

# The European Culture for Human Rights



# The European Culture for Human Rights: The Right to Happiness

Edited by

Elena Zamfir and Filomena Maggino

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**P U B L I S H I N G**

The European Culture for Human Rights: The Right to Happiness  
Edited by Elena Zamfir and Filomena Maggino

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## A FOREWORD INSTEAD OF AN INTRODUCTION

It is difficult to explain my enthusiasm and my renewed state of professional satisfaction as a psycho sociologist when I first heard from my colleague (Corina Dumitrescu, Rector of Dimitrie Cantemir Bucharest University, professor in law but also a very close friend of sociology) the proposal of the agenda of the international conference on the Right to Happiness and the Quality of Life. Perhaps this very difficulty justifies why I felt drawn to the theme of my presentation, together with many other social psychologists and theoreticians. Perhaps, among other things, my interest in the subject was a consequence of the unexpected revival of intense theoretical debates around an explicit focus on the right to happiness in times such as ours, being overly dominated by the political agenda and futile, populist discourse/debates about the economic crisis without hope for the near future, the social reform without impacting well-being, the cost-benefit analyses that tend to overlook the social and the individual, or by half-hearted and only marginally efficient attempts at social policies of inclusion.

I started with a rhetorical question: “Why do we talk about happiness again; why do we return to the traditions of ancient social philosophy?” I myself am inclined to revisit the topic of happiness not because I disagree with recent theoretical analyses or because I am dissatisfied with what was recently published about happiness, and not because there are a lack of arguments and theoretical constructions of new models of self-actualisation or self-fulfilment as basic components of happiness, but because the topic of happiness has been and will always remain a constant preoccupation of human beings, characterised by new meanings and new highlights, depending on how it is situated in time. Happiness, as a subjective state of mind or subjective well-being, as a complex interplay of cognitions and positive emotions, is deeply rooted in people’s awareness of their relationship with their environment.

This book materialized after an International Conference focusing on the relation between the right to happiness and the quality of life. The coordinators have been gathered from the papers presented in the conference and classified according to their topic in an attempt to group them into sections and, as much as possible, to put them into the time frame. The papers included within the volume suggest distinct, multi- and

inter-disciplinary perspectives in analysing happiness and quality of life. Hence, **the coordinators are not responsible for any possible error or inexactitude that may occur in the papers contributed by the different authors, who remain solely responsible for the quality of their communications.**

These papers highlight the multiple approaches in the analysis of happiness and the quality of life in the modern terms of individual and collective welfare, while introducing instruments used to measure life satisfaction, welfare indicators and mechanisms which decrease or remove altogether the barriers that hinder the quality of life for individuals. Briefly, the bottom line of the book is that the right to happiness, stipulated into the Constitution, is worth fighting for.

I want to mention our acknowledgements for prof. univ. Corina Dumitrescu, the initiator of this international Conference with such special issues as the right to happiness, for Graham Clarke, our proofreader who provided constant professional guidance in improving the English version of this book, and last but not least for Carol Koulikourdi who encourage the preparation of this book in its English format by providing good advice for finalizing our manuscript.

Coordinators  
Elena Zamfir and Filomena Magino



## **PART I**

# **HAPPINESS AND LIFE QUALITY: TRENDS AND DEFINITIONS**

# CHAPTER ONE

## REVISITING HAPPINESS AND THE QUALITY OF LIFE: NEW AND OLD SOLUTIONS

ELENA ZAMFIR<sup>1</sup>

### **Abstract**

This chapter identifies a close association between the concepts of happiness and quality of life. It shows that a profound perspective of conceptualising happiness is based on multi- and interdisciplinary contributions from philosophy, ethics, sciences, religion, and even politics. However, attempts to define happiness have proven tortuous and tricky, because it is almost impossible to capture the complexity of the theoretical implications of the concept. Ancient philosophy used rational and speculative language/discourse to formulate the main theoretical difficulties generated by the act of thinking about the essence of human beings—their happiness and freedom—engendering many debates around defining these constructs. What these attempts have in common is the pervasive understanding of happiness as a dynamic process and never as a structured, finite state. The person as an open system is in a continuous process of defining and perfecting himself/herself, and of self-growth, self-development and self-construction. Human beings are capable of transformations that prolong the lines of their existence from the real into the possible and from the possible into the real. This is why human achievements that are due to the pursuit of happiness differ from reaching a closed and well-defined state, whose characteristics were clearly planned for in its development. On the contrary, the person's definition is related to her/his complex bio-psycho-socio-cultural environment, which ensures

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her/his complex development and the evolution of her/his ability to continually self-construct.

Keywords: happiness-definitions, quality of life, subjective well-being, perceived quality of life, self-actualisation, hierarchy of needs, life satisfaction, subjective indicators.

## **1. Defining happiness: A framework**

Starting with ancient philosophy and ending with the latest contribution of psycho-social sciences aimed at devising practical strategies for individual well-being, happiness has been identified as a process of permanent pursuit of authenticity and responsible actions leading to one's improvement and development, and to self-actualisation. Happiness seems to be one of the central themes of philosophical meditation, but also a permanent goal of people's practical life strategies [1]. Formulating its concerns coincided with the birth act of philosophical reflection and it has continued to be reflected in theoretical and scientific disputes. The entire ancient philosophy that referred to itself as wisdom gravitated around this understanding of happiness as the main meaning of life of human beings [2] [3] [4].

The concept of happiness has often been characterised as slippery, treacherous, deceptive and difficult to identify precisely from a theoretical point of view, and difficult to capture in all the complexity of its cognitions and emotions. However, perhaps the most difficult thing is to measure the life satisfactions or the components of happiness. People have also emphasised how happiness as a desideratum is difficult to reach. The pursuit of happiness can be compared to a *Fata Morgana*—the closer to it we think we are, the further away it is actually getting [1].

This is why happiness appears to have two different hypostases: as an ideal to pursue and to reach, but also as an ideal to define. Happiness imposes itself as an aspiration. This state of happiness opens a new opportunity for "learned optimism" [5], with a special meaning for the future actions of human beings. The pursuit of happiness requires first defining happiness and specifying its basic components, and then identifying the favourable circumstances and the ways in which it can be pursued as a process of personal self-fulfilment in time. Practical approaches of happiness were formulated by applied social psychology, applied sciences ("Humanistic Psychology") and especially by "Positive psychology." Martin E. P. Seligman proposes the fundamental principles of the new movement of Positive Psychology for reaching "authentic

happiness” [5]. Knowledge as a way of truth-seeking uncovers the fascinating topic of happiness and the ways it can be reached. “The Science of Well-Being” [6a] is an important and recent example, wherein Ed Diener made a good synthesis on scientific contributions focused on surveys measuring happiness, taking into account the subjective and objective indicators of well-being and the main classical theories [6a] [6b] [6c]. In analysing happiness he points out three dimensions of the theories: “The first dimension is whether the theory places the locus of happiness in external conditions such as income and status, as many sociological theories do, or within the attitudes and temperament of the individual, as many psychological theories do. Throughout my writings there is a mix of both the internal and external factors that influence well-being. A second dimension that characterizes scholarship on well-being is the issue of whether the factors affecting well-being are relative or absolute ... A third and related issue is the degree to which the influences on happiness are inborn and universal or are learned, based on the goals and values of the culture and of individuals” [6a, p.3].

In its nascent form, the entire social and humanistic thematic of modernity can be traced back to ancient wisdom, whose goal was attaining happiness. Ludwig Grunberg (1978), after the epicurean model of happiness from ancient philosophy, proposed a simple definition of happiness as the means between wishes had and wishes granted [7]. This was to be widely examined and disputed from the perspective of modern sciences. In this formula, the numerator is always going to be higher than the denominator, because humans will always have new desires and new goals. The human beings open to self-improvement will never feel completely comfortable or completely satisfied. Common sense suggests that individuals are never satisfied with what they are, with what they have, and with what they have accomplished. The finality of their aspirations/desires for complete self-fulfilment or self-development cannot be stopped. In antiquity, clarifying the idea of happiness stayed in the realm of philosophical theory and was never converted into the type of practical means that can change one’s life. This idea was also the epicentre of the crisis of ancient philosophy.

