International Journal of Urban and Regional Research*, vol. 37, no. 3, 2013, pp. 1091–1099; Neil Brenner, Jamie Peck, Nik Theodore, "After Neoliberalization?" in *Globalizations*, vol. 7, no. 3, 2010, Volume 7, pp. 327–345; Sheppard and Leitner, *op.cit.*

<sup>37</sup> Morange and Fol, *op. cit.*

operates in different parts of the world on a continuum of roll-back and roll-out sequences of social justice and redistribution. They note that, in general, after the roll-back phase during which neoliberal policies of structural adjustment widens social inequalities, capitalism try to ameliorate the effects by roll-out measures, which consist primarily in facilitating greater citizen participation in the name of procedural justice. For this reason "entrenchment of neoliberalism is often accompanied by reformulating discourses of justice"<sup>38</sup>. However, the question is whether participation (the improvement of procedural justice) can or cannot or to what extent it can produce corrective social outcomes. This phenomenon can be studied in Romania, by following for example the impact of the "Community Led Local Development" (CLLD) model on reducing (the effects) of social marginalization. Experiences in other parts of the world show that however wider participation may lead to forms of power sharing, its mechanisms remain compatible with neoliberal management system <sup>39</sup>, which delegates standard public service roles to "local community". In other words, the great expectations from this model of development actually disguises how the "rhetoric of social inclusion may be distorted in favour of material exclusion" or how "low paid labour can be exploited in the name of fairness"<sup>40</sup>. By analysing the perspectives on local development promoted in the two cities, I could already detect such hidden developments in their logic. The argument that development depends on attracting private investors to the city on the one hand, and on the competitive advantage of low labour cost in the locality on the other hand, transforms the labour into a factor, which serves capital and not social inclusion in the sense if increasing access to resources and participation on their distribution.

Consequently, the entrepreneurial model of development supported also by state reform as described in this study may at best lead to the adverse incorporation<sup>41</sup> of those marginalized by the neoliberal order.

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<sup>38</sup> Morange and Fol, *op. cit.*, p. 16.

<sup>39</sup> Marie-Hélène Bacqué, Carole Biewener, "Different Manifestations of the Concept of Empowerment: The Politics of Urban Renewal in the United States and the United Kingdom" in *International Journal of Urban and Regional Research*, vol. 37, no. 6, 2013, pp. 2198-2213.

<sup>40</sup> Morange and Fol, *op. cit.*, p. 17.

<sup>41</sup> Sam Hickey, Andries du Toit, *Adverse Incorporation, Social Exclusion and Chronic Poverty*.

Adverse incorporation has a special role in this system because of way how neoliberal governance produces material effects and because neoliberal policies work (also) as political technologies and technologies of the self<sup>42</sup>. Anthropology of policy<sup>43</sup> and theory of governmentality<sup>44</sup> are tools that allow us to demonstrate how neoliberalism entrenched also by reforming post-socialist states leads to unequal development<sup>45</sup>, or a sort of development that privileges profit at the expense of people<sup>46</sup> and promotes market to the detriment of social citizenship. Besides, interlinked with economic racism, neoliberalism classifies poor people as 'non-person' or 'sub-human' explaining their 'inferiority' by their alleged individual or cultural (group) traits. "State reform" fulfils its role in the entrenchment of neoliberalism when beyond the top-down public policies and their structures and activities, it creates subjects who perceive themselves as such, thus contributing themselves from bottom-up to the maintenance of the social order that transforms them into subaltern.

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<sup>42</sup>Hubert Dreyfus, Paul Rabinow, *Michael Foucault: Beyond Structuralisms and Hermeneutics*, Brighton: Harvester Press, 1982.

<sup>43</sup>Cris Shore, Susan Wright, Davide Però (eds.), *Policy Worlds: Anthropology and the Analysis of Contemporary Power*, New York: Bergham Books, 2011.

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<sup>45</sup> David Harvey, *Spaces of Global Capitalism. Towards a Theory of Uneven Geographical Development*, London and New York: Verso, 2006.

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## 1993: HOW DID AN AMERICAN EPISTEMIC COMMUNITY REGARD THE REGRANTING OF THE MOST-FAVOURED-NATION STATUS TO ROMANIA

Vasile Pușcaș\*

### Abstract

*After the end of World War II and until the end of the Cold War, the United States of America gave the Most Favoured Nation (MFN) clause more than a commercial significance. Romania's MFN status was suspended in 1951 and restored in 1975, was suspended again in 1988 and the US Congress denied to restore it immediately after 1989, since the Congress continued to carefully and severely monitor the political, economic and social evolution in Romania. While the leaders from Bucharest considered that re-granting the MFN clause for Romania could be decided through bilateral political-diplomatic actions, in Washington, all Romanian social components were being taken into consideration. The Congressional Research Service (CRS) is a legislative branch institution within the Library of Congress, being in charge with conducting legal analysis and research on American and international policy in response to individual congressman or congressional staff request. We prove in the article, through several cited documents/analyses conducted during the post-1989 period, notably 1993, that this epistemic community did play a very important role in the process of restoring the US MFN status for Romania.*

**Keywords:** the Most Favoured Nation clause, international policy, USA - Romania relationships, USA Congress, the Congressional Research Service

After the end of World War II and until the end of the Cold War, the United States of America gave the Most Favoured Nation (henceforth:

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\* Dr. Vasile Pușcaș is professor and Jean Monnet Ad Personam Chair at Babeș-Bolyai University, Cluj-Napoca.

Contact: vasile.puscas@euro.ubbcluj.ro

MFN) clause more than a commercial significance in relation to the states of Central and Eastern Europe.

In 1951, the USA Congress requested the President not to grant the MFN clause to the USSR and to other communist states, with the exception of Yugoslavia, whereas Poland was exempt from this restriction in 1960. By a law of 1963, the American Congress denied the two above mentioned countries the access to the MFN clause. The preference of the Nixon Administration for trade agreements with China and USSR was tempered, in 1972, by the Jackson-Vanik Amendment to the project of trade agreement of the USA with USSR. In 1974, the Jackson-Vanik Amendment was included in the trade legislation with USSR, allowing for the Administration to extend the statute of MFN clause to a country "without a market economy", only if it offered guarantees to the USA on emigration and human rights issues.<sup>1</sup>

Regarding Romania's situation, Washington notified Bucharest, on June 27, 1951, that it will no longer continue the trade agreement signed in August 1930, and president Truman signed a document according to which it suspended the statute of the MFN clause starting with August 31, 1951. In 1959, the Romanian-American discussions on trade continued, and, in the ensuing years, Washington tested the "political behaviour" of the Romanians, both in domestic and foreign policy, particularly with reference to their position towards the Soviet Union. The Romanian authorities also tested the American intentions, including during the visit of the American president Nixon to Bucharest (August 1969)<sup>2</sup>. Only in April 1974, the American and Romanian representatives signed a new trade agreement and, in the spring of the same year, the White House sent a set of legal provisions on granting the MFN clause to Romania. As the Congress assessment of Romania's references regarding the Jackson-Vanik Amendment extended over a long period of time, only in the summer of 1975 was a positive vote casted. In just a few days, president Ford went to Bucharest and, together with the Romanian president, in a formal setting, in Sinaia, transmitted the enforcement of the new Romanian-American

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<sup>1</sup> James R. Lilley, Wendell L. Willkie, Wendell L. Willkie II, (eds.), *Beyond MFN: Trade with China and American Interests*, Washington DC: AEI Press, 1994, p.123

<sup>2</sup> Joseph F. Harrington, Bruce J. Courtney, *Tweaking the Nose of the Russians: Fifty Years of American-Romanian Relations, 1940-1950*, Boulder: East European Monographs, 1991, p. 222

trade agreement, including the MFN clause, with an annual reconfirmation. Hence, Romania was the first country of the Eastern Bloc to be granted the statute of the MFN clause.

Beginning with 1985, the USA and the Western countries started the enforcement of the so called "differentiation policy", and Romania was regarded as one of the East-European countries with the most severe problems in the field of human rights<sup>3</sup>. In 1987-1988, several members of the USA Congress brought to the White House and the public opinion evidence of human rights violations in Romania. The manner in which the political leaders of Bucharest perceived these actions diminished even more Romania's chances of maintaining the MFN clause. On February 28, 1988, the State Department announced that the Romanian authorities decided not to renew the statute of the MFN clause and that this MFN clause would cease on July 3, 1988.

After 1989, the issue of the Most Favoured Nation clause for Romania dominated the agenda of the Romanian-American relations. The confusion in the perception of the events that had taken place in Romania in 1989 is also demonstrated by the strange declaration of the State Secretary James Baker, in December 24, when he announced USA's support for a possible intervention of USSR in Romania. Also, the media and the American political environment were under the strong impression of what they called "the televised revolution" of Bucharest. The visit of the State Secretary to Bucharest, in February 11, 1990, did not bring significant clarifications, as James Baker announced that the USA will continue to evaluate Romania on the Jackson-Vanik Amendment. And the tense post-communist Romanian history of 1990-1991 did not favour putting back the issue of re-granting the MFN clause for Romania on the agenda of the Congress. Hence, at the end of 1991, Romania was one of the few ex-communist countries that was not under the American MFN clause<sup>4</sup>. As a gesture of willingness from the US Administration, at the end of October 1991, American-Romanian negotiations for a new trade agreement did begin. The Congress reacted immediately and four of the most well-known senators wrote to the presidents of the USA and of Romania, highlighting the option of the Congress of not re-granting Romania the MFN clause,

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<sup>3</sup> *Ibidem*, p. 542

<sup>4</sup> Lilley, Willkie, Willkie II, *op. cit.*, p. 125.

until important progress in the sphere of political pluralism and democracy will be registered.

As we can notice, even after 1989, the US Congress continued to carefully and severely monitor the political, economic and social evolution in Romania. While the leaders from Bucharest considered that re-granting the MFN clause for Romania could be decided through bilateral political-diplomatic actions, in Washington all Romanian social components were being taken into consideration, both as an entirety and on different sectors<sup>5</sup>. The Romanian-American trade agreement was considered to be convenient by both parties, at the beginning of February 1992, and President Bush forwarded it to the Congress on June 22, 1992. Still, the members of the US Congress pointed out that "the Most Favoured Nation clause continued to be a strong symbol of legitimisation", and, as a result, the decision of the congressional decision needed to be postponed until other important evolutions were to be registered in Romania, such as the general and presidential elections of that year<sup>6</sup>. After intense debates in the Congress, in 30 September 1992, the proposal of regranting the MFN clause to Romania was voted upon<sup>7</sup>. Only 88 congressmen voted for the proposal, whereas 283 voted against. As a result, together with Cuba, North Korea, etc., Romania was one of the few countries that did not benefit from the American MFN clause in 1992.

Whereas Washington continued to show its reluctance towards Bucharest, the doors were beginning to open in Brussels. On February 3rd 1993, the Association Agreement between the European Union and Romania was signed and, the same year, the negotiations for Romania's accession to the Council of Europe took place, which resulted in a positive response in September 23, 1993. At the beginning of 1993, Clinton was elected US President, and the new American Congress had a different approach towards Romania. Even from January 6 1993, the influential congressman Frank Wolf proposed a Resolution for the extension of the MFN clause to Romania. At a certain point, procedural aspects have been questioned, as Romania represented a particular case regarding MFN

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<sup>5</sup> See Congressional Record, Nov. 7 and Nov. 25, 1991, March 10, 1992.

<sup>6</sup> Congressional Record, May 12, 1992.

<sup>7</sup> Joseph F. Harrington, Eduard Karns, Scott Karns, "American-Romanian Relations, 1989-1994" in *East European Quarterly*, no. 2, 1995, p. 216.

extension, never before encountered by the American Congress<sup>8</sup>. President W.J. Clinton sent the letter of recommendation to the Congress on July 2, 1993. The concern of the US Congress for the extension of the MFN clause to Romania was still intense, and the disputes were tense. It took the intervention of the State Department as well in order to accelerate the extension procedure for Romania. The Resolution No. 228 was introduced for the debate of the House of Representatives on October 12, 1993 and it was approved with a two thirds majority vote, and, on October 21, the Senate also debated the topic and voted for the extension. On November 2, 1993, Law No. 103-133 was issued, which extended the MFN clause for Romania, under the provision of an annual renewal. In 1996 MFN clause for Romania became permanent. This decision certified the end, at least from a formal perspective, of the differentiation of Romania from the other Central and East European countries. The Romanian-American bilateral relations were no longer representing a legal obstacle for development, in the Post-Cold-War context<sup>9</sup>. Moreover, Romania received, in 1993, an incentive to enhance the effort of obtaining accessibility to the Occident.

The distorted history of the Romanian-American bilateral relations, in the period ranging from 1990 to 1993, had significant consequences for Romania in what regards both the domestic political evolution and its international itinerary, not only in the above mentioned period, but also during the years that followed, with the infusion of certain characteristics of the process of reformation, development, and modernisation of post-communist Romania. Seeing the intensity and the passionate way in which the American congressional debates on the theme of re-granting Romania the status of the Most Favoured Nation were carried out, it is merely normal to ask oneself about the resorts, the options and even the interests of the American legislators at the end of the 1980s and the beginning of the 1990s. Some answers may be extracted from the congressional transcriptions of the era, published in the volume *Sticks and Carrots – Regranting the Most Favoured Nation Status for Romania*<sup>10</sup>.

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<sup>8</sup> See *CRS Report for Congress*, 93-584E, June 14, 1993.

<sup>9</sup> Harrington, Karns, Karns, *op. cit.*

<sup>10</sup> Vasile Pușcaș, *Sticks and Carrots – Regranting the Most Favoured Nation Status for Romania*, Cluj-Napoca: Eikon, 2006.

Significance and analytical nuances of the same topic can also be found in the media and mostly in the analyses and reports of the American epistemic communities. They are highly important also due to the role they play in the political decision-making process and to the influence they have on the means of public communication in the USA and in other states of the world. And for this given situation – the re-granting of the Most Favoured Nation Status for Romania, in 1993 – I have selected some conclusions of reports and analyses made by the experts within the Congressional Research Center (Washington DC), an institution of great relevance to the American legislative process (CRS reports and analysis are prepared for members and committees of US Congress), being convinced that the conclusions of these documents shall contribute to a more in-depth understanding of the history of Romanian-American bilateral relations during the past decades.

Vladimir N. Pregelj, a very respected analyst of CRS wrote that since 1989, the most controversial issue of the US MFN policy has been the China case<sup>11</sup>. The US MFN status was restored to Bulgaria and Mongolia in November 1991, and to Estonia, Latvia, Lithuania in December 1991, in April 1992 to Czechoslovakia, Hungary and Armenia, to Russia and Ukraine in June 1992, to Republic of Moldova in July 1992, to Kyrgystan in August 1992, etc. In September 1992, the House of Representatives refused to restore MFN status to Romania, and in November 1992, MFN status was regained by Albania. These congressional decisions prove that if the China case was “the most controversial issue of the US MFN policy”, the case of Romania was also a controversial issue.

On September 30, 1992, the House defeated H.J. Res 512, refusing to restore US MFN status to Romania. CRS Report for Congress (November 5, 1992), wrote by Sergiu Verona (Foreign Affairs and National Defence Division), explained the House vote and the reaction of Romanian officials:

*However, US policy and congressional statements reflected considerable caution about the restoration of MFN status. On repeated occasion, the*

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<sup>11</sup> Vladimir N. Pregelj, *Most-Favored-Nation (Normal-Trade Relations) Policy of the United States*, Washington DC: Congressional Research Service, 1999; Kerry Dumbaugh, *China – US Relations and Most-Favored-Nation Status: Issues and Options for Congress*, Washington DC: Congressional Research Service, CRS Report for Congress-91-524 F, July 5, 1991.

*Administration and Members of Congress stated what was expected of Romania prior to the reestablishment of MFN status: free and fair elections; an independent media; civilian control of the Romanian Intelligence Service (SRI); and the protection of human rights and civil liberties, including the rights of ethnic minorities.*

*S[enate] Res[olution] 330<sup>12</sup> set several standards that the elections of September 27, 1992, would have to meet, including reasonably equal access to the mass media by the major candidates and certification by the Secretary of State that these elections were conducted in a free and fair manner.*

*Similarly, a letter to Romanian President Iliescu, signed by 62 Members of Congress, reiterated that the House of Representatives would delay the final vote on restoring MFN to Romania until after the national elections. The letter, emphasizing that the Romanian elections must demonstrate the Government's commitment to democratic reform, insisted on the main ideas incorporated in Senate Resolution no. 330.*

*On September 29, 1992, the State Department sent a letter to the Chairman of the Committee on Ways and Means urging the House to move ahead with approval of the trade Agreement and MFN status for Romania. The letter also referred to the US Embassy in Bucharest's reports that the September 27, 1992, elections met international standards of freedom and fairness. However, on September 30, 1992, the House overwhelmingly defeated Joint Resolution no. 512. In explaining the House vote, representative Tom Lantos noted that "the first round of elections in Romania was generally approved by international elections observers, but there has been criticism about the lack of a fully free press and free radio and television, and the development of truly democratic organizations has not proceeded as far as it has throughout the rest of Central and Eastern Europe"<sup>13</sup>.*

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<sup>12</sup> Congressional Record, Aug. 11, 1992, S 12241-2

<sup>13</sup> Congressional Record, vol. 138, no. 139, Oct. 2, 1992, E2880.