What these attempts have in common is the pervasive understanding of happiness as a dynamic process and never as a structured, finite state. The person as an open system is in a continuous process of defining and perfecting themselves, and of self-growth, self-development and self-construction. Human beings are capable of transformations that prolong the lines of their existence from the real into the possible, and from the possible into the real. This is why human achievements that are due to the



pursuit of happiness differ from reaching a closed and well-defined state, whose characteristics were clearly planned for in its development [1]. On the contrary, the person's definition is related to her/his complex bio-psycho-socio-cultural environment, which ensures her/his complex development and the evolution of her/his ability to continually self-construct.

Starting with ancient philosophy and ending with the latest contribution of social sciences aimed at devising practical strategies for individual well-being, happiness has been identified as a process of permanent pursuit of authenticity and responsible actions leading to the one's improvement and development, and to self-actualisation. Happiness seems to be one of the central themes of philosophical meditation, but also a permanent goal of people's practical strategies. Formulating its concerns coincided with the birth act of philosophical reflection and it has continued to be reflected in theoretical and scientific disputes.

Centuries later, it began to be reconceptualised using the instruments of modern sciences. This is why the legendary French revolutionary Louis Antoine de Saint-Just exclaimed that "Happiness is a new idea in Europe" [8]. However, modern philosophy, obsessed by knowledge and by the idea of truth-seeking through science, initially neglected the notions of happiness, goodness and freedom.

The birth of social sciences opened the possibility of some theoretical demarcations centred on people's day-to-day life satisfaction, approaching the issue of happiness directly and in a new light. The collaboration of scientific theories led to a new domain of multi- and inter-disciplinary analysis more similar to the daily concerns of the individual, to the meaning of life as **a theme centred on the quality of life**. Life satisfaction, its different degrees of accomplishment, and the accumulation of essential concrete life aspects under its different spheres, led to a shorter definition of happiness [1]:

- a) self-actualisation through the precise definition of one's daily needs and requirements that have to be accomplished in order to feel fulfilled (conventionally proposed as a positive definition) [5] [9] [10]; and
- b) what one should stay away from in order to avoid insecurity, unease, distress, daily risks or any other destructive force with a negative impact on one's physical or psychological balance (a negative definition) [11] [12].

Thus, happiness appears to be ambivalent. On the one hand, it is characterised by a desire towards balance, inner peace, harmony and

cooperation, perceiving optimism in the future; on the other hand, it is also characterised by a permanent search to overcome one's limitations through self-improvement, pursuit of life satisfaction, and the expectation to succeed. This complex of actions, openly aimed at the pursuit of happiness, is the end result of various stages of achievements and the gradual accrual of competences in relation to one's environment.

## **2. The relation between happiness and quality of life**

The introduction of the concept of quality of life opened new opportunities for understanding and especially for measuring happiness. The quality of life, as a first stage of theory and social action, as an active practice for keeping the harmony/balance between humans and their environment, was introduced to public attention in relation to a shocking event that took place in 1967 when an oil rig was damaged close to the French coast, following which a wave of oil spilled over the beaches, sending the unlucky vacationers home. It might have been a simple accident reflecting the negative effects of modern industrial developments, with their disagreeable aspect that lacks environmental consciousness [1]. It was, however, also a symbolic event which prompted people to question how feasible it is to build an entire civilisation on industrial miracles, with no concern for human lives or the environment. That year, possibly responding to that particular event, Western Press launched a new concept, Quality Of Life, that was to become extremely popular in increasingly different social contexts. It spread rapidly from journalists to academics, politicians and social scientists (sociologists, social psychologist, etc.), becoming a key concept of our times [1]. It is interesting to note that it also spread geographically across different countries as well as across different political and social systems. It was adopted by communist as well as capitalist countries, and developing countries as well as economically developed ones. Interestingly, it became the common element and the liaison of different theoretical approaches in social sciences, economics and politics, defying the ideological barriers of the time. The concern for the quality of life, for the life satisfaction and well-being of the individual, rapidly became one of the hot topics of research and science.

Quality of life is more than just a label for rethinking happiness from a practical point of view [13]. The new concern for quality of life expresses a modern uneasiness in a world characterised by increased risks, and the individual's new search for balance at the intersection between social, economic, political and environmental factors. This uneasiness suggests firm criteria for balancing the requests of the person with those of nature,

especially when it comes to using nature's limited resources consciously and responsibly. Thus, we are witnessing a re-evaluation of the topic of happiness from the point of view of sciences, based on the pragmatic concerns of collective modernity. For instance, Richard Wilkinson and Kate Pickett show the negative impact of modern economic growth on well-being and happiness, and on life-expectancy and the health state quality, presenting much evidence for a wise economic growth based on equality for everyone: "The scale of income differences has a powerful effect on how we relate to each other. Rather than blaming parents, religion, values, education or the penal system, we will show that the scale of inequality provides a powerful policy lever on the psychological well-being of all of us ... Economic growth, for so long the great engine of progress, has, in the rich countries, largely finished its work. Not only have measures of well-being and happiness ceased to rise with economic growth but, as affluent societies have grown richer, there have been long-term rises in rates of anxiety, depression and numerous other social problems. The population of rich countries have got to the end of a long historical journey" [14, pp.5-6].

**The theoreticians and analysts** began to consider the conditions created by cutting edge technology in the context of a civilisation in the course of globalisation and analysed the perverse effects of "unhealthy" technology and their implicit, indirect effects on human life. The pragmatic solutions proposed by Richard Wilkinson and Kate Pickett for our modern societal risks could appear strange to some at the time of writing, during a period of economic crisis. In fact, they return to the same conclusions of the 1970s to 1980s scenarios about green technologies of world development. However, from my point of view, they are thinking in a rational way when they mention that the sustainability and increasing quality of life since the Brandt Report in 1980 underline that: "social and environmental sustainability go together. It is fortunate that just when the human species discovers that the environment cannot absorb further increases in emissions, we also learn that further economic growth in the developed world no longer improves health, happiness or measures of well-being. On top of that, we have now seen that there are ways of improving the quality of life in rich countries without further economic growth" [14, pp.218-219].

**Sociologists, psychologists and statisticians** began to create new mechanisms for social indicators and a specific battery of instruments that measure the quality of life. Both objective and subjective indicators were created to measure people's satisfaction within different domains of their lives. Afterwards, many theoretical studies, empirical studies and surveys

appeared, trying to assess well-being and our life satisfactions [1] [6a] [6b] [6c] [15] [16] [17].

**Politicians and decision makers** introduced the concept of quality of life as a central objective of their programmes of social development.

The analysis of happiness from the perspective of quality of life is unique in the relevant literature. This analysis is based on people having an active role in bestowing meaning on different components of their life. People have the means and the power to decide whether their life is good or bad by taking into account their subjective perceptions, such as how different domains of their lives interact and what their meanings for their entire lives are, e.g. family, profession, civic or political participation, leisure, etc. “The concern for quality of life develops the individual’s perspective on the world. It explores the signification of daily life and everything that surrounds the person. The subject appears immediately as a concrete individual and unique framework of reference for every aspect of existence. Thus, quality of life is always quality in relation to human beings” [1,p.18]. At this point of the analysis, the correlation between happiness and quality of life becomes clear. In fact, both concepts refer to the same subjective/personal reality of individual satisfaction, in relation to the individual’s life, but these concepts are examined from different perspectives. If ancient philosophers defined happiness in relation to its content, and especially to its ethical component, from the point of view of spiritual and inner growth, the concept of quality of life approaches happiness from a more practical perspective, from the point of view of collective actions aimed at individual satisfaction and well-being. These different perspectives also lead to different ways of pursuing happiness.

Based on the interdisciplinary approach of time perspectives (“present, past, future”), Philip Zimbardo proposed a unique, profound analysis of love and happiness. Interestingly, taking into account the Dalai Lama’s wise experience of life, he suggests that happiness can be pursued in the future through important personal decisions doubled by meaningful actions. “From time to time we are faced with pivotal decisions that can affect the entire course of our lives. We may decide, for instance, to get married, to have children, or to embark on a course of study to become a lawyer, an artist, or an electrician. The firm resolve to become happy—to learn about the factors that lead to happiness and take positive steps to build a happier life—can be just such a decision. The pursuit of happiness as a valid goal and the conscious decision to seek happiness in a systematic manner can profoundly change the rest of our lives” [17, p. 264].

Ancient thinkers proposed a model of self-actualisation and pursuit of happiness focused on individual ethics, while the theoretic model of the quality of life emphasises a solution focused on action politics from the perspective of an active intervention that promotes collective change. In this case, the instruments for maximising life satisfaction belong to collective interventions that can modify one's objective life conditions according to one's individual goals.

Quality of life is an eminently evaluative concept with an evaluative structure; it does not describe objects or characteristics in itself but, instead, refers to the person's value of life, as a whole, and for different components. It indicates the degree to which life conditions offer the satisfaction of its many necessities. Quality of life has a dual structure—a state of life as a whole and a set of values and criteria for evaluating this state of life in order to assess it. In this context, the general idea of life is of something that is “made” or constructed by the individual, but that depends on a set of given conditions. It depends on the person's goals, values, value orientations, individual skills and abilities, as well as on their objective life conditions and social environment. What are these life conditions? We are talking about the frameworks and resources of our life environment, analysed separately for conventional purposes [1]. Interestingly, from a quality of life perspective, the pursuit of happiness as the person's central goal can and should be extended into ethical considerations. This pursuit is rooted in a collective moral wisdom based on the rigorous imperative Kantianism of an individual morality, adapted not only to conceptualising action but also to encompass direct or indirect effects on the individual's life satisfaction and well-being. More than that, the moral norm constraints are focused not only on the final goal of action but also on choosing the means for action.

In truth, modern society, faced with multiple risks of development, has to be controlled by the wisdom or rationality of collective ethics principles in order to grant individual satisfaction. Its means of development through cutting edge technology can contribute to human accomplishments but also to human downfalls. Thus, responsible control of technology becomes mandatory. In today's world, we cannot talk about individual satisfactions without collective morals, without the collective responsibility that guides the directions of development of humankind (see the warnings of the scenarios envisioned by the Club of Rome in the 1970s, which return today to public attention) [18] [19] [20] [21]. Launching the new Report in 2012 should concern us because it reiterates the possible risks and dangers of the modern society, of globalisation, and of not taking into account the unwanted effects of globalisation and technology on social and human

development. Decision makers' lack of concern with and specific solutions for re-establishing a balance with nature, minimising social polarisation, and minimising the risks for social exclusion are expressions of an obliviousness of the conclusions proposed by the Club of Rome about the evolution of humanity. It is well known that technological advances that support the development of modern society are capable of both suggesting new ways of reaching human potential and destroying our constructive efforts. In fact, how we want to use them depends on our moral responsibilities.

As early as 1989, taking into account the Club of Rome conclusions, I emphasized that its members drew attention to the fact that "economic growth is limited not just by interests, but also by consequences" [1, 275]. They were arguing that although there is a strong concern to limit pollution due to the activity of production, a near future in which we have clean, fully pollution-free technologies would be a utopia. On the contrary, the data seem to show that we inhabit an increasingly polluted planet whose limit of renewal seems to have been reached. Continuing industrialization without social responsibility will unavoidably enhance pollution in an uncontrollable manner. This has a two-fold negative effect on humanity: destruction of the natural environment that supports life on Earth and depletion of the food reserves, and degradation of agricultural land, destruction of water life etc. On the other hand, the demographic explosion characteristic of our century will swiftly increase the world population, while the food reserves will diminish steeply. Meadow's "Limits of growth" report was a warning, even from 1972, that the possibility of a true catastrophe through the rapid increase of the population is no longer supported by the increase of food resources and the industry. Due to the harm to the natural resources the industry will regress. "Even from 2010, humankind will no longer be rich, but on the brink of falling into misery, poverty and hunger" [1, p. 275]. The responsible control over everything that mankind has created through technology is compulsory. We can no longer speak in the modern world of individual satisfactions without a moral regard to the collective responsibility towards setting the future directions of humanity's development. Unfortunately, the warnings issued by the scenarios of the Club of Rome during the glorifying 1970s dropped out of public attention and were not used in due time by the decision makers. There was no constant concern of increasing responsibility for the effects of a chaotic technological development with no social control. The 2012 Report should worry us all because it reiterates the possible hazards and risks of the modern society for social and human development within the new process of climate

change (2 degree celsius warming by 2052) and the polluting high technology. The lack of receptiveness of and concrete solutions issued by the decision makers in the field of the relation between man and nature, alleviating the social polarization and decreasing the risks for social exclusion, show the obvious disregard for the conclusions of the scenarios for human evolution proposed by the Club of Rome.

We live in a society in which individual life satisfaction cannot be disentangled from the moral implications of collective responsibility with a view for the future development of humanity.

### **3. Measuring happiness. Indicators of life satisfaction**

When assessing the human condition by relating it to the environment, sociologists and social statisticians identified several ways of measuring life satisfaction [6c] [22] [23] [24] [25].

Defining happiness by relating it back to global and sectorial indicators of life satisfaction and the ways in which these indicators can be met established a link between the topic of happiness and the modern issues of quality of life. This approach, first introduced in the 1960s, also reflected an attempt to answer the rather complicated question of “Who can measure/how and when can happiness/quality of life be measured?” [1].

For instance, Richard E. Lucas, Ed.M. Diener and Randy J. Larsen refer to “future development in the measurement of Positive Emotions,” considering that: “There are four main challenges regarding positive emotions. First, a number of the debates regarding the definition and structure of positive emotions will need to be settled ... Second, psychologists must develop a better understanding of the ways that the various components of positive emotions converge. Most emotions theories believe that emotions have multiple components including subjective experience cognitive changes, action tendencies, and physiological changes. Yet measures of the various components are only modestly intercorrelated. Future research must determine when the components converge and why. Third, research on the measurement of positive emotion will benefit from a closer examination of the structure of discrete positive emotions. Although many theorists argue that there are distinct basic positive emotions or at least discriminable positive emotions facets, the specific positive emotions that are identified vary across different models ... Fourth, clinicians and other practitioners must determine what implications these theoretical debates have for practical issues associated with the experience of positive emotions” [6c, pp.150-151].

Thus, the need for the development and improvement of consistent social indicators became clear. Both objective and subjective social indicators needed to be standardised and stable in time as much as possible, in order to allow for temporal comparisons. Thus, these indicators should be based on social and institutional devices that ensure maximum accuracy of information. However, the mechanism of development of concrete social and individual measures is complex, especially when we begin to analyse the structure of the indicators of quality of life, taking into account that the concept itself refers to an evaluation of a state by comparing it to subjective criteria that reflect the person's needs, requirements and temporal dynamic of their goals. This is why quality of life indicators have a unique and complex structure compared to other social indicators. They stand out as a combination of life indicators as well as indicators centred on evaluation [1].

In fact, both global and partial/sectorial indicators of the quality of life reflect their value and significance in measuring happiness. One of the reasons, Ed. Diener argues, that sociologists and other behavioural scientists began studying happiness was: "to assess how well societies were performing, with the assumption that happiness levels reflect whether a nation is meeting human needs. Thus, measures of well-being would provide social indicators much like crime, income, and education statistics that would monitor the progress of nations. If modern countries were to make progress, they needed measures against which to gauge it, and subjective well-being was argued to be one such measure" [6a, p.2]

#### **4. When do people think of happiness?**

In 1979 I argued that the idea of happiness is based on the possibility of access to self-actualisation or self-fulfilment, but only if it is associated with a culture of freedom versus a culture of silence [26], with a democracy based on moral politics and a culture of interpersonal relations [27]. I explained then (and added new elements to my explanation after) that periods of crisis, dissatisfaction, value confusion, aimlessness and meaninglessness generate mechanisms of looking for instruments aimed at finding solutions for the problems we face.

Personally, I have several reasons for revisiting the topics of happiness and quality of life twenty-five years later. I thought a great deal about these topics during the communist totalitarian regime [1] [26] [27]. One question that was particularly pertinent, especially after 1989, was "when do people think about happiness?" To simplify, my answer, in 1989, was that "people think about happiness when they are unhappy." Why is that?



Because those are the times in which people tend to gather their resources in order to invent or create new ways of reaching or achieving what is missing from their lives. People tend to focus on those projects that result in goods and values whose absence has an obvious impact on their comfort, satisfaction and well-being. All these wants are reflected in various indicators that measure our state of life satisfaction.