*Romanian officials reacted promptly to the House action. President Iliescu stated that "this vote three days after the 27 September elections prolongs the discrimination to which Romania is unjustly subjected." According to Iliescu the vote "is the result of a new move by the anti-Romanian lobby in the United States". In a separate statement, the Romanian Foreign Ministry said that the House vote reflects "a regrettable and unjustified discrimination against Romania... which may have serious political implications for the democratization process and economic reform in Romania". At the same time, the Romanian Foreign Ministry welcomed the U.S. State Department's position and said that "a special effort must be made to inform the members of the U.S. Congress about the direction of democratic changes in Romania."*

Some Romanian media expressed its open criticism toward the House decision. There were even some "theoretical" explanation of the US decision-making process. A former adviser to President Iliescu wrote, for example, in the Romanian *Curierul National* journal, that "if we are looking for a motivation, we should go to the root of facts. The Congress is less dynamic in perceiving the evolution in various areas of the globe, leaving the Administration to take the lead in this respect". Several Romanian newspapers cited Hungarian Americans as the force behind denial or postponement of the MFN status for Romania<sup>14</sup>.

According to various media reports, Romanians living in the United States started to collect signatures of support for a petition to the US Congress to review its decision to delay granting Romania MFN trading status. The Romanian Foreign Ministry officially welcomed this initiative, emphasising that it is the first action of such magnitude by the Romanians living abroad to uphold the interests of their country of origin".<sup>15</sup>

As we can see, Romania's MFN status was suspended in 1951 and restored in 1975, was suspended again in 1988 and the Congress denied to restore it in 1992. Both the Members and staff of the US Congress raised few questions regarding the "existing statutory procedure" with the re-granting of MFN status to Romania. In order to clarify the congressional

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<sup>14</sup> See Azi, August 26, 1992, quoted by FBIS, *Daily Report*, East Europe, Sept.1, 1992, p. 33.

<sup>15</sup> Sergiu Verona, *Romanian Political Developments and US-Romanian Relations*, CRS Issue Brief-IB92120, November 15, 1992, pp.12-13

procedure issues, a CRS Report prepared by Vladimir N. Pregelj on June 14, 1993 concluded that the MFN status could be restored to a suspended country "only by specific law"<sup>16</sup>.

Describing the statutory authority, conditions, and procedure for restoring MFN status to Romania, the Pregelj's Report said that the procedure must have two basic requirements: (a) compliance with the Jackson-Vanik requirements, and (b) Congress approval of a Romania-US trade agreement. According to Pregelj's Report, the action needed to restore Romania's MFN status must be:

*Action to restore again Romanian MFN status under the provisions of Title IV of the Trade Act of 1974 was initiated in 1991. A new Jackson-Vanik waiver was issued for Romania on August 17, 1991, and extended in mid-1992 through July 2, 1993. A new bilateral trade agreement of a broader scope than the first one was signed on April 3, 1992, and submitted to the Congress for approval. The joint resolution to approve the agreement and Romania's MFN status (H.J.Res. 512), however, failed of passage in the House of Representatives on September 20, 1992, thus preventing the restoration of MFN status to Romania in 1992.*

*Since the President has, on June 3, 1993, again recommended a renewal of Romania's waiver, the waiver automatically remains in force for another year (through July 2, 1994) unless it is disapproved by a joint resolution adopted in Congress under a specific fast-track procedure by August 31, 1993. This procedure is less complex than that for the approval of nontariff-barrier or free-trade area agreement (e.g., NAFTA) - prescribes the language of the resolution and requires its referral to the Ways and Means, and the Finance Committee, provides for the discharge of the resolution if not reported within 30 calendar days, limits debate, and allows amendments only with respect to specific countries to which, if any, it is to apply. In the event that the resolution is vetoed by the President, the veto must be overridden within 15 days after the Congress receives the veto message or by August 31, 1993, whichever is later. The 15-day veto deadline*

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<sup>16</sup> Vladimir Pregelj, *Restoring Most-Favored-Nation Status to Romania*, Washington DC: Congressional Research Service, CRS Report for Congress-93-584 E, June 14, 1993, p. 1

*is computed (separately for either House) by excluding any Saturday and Sunday on which the House is not in session, and the days on which either House is in adjournment for more than 3 days to a day certain, or sine die.*

*Since the President has, on June 3, 1993, again recommended a renewal of Romania's waiver, the waiver automatically remains in force<sup>2</sup> for another year (through July 2, 1994) unless it is disapproved by a joint resolution adopted in Congress under a specific fast-track procedure by August 31, 1993. This procedure -- less complex than that for the approval of nontariff-barrier or free-trade area agreements (e.g., NAFTA) — prescribes the language of the resolution - and requires its referral to the Ways and Means, and the Finance Committee, provides for the discharge of the resolution if not reported within 30 calendar days, limits debate, and allows amendments only with respect to specific countries to which, if any, it is to apply. In the event that the resolution is vetoed by the President, the veto must be overridden within 15 days after the President receives the veto message or by August 31, 1993, whichever is later. The 15-day veto deadline is computed (separately for either House) by excluding any Saturday or Sunday on which the House is not in session, and the days on which either House is in adjournment for more than 8 days to a day certain, or sine die.*

*While Romania's waiver remains in force, the restoration of MFN status to Romania requires also the approval of the 1992 trade agreement by the two parties. Approval by Romania has already taken place. On the U.S. side, the agreement would have to be resubmitted, together with a presidential proclamation to implement it, to the Congress for approval by joint resolution. The resolution would be considered under a specific fast-track procedure providing for its mandatory introduction in the prescribed language and deadlines for committee and floor consideration, limiting debate, prohibiting amendments, and requiring a straight up-n-down vote. If the resolution is enacted and the agreement approved, the agreement (and with it the reciprocal grant of MFN status) is put into effect by an exchange of diplomatic notes and a notice to that effect in the Federal Register.*

*Consequently, under the existing legislation (Including the fast-track procedures for the consideration of relevant measures), Romania's MFN can be restored and remain in effect until mid-1994 (when Romania's waiver will have to be renewed again) if the President's recent recommendation to extend the Jackson-Vanik waiver for Romania for another year is not disapproved by a joint resolution and the trade agreement with Romania is approved by a joint resolution, when transmitted by the President to the Congress. Romania's MFN statue will continue to be denied if the President's recommendation of waiver extension is disapproved (including an override of a Presidential veto if it takes place) with respect to Romania (or, less likely, altogether) by a joint resolution, or if either House fails to pass the joint resolution to approve the trade agreement. From the procedural standpoint, the latter is an easier way of continuing the denial in force.*

*Any other legislation with respect to Romanian MFN status (whether tightening, relaxing, or eliminating the restrictions on its restoration) would have to contain specific provisions and be considered under regular procedure. Such measures could provide, on the one hand, for an unconditional (not object even to any conditions of Title IV) temporary or permanent grant of MFN Status, or, on the other hand, for an outright denial of Romania's MFN status. Such legislation also could authorize the granting and future extensions of Romania's MFN status subject to additional (other than freedom-of-emigration) conditions."<sup>17</sup>*

The monitoring process of Romania by CRS researchers and analysts intensified during 1993. Frequently, the reports were prepared by CRS for Members of the US Congress in order to inform about the Romania's developments in a crucial year, 1993. The following are some of CRS perceptions of Romania in mid-1993:

*There are still conflicting reports and assessments of the government's current activity. At the beginning of January 1993, the Romanian opposition accused the government of incompetence and of trying to obstruct economic reforms [...] The media also criticized what they termed*

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<sup>17</sup> *Ibidem*, pp. 3-4

*ambiguous development of market reform and a total "lack of conception" in this direction [...] On Mar. 4, 1993 the Government presented to both Houses of the Parliament a "Report on Economic and Social Reform Strategy of Government Program." This 29-page document reviews wide-ranging issues related to the development of the economy, such as privatization.*

*The existing configuration of parties in Parliament, and the pact concluded between the DNSF and the extremist parties, suggest that the regime in power has the political initiative. Any action initiated by the opposition, or even by the government, can be blocked in parliament when the DNSF and extremist parties converge. Many recent examples confirm this trend. [...] Ethnic tensions remain a serious problem in Romania. Romanian nationalist groups and their leaders continue to maintain a harsh campaign against the ethnic Hungarians, as well as against the small Jewish community.[...]*

*In February the ethnic tension worsened again after Bishop Laszlo Tokes accused the government of practicing "Ethnic cleansing" against the Hungarian community. Tokes' statement, made in Washington and Budapest, was not accepted by other Hungarian nationalist leaders. The Washington Post quoted the opinion of Gyorgy Tokay, president of the Hungarian Democratic Union of Romania's parliamentary group who said that Tokes made a mistake and that "Romania is not Yugoslavia and will never be Yugoslavia." [...]*

*On Mar. 19, 1993, ABC's "20/20" aired a story devoted to the orphans of Romania. As Barbara Walters pointed out, "20/20" followed the story of the orphans of Romania for three years, returning five times to expose their desperate situation.[...] On Apr. 7, 1993, Representative Bart Gordon introduced H.Con.Res. 80, which specifically states that "an important factor in relations between the United States and Romania, including whether to restore most favored nations treatment to the products of Romania, should be actions by the government of Romania to improve conditions for children institutionalized in Romania."<sup>18</sup>*

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<sup>18</sup> Congressional Record, Vol. 139, no. 48, Apr. 7, 1993, H1894.

*Various observers in Bucharest pointed out that Romanian government, as well as Romanian and international human right organizations, made extensive efforts to clarify the situation concerning the adoption of Romanian orphaned children and to improve the conditions in existing orphanages. [...]*

*On repeated occasions, the U.S. Administration and Members of Congress have insisted upon the institution of civilian control over the Romanian Intelligence Service. [...]*

*Finally on June 23, 1993, the Romanian parliament adopted Decision No. 30 regarding the structure and activities of the Permanent Joint Commission of the Chamber of Deputies and the Senate for exercising parliamentary control over the activities of the Romanian Intelligence Service (SRI). [...]*

*An official Romanian commentary on this decision described the new law as "an important step towards consolidating democracy and the rule of law and transparency, in keeping with requests associated with Romania's integration with European structures." [...]*

*Romania has made important progress in its relationship with European institutions. Romania was the first East European country to initial a Free Trade Agreement with the European Free Trade Association. In addition, Romania has initialed an associate membership with the European Community. During the signing of the Association Agreement on Feb. 1, 1993, the President-in-Office of the Council of EC, Niels Helveg Petersen said that this agreement is witnessing the confidence "in the continuation and completion...of the process of political and economic reform" which Romania has undertaken. Romania's long-term objective is to obtain full EC membership. Foreign investment still remains at reduced levels. [...]*

*Official contacts between Romania and the United States have increased. Since the beginning of 1993, the U.S. has been visited by Romanian parliamentarians; Emil Constantinescu, the candidate of the Democratic Convention at the presidential elections, and various ministers and experts. [...]*

*On Apr. 7, 1993, the leaders of the opposition parties in Romania's Parliament sent Congress a letter asking, on behalf of their parties, that it should sustain the granting to Romania of MFN status. They maintain that MFN status may, among other things, sustain Romania's economic recovery and, by that, an easing of the population's poverty. [...]*

*Another sign of the potential for better relations was the visit paid by the Representative Tom Lantos to Bucharest at the end of November 1992. [...] Representative Lantos said that he "would back MFN status for Romania if the country continued to make progress on human rights, including giving its large ethnic Hungarian community cultural autonomy." <sup>19</sup>*

H. J. Resolution 228 which approved the MFN status for Romania was passed by the House of Representatives on October 12, 1993 and by the US Senate on October 21, 1993. As Sergiu Verona pointed out, "after five years, the United States has restored MFN status to Romania, removing an extremely controversial issue in post-war U.S.-Romanian relations."<sup>20</sup> There were many congressmen who expressed concerns about the decision of granting MFN status to Romania but, finally, they recognized that Romania made important progress in the process of democratization and market reforms. In some areas, US-Romania relations had improved (see the military) and there was not a logic in denying MFN status to Romania when the US granted it to former Soviet republics and to China. With the October 12-21, 1993, decision to grant MFN status for Romania "the US was ending, *de facto*, the long-standing policy of differentiation in Eastern Europe"<sup>21</sup> and Romania hoped to end the Cold War, to be focused on developing the future Romanian society.

In a CRS Report, on November 16, 1993, the members of the US Congress were informed about the impact of regranting MFN status to Romania:

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<sup>19</sup> Sergiu Verona, *Romanian Political Developments and US-Romanian Relations*, Washington DC: Congressional Research Service, CRS Issue Brief-IB92120, updated July 15, 1993, pp. 4, 7, 9, 10, 11, 12, 14, 15.

<sup>20</sup> Idem, *Romania: Implications of Restored MFN Status*, Washington DC: Congressional Research Service, CRS Report for Congress-93-1001 F, November 16, 1993, p.1.

<sup>21</sup> *Ibidem*, p. 5.

*Regaining MFN status was one of Romania's major objectives. There were no "party politics"- all the political parties represented in the parliament supported this goal. The opposition parties even sent a joint letter of support to the U.S. Congress.*

*At the same time there were political and economic consequences of Romania's obtaining MFN status. For political reasons, Romanian officials considered this an important achievement for Romanian foreign policy. It finally put an end to what they described as Romania's "status of inequality" with other east European countries, which have been long-time beneficiaries of MFN status with the United States.*

*Psychologically, for Romanians, the October vote of Congress had an even greater significance, following so shortly after Romania's admittance to the Council of Europe. As some Romanian newspapers pointed out, after a "Strasbourg Week," Romania had a "Washington Fruitful October." Romania had a full feeling of being finally "reconsidered." Its next objective-realistic or not-is membership in NATO.*

*Assessments about the economic impact of MFN range from optimism to moderate skepticism. A study published by the U.S General Accounting Office in July 1992 cited analyses by the International Monetary Fund and private U.S. forecasting organizations to argue that Romania's economic decline due to political and economic problems will limit its export potential. In addition, according to Commerce Department officials, many of Romania's U.S. customers have found other supply sources since 1988. Consequently, even with MFN status, Romania will likely confront new competition for most of its exports to the United States. However, the same study emphasized that MFN status will encourage more private U.S. investment in Romania. A New York Times analysis makes the same case. Romanian forecasts, however, are more optimistic, using historical data on Romanian-U.S. trade. The highest level of bilateral trade was reached in 1980--\$1.4 billion (of which Romanian exports accounted for \$415.5 million). The highest export volume for Romania was recorded in 1984--\$714.8 million of a total trade turnover of \$990 million. In the year when the United States suspended MFN treatment after the Romanian side unilaterally renounced it, the total Romanian-U.S. commercial exchanges dropped to \$767.6 million of which Romanian exports were*

\$569.9 million. By 1992, Romanian-U.S. trade dropped to only \$306 million, of which Romanian exports attained \$83.6 million and imports from the United States \$222.4 million.

Analyzing this data, Ion Pirgaru, head of the Romanian Trade Ministry's Department for Commerce with the United States, estimates that bilateral trade could reach at least \$600 million in 1994 compared to the \$350 million forecast for 1993. In addition, he said that the 1984 and 1986 peak years of Romanian exports to the United States "could be reached again in a maximum of three years from the date the U.S.-Romanian trade agreement becomes effective." status will open access to imports of top U.S. technology, additional U.S. credits and assistance," according to the same evaluation.

The Romanian English language newspaper *Nine O'Clock* offered the following data: customs duties, which were between 3-7 percent when MFN was in effect earlier, increased to levels of 35-95 percent when MFN was eliminated. "The rather restricted role of Romanian products on American markets, owing to high customs taxes, has made exports to the U.S.A. almost equal to those destined to Republic of Moldova."

The negative effect of the absence of MFN status on commercial relations can also be judged by the fact that in 1992, the United States ranked eighth among Romania's commercial partners--far behind Iran and Turkey. In 1988, the United States ranked fourth in Romanian exports and ninth in imports. The report of the Committee on Finance to the Senate, recommending the approval of MFN status for Romania, pointed out that "the Committee believes that the approval of the trade agreement and the extension of MFN treatment to Romania will start the two countries down the road toward increased economic cooperation, which will benefit companies in the United States as well as Romania."<sup>22</sup>

The Congressional Research Service (CRS) is a legislative branch institution within the Library of Congress ,being in charge with conducting legal analysis and research on American and international policy in response to individual congressman or congressional staff request. CRS is a very respected resource on Capitol Hill because of its valuable and authoritative, nonpartisan analysis,"provides Congress with the vital

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<sup>22</sup> *Ibidem*, pp. 5-7

analytical support it needs to address the most complex public policy issues facing the nation”<sup>23</sup>.

This epistemic community did play a very important role in the process of regaining the US MFN status for Romania as we proved it through several cited documents/analysis conducted during post-1989 period.