People reflect deeply about how to improve their quality of life not when they are happy, but when they are unhappy, when life seems meaningless and the significance they project onto their environment collapses. In these moments of individual or collective despair, focusing on solutions becomes pressing, as it is the only way out. People start to actively look for a means of change. The rationality of one's actions aimed at changing or moulding one's exterior or interior reality in moments of crisis is maximised. These actions are often doubled by the expression of a collective wisdom that tries to find the best direction of development. To reiterate conventional wisdom, the human being spends a lot more time thinking about what they don't have than about what they do. Consequently, people think a lot more about happiness when happiness is absent from their lives and when they are at a high risk of not reaching it. Even in these conditions, they still have hope for the future. Popular wisdom says: "The hope dies last." These moments of crisis allow the person to identify more precisely what is missing from their life, what priorities they have, and how to best fulfil these priorities through practical solutions.

Periods of social, human, environmental or moral crisis in evolution help clarify both the correct diagnosis of the problems and a set of flexible solutions well adapted to the person's situational context and particularities. Regardless of time, these periods emphasise the need to take into account the implicit/indirect/hidden costs of endemic economic growth that has little regard for individual well-being or for the human condition, producing unwanted effects such as pollution or natural catastrophes that are the result of an ecologic imbalance due to the irrational exploitation of natural resources. The perverse effects of the myth of economic growth force us to reconsider what human needs are essential and authentic and what is, in fact, ostentatious consumerism in accordance with Veblen theory [28].

Coming up with solutions for overcoming difficulties, even when these solutions are tentative, generates hope and optimism with respect to new actions. The person is searching for and generates feasible solutions for her/his aspirations in crucial moments of their life, when they are forced to change something in order to recover. People think deeply about how to

come up with more efficient actions that will improve their life satisfaction not when they feel fulfilled, but when they are in critical or high-risk situations, when life seems meaningless. They do not stop and think about the meaning of life in moments of fulfilment. In those moments, everything seems to be ordinary/normal from the point of view of life balance and this state of contentment feels timeless. We are all victims of a well-known imperative that is as reassuring as it is misleading— “seize the day.”

The challenges related to the current crisis prompt us to rethink our strategies of intervention and social action, and people channel their efforts to find appropriate answers to issues of life, growth, and well-being.

## **5. The pressure of needs in the context of maximising solutions which will satisfy them**

According to Maslow’s theory of authentic development of human beings, authentic needs of development differ from artificial or compensatory needs [29]. Thus, taking into account the requirements of a responsible and balanced life, rationality and responsibility with respect to the use of goods and consumption are emphasised.

When our normative authentic bio-psycho-socio-cultural needs are not met, they become pressing shortcomings or active frustrations and exercise a pressure to be met. They come to the forefront of awareness and lead to finding or imposing new strategies, instruments or techniques directed at meeting them through a succession of actions, often through trial and error.

In general, satisfying one’s needs/goals/requirements takes place either quicker or slower depending on how these needs, goals, etc. are situated with respect to one’s inner balance and harmony in the context of one’s life environment.

When the needs are not met, after Maslow’s (1970) theory, they are pushed to the surface. Latent necessities become active and exercise the pressure to be met as quickly as possible (see Maslow’s hierarchy of needs) [29]. If, in times of relative normality with respect to satisfying one’s needs, the desires to meet them are somewhat less specified and more diffuse, these desires become increasingly well-articulated and are translated into clear action motives as soon as their failure to be met pushes the human being to his or her biological limits of survival. This justifies the existence of different stages of need fulfilment according to their importance for the individual as well as according to one’s means for

reaching certain goals through a practical search for the most efficient solutions.

When it comes to happiness, things are more complicated and not as clear. Happiness is, in fact, a dynamic process and not a pre-established given that remains equal in time. Happiness is a continual exploration, not an immutable constant. It consists of a multitude of desires, purposes and goals that generate others as soon as they are met. New needs become pressing and active in time [1] [30].

This is why, in the pursuit for happiness, people mobilise their inner and outer resources permanently in order to succeed in meeting those needs involved in their permanent self-improvement. Ignoring their elementary, biological needs of survival (of food and security), people orient themselves towards needs that transcend the immediate ones, such as for love, social acceptance and self-actualisation [29]. In lay terms, the human being is never happy with what they have, what they do, what they are, because they will never stop wanting more, wishing for what they don't have, trying to reach new goals and taking on increasingly daring projects [31, p.275]. The human is never empty of wishes, goals and plans. As noted by Sartre (2001), only death as the ultimate limit can stop the human being from wishing and acting to become something other than they are [32]. The desire to be permanently active, to develop and improve oneself and one's environment, is a constant of human life.

The entire complex of the issue of quality of life sustains a pragmatic vision of the pursuit of happiness and well-being, based on changes aimed at the continual improvement of one's interior and exterior universe.

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# CHAPTER TWO

## DEFINING AND MEASURING WELL-BEING AND THE ROLE OF HAPPINESS

FILOMENA MAGGINO<sup>1</sup>

### Introduction

Defining what a good society is, and consequently its observation and monitoring, should take into account two important and interrelated concepts: complexity and limiting.

In order to measure and monitor a country's well-being and progress, a systematic approach is needed, leading from "concept" to "measurement," to "synthesis" and then "interpretation."

The process requires the identification of, in order:

- (a) the concepts (and their corresponding conceptual dimensions) to measure and monitor, and the ambits (or domains) in which the concepts have to be measured and monitored
- (b) the indicators, including the techniques aimed at summarizing and summing up the indicators
- (c) interpretative and explanatory models.

This work aims at: (a) clarifying different issues concerning the well-being of societies by providing conceptual instruments allowing anyone to orient oneself among all the emerging proposals and to distinguish between serious and propagandistic issues; (b) unravelling some important methodological aspects and issues that should be considered in measuring it and constructing indicators.

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## Defining Well-being

### Attempts to classify the concepts

During the history of political philosophy, since Aristotle there have been many conceptual approaches that try to define what a good society is.

It is quite impossible to examine all those definitions and this work has no intention to do that exhaustively.

#### (a) Well-being defined in terms of “structures of values”

According to this criterion, the distinction between different definitions can be explained by the different structures of life values adopted. In this sense, three different philosophical approaches can be identified [1], synthesized in Table 2.1.

**Table 2.1. Well-being defined in terms of “structures of values”**

What is societal well-being related to?	What should be observed	Observational strategies?		What measures?
		What?	At what level?	
<b>Functioning and capability to select goods and services that one desires</b>	<b>Income</b> , considered the main means to achieve an acceptable standard of living	Wealth (observed or estimated)	- individual (micro) → income - community (macro) → GDP	Economic indices
<b>Normative ideals</b>	Set of characteristics inspired by normative aims, grounded in moral <b>values</b> or policy <b>goals</b>	Living conditions	- individual (micro) → work ... - community (macro) → social cohesion, democracy	Social indicators
<b>Subjective experiences</b>	Individual's cognitive and affective reactions to one's own life (or specific domains)	Subjective perceptions and attitudes	Individual (micro) → satisfaction	Subjective indicators

#### (b) Well-being defined in terms of different “observational perspectives”

According to this criterion, the different conceptual approaches refer to one of the perspectives described in Table 2.2.

**Table 2.2. Well-being defined in terms of different observational perspectives**

<b>Process</b>	<p>Societal well-being is seen as a function of concepts like:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>development</b> (often referring to qualitative dynamic change of an economic system)</li> <li><input type="checkbox"/> <b>growth</b> (referring to quantitative expansion on the scale of physical dimensions of economic system)</li> <li><input type="checkbox"/> <b>progress</b>, indicating “moving forward” (from Latin <i>progressus</i>, “going forward,” “advance”). As the limits or potentialities of the process defined in terms of “moving forward” are reached, the attention could be turned towards the reverse and opposite process, “de-development”, de-growth, recession ... [2]. This approach assumes that a (more or less virtuous) process of economic growth leads almost automatically to individual and collective well-being.</li> </ul>
<b>Conditions</b>	<p>Societal well-being is seen as a function of concepts like:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>availability of economic resources</b> (manpower, equipment, budget),</li> <li><input type="checkbox"/> <b>income and wealth distribution</b> (and its social implications),</li> <li><input type="checkbox"/> <b>national welfare</b> and its relationships and impacts on economics.</li> </ul>
<b>Goals</b>	<p>This perspective moves the attention from the process (development, progress, growth) to the goal: sustainability, quality of life, well-being ...</p>

**(c) Well-being seen in terms of “points of observation”**

According to this criterion [3], the different conceptual approaches are distinguished with reference to the point of observation, which can be centred on:

- the individual dimension (quality of life)
- the community dimension (quality of societies).

Table 2.3 synthesises the classification.

**Table 2.3. Well-being defined in terms of points of observation**

<b>Societal well-being concepts</b>	<b>Approaches</b>	
Quality of life (conceptualised implicitly or explicitly at individual level)	Resources approach	
	Capabilities approach	
	Subjective well-being approach	
	Basic needs approach	
	Objective living conditions and subjective well-being approach	
Quality of societies	Livability and quality of nations	
	Societal integration, solidarity and stability	Social cohesion
		Social exclusion
		Social capital
	Sustainability	
	Human development	
	Social quality	

Source: Berger-Schmitt & Noll (2000)



**(d) Well-being defined in terms of “different theoretical views of Quality-of-Life”**

According to this criterion [4], the different conceptual approaches to good society are distinguished with reference to the different theoretical perspectives through which Quality of Life is seen:

**(i) Socio-economic development**

According to this approach, social development follows the achievement of a satisfactory level of economic development. This concept has been revised. Two emergent concepts are related to:

- Capital. In particular, there are five major sources of community capital: (a) financial or economic capital, (b) human capital, (c) social capital, (d) built capital, and (e) natural capital. Particular attention has been dedicated to the social capital dimension, seen as more significantly related to subjective well-being than economic indicators.
- Stocks and flows. As known, stocks constitute capital account whereas flows make up the current account. These concepts have also been translated into psychological terms—stocks are the strength of one’s personality, health, social networks, leisure skills and equipment, work skills and equipment, education and general knowledge, and socioeconomic status. Flows are satisfaction or dissatisfaction experienced in relation to daily activities in the context of various life domains (finances, leisure, family, job, friendships and health). Thus, a person characterized as having a high QOL is likely to possess good stocks and experience good flows.

Even though there is enough evidence to support the notion that economic development is strongly related to social development (i.e. economic development is highly correlated with community indicators of health, high quality government institutions, environmental pollution, and subjective well-being), the concept of socio-economic development is not able to capture the entire domain of the QOL construct, since it leaves out other important dimensions of well-being such as social well-being, health well-being, and environmental well-being.

**(ii) Personal utility**

According to this approach, quality of life is related to the subjective experience of individuals, observed in terms of evaluations, perceptions

and expressions of satisfaction of their living conditions. There are numerous conceptual models classified with reference to how subjective well-being is explained. The explanations can be related to individual's:

- (a) personality traits (top-down approach)
- (b) evaluations and values (bottom-up approach, comparison approach, multiple-discrepancy approach, purpose and meaning in life)
- (c) feelings and emotions (hedonic psychology approach, positive/negative affect, positive emotions theory)
- (d) perceptions and functionings (flow and engagement approach, eudaimonistic identity theory)
- (e) mixed approach (moods-and-disposition approach, cognitive-and-affective components approach, up-down approach).

### **(iii) Just society**

According to this approach, the quality of life of a community is that in which its members enjoy a high level of social justice, when two distinct principles are met:

- (1) Equality in the assignment of basic rights and duties, which can be viewed in terms of at least six dimensions: (a) right to satisfaction of basic needs, (b) right to safety, (c) right to employment, (d) right to a healthful environment, (e) duty to pay taxes, and (f) duty to vote.
- (2) Inequalities are justified to benefit the least advantaged members of the society (children, women, minorities, the poor, the disabled).

### **(iv) Human development**

Quality of Life is related to human need satisfaction (satisfaction of people's developmental needs). Developmental needs refer to a hierarchy of:

- lower-order needs such as health, safety and economic needs; generally, they can be viewed in terms of nine dimensions: (a) environmental pollution, (b) disease incidence, (c) crime, (d) housing, (e) unemployment, (f) poverty and homelessness, (g) cost of living, (h) community infrastructure, (i) illiteracy and lack of job skills.
- higher-order needs such as social, esteem, actualization, knowledge and aesthetics needs; generally, they can be seen in terms of nine different dimensions: (a) work productivity and

income, (b) consumption of non-basic goods and services, (c) leisure and recreational activities, (d) educational attainment, (e) community landscape, (f) population density and crowdedness, (g) arts and cultural activities, (h) intellectual activities, and (i) religious activities.

To achieve a high level of quality of life, community members have to satisfy both lower- and higher-order developmental needs.

### **(v) Sustainability**

Sustainability has been defined by the World Commission on Environment and Development as the effort to meet the needs of the present without compromising the ability of future generations to meet their own needs. Two different perspectives of sustainability can be seen:

- environmental sustainability (environmental well-being)
- environmental and human sustainability (sustainable community, sustainable development, and sustainable growth) by considering sustainability in terms of the interrelationship between the human and environmental dimensions.
- “sustainable communities” are those that enhance the economic, environmental and social characteristics of a community. The three sets of QOL characteristics (economic, environmental, and social) are also referred to as the “three Es of Sustainability” (economy, environment, equity).
- “sustainable development” is a combination of human well-being and environmental well-being. Since there is no good human condition in a bad environment, indicators of human well-being should also include indicators concerning environmental well-being.

### **(vi) Functionings**

Individual life is a combination of doings and beings—referred to as “functionings” (activities and situations that people consider important in their lives, e.g. health status, level of education, and current employment status). Quality of life is assessed with reference to the individual freedom to choose among the various functionings. This freedom to choose is referred to as “capability,” defined as the ability to achieve functionings. In other words, functionings represent the goals of human living, with capability indicating the freedom of choice that one has to experience the end results of functionings.

From a functioning perspective, well-being can be developed in terms of a summary index of people's functionings, e.g. education provides freedom to earn a living and pursue a desired lifestyle. Thus, the desired lifestyle can be viewed as the outcome or functioning, whereas education is the means for achieving it (i.e. capability).

Many health-related indicators projects are now using the concept of functioning to guide their efforts in constructing indicators.

### **Towards a comprehensive definition**

From the previous synthesis it is easily deducible that each of the identified approaches is unable to fully describe what can be defined as well-being. In fact, they focus upon certain aspects only and do not consider the reality in its complexity.

In order to overcome partialities and incompleteness, the adopted conceptual framework should define and allow for the complexity, a multidimensional and comprehensive definition able to conciliate micro (individual) and macro (societal) levels.

A possible multidimensional conceptual definition could be the following:

A good and healthy society is that in which each individual has the possibility to

- participate in community life
- develop skills, abilities, capabilities and independency
- adequately choose and control his/her own life
- be treated with respect in a healthy and safe environment and by respecting the opportunities of future generations.

This definition points out that the widely accepted main concepts defining the progress of a country (or community) are:

- the well-being of individuals (quality of life) and society → individual (micro) and societal (macro) level
- its fair distribution (equity) → community (macro) level
- its sustainable promotion (sustainability) → relationship between the two previous levels, the environment and the future.

## **(1) Well-being**

### **(a) the individual level → “Quality of life”**

Recently, a large number of people expatiate upon quality of life, considered one of the main objectives to be pursued in order to obtain a healthy society. Unfortunately, as often as not, at academic level and beyond, this concept has been trivialized by reducing it to (or making it dovetail with) a simple subjective expression, typically done by those who identify quality of life with happiness, which is considered, in other approaches, as related to personality traits. Actually, the concept of quality of life is more complex and, in other words, multidimensional.

Zapf [5] [6] proposed a model with two main macro components/dimensions, which in turn find subsequent sub-dimensions:

- (i) Living conditions referring to outcomes, resources and capabilities, external circumstances, subjective evaluations
- (ii) Subjective well-being, cognitive and affective components, positive and negative components.

#### **Living conditions**

The relevant aspects of living conditions refer to outcomes, resources and capabilities, external circumstances, and subjective evaluations. They can mainly be distinguished in objective living conditions and the subjective evaluation of living conditions, observed, respectively, through objective and subjective measures and indicators.<sup>2</sup> For example, the concept of “security” can be seen in objective terms but also in its dynamics related to subjective perceptions.