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## THE COGNITIVE DISSONANCE OF ROMANIAN ANTI-AMERICANISM: AMBIVALENCE AND/OR “SLOUGH OF RESENTFUL DESPOND”

Gabriel C. Gherasim\*

### Abstract

*The Romanian attitudes and perceptions towards the role(s) that the United States of America have been playing in contemporary politics and history in their relationship with the Romanian state and nation could be roughly characterized as ambiguous and diffuse; accordingly, no well-founded cognitive approaches are possible in terms of rigorously descriptive and explanatory accounts. At best, the overall Romanian (mis)representations about the United States could be depicted as ambivalent, context-dependant and essentially emotional. The present working hypothesis on the facets of Romanian anti-Americanism aims at unveiling and analyzing the most plausible forms of its manifestations based on either positive and favorable Romanian responses to the American presence and commitment, or negative, critical and repulsive Romanian attitudes towards the United States regarding certain indicative analytical elements. It goes without saying that such an approach using other illustrative ingredients is also possible in the argumentative case of Romanian Americanism; as far as the scope of the present study is concerned, I will attempt to distinguish between four distinctive forms of Romanian anti-Americanism: cultural and ideological, economic, psychological and, finally, religious.*

**Keywords:** Romanian anti-Americanism, cultural anti-Americanism, economic anti-Americanism, psychological anti-Americanism, religious anti-Americanism

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\* Gabriel C. Gherasim has taught in the American Studies programme of Babeş-Bolyai University, Cluj Napoca, Romania, since 2009. He is a member of the Romanian Association of American Studies and executive editor of the Romanian Journal of American Studies. Contact: ggherasim@euro.ubbcluj.ro.

## **Preliminary considerations**

In the aftermath of the 9/11 events and the subsequent American response which generated the so-called "Iraqi narrative", the topic of anti-Americanism has considerably expanded and disseminated into a multitude of receptions, conceptions, perceptions, apprehensions and symbolizations susceptible of inflicting baffling knowledge, confusing sentiments and/or partisan emotions. The multi-faceted literature in the field of anti-Americanism studies has not contributed to a systematic approach of phenomena associated with anti-American attitudes yet, but has largely succeeded in representing its connotations. However, outstanding researchers of anti-Americanism have not reached a plain consensus regarding its definition, forms of manifestation, characteristics, and explanatory variables; instead, they have argued for contextual interpretations and specific instantiations of a general attitude admittedly directed at criticizing, denouncing and rejecting the United States' assertive role in the world.<sup>1</sup>

If the European interest in exploring anti-Americanism has been pervasive in Great Britain, Germany and France, the absorption of the subject in Romania seems comparatively feeble, modest or, at best, circumstantial. To my knowledge, there is not one book or comprehensive study exclusively or thematically dedicated to anti-Americanism, either referring to the topic in general, or focusing on its particular understanding in Romania. Those who have incidentally approached Romanian anti-Americanism (be they foreign or native scholars and journalists) have been rather dismissive about the topic by minimizing its relevance when discussing various realities in contemporary Romania. The absence of reflective considerations on anti-Americanism in Romania or, at best, the momentary inflammations generated by exceptional situations and imminent contexts might be explanatory for what I would call "cognitive dissonance". In brief, the Romanian cognition of anti-Americanism might

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<sup>1</sup> After 1990, and especially after the assertion of the American unilateralism in the 2000s, the literature dedicated to anti-Americanism in the world has expanded considerably; researchers such as James W. Ceaser, Giacomo Chiozza, Philipp Gassert, Robert O. Keohane, Ivan Krastev, Denis Lacorne, Tony Judt, Andrei S. Markovits, Brendon O'Connor, Martin Griffiths, Jean-François Revel and Philippe Roger, among many others, have contributed to the synthesis of the widespread phenomenon of anti-Americanism.

be perceived as dissonant because of an essentially ambivalent, Manichaeistic positioning of Romanians in this respect: comprehensive knowledge of American standing values and institutions intermingles with naivety, prejudice and ignorance, calm judgment is mixed with emotions, lucid analysis with passions, deference with fear, admiration with resentment. This basic indecisiveness of Romanians in confronting anti-Americanism makes it possible to transfer the problem from the field of cognition to the affective mechanisms of reception; but cognitive approaches are generally full of approximations, imprecision, intuitions, prejudices and fallacies.

The etiquette “slough of resentful despond” was used by British historian Tony Judt in the conclusive remarks of his article *Romania: Bottom of the Heap*, published in *The New York Review of Books*, on November 1, 2001.<sup>2</sup> Even if the author’s guiding intentions aimed at defending the Romanian cause of European integration, despite an overall somber analytic tone concerning the evolution of Romanian political history, the article brought about one of the most acute reactions of anti-Americanism in Romania after 1989 (sic!). Stating that the exclusion of Romania from both NATO and the European Union would lead to the Romanians’ hopelessness, distrust and resentment, Tony Judt melancholically argued for Romania’s “Europeanism” in his partially distorted historical narrative. However, some Romanian intellectuals and journalists harshly criticized Judt’s perspective on Romania: Mircea Iorgulescu and Andrei Brezianu rejected Judt’s lack of scientific rigor, shallowness, negligence and non-professionalism; both Brezianu and Ștefan Borbely denounced the contextual distortions, simplifications and stereotypical representations of Romania, while Victor Eskenasy accused Judt of anti-Romanian conspiracy. In a radical tone, Mircea Iorgulescu and the historian Florin Constantiniu dismissed the article published by the “American professor” as biased, hostile and methodologically Stalinist; Constantiniu went so far as to assert that the American globalist neo-hegemony is a substitute for the former

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<sup>2</sup> Tony Judt’s study was published in Romanian in a volume collecting also some of the Romanian intellectuals’ replies and comments (v. Mircea Mihăieș (ed.), *Tony Judt. România: la fundul grămezii*, Iași: Polirom, 2002).

Soviet socialist internationalism, etc.<sup>3</sup> This brief overview of the Romanian intellectuals' reactions towards what, in my view, stood as a stylistic narrative rather than a scrupulous piece of objective historical writing, is illustrative for the above-mentioned "cognitive dissonance" which is not a characteristic solely of Romanian ordinary citizens.

It goes without saying that Romanian anti-Americanism is not homogeneously prevalent in all Romanian mentalities; the most striking criterion of differentiating the existence of anti-American attitudes roughly divides middle-aged and elderly citizens from their young counterparts; accordingly, a more or less conscious anti-Americanism is much more widespread in the attitudes of Romanian citizens over 40 years of age. With few exceptions, young citizens, and especially those born after 1990, are regularly favorable, seduced and/or positive in their representations of the United States and what America generally stands for; in order to achieve a more scientific approach of anti-Americanism in Romania, extensive sociological types of investigation regarding some basic criteria for distinguishing levels of anti-Americanism by considering public internet forums, social networks and journalistic investigations are needed; but, as one important East-European researcher put it, sentiments of anti-Americanism are "visible only in the polls, not on the streets".<sup>4</sup> Additionally, the results of comparative international questionnaires among European citizens are useful tools for deriving valid generalizations in the above-mentioned respect. These sociological surveys generally illustrate a slow increase of anti-American sentiments in Romania after 2000, among young and old alike.<sup>5</sup>

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<sup>3</sup> See Mircea Iorgulescu, "Un pic altfel" (pp. 80-96), Andrei Brezianu, "Cui prodest?" (pp. 97-111), Victor Eskenasy, "O analiză lucidă" (pp. 112-115), Ștefan Borbély, "Sindromul Tony Judt" (pp. 119-128), Florin Constantiniu, "Despre Tony Judt și despre stalinismul în veșmânt democratic" (pp. 129-138), in Mihăieș (ed.), *op. cit.*

<sup>4</sup> Ivan Krastev, "The Anti-American Century?" in *Journal of Democracy*, vol. 15, no. 2, 2004, p. 9.

<sup>5</sup> *The Anti-Americanism in the Balkans Survey*, conducted by BBSS Gallup International in June 2003 and funded by The Open Society Foundation in Sofia, included Bulgaria, Macedonia, Kosovo, Romania and Serbia; *Transatlantic Trends*, conducted by The German Marshall Fund of the United States and the Compagnia di San Paolo, with additional support from the Fundação Luso-Americana, Fundación BBVA and the Tipping Point Foundation, in 2008.

These introductory considerations fit my own purpose of thwarting the Romanian cognitive dissonance on anti-Americanism by a systematic approach which, in my view, is consistent with four fundamental dimensions of anti-Americanism in Romania; methodologically, I will expose the analytical components of these dimensions which are explanatory for my working hypothesis. In other words, this paper is based upon an analytic model of explanation which might eventually enhance the possibilities of overcoming ambiguities and “cognitive dissonance”.

### **Facets of Romanian anti-Americanism**

Even if the largest majority of Romanian citizens are much more favorable to the United States in comparison to the mass majority in other European countries, as exemplified in the *Transatlantic Trends* survey of 2008, the most common tenets of anti-Americanism in Romania derive from a set of four fundamental categories of assessment: the cultural and ideological representations and prejudices about the United States and its people, the (macro)economic views and mentalities of Romanian citizens concerning both the economic impact of the United States’ interests in worldwide affairs on Romanian economy and the misconceptions about liberal mentalities and practices, the Romanians’ psychological mindset through which they construct and receive an idiosyncratic image of America and, finally, the mainstream Orthodox religious tradition which instills a set of beliefs and behaviors at odds with the United States’ religious and secular traditions of thought

*Cultural and Ideological Anti-Americanism* in Romania comprises all possible analytic and explanatory elements postulating the essentially non-Western and non-American characteristics of Romanian culture in general. In recent history, the post-1945 integration of Romania in the Soviet bloc and the ideological conflict between the Soviet Union and the United States brought about a general misunderstanding about the meanings of modernization theories during the Cold War period and beyond. In the aftermath of the Cold War era, two inter-related political culture phenomena contributed to the perpetuation of anti-Americanism in Romania: on the one hand, unbiased critics noticed the “ambiguous

democratization”<sup>6</sup> in Romania and the Romanian political elites’ opposition to the geopolitical meaning of democratization<sup>7</sup> in the post-communist era. On the other hand, other commentators noticed the shortcomings of the liberal political culture in Romania after 1990.<sup>8</sup> To the persistence of “patrimonialism and sultanism”<sup>9</sup> in Romanian political culture and the reminiscence of communist mentalities, one should add some specificities and reminiscences of traditional Romanian culture; for instance, the “Semănătorist” cultural fundamentalism in Romania in the interwar period in the philosophical works of Lucian Blaga and D.D. Roșca had an insidious impact on the nostalgic, anti-utilitarian and anti-liberal Romanian mentalities.<sup>10</sup> This “culture of nostalgia” has prevailed as a harmful sentiment according to which Romanian national identity would be suffocated by political and cultural globalization. The rejection of common-sense rationalism and the seduction of traditionalist mysticism and irrationalism have been perniciously consistent with the anti-pragmatic orientation of the Romanian intellectual tradition; this trademark of equivocal intellectual and philosophical anti-Americanism in Romania has been contrasted with the guiding principles of American intellectual life.<sup>11</sup>

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<sup>6</sup> Henry F. Carey, “Ambiguous Democratization?” in Henry F. Carey (ed.), *Romania since 1989. Politics, Economics, and Society*, Lanham: Lexington Books, 2004, pp. 553-618.

<sup>7</sup> Samuel H. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Norman: University of Oklahoma Press, 1993.

<sup>8</sup> Richard A. Hall, “Political Culture in Post-Ceaușescu Romania” in Carey (ed.), *op. cit.*, p. 215.

<sup>9</sup> Frank Sellin, “Democratization in the Shadow: Post-Communist Patrimonialism” in Carey (ed.), *op. cit.*, p. 117.

<sup>10</sup> Marius Jucan, „La isvoarele studiilor americane în România” in Alina Branda (ed.), *Studii de Americanistică*, Cluj Napoca: EFES, 2001, p. XVI.

<sup>11</sup> With the probable exception of Vasile Conta’s philosophy, which was highly influenced by empiricism, positivism and materialism, one could hardly find notable examples of progressive, scientific and positive works in Romanian intellectual life during the second half of the nineteenth century, when prominent American intellectuals and philosophers started to think according to the pragmatic and progressive orientations of the time (see Max H. Fisch, „The Classic Period in American Philosophy” in Max H. Fisch (ed.), *Classic American Philosophers*, New York: Fordham University Press, 1996). Nor could one find descriptions of Romanians in the *Sămănătorist*, *Poporanist* and *Gîndirist* traditions of thought similar to the characterization of “the symbolic American(s)” by George Santayana in the first decades of the 20<sup>th</sup> century (see George Santayana, “Materialism and Idealism in

After 1990, former dissidents and critics of the communist regime in Romania denounced the negative role of ideological leftism, modern nihilism and Stalinist mentalities as difficult obstacles to reformism and democratization.<sup>12</sup> This general sketch of cultural and ideological Romanian anti-Americanism could be completed by other two rather indirect forms of manifestation: first, Romanian anti-Americanism was explained as a dormant form of antisemitism and anti-Zionism.<sup>13</sup> According to this model of explanation, the problem of the Jewish conspiracy in the Romanian mentality has been understood as a form of "Americanization" in disguise, resulting from the postwar traditional alliance between the United States and Israel. Second, the meanings of American cultural studies in the Romanian academia (and not only) might be depicted as a discrete and paradoxical way of subverting American Exceptionalism and its values.<sup>14</sup>

*Economic Anti-Americanism* in Romania can be analyzed starting from two fundamental characteristics: the remanence of Cold War collectivist mentalities and the Romanian anxiety towards market fundamentalism and capitalism.<sup>15</sup> Both generative causes of Romanian economic anti-Americanism can be analytically elaborated and logically connected by implication. The analysis of Romanian collectivist mentalities and the Romanians' preference for government intervention in economy would be effective when opposing them to the dominant American economic culture of methodological individualism and laissez-faire capitalism. The popularity of the Keynesian principles of government interventionism, paternalism, welfarism and market regulation in Romania are generally detrimental to the neo-liberal economic principles of the Austrian School of Economics in the United States and its criticism of the

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American Life" in Norman Henfrey (ed.), *Selected Critical Writings of George Santayana*, vol. 2, New York: Cambridge University Press, 1968, pp. 58-68).

<sup>12</sup> Vladimir Tismăneanu, „Understanding National Stalinism: Legacies of Ceaușescu's Socialism" in Carey (ed.), *op. cit.*, pp. 27-48; Ion Mihai Pacepa, „New NATO Country Promotes Anti-Americanism" in *Front Page Magazine*, March 23, 2009.

<sup>13</sup> Andrei Markovits, „European Anti-Americanism (and Anti-Semitism): Ever Present Though Always Denied", Center for European Studies Working Paper Series, no. 108.

<sup>14</sup> Allan Bloom, *The Closing of the American Mind*, New York: Simon & Schuster Inc., 1987, pp. 313-382.

<sup>15</sup> George Soros, *The Crisis of Global Capitalism: Open Society Endangered*, New York: Public Affairs, 2008.

regulative mechanisms of control by the state. Additionally, the neo-economic oligarchies in Romania slowed down the processes of privatization in the economic sector and the transition to a market economy.<sup>16</sup> Even the Romanian intelligentsia, who have been generally favorable to reformism and the liberalization of economy, have revealed certain suspicions regarding the inadequacies of the Romanian economic mentalities with American *laissez-faire* capitalism.<sup>17</sup> Accordingly, the general Romanian anxieties and reservations towards the American model of capitalist economy and free market liberalism partially result from a set of mentalities and prejudices about the fundamentally insecure and crude capitalist system. Moreover, Romanians feared that American economic imperialism was guided by (their) market interests, economic lobbyism and unfair competition, paying no attention to Romanian economic goals whatsoever. Moreover, many Romanians were aware of the absence of economic competitiveness in post-communist Romania and the difficulties of efficient teamwork in private companies; for instance, harsh economic competition was experienced by middle-aged Romanians at the beginning of the 1990s as a state of alienation and lack of solidarity among individuals. More recently, certain instantiations of Romanian economic anti-Americanism might be found by considering two relevant case studies: the social protests against the *Roșia Montană* shale gas extraction by the North American Gabriel Gold Corporation and the reactions towards the ongoing *Microsoft* corruption scandal.

*Psychological Anti-Americanism* can be analytically elucidated by revealing those key attitudes, diffuse perceptions, apprehensions, fears, resentments and hidden hopes that compose the affective responses and the Romanians' diffuse amalgamation of sentiments in confronting their representations of the United States of America and its people. The psychological sources of Romanian anti-Americanism are various and multi-faceted. First of all, one could notice the increasing seduction of conspiracy theories among Romanians: there is a widespread sentiment that Americans are to blame both for causing military interventions and the

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<sup>16</sup> Anneli Ute Gabanyi, „The New Business Elite: From Nomenklatura to Oligarchy” in Carey (ed.), *op. cit.*, pp. 353-372.