Objective living conditions relate to the different ambits (personal and social) which each individual is involved in. In other words, objective living conditions refer mainly to material resources, standards of living, working conditions and status, state of health, individual status, social relationships, and freedom to choose one’s lifestyle. Objective indicators allow each aspect of living conditions to be evaluated. Their specificity is

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<sup>2</sup> Any approach highlights how defining a group of characteristics concerning individual life is important. They should be “intrinsically as objective expressions of a good life, or instrumentally, to achieve valuable subjective states or other objective goals” (Stiglitz et al. 2009), and should allow people to have resources. The possibility to adequately exploit opportunities contributes to the betterment of quality of life.

in the possibility to define and recognize external objective references. In other words, they are verifiable.

The subjective evaluation of living conditions can concern different dimensions, like self-determination (expressed in terms of perceived autonomy), spirit of initiative (in the meaning of capacity / possibility to contribute to building common well-being), sense/scope of in one's own life, and perceived adequacy.

### **Subjective well-being**

The idea that observing subjective well-being has a high informative and analytic value is widely accepted. Perceptions and evaluations influence the way people experience life and benefit from opportunities. In other words, considering subjective well-being among the conceptual dimensions of general well-being allows attention to be oriented towards a component of the quality of life which is the result of the individual's evaluation of living conditions, opportunities, preferences, expectations and adaptations [7].

In this perspective, information on subjective well-being can usefully complete other objective information by allowing divergences between what persons perceive and what is objectively observed to be evaluated [8].

One of the most accepted and adopted definitions of subjective well-being conceives it as a composite construct described by two distinct components: cognitive and affective [9].<sup>3</sup>

The cognitive component is related to the process through which each individual retrospectively evaluates (in terms of "satisfaction") her/his life, as a whole or in different ambits. The subjective evaluation is made by taking into account personal standards (expectations, desires, ideals, experiences, etc.). Consequently, the level of satisfaction is expressed as a function of the reached objective, fulfilled ambitions, comparing ideals, experiences and other persons. In other words, satisfaction with life is the result of a cognitive process, allowing the individual to evaluate her/his present situation with reference to "standards" [10], individually defined.

The affective component refers to the emotions experienced by individuals during their daily lives and relates to their present situation. The emotions can be positive (pleasant affects) or negative (unpleasant affects), which are considered conceptually distinct and influenced by

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<sup>3</sup> This definition has been adopted by OECD's Factbook: <http://lysander.sourceoecd.org/vl=8034723/cl=21/nw=1/rpsv/factbook2009/11/02/02/index.htm>.

different variables ([11] [12] [13]).<sup>4</sup> Observing this component is particularly important since it allows us to obtain information about the temperamental structure used by each individual in facing everyday life.<sup>5</sup>

The combination of the two components allows subjective well-being to be assessed. Some authors have proved that individual choices in the long term are influenced by both components [14].

Summarizing, the concept of subjective well-being can be framed through the following dimensions:

- the “cognitive” dimension
- satisfaction with life as a whole
- satisfaction with different life domains<sup>6</sup>
- the “affective” dimension
- positive affect (happiness, serenity, etc.)
- negative affect (concern, anxiety, stress, etc.)
- affect related to particular situations or activities (family, work, etc.).

## **(2) The societal level → “Economic and social cohesion”**

From the general point of view, societal well-being involves dimensions like economic and social cohesion, integration of individuals

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<sup>4</sup> Particular attention should be devoted to the term “happiness,” which assumes different meanings according to different authors. Many scholars refer “happiness” to the affective component of subjective well-being (Nuvolati 2002; Diener et al. 2008). Others consider happiness as a synonym of life satisfaction (Veenhoven, R. [1994], “Is Happiness a Trait?” *Social Indicators Research* 32, pp. 101-160). Besides the different conceptual views, the statistical evidence can tell different stories. The highest rank correlation value between “level of satisfaction with life as a whole” and “level of happiness” by country in round 4 of the European Social Survey data is 0.6 (registered for the United Kingdom sample), revealing not only that the two components are not coinciding but also that a linguistic problem underlies the definition of happiness.

<sup>5</sup> According to some authors (like Veenhoven, R. [1994], “Is Happiness a Trait?” *Social Indicators Research*, 32, pp. 101-160), affects’ determinants are universal and consequently not produced by individual response-styles or cultural differences.

<sup>6</sup> One of the first attempts aimed at identifying the more relevant life domains is Andrews & Withey (1976), *Social Indicators of Well-Being: Americans’ Perceptions of Life Quality*, Plenum Press, New York. By admitting that individual “concerns” can be infinite, they focus on those ambits which seem to be relevant and meaningful for individuals and their quality of life. Different studies identify different lists of ambits, each very different from one another.

and groups, and social connection and social ties (social capital), referring to dimensions observed at both macro and micro level:

- social and political activities and engagements (associations, organizations ...)
- participation (social and political activities and engagements in associations, organizations ...)
- performance of societal institutions
- quality of relations (e.g. shared values, conflicts, solidarity)
- social relations (informal networks)
- trust in institutions.

### **(3) Equity**

The concept of equity refers to the distribution of well-being. In this sense, it could be referred to concepts like social inclusion/exclusion, and disparities and inequalities, related to welfare distribution within a society and assessed by checking:

- inequalities among individuals, groups, societies (women and men, generations, social strata, disabled, races, citizenship groups ...)
- regional disparities.

However, it is possible to identify the equity dimension at individual level as well (well-being distribution within each individual).

Consequently, we can identify two levels of equity: (i) external, observed by comparing different social groups (identified through different perspectives, age, gender, and so on), and: (ii) internal, referring to the balance among the different life aspects in each individual.

### **(3) Sustainability**

An important additional concept is represented by the relationship between the previous two conceptual dimensions and the limit in their development and promotion with reference to the time and space perspective.

In fact, the idea of “limit” can be seen as related to the concept of sustainability<sup>7</sup>.

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<sup>7</sup> “Time” could represent an example—any attempt aimed at improving connections between cities (in terms of travelling time) should face a limit. Time spent going from one city to another can be reduced thanks to new technologies



The concept of sustainability refers to the possible erosion/durability of those conditions (interpretable in terms of capitals) with reference to the present generation's future and future generations<sup>8</sup>.

In this perspective, sustainability can be defined by referring to the capitals which should be preserved (five dimensions) and to two perspectives (table 4)<sup>9</sup>:

**Table 2.4. The “sustainability” concept—dimensions and perspective**

		Perspectives of sustainability		
		Present generations'...	Future generations'...	
Dimensions of sustainability →	physical	... behaviours affecting individual health		micro
	social	... behaviours affecting social relations and networks		micro & macro
	economic	... processes affecting welfare		micro & macro
	human	... processes affecting individual skills, training, education, health		micro
	natural	... processes affecting natural resources		macro
				← Level of observation

and improvements of territorial structures. However, technology could be improved, the time reduction's amount would be shorter and shorter, while the price in terms of eroded capitals could improve more and more.

<sup>8</sup> For example, any attempt aimed at improving connections between cities (in terms of travelling time) faces limits. Time spent going from one city to another can be reduced thanks to new technologies and improvements in territorial structures. However, the commuting time that can be reduced should be balanced with the capitals (such as the territory) that need to be consumed and sacrificed for that reduction. In other words, the question is: what is the price to be paid in order to reduce the commuting time by a few minutes? Perhaps the technological efforts could be oriented towards how to reduce the amount of people that need to commute each day.

<sup>9</sup> According to the World Bank's four capital approach, for example, sustainable development should enhance and preserve the social, human, produced and natural capital of present generations and provide future generations with them.

## Key topics

Assessing quality of life and its equity and sustainability needs social and political consensus not only on the concepts (quality of life, equity and sustainability) but also on three key topics [15]:

- (1) Thematic areas considered relevant (domains). The relevant concepts and their dimensions have to be assessed and observed within each “lifedomain.” Life domains represent segments of the reality in which fundamental concepts should be observed and monitored. The thematic areas refer to the individual, family, territorial, and societal ambits in which each individual lives. Typically, they are:

1	households and families	6	education	9	health
2	housing	7	labour market and working conditions	10	environment
3	transport	8	Income and standard of living	11	social security
4	leisure and culture			12	crime and safety
5	participation			13	total life situation

In fact, a shared list of ambits showing explicit priority does not exist, also because the list strictly depends on value judgments, valid and acceptable in a certain place or time [15]. However, many scholars noticed that many ambits recur in empirical studies [16] [17] [18] [19], highlighting how human conditions lead individuals to face challenges that are common all over the world and that require collective solutions.<sup>10</sup> Generally, the differences concern the importance assigned to each domain.