<sup>17</sup> Sorin Antohi, *Mai avem un viitor? România la început de mileniu*, Iași: Polirom, 2001, pp. 114-115.

existence of economic cleavages. Romanians are fundamentally ambivalent and confused about the benefits of militarism and democracy promotion in the world. An illustrative case in point would be the sociological analysis of the Romanian attitudes towards the American intervention in Yugoslavia. Not only the American militarist assertiveness, but also the model of *pax Americana* generate the deep sentiment of insecurity in Romania: the “risk society”<sup>18</sup> and global competition constitute sufficient reasons for “fear and loathing”. More recent and circumstantial sources of psychological anti-Americanism in Romania could be added: one of them has been consistent with the Romanian retaliation against the legal immunity of American citizens in Romania. The case of Teo Peter, a very popular pop-rock singer who was killed in a car crash by an American soldier, has fuelled resentful and neurotic effusions of anti-Americanism. Moreover, the overall Romanian perception of American high-level hypocrisy and cynicism is visible if one considers the Romanian stupefaction towards the prolonged vacancy at the United States Embassy in Bucharest and the visa restrictions against Romanians. In general terms, when the outright psychological rejection of what the United States of America stands for is absent, one might notice a certain ambivalence on the part of Romanians: for instance, the reception of Victoria Nuland’s recommendations and surveillance of democratic processes in Romania split our citizens’ perceptions and attitudes. Additionally, the Romanian reaction towards the recent scandal involving the existence of CIA-operated black-op sites in Poland and Romania has raised serious perplexities and (mis)perceptions about the United States’ role as “policeman of the world”. The pervasive ambivalent and ambiguous perceptions about the United States’ actions and roles in present-day world affairs stem from of a certain state of anomy regarding the inconsistencies of civil society: anti-Americanism in Romania is diffuse and predominantly private rather than publicly outspoken and articulated at the civil society level; that is the reason why the study of psychological anti-Americanism in Romania would be more instructive as an approach of the Romanian social imaginary<sup>19</sup> rather than an endeavour using the instruments of qualitative sociological research.

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<sup>18</sup> Ulrich Beck, *Risk Society: Towards a New Modernity*, London: Sage Publications, 1992.

<sup>19</sup> Marius Jucan, „Anti-Americanism in Europe after 9/11. Remapping the U.S. in the European (Social) Imaginary” in *Americana Journal*, vol. 7, no. 2, 2011.

*Religious Anti-Americanism in Romania* is consistent with a set of deeply internalized traditional beliefs and the dogmatic influence of the Romanian Orthodox Church on a large category of citizens. The analytic premises of religious anti-Americanism in Romania are deeply embedded in some dogmatic teachings of religious Orthodoxy, which are distinct from the values of Protestantism understood in terms of elimination of “dogmatism, symbolism and rituals”<sup>20</sup> from religion. In traditional Orthodoxy, the mystical and mythical elements stemming from “the Byzantine and neo-Platonic sources of Romanian religious culture”<sup>21</sup> stand in contrast with the secular values derived from the religious culture of American Protestantism.<sup>22</sup> According to the defenders of dogmatic Orthodoxy, the mystical values of Orthodoxy are ethically superior to the soft values of secular religion in America.<sup>23</sup> Beyond the widespread conception of the Romanian Orthodox believers about the crass secularization of Christian religious dogmas, there is also the strong Romanian conception regarding the profound connections between the Orthodox religion and national identity and the threatening potential of postmodern Americanization to dilute both.<sup>24</sup> The more recent proselytism of Aleksandr Dugin’s cultural and religious traditionalism (i.e., “Neo-Eurasianism”) as an outright anti-American geopolitical alternative has been seductive and influential among large categories of Romanian citizens, young and old alike.<sup>25</sup> Finally, one type of reaction in Romania in the aftermath of the terrorist carnage at the *Charlie Hebdo* magazine, on

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<sup>20</sup> Vlad Mureșan, „Dialectica protestantismului” in *Verso*, no. 104, 2012, p. 19.

<sup>21</sup> Virgil Nemoianu, *România și liberalismele ei*, București: Editura Fundației Culturale Române, 2000, p. 243.

<sup>22</sup> See Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, translated by Talcott Parsons, London and New York: Routledge Taylor and Francis, 2005, pp. 102-125.

<sup>23</sup> Some exemplifications might be considered relevant from a religious standpoint: the American understanding of the “pursuit of happiness” trivializes the spiritual meaning of the “eternal bliss” in mysticism, while the meanings of “tolerance” in the American language of rights represent a political secularization of the Christian traditional value of “mercy”.

<sup>24</sup> Lavinia Stan, Lucian Turcescu, *Religion and Politics in Post-Communist Romania*, New York: Oxford University Press, 2007, pp. 42-43; see also Lucian N. Leuștean, *Orthodoxy and the Cold War. Religion and Political Power in Romania, 1947-65*, London: Palgrave Macmillan, 2009.

<sup>25</sup> See, for instance, Alexander Dugin, *Eurasian Mission: An Introduction to Neo-Eurasianism*, Arktos Media Ltd., 2014.

January 7, 2015, in Paris, raised serious doubts about the unlimited nature of freedom of expression and traced back its causes to the American ideology of war on fundamentalist terrorism, suggesting an implicit criticism of American liberal and democratic values that stirred the fanatic potential of religious fundamentalism in the Muslim world.

### **Conclusive remarks**

Two different kinds of rational and methodological justifications stood as necessary preconditions both for the formal structure and the descriptive content of the present study. First, the present paper is nothing more than a working hypothesis, a provisional interrogation about the conditions of possibility for anti-Americanism in Romania. As such, it has the narrative form of a sketch designed to highlight the most relevant analytical elements rendering Romanian anti-Americanism valid and plausible. If there are cognitive bases for its assertiveness, the pillars of Romanian anti-Americanism should make room for a set of theoretical and methodological presuppositions to be tested by confronting multi-level approaches of the phenomenon; accordingly, the comprehensive analysis of Romanian cultural, political, social, economic, psychological and religious traditions should be complemented by considering also illustrative empirical facts and events, including various journalistic sources, sociological interviews and surveys, contextual occurrences, etc.

Second, I have provisionally assessed the nature of Romanian anti-Americanism as fundamentally ambivalent and affective. Considering the above-proposed forms of anti-Americanism in Romania, ambivalence might be explained as follows: culturally and politically, Romanians are caught between a rather intuitive admiration for the American enthusiasm for success and their commitment to self-fulfillment and a certain kind of contempt regarding their naivety and shallowness. Romanians, especially the younger ones, are still fascinated by the arresting force of the "American dream" ideology, but are reluctant and suspicious about its effectiveness in the real world. On the one hand, most Romanians are reverent towards the military capabilities of the United States today, but a large majority considers it as a harmful source of global insecurity and evils. Nevertheless, the Romanian need for security evacuates criticism and resentments about the destructive potential of American militarism.

Economically, Romanians admire what in their view looks like “the land of opportunities”, but feel simultaneously insecure and anxious about competition, risk and the success of their private initiatives; the economic mentality of a large number of Romanians is still considerably contaminated by disbelief in the driving force of entrepreneurial initiative, free competition and market liberalism. Psychologically, many Romanians share a certain consideration for the Americans’ inclinations of valuing self-reliance, determination, optimism and a strong sense of world happiness, but, from a religious standpoint, the Romanian people educated in the spirit of Byzantine values denounce the erosion of spiritual life by the assault of American-type consumerist values. A more rigorous analytical approach of the four dimensions of anti-Americanism in Romania might be explanatory for many other subtle forms of ambivalent attitudes and representations of Romanians concerning their plural reception of the United States.

Ultimately, the very reason I have opted for the descriptive force of Tony Judt’s expression “slough of resentful despond” might be connected with present state of affairs in geopolitics. The words simply point at the weakening of Romanians’ hope as a result of arbitrary normativism and mimicry of assistance in the field of international relations<sup>26</sup> (i.e., the strategic partnership between the United States of America and Romania). Explicitly, in the case of Romania’s membership in NATO, Tony Judt’s words acquire explanatory force by considering at least two factors: on the one hand, during the period of negotiations between Romania and NATO, the 1997 recommendations of the US that Romania should continue its efforts of integration was interpreted by the Romanian public opinion as “another Yalta”<sup>27</sup>; on the other hand, the Romanians’ commitment to NATO is largely influenced both by their fear of Russia and the weak capabilities of the Romanian armed forces in confronting present-day challenges.<sup>28</sup> The future degree of anti-Americanism in Romania will

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<sup>26</sup> Alexandru Zub, *Oglinzi retrovizoare. Istorie, memorie și morală în România*, Iași: Polirom, 2002, pp. 87-88.

<sup>27</sup> Steven D. Roper, *Romania: the Unfinished Revolution*, Singapore: Harwood Academic Publishers, 2005, p. 124.

<sup>28</sup> Douglas A. Phillips, *Global Connections. America’s Role in a Changing World*, New York: Chelsea House Publishers, 2010, p. 57.

certainly be assessed proportionally with the Romanian level of confidence or hope regarding the partnership with the United States of America.

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## PRESSE ÉCRITE ET MÉDIAS EN LIGNE DANS L'ESPACE EUROPÉEN

### PRINT MEDIA AND ONLINE MEDIA IN THE EUROPEAN SPACE

Gilles Rouet\*

#### Résumé

*Le secteur des médias, et de la presse écrite en particulier, est en crise en Europe comme dans une partie du monde. Crise de légitimité, de confiance, mais aussi (et peut-être surtout) du modèle économique dominant. S'agit-il pour autant d'une crise de l'information, alors qu'au sein de la « société de la connaissance » la diffusion des contenus n'a jamais été aussi dense, ou bien d'une crise du journalisme, alors que de nouveaux médias en ligne expérimentent et tentent de trouver un nouveau modèle ? Cette crise de la presse écrite ne serait alors qu'un épisode de la convergence des secteurs industriels avec la généralisation de l'Internet et la transformation des usages sociaux. La situation au sein de l'Union européenne n'est pas spécifique... pour autant est-il nécessaire et pertinent d'envisager une politique communautaire particulière ?*

**Mots-clés :** presse écrite, médias participatifs, usages sociaux des médias, journalisme, crise des médias

#### Abstract

*The sector of media, and the newspaper business in particular, is in crisis in Europe as in a large part of the world. It is a crisis of legitimacy, of confidence, but also (and perhaps especially) of the dominant economic model. Is it also a crisis of "information", while within the "knowledge society", the dissemination of contents has never been so dense, or a crisis of journalism, while new online media experiment and try to find a new model? Is this crisis of printing press an episode of the convergence of industries with the spread of the Internet and the*

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\* Gilles Rouet est professeur de relations internationales à l'Université Matej Bel de Banska Bystrica et titulaire d'une Chaire Jean Monnet *ad personam* en études interdisciplinaires sur l'Europe depuis 2009.

Contact: gilles.rouet@gmail.com

*transformation of social uses? The situation within the EU is not specific... but is it necessary and appropriate to consider a particular Community Policy?*

**Keywords:** written Press, participatory media, social uses of media, journalism, crisis of media

Globalement, le secteur des médias, dans une grande partie du monde, est confronté une crise économique que beaucoup attribuent à la « révolution » Internet. Pour la presse écrite, en particulier, la diffusion est en baisse, la distribution connaît de nouveaux problèmes, les coûts d'impression restent trop importants. Comme pour les secteurs de la radio et de la télévision, les recettes publicitaires sont en baisse, captées progressivement par de nouveaux acteurs médias sur l'Internet. De plus, les usages du numérique, les types de consommations évoluent et les médias « traditionnels » doivent en même temps chercher à se positionner par rapport à ces évolutions tout en « inventant » de nouveaux modèles économiques. Les expérimentations sont multiples et mêlent impression papier et éditorialisation numérique, contenus gratuits et payants, abonnements ou paiements à l'unité, rédaction professionnelle et journalisme participatif.

Il ne s'agit pas, pour les médias « traditionnels », de tenter de trouver des modèles « alternatifs » présentant une rentabilité suffisante. Avec les évolutions technologiques et la transformation des usages, les consommateurs des médias sont désormais susceptibles d'accéder à l'information par différents canaux, simultanément, et de composer son propre programme télévisé ou d'information. Le web n'est plus seulement un outil de communication, mais fait fonction de média, support de diffusion avec ses logiques économiques propres. Les fournisseurs d'accès, Internet, téléphonie, télévision ne se posent pas la même question économique que les médias traditionnels qui continuent de chercher à monnayer la valeur ajoutée des contenus et tentent de convaincre le consommateur d'acheter des nouveaux services, notamment d'information.

De nouveaux types de partenariats apparaissent entre médias (presse avec Radio, TV avec réseaux sociaux, presse d'information avec presse sportive), en particulier pour tenter de profiter d'un effet marque. Les médias traditionnels doivent en effet aussi chercher de nouvelles sources de revenus, après la baisse des recettes publicitaires qui

permettaient de faire vivre l'information. Il s'agit aussi de trouver les diversifications rentables et de recourir aux produits dérivés. Des recettes bien connues dans d'autres secteurs (comme le cinéma).

Les transformations économiques des médias s'inscrivent dans une évolution plus large, bien évidemment, qui concerne aussi les métiers de la communication et de la publicité. Car il faut répondre aux nouveaux besoins des annonceurs, induits par les consommateurs et leurs comportements. Le règne du « cross-média » est désormais installé, qui intègre aussi le hors-média et les marques. Il ne s'agit plus d'une apparemment simple relation entre médias, mais bien d'une nouvelle stratégie, personnalisée, qui permet d'installer une interaction entre les médias pour tenter d'obtenir un nouveau service à valeur ajoutée, en particulier en proposant des solutions particulières et des dispositifs innovants de communication et de conseil. Les médias traditionnels ou non partagent désormais un même « secteur » économique, un destin commun avec les publicitaires. Les ruptures qu'ont connues, que connaissent et connaîtront les industries culturelles que sont la presse, la musique ou l'audiovisuel, la fragmentation de l'audience induite par les transformations des usages des écrans et des téléphones, les conséquences de la mise en place de la Télévision Numérique Terrestre, les effets de la convergence des usages, rendue possible par l'évolution technologique, accompagnent une personnalisation (plus qu'une individualisation) des contenus. Le paysage médiatique est, en partie, « en miettes » désormais, même si certains programmes ou événements constituent des records d'audience au niveau mondial (séries TV, sport, etc.). Cet émiettement relatif explique en partie l'augmentation des enchères relatives aux programmes de très grande audience (droits de diffusion des événements sportifs, par exemple) et l'investissement publicitaire s'inscrit désormais dans une nouvelle concurrence, entre le local et le global.

La diffusion puis la généralisation, rapidement, du téléviseur connecté participent à la permanence des écrans en lissant les différenciations qui existent entre les divers objets (postes de télévision, ordinateurs, liseuses, smartphones, tablettes, etc.), dans les espaces publics comme privés et intimes. L'écran permet de diffuser des contenus Internet, médias en ligne ou réseaux sociaux, comme des programmes de télévision.

Cette évolution augmente encore la fragmentation de l'audience audiovisuelle et impose de nouvelles stratégies éditoriales et d'entreprise.

La situation de l'Europe, et au sein des 28 membres de l'UE, ne semble pas spécifique et la crise, au moins d'un point de vue économique, est bien mondiale. Pour autant, les usages des médias restent souvent locaux et les citoyens européens n'envisagent pas de la même façon leurs besoins d'information. Il s'agit ici de tenter d'explorer les tenants et aboutissants de cette crise des médias et de proposer une description des disparités européennes en matière de consommation des médias alors qu'une grande convergence sinon des usages, au moins des sources de diffusion, est en cours.

### **1. La presse écrite : petite histoire de l'évolution d'un modèle économique dominant**

Après une histoire de deux siècles, le modèle économique de la presse écrite, né dans les années 1830 aux U.S.A. semble bien désormais être condamné. Ce modèle prend sa source dans une initiative de James Gordon Bennett avec, le 6 mai 1835, la publication du premier numéro du *New York Herald* qui inaugure le système de la presse à un cent, la *penny press*, divise les prix des journaux par six, introduit des reportages dans les contenus et rompt avec le système de paiement par abonnement en donnant la possibilité d'acheter au numéro<sup>1</sup>. Ces trois innovations auront des conséquences énormes et vont transformer la presse écrite désormais diffusée dans un réseau d'un type nouveau et qui change donc de public. Le journalisme moderne naît de l'introduction d'une nouvelle éditorialisation des contenus avec ces reportages qui induisent la mise en place de normes professionnelles et en particulier, celle de « l'objectivité » nécessaire, au moins en apparence, car il s'agit de séduire le public le plus large possible. De la *penny press* aux tabloïds, les formes rédactionnelles ont évidemment bien changé, pourtant la première est directement l'origine des secondes.

Plus globalement, l'histoire de la presse écrite ne peut pas être écrite sans prendre en compte les évolutions techniques, sociologiques et économiques. L'amélioration des technologies d'impression, bien

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<sup>1</sup> Cf. James L. Crouthamel, *Bennett's New York Herald and the Rise of the Popular Press*, New-York : Syracuse University Press, 1989.

évidemment, est déterminante, mais aussi des transports avec le chemin de fer qui permet de distribuer la presse du soir le matin ou du matin le soir à l'autre bout d'un pays ou d'un des États pour les USA et du télégraphe qui permet d'obtenir des informations rapidement et induit la mise en place des « correspondants ». Les progrès de l'alphabétisation, la généralisation de la fréquentation scolaire, les conséquences de l'industrialisation sur la vie quotidienne, le développement des villes et donc des styles de vie urbains, ouvriers ou employés, sont également autant de facteurs explicatifs. Économiquement, le secteur de la presse divise les prix des journaux à l'unité, mais l'augmentation énorme des tirages et la mise en place d'un nouveau système de distribution induisent une augmentation des coûts globaux (alors que les coûts marginaux baissent énormément), ce qui ne permet plus de garantir des profits réguliers sans d'autres sources de revenus. Ainsi, le modèle économique s'installe sur quatre sources de chiffre d'affaires : les abonnements, la vente au numéro, les petites annonces et la publicité.

La part de chaque source dans la totalité du revenu varie selon les titres, les contextes, mais aussi les concurrences. Ainsi, ce qui se produit actuellement avec l'Internet et l'évolution des recettes publicitaires a déjà eu lieu quand la radio et la télévision se sont développées, mais dans un tout autre contexte, car il s'agissait alors d'une nouvelle répartition dans une logique d'augmentation des recettes publicitaires (globalement sur la période, en lissant les périodes de dépression ou de guerre, bien évidemment), alors que désormais une nouvelle réventilation s'opère dans un contexte plutôt stagnant.

Ce modèle économique connaît une plénitude à la fin du XIX<sup>e</sup> siècle et au long du XX<sup>e</sup> siècle et il faut attendre l'apparition de l'Internet pour qu'il soit remis en cause économiquement. En premier lieu, les petites annonces dans la presse écrite ne font plus recette et progressivement ce secteur devient quasi gratuit, depuis le début des années 1990, jusqu'à ne plus exister, quasiment, que sur les sites internet. Ces sites qui n'ont pas de structure industrielle à financer, qui reposent parfois sur des initiatives bénévoles, des sites d'échanges ou de services, n'envisageaient évidemment pas, à leur installation, qu'ils contribueraient à la fin d'un modèle de deux siècles. Ce secteur s'est cependant largement professionnalisé désormais et ce sont les petites annonces sur le web qui

apportent des recettes publicitaires à leurs propriétaires, un renversement de tendance évident.

Et justement, alors que les organes de presse tentent de suppléer à la perte des recettes des petites annonces, ce sont les recettes publicitaires qui se détournent alors du secteur, jusqu'au quasi-effondrement conjoncturel des conséquences de la crise financière depuis 2008, ce qui accélère en fait le processus structurel. La publicité peut désormais utiliser de nombreux types d'espace, en particulier sur l'Internet et la téléphonie mobile et il n'est plus nécessaire d'avoir recours à un média traditionnel ou à un intermédiaire professionnel, comme un vendeur d'espace, pour s'engager dans une démarche de communication publicitaire. Google, en particulier, vend directement en ciblant les consommateurs et est devenu très rapidement un nouvel acteur du secteur de la publicité au niveau mondial, échappant d'ailleurs, en Europe en particulier, aux règles de la fiscalité du commerce en vigueur.

Depuis 2007, les faillites de quotidien de la presse écrite se sont succédé. D'abord aux USA (120 disparitions de journaux en 2008 et 2009) puis en Europe où les grands quotidiens nationaux comme *Le Monde* en France, *The Times* au Royaume-Uni ou encore *La Repubblica* en Italie ont vu leurs recettes publicitaires fondre et leur diffusion se réduire. Le modèle économique de cette presse écrite, basé sur l'industrie du papier et un réseau de distribution, tente de survivre en réduisant les coûts, ce qui n'empêche pas les pertes. Des paginations sont ainsi réduites, des expériences de gratuité sont tentées (pour récupérer une partie des recettes publicitaires captée par la presse écrite gratuite), des milliers de journalistes ont perdu leur poste de travail et s'installent souvent dans la précarité du « pigisme »<sup>2</sup>. Entre 2008 et 2010, plus de 25 000 emplois ont été supprimés dans la presse quotidienne aux USA, un mouvement suivi ensuite en Europe. Les grands empires internationaux réagissent évidemment en investissant les médias en ligne ou en tentant d'adapter leur modèle de diffusion (journal en PDF), mais ces tentatives, si elles permettent de garder une partie du lectorat, ne peuvent pas sauver le modèle économique d'information.

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<sup>2</sup> Cf. Ignacio Ramonet, *L'explosion du journalisme, des médias de masse à la masse des médias*, Paris : Édition Galilée, 2011.

Bien évidemment, la crise économique globale depuis 2008 explique la très forte baisse des ressources publicitaires et la contraction du crédit aux entreprises de presse. Mais il ne s'agit que d'un facteur conjoncturel, aggravant. La crise a commencé bien avant et sanctionne évidemment une évolution du modèle lui-même, de sa structure. La part du publicitaire sur le rédactionnel, l'introduction des spéculations financières au sein des entreprises de presse, les tactiques de fusions et d'acquisitions, la concurrence des gratuits, l'évolution du lectorat et des usages sociaux, la crise de crédibilité de la presse, sont autant d'éléments qui pouvaient faire craindre le pire depuis les années 1980.

Globalement, ces médias ne vendent plus de l'information depuis longtemps : ils vendent des consommateurs à des annonceurs, des espaces diffusés, et la crise générale de ce modèle qui ne fonctionne donc plus implique des restrictions budgétaires et donc des pertes de qualité du rédactionnel. Un enchaînement vicieux qui, à l'évidence, ne peut qu'augmenter encore les difficultés.

Les grands groupes internationaux mis en place dans les années 1980 et 1990 se révèlent peu adaptés aux nouveaux usages induits par la convergence entre les télécommunications et les médias, comme on le verra plus loin, et doivent donc organiser la mutation de l'industrie du papier, d'une part, et anticiper des développements prévisibles qui correspondent à cette demande de contenus de la part des usagers-citoyens-internautes, d'autre part : l'utilisation par 40 % de la population mondiale d'une connexion sur l'Internet<sup>3</sup> et de 6,8 milliards d'abonnements au cellulaire mobile, l'explosion du marché de la tablette et du smartphone et l'évolution des usages de ces écrans mobiles induisent à l'évidence une audience nouvelle pendant qu'est revendiqué l'accès à une information fiable et de qualité (la quasi-totalité de la planète étant désormais couverte par la téléphonie mobile).

L'enjeu n'est donc pas de type économique, il ne s'agit plus de tenter de sauver (notamment par des subventions diverses) un modèle qui s'autodétruit de fait, mais de réagir en « transportant » du rédactionnel, ce

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<sup>3</sup> Cf. [[http://www.itu.int/net/pressoffice/press\\_releases/2013/41-fr.aspx#.U1pThjtP50k](http://www.itu.int/net/pressoffice/press_releases/2013/41-fr.aspx#.U1pThjtP50k)] (12.3.2010). Une disparité très importante subsiste selon les pays, cf. [[http://www.lemonde.fr/technologies/visuel/2013/10/07/qui-accede-a-internet-dans-le-monde\\_3490288\\_651865.html](http://www.lemonde.fr/technologies/visuel/2013/10/07/qui-accede-a-internet-dans-le-monde_3490288_651865.html)] (24.4.2014).

qui en même temps le transforme évidemment. Le « printemps arabe » des événements du début de l'année 2011 illustre bien cette logique<sup>4</sup>.

La crise de la presse écrite n'entraînera pas nécessairement celle du livre, qui était bien la première industrie des médias et le rôle de l'éditeur, en particulier, reste central. La remise en cause est bien plutôt celle du processus d'industrialisation et de marchandisation de la presse<sup>5</sup>. Il faut bien distinguer, dans l'évolution actuelle où s'imbriquent l'économie et le social (voire le politique), l'évolution de l'information (liée à ce modèle économique de la presse écrite) de l'évolution de l'écrit<sup>6</sup>.

Néanmoins, c'est bien le lien entre les revenus publicitaires et l'éditorialisation qui s'est transformé avec cette rupture économique majeure, mais également avec une remise en cause profonde du métier de journaliste. La production d'information n'est plus un territoire réservé aux journalistes. L'économie de la diffusion de contenus de toutes sortes est désormais à la portée de tous ou presque. L'internaute n'a en effet pas seulement la possibilité de consulter, mais aussi d'écrire et surtout de diffuser des contenus et, donc, de l'information. Ils ne sont pas pour autant devenus journalistes, bien évidemment, mais ces derniers n'ont plus le privilège de l'accès aux moyens de diffusion. L'information elle-même se transforme et devient difficile à cerner, à conceptualiser, car l'Internet diffuse des contenus que certaines formes d'éditorialisation consacrent en information. De plus les internautes citoyens peuvent s'estimer œuvrer en journaliste dans le cadre de leurs productions de bloguer ou dans des sites participatifs.

La démarche elle-même, comme la réception, participe à une nouvelle définition du genre. Le journaliste bénéficiait évidemment d'une protection par le modèle économique lui-même : l'appareil de production d'information lui accordait une position particulière, celle de pouvoir construire l'information. Désormais, en même temps, la crise de ce modèle industrielle et l'évolution des usages de l'Internet sont concomitantes à une

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<sup>4</sup> Cf. Antony Galabov & Jamil Sayah (dir.), *Participation et citoyenneté depuis le Printemps arabe*, Paris : L'Harmattan, 2012.

<sup>5</sup> Des « niches » subsistent cependant (des magazines « papiers » apparaissent et sont rentables), de la même façon que le « livre » papier reste un objet dont la disparition ne semble pas évidente.

<sup>6</sup> Cf. Gilles Rouet (dir.), *Usages politiques des nouveaux médias*, Paris : L'Harmattan, 2012 & *Usages de l'Internet, éducation et culture*, Paris : L'Harmattan, 2012.

remise en question de la légitimité des journalistes. Cette crise de confiance du lectorat de la presse écrite comme de la presse audiovisuelle n'est pas étonnante et il ne s'agit pas seulement d'une prise de conscience de la position particulière de certains journalistes ou de certaines connivences, mais bien d'une conséquence de la désacralisation de la presse en général avec la généralisation de l'accès à l'Internet.

En réaction, les médias s'attachent à tenter de trouver un modèle économique stable, tentent d'expliquer leur politique éditoriale et surtout de justifier en quoi ils conviennent à leur lectorat potentiel (reliant parfois un journalisme « offre d'information » à une logique incontournable de média de la demande), cherchent à établir une légitimité et une crédibilité pour le public, n'hésitent plus à mettre en avant les questions déontologiques. Mais quand les journalistes, très légitimement, s'attachent à mettre en avant leur déontologie, la crise de la presse entraîne les médias à limiter les budgets et donc les possibilités de travailler à produire une information journalistique susceptible de faire la différence avec celles qui circulent déjà sur l'Internet.

Ainsi, même si un modèle économique de la presse papier est en crise, toute la presse n'est pas condamnée, tant, au moins, qu'au niveau local généralement, une partie de la population (peut-être ceux qui ne sont pas ni « digital native », ni des connectés en permanence), continueront à lire leur quotidien qui les concerne et les identifie. Mais il ne faut pas confondre crise d'un modèle économique et évolution des usages sociaux. Une grande partie de la presse locale n'a pas de substitut, même sur l'Internet et donc est en mesure de résister d'autant plus que de nouveaux procédés de reproduction apparaissent désormais. Une certaine presse papier peut-être poursuivra encore une activité même quand les rotatives industrielles ne pourront plus fonctionner.

## **2. Usages et confiance envers les médias en Europe**

Un récent Eurobaromètre<sup>7</sup> fournit des informations passionnantes à la fois sur les usages des médias (y compris les réseaux sociaux) et la « confiance » qui leur est accordée par les citoyens européens (y compris ceux des pays candidats à l'UE). Une mise en perspective des données est

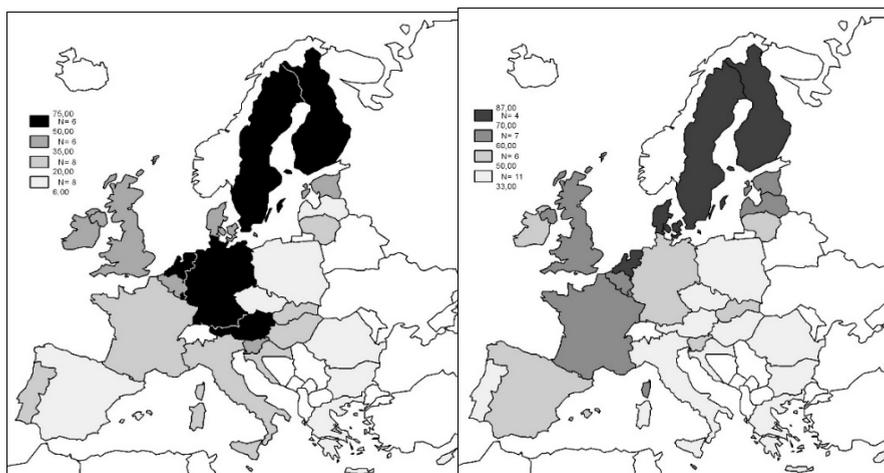
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<sup>7</sup> Cet Eurobaromètre standard est disponible sur [\[http://ec.europa.eu/public\\_opinion/archives/eb/eb80/eb80\\_fr.htm\]](http://ec.europa.eu/public_opinion/archives/eb/eb80/eb80_fr.htm) (25.04.2014).

ici proposée, avec quelques cartes et une Analyse en Composantes Principales (ACP).

Bien évidemment, il ne s'agit que d'une description sommaire qui permet de mettre en évidence des disparités importantes au niveau des comportements comme des habitudes et des représentations, mais qui s'appuie uniquement sur l'échelon national et donc ne tient pas compte des disparités internes, entre les régions, entre zones urbaines et zones rurales, etc.

Les deux premières cartes proposées dessinent des espaces européens bien différents : celui de l'usage de la presse écrite à côté de l'usage de l'Internet, chaque jour ou presque. Globalement, la télévision reste le média préféré en Europe, avec 97 % de téléspectateur au moins une fois par semaine et 87 % chaque jour. Un média installé depuis longtemps au sein des ménages, facile à utiliser, confortable car on peut éviter d'avoir à choisir, mais aussi structurant, car il donne un rythme de vie, des rendez-vous concrets (le journal télévisé, le jeu, les séries, etc.). Il faut en particulier distinguer le visionnement des programmes de l'utilisation du poste de télévision : la majorité des Européens utilisent un poste et non une liaison Internet pour visionner les émissions (ce qui est le cas pour 18 % d'entre eux). L'augmentation, un peu partout en Europe, de l'offre de chaînes, en particulier avec la TNT, a certainement fait évoluer les usages, mais les fidélités restent fortes. La radio est également très utilisée, mais avec des disparités très importantes : si les Allemands, les Autrichiens et les Irlandais sont 70 % à déclarer l'écouter chaque jour, ce n'est le cas que pour 22 % des Bulgares et 31 % des Roumains. Il faut bien évidemment chercher dans l'histoire de chaque pays des causes à ces disparités.



**Cartes n° 1** (à gauche) & **2** (à droite) : Pourcentages de lecteurs de la presse écrite tous les jours ou presque & Pourcentages d'utilisateurs de l'Internet tous les jours ou presque. Source : Eurobaromètre standard n° 80, QE3.4 & 3.5, pp. T189-T190

En ce qui concerne la presse écrite (carte n° 1), la situation est globalement assez différente. En effet, quelle que soit la catégorie socioprofessionnelle, plus d'une personne sur deux déclare lire la presse écrite au moins une fois par semaine. Cette pratique est plus répandue chez les cadres et les diplômés que chez les chômeurs, les personnes sans activité et ceux qui ont arrêté leurs études à 15 ans, mais aussi pour les plus de 40 ans par rapport aux plus jeunes. Il est important de prendre en compte une dimension économique différente de celle de la radio ou de la télévision. En effet, le journal doit s'acheter ou se trouver sur son lieu de travail ou d'études (en dehors des gratuits) alors que le poste de télévision ou de radio est omniprésent dans chaque logement ou presque et que le coût de la réception des chaînes par voie hertzienne ou même par câble dans les habitats collectifs est transparent pour les usagers qui, sauf abonnement particulier, ne financent que via des charges collectives ou des impôts. De plus, dans certains pays, le coût des abonnements est très réduit par rapport à l'achat d'un journal papier qui, également, nécessite une démarche d'achat au numéro.

La carte illustre bien les disparités d'usages de la presse écrite, car si les trois quarts des Suédois déclarent lire la presse écrite tous les jours ou presque (71 % en Finlande), les Grecs ne sont que 6 % dans ce cas (10 % des

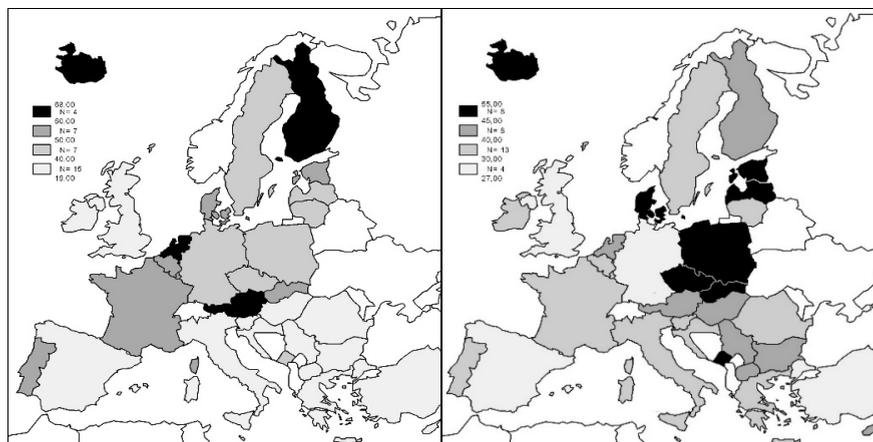
Bulgares et des Polonais, 14 % des Roumains). Il semble bien qu'en dehors des contraintes économiques, les usages soient aussi liés à l'histoire des pays : dans les pays de l'ancien bloc soviétique ou qui ont connu des régimes autoritaires durant la seconde moitié du XX<sup>e</sup> siècle, la lecture quotidienne de la presse écrite est bien moins importante que dans les pays de l'Ouest. Plusieurs exceptions sont cependant à relever : l'Estonie (41 %), l'Italie (23 %). Globalement, la moyenne des 28 (33 %) constitue la valeur de répartition entre ces deux catégories de pays.