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<sup>10</sup> According to Johansson (2002), human beings, in order to fulfil themselves, need:

“To be cared for, nurtured and fostered as babies  
 To be trained or educated as a preparation for the adult roles  
 To find a job in the system of production  
 To find one’s own place to live and to form a family  
 To maintain health over the whole life cycle  
 To be protected against violence and crime  
 To find a societal identity in culture and as a citizen.”

- (2) Good and bad living conditions to be identified (criteria). For each ambit, the related variables should be defined and the corresponding indicators identified. The consensus on which variables and which indicators, and on their interpretation, is lower. What should be clarified is that comparing different realities (represented by countries or areas inside one country) does not necessarily imply using the same variables and, consequently, the same indicators require differentiated choices [19]. In fact, variable choice depends on shared societal values which are functions of time and place. Consequently, transferring a quality-of-life concept developed in a certain context could be misleading.
- (3) Direction to be adopted by the society (goals). Goals are not only time and space dependent but rely on political views. In this perspective, the role that international organizations can play is definitely important in defining the goals to be pursued. It is important to set clear and shared goals (in the “well-being for all” perspective) by giving philosophical and political debate (understandable for all) more space.

As we will see, these topics are related to indicator definitions, especially with reference to their benchmarks.

## **The policy goals**

The previous stage is necessary in order to proceed with defining and planning policy actions. In fact, the decision-making level can define action/intervention proposals concerning the concepts (even if with different intensity) by taking into account that the taken decisions will influence all the ambits, even when no resolution is made on each of them.

The policy proposal is expressed through aims, which can be:

- Conceptual (goals) that represent broad statements concerning what has to be achieved or what the problem to be faced is. Usually, goals are placed at different levels (local, national, international, etc.).
- Operative (objectives) that represent the instruments identified in order to attain the conceptual aims. Objectives can have different temporal prospects (monthly, four-monthly, annual, bi-annual, etc.).
- Planning (actions) that represent the specific activities identified to accomplish the objective. They can include developments and infrastructural changes in policies, institutions, management instruments, etc.

## **Identifying indicators**

Investigating different aspects related to subjective well-being as well as to other subjective or objective dimensions requires the definition of basic indicators representing what is actually measured—the observable elements to be defined for each conceptual dimension and each ambit/domain.

## **Selection criteria**

Different issues need to be addressed in order to select and manage indicators, especially when this is carried out in a complex system allowing for the accomplishment of functions like monitoring, reporting and accounting. Michalos [20] identified fifteen different issues related to the combination of social, economic and environmental indicators. As Michalos asserts, the issues collectively yield over 200,000 possible combinations representing at least that many different kinds of systems [20]:

- Settlement/aggregation area sizes, e.g. the best size to understand air pollution may be different from the best size to understand crime.
- Time frames, e.g. the optimal duration to understand resource depletion may be different from the optimal duration to understand the impact of sanitation changes.
- Population composition, e.g. analyses by language, sex, age, education, ethnic background, income, etc. may reveal or conceal different things.
- Domains of life composition, e.g. different domains like health, job, family life, housing, etc. give different views and suggest different agendas for action.
- Objective versus subjective indicators, e.g. relatively subjective appraisals of housing and neighbourhoods by actual dwellers may be very different from relatively objective appraisals by “experts.”
- Positive versus negative indicators. Negative indicators seem to be easier to craft for some domains, which may create a biased assessment, e.g. in the health domain measures of morbidity and mortality may crowd out positive measures of well-being.
- Input versus output indicators, e.g. expenditures on teachers and school facilities may give very different views of the quality of an education system from that based on student performance on standardized tests.
- Benefits and costs. Different measures of value or worth yield different overall evaluations as well as different evaluations for

- different people, e.g. the market value of childcare is far below the personal, social or human value of having children well cared for.
- Measurement scales, e.g. different measures provide different views of people's well-being and relate differently to other measures.
  - Report writers, e.g. different stakeholders often have very different views about what is important to be monitored and how to evaluate whatever is monitored.
  - Report readers, e.g. different target audiences need different reporting media and/or formats.
  - Conceptual model, e.g. once indicators are selected, they must be combined or aggregated somehow in order to get a coherent story or view.
  - Distributions, e.g. because average figures can conceal extraordinary and perhaps unacceptable variation, choices must be made about appropriate representations of distributions.
  - Distance impacts, e.g. people living in one place may access facilities (hospitals, schools, theatres, museums, libraries) in many other places at varying distances from their place of residence.
  - Causal relations. Before intervention, one must know what causes what, which requires relatively mainstream scientific research and which may not yet be available.

Choices and options selected for each issue have implications for the other issues. The issues are not mutually exclusive and are not expected to be exhaustive, as others can be identified.

Dealing with these issues is merely a technical problem to be solved by statisticians or information scientists. On the other hand, the construction of indicators of well-being and quality of life is essentially a political and philosophical exercise, and its ultimate success or failure depends on the negotiations involved in creating and disseminating the indicators, or the reports or accounts that use those indicators [20].

Within a system, we also consider the difficulties related to the availability of indicators (across time and space) and in harmonizing different data sources and levels of observation.

## Quality

Many international institutions, like the World Bank & Unesco [21] and Eurostat [22], have tried to identify the attributes of quality that indicators (and approaches aimed at their management) should possess and need to be considered in the process of developing new indicators or in selecting available indicators (see Table 2.5 below):

### **(a) Methodological soundness**

This characteristic refers to the idea that the methodological basis for the production of indicators should be attained by following internationally accepted standards, guidelines or good practices. This dimension is necessarily dataset-specific, reflecting different methodologies for different datasets. The elements referring to this characteristic are: (i) concepts and definitions, (ii) scope, (iii) classification / sectorization, and (iv) basis for recording. Particularly important is the characteristic of accuracy and reliability, referring to the idea that indicators should be based upon data sources and statistical techniques that are regularly assessed and validated, inclusive of revision studies. This allows accuracy of estimates to be assessed. In this case, accuracy is defined as the closeness between the estimated value and the unknown true population value as well as between the observed individual value and the “true” individual value. This means that assessing the accuracy of an estimate involves analyzing the total error associated with it, through sampling error and measurement error.

### **(b) Integrity**

Integrity refers to the notion that indicator systems should be based on adherence to the principle of objectivity in the collection, compilation and dissemination of data, statistics and results. The characteristic includes institutional arrangements that ensure:

- (i) professionalism in statistical policies and practices
- (ii) transparency, and
- (iii) ethical standards.

### **(c) Serviceability**

Comparability is a particular dimension of serviceability. It aims at measuring the impact of differences in applied concepts and measurement tools/procedures:

- over time, referring to comparison of results, derived normally from the same statistical operation, at different times
- between geographical areas, emphasizing the comparison between countries and/or regions in order to ascertain, for instance, the meaning of aggregated indicators at the chosen level

- between domains. This is particularly delicate when involving subjective measurement (e.g. cultural dimensions).

### (d) Accessibility

Accessibility relates to the need to ensure:

- (i) clarity of presentations and documentations concerning data and metadata (with reference to information environment. Data are accompanied with appropriate illustrations, graphs, maps, and so on, with information on their quality, availability and [eventual] usage limitations)
- (ii) impartiality of access
- (iii) pertinence of data
- (iv) prompt and knowledgeable support service and assistance to users.

In other words, it also refers to the physical conditions in which users can obtain data—where to go, how to order, delivery time, clear pricing policy, convenient marketing conditions (copyright, etc.), availability of micro or macro data, various formats (paper, files, CD-ROM, Internet ...) etc.