En ce qui concerne Internet, cette statistique est fondamentale pour envisager la crise de la presse écrite. La proportion d'Européens connectés augmente régulièrement : 70 % d'entre eux consultent au moins une fois par semaine et seuls deux sur dix déclarent ne jamais utiliser l'Internet. Ces pourcentages décroissent avec l'âge des répondants et l'utilisation quotidienne ou presque est liée également aux catégories socioprofessionnelles.

La carte n° 2 illustre les différences entre les pays du nord et de l'ouest par rapport à ceux du sud et de l'est : 87 % des Hollandais ou des Suédois ont une pratique quotidienne tandis que seulement un tiers des Roumains, 35 % des Portugais, 37 % des Hongrois et 38 % des Bulgares déclarent se connecter tous les jours ou presque. Néanmoins, la situation s'améliore rapidement dans certains pays (comme la Slovaquie, Chypre ou Malte).

Les deux répartitions proposées dans les cartes n° 1 et 2 sont très proches, ce qui montre que la désaffection pour la presse écrite n'est pas liée à l'introduction de l'Internet. Les mêmes personnes continuent de lire les journaux ou les magazines (qui résistent d'ailleurs très bien) et d'utiliser l'Internet, et en particulier les réseaux sociaux. En effet, 30 % en moyenne des interviewés de 28 pays membres utilisent les réseaux sociaux en ligne quotidiennement ou presque, mais, aux deux extrémités de l'échelle, on distingue bien la Hollande, le Danemark (49 %), la Suède (48 %), la Lettonie (47 %), Malte (45 %), la Finlande (43 %) et l'Estonie (42 %), d'une part, et l'Autriche, la Roumanie, la Pologne (21 %), la Bulgarie (21 %), l'Allemagne (22 %), la République tchèque (23 %) et le Portugal (25 %). Ainsi l'utilisation des réseaux sociaux ne semble liée ni à la disponibilité de l'Internet ni aux pratiques relatives aux médias d'information, même si certains internautes reconnaissent bien recevoir de l'information, notamment politique, par ce

biais. La problématique de l'usage des réseaux sociaux dépasse évidemment celle des besoins et des usages des médias traditionnels ou des sites d'information l'Internet.



**Cartes n° 3 & 4 :** Pourcentages d'interviewés ayant plutôt confiance dans la presse écrite & Pourcentages d'interviewés ayant plutôt confiance dans l'Internet. Source : Eurobaromètre standard n° 80, QA10.1 & 10.4, pp. T26-T29

Les cartes 3 et 4 abordent la question de la confiance accordée aux médias par les interviewés. Cette question est complémentaire à la première, car les lecteurs de quotidien ne leur font pas forcément confiance, ou autrement dit, on peut aussi bien avoir confiance dans la presse écrite et ne pas la lire ou bien ne pas avoir confiance et lire... c'est par exemple le cas des Britanniques qui lisent les tabloïds à grand tirage sans pour autant avoir confiance dans les informations fournies. C'est que la lecture de la presse écrite ne répond pas seulement à un besoin d'information... Ainsi, les cartographies de la pratique et de la confiance ne se superposent pas, en dehors de quelques pays comme la Finlande, l'Autriche ou la Hollande, dans les autres pays, en France, 52 % des Français ont confiance et 32 % lisent quotidiennement ou presque... En Suède, par exemple, 49 % des interviewés ont confiance, mais 75 % lisent la presse. À l'inverse, En Pologne, 48 % des interviewés ont confiance, mais 10 % lisent quotidiennement. Ainsi, de manière significative, on fait plus confiance qu'on ne lit quotidiennement en Slovaquie ou en Lettonie tandis qu'on lit, mais on ne fait pas forcément confiance en Allemagne, en Slovénie ou au

Luxembourg. Pour autant, l'Eurobaromètre montre que la radio est toujours le média dans lequel les Européens ont le plus confiance, suivi de la télévision (le niveau de confiance est identique à celui de défiance, avec un score de 48 %). Pour la presse écrite et Internet, la défiance est bien plus importante (et augmente même pour l'Internet).

Globalement, cette rapide description des pratiques et des niveaux de confiance démontre que ces deux logiques ne sont pas toujours liées, car non seulement les pratiques sont aussi déterminées par une recherche de distraction (non liée à l'information), mais il convient aussi de s'interroger sur le type d'information demandée. C'est bien à ce niveau que la résistance de la presse locale s'explique dans certains pays.

En effet, les différences constatées, notamment entre l'Europe du Sud et de l'Est et celle de l'Ouest et du Nord sont aussi liées au dynamisme de la presse locale et populaire, en perte de vitesse en particulier en Grèce, en Espagne ou en Italie où, de plus, les subventions à la presse ont largement été réduites depuis 2010 et où le marché publicitaire est principalement capté par la télévision (et Internet désormais)<sup>8</sup>. Christelle Granja rappelle qu'« en cinq ans, la diffusion a diminué d'un quart en Europe » alors qu'elle augmente en Asie, au Moyen-Orient et en Afrique du Nord. Même en Allemagne, les quotidiens « suprarégionaux » (il n'y a pas de quotidien national) ont vu leurs ventes baisser, en particulier, comme en France, au niveau des kiosques.

Une dernière analyse permet d'aller un peu plus loin dans cette démarche de description des disparités européennes. 17 variables ont été extraites de l'Eurobaromètre n° 80<sup>9</sup> ce qui permet d'intégrer les statistiques

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<sup>8</sup> Cf. en particulier « La crise de la presse prend des accents européens », *Le Monde*, 30.1.2012, sur [[http://www.lemonde.fr/actualite-medias/article/2012/01/30/en-europe-la-crise-de-la-presse-frappe-prioritairement-les-pays-du-sud\\_1636238\\_3236.html](http://www.lemonde.fr/actualite-medias/article/2012/01/30/en-europe-la-crise-de-la-presse-frappe-prioritairement-les-pays-du-sud_1636238_3236.html)] (25.4.2014), Christelle Granja, « La crise de la presse écrite est générale en Europe », *Myeurop.info*, 26.11.2013, sur [<http://fr.myeurop.info/2013/11/19/la-crise-de-la-presse-crite-est-g-n-rale-en-europe-12582>] (26.4.2014) & Marlène Duret, « À l'article de la mort? », *Le Monde*, 7.1.2013, sur [[http://www.lemonde.fr/vous/article/2013/01/07/la-presse-imprimee-a-l-article-de-la-mort\\_1813688\\_3238.html](http://www.lemonde.fr/vous/article/2013/01/07/la-presse-imprimee-a-l-article-de-la-mort_1813688_3238.html)] (26.4.2014).

<sup>9</sup> Toutes les variables sont extraites de l'Eurobaromètre n° 80 d'automne 2013 : QA10.1, Plutôt confiance dans la presse écrite ; QA10.2, Plutôt confiance dans la radio ; QA10.3, Plutôt confiance dans la télévision ; QA10.4, Plutôt confiance dans l'Internet ; QE3.4, Lecteurs de la presse écrite tous les jours ou presque ; QE3T, Regarde la télévision sur un poste ou sur l'Internet tous les jours ou presque ; QE3.5, Utilisateur d'Internet tous les jours

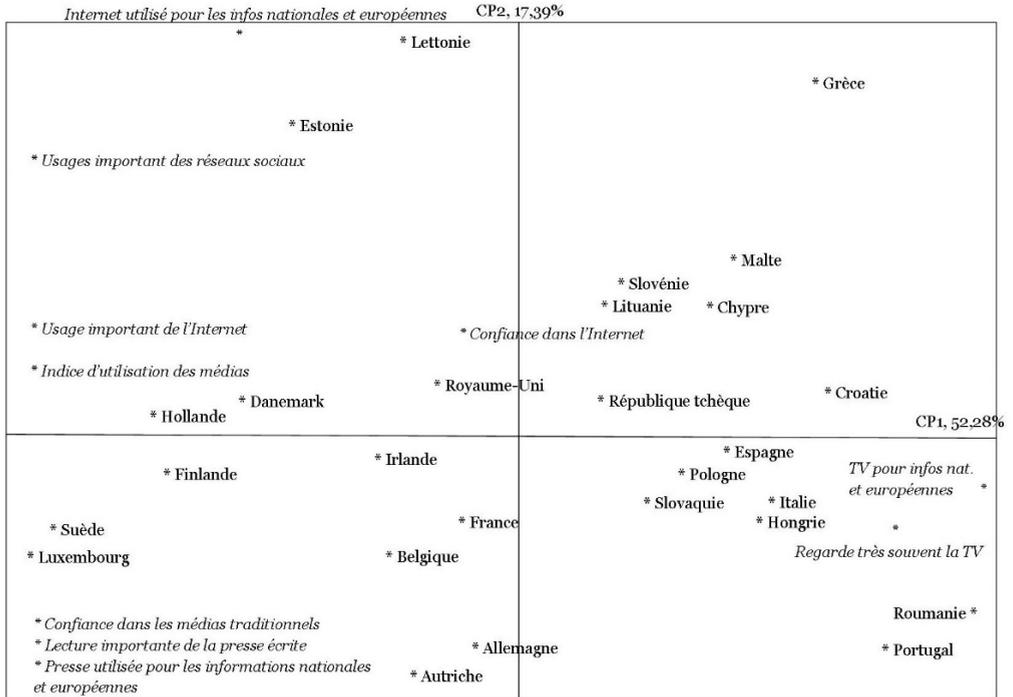
relatives aux pratiques des différents médias (TV, radio, presse écrite et sur l'Internet), aux niveaux de confiances qui leur sont accordés globalement et les sources principalement utilisées pour obtenir des informations sur la politique nationale ou bien européenne. Le mapping suivant propose une répartition sur deux axes qui résument au total près de 70 % de la variabilité totale.

Il est facile de retrouver certaines des conclusions précédentes, en particulier sur la disparité des niveaux de confiance dans les médias traditionnels, sur la lecture de la presse écrite, sur l'usage des programmes de télévision ou encore des médias sociaux. La variable « confiance dans l'Internet », comme le Royaume-Uni, est projetée près du centre du graphique, ce qui relativise leur pertinence dans cette analyse. En effet, la carte n° 4 montre bien que les disparités correspondent à des postures qui ne sont pas forcément liées à des pratiques. Ainsi, il semble bien que de nombreux interviewés, en particulier des pays de l'ancien bloc soviétique, considèrent que les informations trouvées sur l'Internet peuvent avoir un niveau de fiabilité plus grand que celles diffusées à la télévision ou bien dans les journaux qu'ils lisent peu...

La répartition des pays analysés est cartographiée ci-après. La cohérence régionale des zones est remarquable : en noir, l'Europe du Sud et du Sud Est (sauf l'Espagne et la Slovénie) où la TV est très regardée, y compris pour obtenir des informations politiques nationales et européennes, mais où le niveau de confiance dans les médias traditionnels est très faible, la presse écrite peu lue et l'Internet et les réseaux sociaux peu utilisés. En gris clair, à l'opposé, les pays qui ont confiance dans les médias traditionnels, dont les citoyens lisent la presse écrite en particulier pour s'informer des politiques nationales et européennes. Au sein des pays des deux catégories intermédiaires, la situation est plus mitigée, aussi bien au niveau de la confiance que des usages.

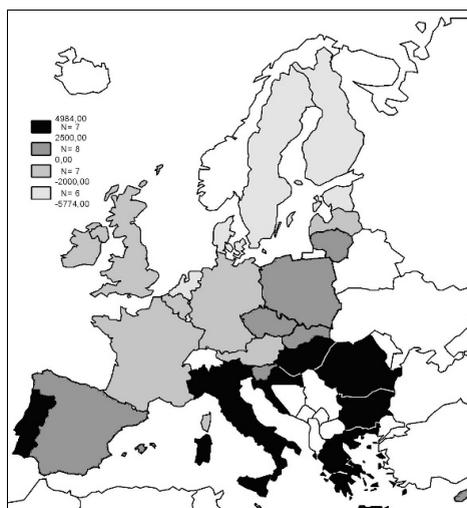
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ou presque ; QE3.6, Utilisateurs des réseaux sociaux en ligne tous les jours ou presque ; C4, Indice d'utilisation des médias ; QE4a, Quelle est la principale source d'information à propos des affaires politiques nationales, citations en premier de la télévision, de la presse, de la radio ou de l'Internet ; QE5a, Quelle est la principale source d'information à propos des affaires politiques européennes, citations en premier de la télévision, de la presse, de la radio ou de l'Internet. Dans l'Analyse en composantes principales réalisée, presque toutes les variables sont significativement projetées sur les deux premiers axes, comme les unités (pays), sauf le Royaume-Uni qui est néanmoins indiqué dans le mapping.



**Figure n° 1 :** Mapping de l'ACP réalisé avec 17 variables

Il apparaît en particulier que si les lecteurs de la presse écrite diminuent avec le vieillissement de la population, l'utilisation des sites internet augmente, en particulier, comme il a été signalé, avec l'environnement intégrant de multiples écrans au quotidien. Les internautes ne sont pas pour autant enclins à accorder facilement leur confiance dans des informations publiées par des sites ou bien au sein des réseaux sociaux. 38 % des interviewés de l'Eurobaromètre n° 80 font cependant davantage confiance aux sites institutionnels qu'aux autres, quel que soit l'âge des répondants. En particulier, dans les pays où la fréquentation de l'Internet est la plus forte, les sites officiels sont considérés comme fiables. Les réseaux sociaux sont jugés utiles, mais les informations qu'ils publient doivent être vérifiées pour la majorité des personnes.



**Carte n° 5 :** Cartographie des coordonnées sur l'axe de composante principale la plus significative de l'ACP (52,28 %)

La tendance est donc claire : la télévision résiste bien même si le remplacement des anciens postes par des télévisions connectées, dans un contexte de généralisation des accès à l'Internet, devrait progressivement aboutir à une évolution des usages. Mais c'est une logique de programme imposé et accepté, ces rendez-vous avec des émissions, des séries, des journaux télévisés dont il s'agit. La presse écrite ne s'inscrit pas dans cette logique, au moins en ce qui concerne les quotidiens nationaux ou suprarégionaux<sup>10</sup>.

Il est donc important de faire le point sur les médias en ligne, sites d'information qui se développent actuellement, se substituent parfois aux éditions papier, parfois les complètent, ou bien sont créés à partir d'autres logiques.

<sup>10</sup> On peut en effet rapprocher la pratique de lecture du quotidien local, déposé dans la boîte aux lettres le matin et payé par abonnement, à une logique de programme et de « rendez-vous » quotidien, avec le déroulé d'une lecture séquentielle : les informations ville par ville, la nécrologie, les informations utiles etc.

### 3. L'économie des médias en ligne

Depuis plusieurs dizaines d'années, maintenant, le modèle économique basé sur les revenus des annonceurs publicitaires et les recettes des ventes par abonnement ou au numéro s'est lui-même transformé et toutes les formes de répartition existent depuis le *Canard enchaîné*, magazine satirique politique français financé à 100 % par les recettes des ventes, jusqu'à *Metro*, quotidien d'information gratuite distribué dans les grandes villes d'Europe, financé à 100 % par la publicité.

Pour les médias sur l'Internet, la structure du marché est évidemment différente et le modèle dominant serait plutôt d'un prix de vente des contenus nul, même s'il existe évidemment des réalisations avec abonnement voire ventes au numéro.

Le modèle économique de l'Internet en général et de la presse en ligne en particulier est radicalement différent de celui de la presse écrite. En effet, il est facile de constater que les coûts marginaux sont nuls sur l'Internet. Un journal papier vendu au numéro ou par abonnement est issu d'une production industrielle et même si l'effet d'échelle aboutit à ce que le coût de production du 100 000<sup>e</sup> numéro soit plus faible que le coût de production du 50 000<sup>e</sup>, par exemple, qu'en est-il du coût de distribution ? Cet élément essentiel du calcul économique de la rentabilité de la presse écrite a donné lieu à différentes solutions dans plusieurs pays. Mais même quand la distribution de la presse est organisée dans le cadre d'un marché concurrentiel, le coût marginal n'est jamais nul.

Sur l'Internet, un média coûte évidemment le même prix à fabriquer qu'il soit lu par quelques lecteurs ou par la moitié de la planète et les coûts de distribution sont, en fait, à la charge du lecteur lui-même, soit indirectement s'il se connecte dans un espace public, soit directement s'il utilise un accès négocié avec un fournisseur. Même si le succès d'un média en ligne aboutit à une augmentation telle du nombre de connexions qu'il doit modifier son contrat avec un fournisseur d'accès, il s'agit bien de coûts fixes, au même titre que les coûts des hébergements des pages générées.

Ce modèle semble proche de celui des médias audiovisuels. En partie seulement, car même si en radio ou en télévision le coût marginal d'un auditeur ou téléspectateur supplémentaire est également nul, le producteur du programme assure sa diffusion lui-même, ce qui n'est pas le cas sur le web. De plus, dans le cas de la radio et de la télévision, des

structures de régulation existent (comme en téléphonie mobile par exemple) et, donc des barrières à l'entrée, ce qui n'est pas le cas de l'Internet où la création d'un site web ne coûte rien et peut être réalisé sans formalité particulière, d'où d'ailleurs des velléités politiques de « réguler » voire contrôler l'Internet, pour inscrire le web dans une logique de recettes fiscales, par exemple, ou encore de tenter d'organiser une structure permettant d'assurer sa « neutralité ».

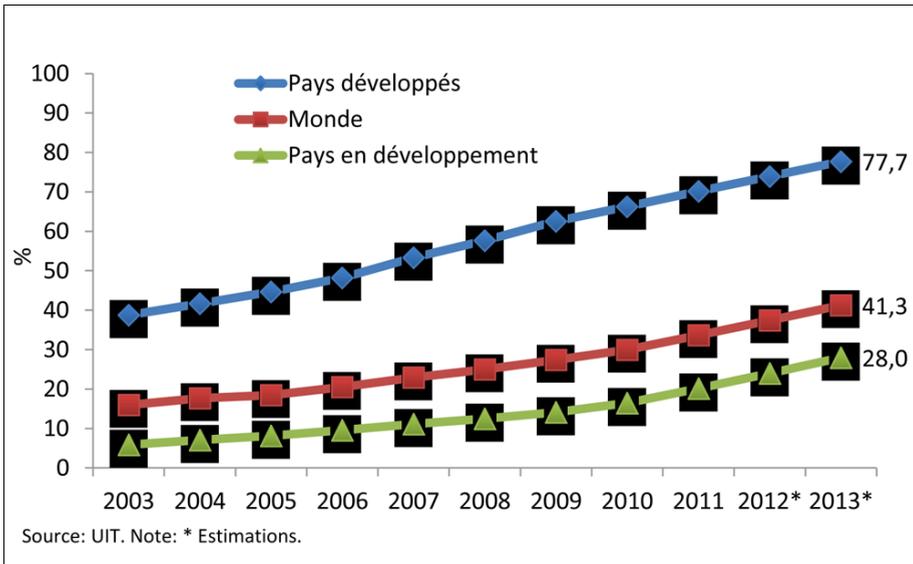
Le modèle de l'Internet semble ainsi lié à une idée de gratuité : la publication de contenus, dans n'importe quel volume, est libre, la concurrence ne se constate pas directement et les coûts de réalisation d'un site sont faibles, en dehors de frais fixes comme l'équipement nécessaire ou l'accès aux connexions.

Dès le milieu des années 1990, alors que l'Internet commençait à s'installer dans les foyers, de nombreux titres de la presse écrite ont ouvert des sites web, avant l'apparition de *Google* ou de *Facebook*<sup>11</sup>. La plupart de ces expériences ont tourné à l'échec, car il s'agissait d'un double transfert impossible de fait : le transfert économique et le transfert des structures des journaux. Présenter sur l'Internet des productions identiques à celles sur papier ne pouvait évidemment pas correspondre à l'évolution des usages de l'Internet. Ces sites d'information avaient alors presque tous choisi la gratuité des contenus d'actualité, ce qui s'explique donc à la fois par cette « ambiance » de gratuité, mais aussi par le fait que les contenus avaient déjà été réalisés pour la version papier des journaux. Il ne s'agissait donc pas réellement de médias en ligne.

Ainsi, à cette époque, les titres qui ont fait l'expérience du net ont surtout compris le pouvoir de diffusion (facile) de l'Internet et la difficulté à faire payer des contenus alors que s'est développé une telle facilité d'accès qu'un sentiment de « gratuité » devient général. Les médias et les publicitaires ont alors bien compris l'opportunité liée à l'augmentation de la fréquentation de l'Internet et alors que les recettes publicitaires de la presse ont commencé à décliner, les sites ont cherché à capter une audience maximale et sont alors devenus des appendices économiques de la presse traditionnelle.

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<sup>11</sup> Google sera créé en 1998 et Facebook en 2004. En 1995, 0,4 % de la population mondiale utilisait l'Internet !



**Figure n° 2 :** Croissance du nombre d'utilisateurs d'Internet dans le monde. Source : [[http://www.itu.int/net/pressoffice/press\\_releases/2013/images/41-French/41-Chart5-fr.jpg](http://www.itu.int/net/pressoffice/press_releases/2013/images/41-French/41-Chart5-fr.jpg)]

Les usages sociaux de l'Internet renforcent encore ces stratégies. En effet, alors que les coûts marginaux de distribution sont nuls, les internautes « butinent » de site en site, ne délaissant pas l'un au profit d'un autre. Les comportements ont des conséquences radicalement différentes au kiosque dans la rue ou sur l'Internet. Le lecteur qui choisit d'essayer un autre quotidien, par exemple, devra acheter un autre et, en cas d'avis positif, abandonnera peut-être le précédent. Sur le net, l'internaute peut « butiner » de média en média et essayer sans abandonner, ce qu'il peut d'ailleurs difficilement faire à la télévision, par exemple, où les journaux d'information sont en général diffusés aux mêmes heures. L'internaute est ainsi, par la structure même de l'Internet, en situation originale de test et peut, en définitive, choisir comme favori le média en ligne qui lui paraît correspondre le mieux à sa demande ou à ses goûts. Cette particularité ne facilite évidemment pas la réalisation d'un média en ligne.

Désormais, la réplique en ligne de l'existant est définitivement abandonnée et comme la mise en place d'un média en ligne d'actualité nécessite des moyens, même sans comparaison avec le modèle industriel de la presse papier, il s'agit de trouver les revenus, en particulier pour les

pure-players, ces médias sans éditions papier. Actuellement, les médias d'actualités en ligne expérimentent différents modèles en cherchant les ressources, globalement, dans la publicité, dans les recettes des ventes et avec des subventions.

De nombreux titres en ligne se sont installés dans un modèle de financement principal par la publicité et sont donc condamnés à suivre les indicateurs d'audience et à accroître leur offre de pages en ligne afin de pouvoir placer le plus possible d'espaces publicitaires ce qui ne provoque évidemment une inflation des possibilités de publicité en décalage par rapport à l'audience elle-même. Alors qu'à la télévision, le découpage des programmes, comme dans un journal papier celui des pages et des colonnes, fournit un cadre stable aux calculs des coûts des espaces publicitaires (liées bien évidemment aux audiences selon les heures, ou les pages), l'augmentation du nombre de pages dans un média en ligne n'aboutit pas forcément à une augmentation des recettes publicitaires si l'audience ne poursuit pas, relativement, sa progression. De plus, et voilà la principale évolution négative de ce modèle, les médias en ligne d'actualité ne sont pas les seuls à proposer des espaces et l'expansion de *Facebook* ou de *Google* donne des assises autrement plus intéressantes aux publicitaires. Quel média en ligne peut désormais faire état d'une audience à la hauteur de ces majors de l'audience internet ? Évidemment aucun !

Certains modèles économiques semblent particulièrement adaptés, désormais, aux médias en ligne. Ces modèles peuvent être utilisés directement ou bien dans une logique mixte. En particulier le modèle de l'abonnement (Les internautes payent pour une période donnée – au jour, au mois, à l'année – pour avoir accès à tout ou partie d'un site ou service sur l'Internet, cas des médias en ligne par abonnement) ; le modèle des « affiliés » (Un site « marchand » passe un accord avec un site amateur ou professionnel afin d'obtenir de la part de ce dernier des contacts ou acheteurs potentiels à partir d'un lien ou d'une bannière, le site partenaire recevant alors une commission sur les ventes, recettes ou trafic générés) ; le modèle des « constructeurs » (vente directe sur l'Internet au consommateur final en évitant les intermédiaires traditionnels, cas des librairies en ligne par exemple) et, enfin, le modèle « publicitaire », modèle *Google* ou *Yahoo* très utilisé par des sites qui attirent de très nombreux internautes et qui peuvent vendre les espaces aux annonceurs. Le principe est alors de tout

faire pour obtenir le plus possible d'internautes et donc une véritable chasse aux contenus est en cours dans un modèle économique où le contenu est définitivement l'appât pour les recettes publicitaires ultérieures<sup>12</sup>.

La publicité sur l'Internet s'inscrit dans système complexe dont font partie les médias en ligne, mais qui n'est évidemment pas encore ni stable, ni en équilibre. Il est évidemment risqué de concentrer une stratégie entière actuellement sur ce type de recette, pour un média en ligne non inscrit dans une des grandes entreprises qui attirent actuellement une grande partie des recettes publicitaires.

De plus, ce type de stratégie peut conduire un média en ligne dans les mêmes problèmes qui ont poussé à la faillite de nombreux journaux papier. En effet, un média d'actualité s'appuie sur des contenus journalistiques composés par des professionnels. Comment continuer à rémunérer ces professionnels en cas de baisse des recettes publicitaires ? S'il est question de reproduire les dépêches d'agence, alors l'audience ne s'installera pas et la chute des recettes s'accélénera.

Le modèle économique basé sur la publicité est, pour la presse papier comme en ligne, d'autant plus difficile à installer qu'un simple calcul de coût montre qu'il est très difficile d'atteindre l'audience nécessaire pour assurer la pérennité du montage. En moyenne, une publicité est vendue aux alentours de 5 € pour 1 000 pages vues et donc si un journal propose 300 pages différentes, il faut que chaque page soit vue 10 000 fois pour que les recettes soient de 15 000 € et permettent donc de produire 300 articles ou rédactionnels suffisamment pertinent ou attractif, un montant qui permet à peine de payer le travail mensuel de 5 journalistes, chacun devant alors écrire 60 pages dans le mois (sauf à conserver des pages plus d'un mois). Cette équation est évidemment impossible (et ne tient pas compte d'autres coûts).

Mais on peut analyser l'Internet non pas comme un média, au strict sens du terme, mais plutôt comme un marché, et il est également possible

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<sup>12</sup> Cf. Philippe Couve & Nicolas Kayser-Bril, avec Marion Senart, *Médias, nouveaux modèles économiques et questions de déontologie*, novembre 2010. Ce rapport s'appuie sur l'analyse de 23 médias online. Cf. [<http://www.scribd.com/doc/41884149/Medias-nouveaux-modeles-economiques-et-questions-de-deontologie-par-Philippe-Couve-et-Nicolas-Kayser-Bril>], (4.4.2011).

de l'approcher du point de vue des contenus. L'internaute pouvant produire des contenus lui-même, intégrant même images et vidéos, c'est donc tout le mode de production qui a été transformé. *Facebook*, par exemple, ne propose en définitive que deux types de contenus, les contenus publicitaires et ceux qui sont produits par les internautes eux-mêmes. Certains médias en ligne utilisent cette logique, ce qui paraît à la fois légitime (l'Internet permettant la « participation » et l'interaction) et économique. Il s'agit alors de présenter sur les sites un mélange de contenus professionnels (écrits par les journalistes) et amateurs. Par exemple, le pure-player *Rue89*, créé en 2007 en France et désormais intégré au groupe Perdiel (*Le Nouvel Observateur*) est à l'origine un média « participatif », animé par une équipe de journalistes qui intègrent dans le site la production éditoriale des internautes, sous la forme d'articles ou de commentaires. Ce modèle est économique dans la mesure où il permet, évidemment, de réduire le nombre de journalistes par rapport au volume de contenus produits et il existe de nombreuses variantes, depuis le média en ligne, « classique » qui n'insère qu'une petite partie de contenus « externes » dans ses pages (commentaires en général), reprenant ainsi une démarche de publication des « courriers » des lecteurs (c'est le cas des journaux en ligne *Le Monde* ou *Le Figaro*, par exemple), jusqu'aux sites construits autour des productions des internautes eux-mêmes. Dans ce dernier cas, les journalistes professionnels peuvent ne plus être au cœur du processus de production d'information, mais devenir plutôt organisateurs. Enfin, il est facile de trouver sur la toile des sites d'informations qui n'ont aucun journaliste, mais des éditeurs de contenu.

Ainsi, alors que tous les médias en lignes se veulent « participatifs », d'énormes différenciations sont à opérer entre les modèles intégrant amateurs et professionnels et les modèles communautaires. De plus, le statut des journalistes dans les différents médias en ligne n'est pas toujours identique : certains sites recourent de manière exclusive à des journalistes pigistes éventuellement payés en fonction des résultats de la diffusion des articles en termes de connexion. On retrouve évidemment le journalisme de la demande qui modèle la profession par rapport à la « rentabilité » de l'information produite.

Le montage économique est alors facilement rentable pour les organisateurs de ce type de média puisque l'entreprise a de relativement

faibles coûts fixes et assure la rémunération des auteurs en fonction des recettes publicitaires, justement. La crise que connaît la profession de journaliste et les vagues de licenciements dans les médias traditionnels aboutissent à la mise en place d'un marché de la « pige » et les journalistes eux-mêmes, désormais, sont bien acteurs de la mise en place d'un nouveau système économique pour leur profession.

Ainsi, l'internaute, même s'il sait bien que tout « a un coût », s'était évidemment habitué à la « gratuité » des contenus. Il s'était aussi habitué à intégrer dans son budget les coûts de l'accès à l'Internet, en particulier à son domicile, comme il s'était habitué aux coûts de la téléphonie mobile<sup>13</sup>. Alors, pour les sites payants, comment faire pour lutter contre la tendance « pourquoi payer pour une information que je peux trouver gratuitement dans l'Internet ? ». Mais les tendances évoluent et désormais de plus en plus d'usagers cherchent un niveau de qualité rédactionnelle en contrepartie d'un abonnement. Ainsi, le pure-player *Mediapart* fondé par Edwy Plenel a réussi son pari économique en atteignant le seuil de rentabilité en quelques années tout en rémunérant une équipe de journalistes d'investigation, mais on peut poser l'hypothèse qu'une partie significative des abonnés l'est par soutien, par esprit militant...

Cependant, généralement, un modèle payant est mixte : le site doit pouvoir être consulté en partie, évalué, car il sert aussi de « vitrine », à la fois pour les publicitaires et pour les internautes. Il s'agit alors d'établir un équilibre entre ce qui est d'accès gratuit (un peu comme la première page d'un quotidien de la presse papier qui est affichée en kiosque ou en vitrine) et ce qui est d'accès payant. Le consommateur doit avoir envie de devenir membre d'une communauté d'intérêts et donc de souscrire un abonnement.

En France, le modèle *freemium* a été adopté par le quotidien *Le Monde* dès 2000 puis par *Le Figaro* et de très nombreux sites de services divers utilisent désormais cette logique (en particulier des sites de téléchargement de fichiers torrent, qui permettent le téléchargement de films ou musiques en *peer to peer*). En 2010 le quotidien *Le Monde* a affiné sa

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<sup>13</sup> En France, une étude du printemps 2010 effectuée par l'Observatoire de la Vie étudiante, sur 33 000 étudiants, montre que 92 % des étudiants se connectent à l'Internet chaque jour et dépensent mensuellement en moyenne autour de 30 € pour la téléphonie mobile et l'Internet. Beaucoup adoptent désormais pour leur domicile le partage de WiFi.

stratégie en supprimant tout accès gratuit aux articles de l'édition papier et en proposant une offre payante complexe intégrant la publication sur un smartphone ou une tablette numérique. Il s'agit de différencier l'édition papier de l'édition en ligne qui devient ainsi un média d'actualité original. Les internautes ont toujours la possibilité de consulter les dépêches, la production de l'équipe du site et peuvent bénéficier de vingt contenus originaux produits par la rédaction du quotidien en ligne. Ces articles sont souvent des adaptations des articles du quotidien papier.

Après des expérimentations dans le gratuit, et en suivant en particulier Chris Anderson sur la nécessaire construction d'une réputation monnayable<sup>14</sup>, le marché serait peut-être désormais réceptif à ce type d'offres payantes qui étaient surtout utilisées par les médias en ligne économiques (*Wall Street Journal*, par exemple). Mais l'évolution des comportements des consommateurs n'explique pas tout : il faut également tenir compte de la portabilité du numérique (avec les smartphones et les tablettes numériques), de l'évolution des usages et des tendances des recettes publicitaires.

Le succès de l'iPad puis la diffusion des tablettes, en particulier, permet à de nombreux médias en ligne de tenter d'accrocher une clientèle captive à la fois par l'objet numérique (il faut bien « nourrir » en contenu cet écran) et par un besoin de dépasser les dépêches reproduites en boucle sur le web. La portabilité nouvelle (et la convergence entre télécommunications et l'Internet) de l'outil ouvre à de nouveaux usages. La lecture d'un journal sur une tablette numérique semble bien ressembler à celle d'un journal papier... et cette évolution concerne justement de nombreux non « digital natives » qui sont les consommateurs de presse papier. Il faudrait vérifier l'utilisation réelle que font de nombreux abonnés « premium » du Monde des possibilités proposées. Sont-ils réellement utilisateurs du journal en ligne ou bien utilisent-ils l'abonnement pour lire la version papier en PDF sur leur lecteur ?

Néanmoins, peut-être, faute de pouvoir convaincre facilement les plus jeunes de l'intérêt des médias en ligne, il s'agirait de convaincre des

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<sup>14</sup> Chris Anderson, *Free: The Future of a Radical Price*, New-York: Hyperion, 2009. Nouveau gourou de la « nouvelle » économie, le rédacteur en chef du magazine *Wired* est devenu rapidement célèbre auprès des spécialistes et enseignants de marketing depuis *La longue traîne : la nouvelle économie est là !* (Paris : Éditions Village Mondial, 2007).

lecteurs anciens... les tablettes numériques et surtout la stratégie propriétaire d'Apple seraient alors les grands gagnants de cette stratégie, Apple récupérant des revenus à partir de l'utilisation de sa tablette !<sup>15</sup>

Une stratégie bien dangereuse cependant, car le modèle du tout payant est très risqué quand il s'agit de coupler version papier avec version électronique : dans un tel modèle, l'intérêt pour l'internaute non abonné de visiter le site du journal est évidemment nul et le site ne joue plus de fonction de « vitrine » ou d'appel.

De plus, ce type de stratégie ne tient pas compte de l'existence et du développement d'autres logiques d'information, avec l'évolution de la « blogosphère » et les réseaux sociaux. L'activité des 1,1 million d'internautes « actifs » connectés à Facebook, en particulier, n'est peut-être pas compatible avec cette stratégie<sup>16</sup>. Le payant n'intègre pas le « butinage » et il n'est pas certain que les médias en ligne pourront vraiment compenser la chute des revenus publicitaires en attirant des lecteurs abonnés en nombre suffisant pour assurer un chiffre d'affaires nécessaire à l'organisation d'une équipe rédactionnelle professionnelle. Le pari de la qualité doit être articulé avec des solutions « durables » et l'analyse des offres « payantes » actuelles montre bien que cette stratégie s'appuie sur des usages en perte de vitesse, même si l'iPad ou les smartphones autorisent des relations d'un type nouveau.

Il est de plus évident que les contenus proposés à la vente ou à l'abonnement doivent offrir une réelle valeur d'usage au client. C'est dans ce sens que le transfert d'une version PDF d'un journal papier sur l'iPad ne constitue pas une évolution pour l'avenir : l'usage du journal est le même.

L'abonnement n'est bien évidemment pas le seul système possible et les médias en ligne qui choisissent la voie du payant doivent se souvenir de l'apparition de la *penny press* et de la mise en place de la vente au numéro, comme des modèles économiques des télécommunications, depuis le téléphone, avant le mobile, avec la mixité d'un modèle de « club », abonnement forfaitaire, et d'un modèle de paiement à l'usage, le modèle du « compteur ». Pour le paiement à l'usage (comme pour la décision de

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<sup>15</sup> Non seulement avec la vente de la tablette, mais aussi avec un système de redevance des applications vendues pour son iPad.

<sup>16</sup> Cf. [http://www.emarketinglicious.fr/social-media/30-statistiques-10-ans-facebook-infographie] (10.4.2014).

contracter un abonnement) il s'agit de pousser l'internaute à déclencher un acte d'achat.

Bien évidemment, tous les médias en ligne ne peuvent pas connaître le succès relatif de *Mediapart*, en France, qui s'explique en grande partie par la personnalité des fondateurs et l'image d'intégrité et d'excellence professionnelle d'Edwy Plenel. Ce journalisme au fond « militant » dans la radicalité démocratique entraîne une adhésion à des idéaux, à des valeurs qui se manifestent certainement par des abonnements. Difficile donc de pouvoir faire la part des choses et surtout de vouloir transposer un tel modèle assez unique s'agissant d'un nouveau média en ligne non appuyé sur un média papier existant.

Néanmoins, les usages induits par de nouveaux objets en passe de banalisation dans le quotidien impliquent des contenus et pour certains médias, il s'agit d'une véritable aubaine, comme on l'a décrit plus haut. Mais si ces nouvelles formes de distribution permettent, un temps, de vendre différemment un contenu déjà existant, la concrétisation économique actuellement profite surtout aux constructeurs de tablettes numériques ou de smartphones et aux opérateurs de téléphonie mobile<sup>17</sup>.

Ainsi, incité ou non par une réputation ou notoriété d'un leader d'opinion, l'internaute peut trouver dans l'abonnement à un service une réponse à des besoins d'information non couverts par les sites gratuits. De la même façon, la presse sur l'Internet n'est pas substitut de la presse papier. Il s'agit de deux produits différents qui ne s'excluent pas forcément mutuellement. De nouvelles revues papier se créent encore et se développent et des médias en ligne peuvent même se décliner en médias sur papier. La hiérarchie des formes n'est pas une évidence, comme celle des modèles économiques.

Terminons ce tour d'horizon des tendances économiques des médias en ligne avec la dernière méthode qui rompt avec le dilemme gratuit (publicités) et payant (abonnement, à l'unité). Un média en ligne peut aussi être financé par des sources externes, des subventionneurs

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<sup>17</sup> Avec l'*appstore* d'Apple, le *marketplace* de Google ou encre l'*Ovi* de Nokia, des systèmes économiques fermés centralisent des ventes d'interfaces et peuvent effectivement rassurer certains médias, mais ces derniers ne sont intéressés que parce ces systèmes doivent proposer des contenus. Mais ces contenus, pour être monnayables, doivent présenter une valeur ajoutée, ce qui est strictement le même cas que sur le web.

privés ou publics. Le modèle de la presse, essentiellement né aux USA, implique une liaison entre l'indépendance et l'autonomie financière. En Europe, l'histoire des médias est assez différente et la *BBC*, en particulier, est toujours un média subventionné par des fonds publics. En effet, après l'implantation de la radiodiffusion puis de la télédiffusion, à côté du développement d'un modèle économique essentiellement basé sur les recettes publicitaires, aux USA, s'est développé un modèle de service public, dans différents pays d'Europe. Le modèle, toujours discutable en ce qui concerne la presse écrite s'est progressivement installé en matière audiovisuelle avec ces missions publiques d'éducation et de culture, et plusieurs systèmes ont été mis en place pour organiser le subventionnement des opérateurs (taxes sur les équipements, impôts forfaitaires liés à l'habitation, redevance déclarative, etc.).

Désormais, avec l'Internet, le modèle n'est plus aussi stable. Ainsi, le contribuable britannique pourrait être choqué d'avoir à financer un service online de la *BBC* accessible par les internautes étrangers (la publicité a d'ailleurs fait son apparition sur ces sites depuis 2006).

Plus généralement, certains sites s'inscrivent désormais dans une mission de développement d'un *soft power*, rôle déjà ancien de chaînes de télévision ou de programmes de radio financées par les États. En France, en particulier, la société Audiovisuel Extérieur de la France (holding AEF) est en charge des programmes de télévision et de radio ainsi que des sites internet de *RFI*, *France24*, *Monte Carlo Doualiya* et en partie de *TV5 Monde*<sup>18</sup>. L'objectif annoncé en loi de finances est clairement de « développer la présence française et francophone dans le paysage audiovisuel mondial ». D'autres chaînes, dans le monde, qui ont également des déclinaisons sur l'Internet, sont ainsi liées à des subventions publiques ou privées.

Des personnes ou des entreprises privées peuvent aussi être amenées, pour des raisons très diverses, à faire vivre par subvention des médias en ligne, comme l'entreprise *Google* qui distribue des millions de dollars pour assurer des développements de médias en ligne utilisant ses

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<sup>18</sup> L'État français a accordé pour 2012 une subvention de 314,2 millions d'euros à l'AEF (baisse de 16 % par rapport à 2011) et sont maintenues pour 2013. Ensuite sont prévues des baisses de 0,3 % en 2014 et de 0,4 % en 2015 (Cf. Cour des comptes, Rapport public annuel 2013, Tome II, « l'audiovisuel extérieur de la France : une réforme chaotique », p. 452, sur [www.ccompte.fr]).

technologies, mais aussi pour encourager de nouvelles formes de journalisme de l'ère digital.

Ainsi, que ce soit par des subventions publiques ou privées, le modèle économique n'est évidemment pas nouveau, pour la presse écrite contrôlée par des États à divers moments de l'histoire pour des raisons différentes ou pour l'audiovisuel qui s'est installé dans beaucoup de pays dans une logique de service public avant l'ouverture à la concurrence. Ce qui est nouveau est le montant nécessaire : les médias en ligne ne sont pas liés à une industrie lourde, celle du papier et des rotatives, et à une structure de distribution coûteuse. La démultiplication des expériences est donc possible et s'il est assez facile, actuellement, de distinguer les médias en ligne nés du numérique de ceux qui sont extension de la presse papier, il est probable que les transformations ne sont pas achevées et que le paysage n'est pas stable.

Les médias en ligne sont actuellement entre deux logiques : entre un modèle économique lié à une industrie lourde et un réseau de distribution important tente d'intégrer l'Internet, soutenu par des usages sociaux anciens et des intérêts politiques et privés énormes, tandis que d'autres logiques d'éditorialisation apparaissent, plus ou moins liées au nouveau modèle économique d'origine américaine *Google-Facebook-Yahoo-Microsoft-Amazon*, qui assure lisibilité sur le réseau et donc distribution.

Mais une convergence fondamentale devrait rapidement transformer ces évolutions : celle des télécommunications et de l'Internet. Cette convergence aura évidemment des effets sur le journalisme et les médias, en ligne ou non.

### **3. La grande convergence**

Les évolutions technologiques, mais surtout la transformation des usages et des pratiques culturelles, depuis les deux ou trois dernières décennies, ont transformé les frontières entre différentes industries dont les modèles économiques étaient, jusqu'alors, très différents. Des convergences sont en cours de généralisations, convergences multiples, qui entraînent des modifications importantes des règles de fonctionnement des secteurs des médias, d'une part, et des télécommunications, d'autre part.

L'histoire (courte ?) des médias ne semble pas mettre en évidence d'exemple de substitution d'un média par un autre... En effet, à chaque fois

qu'un média est apparu, il n'a pas fait disparaître un autre, mais a provoqué une évolution des publics, des contenus, des usages et, parfois, des modèles économiques. On peut citer les relations entre la littérature et les journaux, entre la musique et la radio, entre le cinéma et la télévision.

Pour autant, l'apparition de l'Internet, la multiplication des écrans<sup>19</sup> ne s'analysent pas uniquement dans une logique des médias, mais intègrent cette histoire. L'Internet induit, par le développement d'usages et de pratiques nouvelles et généralisées, une convergence entre les secteurs des médias (y compris, en partie, du cinéma, qui reste une industrie de contenu de l'industrie audiovisuelle, et de la presse écrite) et les secteurs des télécommunications.

L'évolution des modèles économiques est en cours, des secteurs entiers sont en disparition tandis que d'autres, nouveaux, se développent et que des derniers, enfin, tentent de trouver un nouveau développement. Il ne s'agit peut-être pas d'une « révolution » technologique, mais bien, *a minima*, d'une rupture radicale, car les technologies liées à l'Internet sont perturbatrices (*disruptive*) au sens où l'Internet ne constitue pas seulement une amélioration de l'existant, déterminant des évolutions sociales et économiques, mais bien aussi une transformation radicale des chaînes de valeurs<sup>20</sup> des industries culturelles, entre autres.

L'Internet est donc bien une perturbation fondamentale qui remet en cause tout le système économique basé sur l'expression monétaire d'un « besoin » induit, pour certains, par un calcul utilitariste, pour d'autres par des usages sociaux. Mais l'Internet ne remet pas seulement en cause ce modèle économique : il y a aussi rupture, perturbation au niveau culturel même puisque l'éditorialisation est transformée. Pour Benjamin Bayart, l'invention de l'imprimerie « a permis au peuple de lire, Internet va lui permettre d'écrire »<sup>21</sup>, changeant non seulement les modes de diffusion,

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<sup>19</sup> Cf. Gilles Lipovetsky & Jean Serroy, *L'écran global*, Paris : Seuil, 2007.

<sup>20</sup> La « chaîne de valeur » est un concept largement utilisé dans les sciences du management et qui désigne l'ensemble d'étapes qui déterminent la capacité d'une entreprise à obtenir un avantage concurrentiel. Cf. Michael Porter, *Choix stratégique et concurrence*, Paris : Economica, 1982.

<sup>21</sup> Cf. par exemple [<http://www.laquadrature.net/fr/ecransfr-l-imprimerie-a-permis-au-peuple-de-lire-internet-va-lui-permettre-d-ecrire-benjamin-bayart>] (2.4.2011). On retrouve une phrase semblable en introduction de l'encyclopédie Knol de Google.

mais aussi de création du savoir et des connaissances et donc les modèles économiques liés à ces activités.

Mais si la technologie donne le vertige, les évolutions sociales et culturelles qu'elle induit peuvent, à court terme au moins, être anticipées, en particulier pour envisager les impacts. L'anticipation a besoin d'une échelle de temps et c'est peut-être cette échelle qui a changé. L'adaptation locale, dans le contexte mondialisé/globalisé, doit être de plus en plus rapide, car la nouvelle économie des médias et de l'Internet s'inscrit dans une concurrence globale. La « proactivité » prônée pour les entreprises, qui consiste à comprendre les anticipations pour les transformer en opportunités<sup>22</sup> reste évidemment très théorique au local dans ce système global quand les opportunités semblent hors d'atteinte. Reste à tenter l'alliance, une stratégie de niche ou encore une adaptation intégrant une participation active du local.

La convergence est devenue une réalité des pratiques, depuis 2008, la portabilité des contenus est utilisée par les usagers qui visionnent des films en dehors de l'écran TV, lisent des informations sur leur smartphone, leur tablette, etc. La génération en cours de commercialisation des nouveaux écrans connectés réalisera en pratique la convergence à domicile, tandis que tablettes et smartphones le permettent en nomade.

De plus, la question de la gratuité est une très mauvaise question, car ce n'est pas l'Internet qui rend gratuit des informations auparavant payantes, mais la conséquence du déplacement de valeur et la transformation des usages. De plus, aucune prospective ne condamne le modèle de l'abonnement, il s'agit seulement de bien comprendre ce qui arrive au monde connecté, d'anticiper la place des écrans comme parties des environnements comme d'accepter la banalisation déjà décrite des contenus, mais aussi la quête de l'internaute vers une recherche de contenus adaptés, intéressants, personnalisés et donc, achetables. Car le déplacement de valeur n'annule pas toute valeur aux contenus, mais installe ces contenus dans un nouveau contexte.

La transformation sociétale est profonde, et les « digital natives » de la génération des moins de 15 ans actuellement auront d'autres comportements que ceux entre 15 et 40 ans. Le nombre de téléphones mobiles et de dispositifs connectés à l'Internet dépasse celui de micro-

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<sup>22</sup> Dépassant ainsi le niveau du « réactif » et du simple « actif ».

ordinateurs, ces derniers peuvent disparaître de nos environnements très vite.

La convergence entre les télécommunications et l'Internet, via les usages, peut se poursuivre quand l'Internet, média et/ou marché global continuera de se « diluer » en quelque sorte dans tous les autres secteurs, à moins que cela ne soit l'inverse.

La crise que connaît actuellement le secteur de la presse écrite, en particulier, n'est pas isolée. D'autres secteurs devront trouver des modèles d'adaptation et de nouveaux acteurs apparaîtront.

Il est légitime que le Parlement européen s'inquiète de cette situation. En effet, une partie de la construction européenne repose sur la promotion et la diffusion de valeurs démocratiques et d'un environnement propice à l'exercice du droit à l'information pour chaque citoyen. En attendant un « droit à la connexion » qui installerait une généralisation des connexions internet, ce droit ne peut s'exercer que par rapport à des médias indépendants (dans leur travail rédactionnel) et pluralistes. Ainsi, la crise des médias et de la presse écrite en particulier reste un sujet de préoccupation majeure.

De plus, la disparition programmée d'un secteur économique, lié à l'industrie du papier comme à des organisations de diffusion, ne peut qu'aggraver, si aucune politique dédiée n'est appliquée, le chômage en Europe. Tous les acteurs de la presse écrite ne peuvent se reconvertir au sein des médias en ligne : les structures comme les modèles économiques ne s'y prêtent pas.

Une partie de la presse a bien compris le problème et envisage désormais une priorité à l'approfondissement, dans le cadre d'une stratégie de contenu. C'est à ce prix d'ailleurs que pourra évoluer la confiance des citoyens envers ces médias. Définitivement, la presse écrite n'a plus pour fonction d'informer, mais bien de proposer analyses et extension à cette information, mais en réduisant le nombre de journalistes, en particulier d'investigation, une partie des médias imprimés ont justement tourné le dos à cette démarche.

Mais l'Union européenne n'a pas de possibilité directe d'intervenir sur ces secteurs dans le cadre d'une action publique européenne. Certains États ont mis en place, parfois depuis longtemps, des systèmes de

subventionnement qui sont souvent jugés inefficaces<sup>23</sup> et remis en cause par les contraintes budgétaires, au nom, par rapport à l'Union européenne, de l'exception culturelle. Le soutien à ce secteur en perte est certainement légitime, mais il convient d'orienter de manière constructive les aides désormais.

La convergence aboutit à mêler écrit et image et les évolutions technologiques, en particulier l'apparition programmée d'écrans ultrafins et tactiles constitue une promesse d'évolution positive pour la presse écrite. Mais est-ce bien l'essentiel ?

L'exercice du droit à l'information n'est opérant que dans un contexte de liberté et de pluralité de la presse. Alors que la neutralité de l'Internet reste problématique, il est nécessaire, dès maintenant, de mettre en place les instances de régulation indispensable pour nos (futures ?) démocraties numériques.

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