**Table 2.5. Dimensions of indicator quality**

AN INDICATOR SHOULD BE	clear appropriate exhaustive	meaningful accurate well- designed	WITH REFERENCE TO ITS	define and describe (concepts, definitions and scopes)	(i) METHODO- LOGICAL SOUNDNESS
	measurable	stable	CAPACITY AND POSSIBILITY TO	observe unequivocally and stably (in terms of space and time)	
	reliable valid repeatable robust	rigorous precise exact faithful		record by a <b>degree of distortion as low as possible</b> (explored through statistical and methodological approaches)	
	transparent	with ethical standards		<b>adhere</b> to the principle of objectivity in the collection, compilation, and dissemination	(ii) INTEGRITY
	consistent	pertinent coherent		<b>reflect adequately the conceptual model</b> in terms of aims, objectives and requirements underlying its construction (knowing, monitoring, evaluation, accounting ...)	(iii) SERVICE- ABILITY

relevant		meet current and potential users' needs. It refers to whether all indicators that are needed are produced and the extent to which concepts used (definitions, classifications etc.) reflect user needs. The identification of users and their expectations are therefore necessary.
practicable revisable	up-to-date	<b>be observed</b> through realistic efforts and costs in terms of development and data collection (for example, a short time between observation and data availability)

well-timed	timely periodic	reflect the length of time between its availability and the event or phenomenon it describes	
regular	punctual	reflect the time lag between the release date of data and the target date when it should have been delivered	
comparable discriminant	disagregable thrifty	<b>be analysed</b> in order to record differences and disparities between units, groups, geographical areas and so on by employing the available information as much as possible	
believable accessible interpretable	comprehensible simple manageable	<b>be spread</b> , that is it has to be easily findable, accessible, useable, analyzable and interpretable in order to gain also users' confidence (brand image)	(iv) <b>ACCESSIBILITY</b>

## Prerequisites of Quality

Although they do not represent a dimension of quality in itself, prerequisites of quality refer to all those (institutional or otherwise) preconditions and background conditions for quality of statistics.

In other words, indicator construction is not simply a technical problem but should become part of a larger debate concerning how to construct indicators obtaining a larger legitimacy to be promoted. These prerequisites cover the following elements:

- (a) legal and institutional environment, allowing
  - (i) conceptual framework to be defined
  - (ii) coordination power within and across different institutions to be framed
  - (iii) data and resources to be available for statistical work.
- (b) quality awareness informing statistical work.

## Benchmarks

The identification of the indicators should be accompanied by the identification of the benchmark for each indicator or the point to be monitored.



A benchmark serves as a reference point in determining the current situation or position relative to the stated objective. In this perspective, a benchmark establishes the point from which measurements can be made. Indicators identify what will be measured.

The reference point could be represented by specific best practices or by comparison of current performance with previous performance and desired norms.

Benchmarking is a systematic process useful for monitoring and securing continual improvement.<sup>11</sup> It allows priorities to be established, better practices to be defined, impacts to be evaluated, and awareness among the stakeholders to be aroused.

The benchmark value is not always easy to identify and requires a consensus that is not easily reached.

However, it is really difficult to state benchmark with reference to subjective well-being indicators. What can be done is the identification of a reference group (e.g. a percentage of people with a high level of satisfaction with life as a whole).

In fact, the benchmark, interpreted in terms of reference point, can assume different shapes [23]:

- (a) genuine reference point (or critical value) which represents a quantitative information established thanks to the scientific research
- (b) signpost arrow, which represents a guideline/direction for actions (“go this way”)
- (c) best practice, which represents a model to be followed
- (d) goals, defined through a consensual process (policy level, public opinion, etc.) from cultural paradigms, normative demands, expert group pressure, and shared wishful ideas.

## Organization

The process allowing for the construction of indicators leads to a conceptual matrix in which each row represents a conceptual dimension/sub-dimension, while each column represents a life domain. Indicators are made concrete in each cell. Each combination row-column cannot necessarily be observed through indicators. Table 2.6 represents the

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<sup>11</sup> The use of benchmarks plays an important role in the ambit of a program development. Used in combination with the program objectives they provide the basis for program accountability.



1	households and families	6	education	9	health
2	housing		labour market	10	environment
3	transport	7	and working condition	11	social security
4	leisure and culture	8	Income and	12	crime and safety
5	participation		standard of living	13	total life situation

In an ICM, not every combination of conceptual dimension and ambit (cell) will necessarily be covered by indicators.

Moreover, according to a simple (as well as weak) strategy, each cell can be covered by a single indicator (single-indicator approach). This strategy, undoubtedly thrifty and functional, requires the adoption of robust assumptions concerning the possibility of measuring one dimension (with reference to one domain) with just one indicator. Such an assumption carries some risk, since each single indicator can produce a wide and considerable amount of error related to:

- (a) precision (reliability), since the measurement through one single indicator is strongly affected by random error
- (b) accuracy (validity), since the chance that one single indicator can describe one conceptual dimension is highly dubious and questionable
- (c) relationship with the other dimensions
- (d) capacity of discriminating and differentiating among observed cases.

Consequently, the adoption of several indicators (multi-indicator approach) for each conceptual dimension is desirable. This approach allows the problems produced by the single-indicator approach to be avoided or, at least, reduced. In fact, multiple measures allow the characteristic to be measured with more precision and accuracy<sup>12</sup> and with a more discriminatory capacity.

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<sup>12</sup> In particular, the basic indicators defined in the multi-indicator approach are considered "multiple measures," since they are assumed to cover the conceptual dimension's variability.

## **Managing indicators: Instructions for use**

Monitoring well-being through indicators creates issues representing, at the same time, a challenge(given by the complexity), a need (represented by the relativization) and a risk (given by the over-reductionism).

The key allowing for the proper identification of new measures lies in the players' (statisticians, researchers, analysts, policy makers, and so on) capacity and awareness in considering the complexity, avoiding over-reductionism and investigating relativization.

### **A challenge: Complexity**

Changing a paradigm introduces several methodological implications in identifying and observing indicators:

- levels of observation, which can be micro (individuals, groups), and macro (communities, regions, countries, etc.). Macro does not necessarily correspond to the sum of the micros, and the micro level does not necessarily reflect what emerges at the macro level.
- times of observation, which will not necessarily be equal for all selected indicators according with their different dynamics; in fact, some phenomena show “fast” dynamics while others show extended changing progression.
- objective and subjective levels, which represent two aspects of the reality integrating each other.
- internal level and external level, a duality sensitive to individual observation; in fact, at individual level the defined concepts should be observed at both “external” (e.g. objective living conditions, equity and sustainability of those conditions) and “internal” (e.g. subjective evaluations about the living conditions, subjective perceptions about equity and sustainability of living conditions) levels;
- classifying indicators in terms of input and outcome aspects is difficult to accomplish; in fact, some aspects could be classified at the same time (or at subsequent times) as input or output; families' lower expenses for foodstuffs could represent an output indicator related to a short-term situation but could also represent an input indicator towards a change (worsening?) in family members' health statuses;

-the transition from the quantity to the quality paradigm<sup>13</sup> implies a consistent choice of the indicators; this means, for example, turning an indicator of quantity like “life expectancy” to an indicator of quality like “healthy life expectancy.”

### **A need: Making-relative**

The indicator selection implies a reflection about the objectives of their adoption (monitoring, comparing and benchmarking among territories, supporting and evaluating policy decisions ...).

In particular, that reflection requires considering two related indicators’ characteristics: consistency with reference to concepts and adequacy with reference to the territory (country, region, province, ...).

The definition of well-being, for example, finds a wide agreement (integration between living conditions and subjective well-being). Its operationalization (in terms of indicators) should take into account the definition’s declension in the territorial ambit in which the observation is made. Consequently, different areas could adopt different indicators in order to measure the same concept.

This could introduce problems in the process of comparing different areas, by taking into account that they will be compared with reference to the concept and not with reference to single indicators (comparing synthetic indicators).

Relativization also involves the measuring and monitoring of the well-being concept and should urge better policies. This can be illustrated with a simple and simplified example—how to interpret a region’s high value produced by the ratio “number of hospital beds / dimension of population”? At first glance, a high level could reveal a region paying attention to the needs and requirements of the population’s health. A later look could be alarming—does the high number of available hospital beds fit a real need of that territory? If so, the interpretation could lead to a particular evaluation of policy decisions. The territory’s need, for example, could be related to particular pathologies. The policy action could have been directed towards other domains (e.g. the environment). Therefore, proposing city mobility compatible with a healthy environment allows air quality and lifestyle to be improved, allowing a healthy life and hopefully a lower need of hospital beds.

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<sup>13</sup> The dichotomy quality/quantity introduced here refers to the technical expression of indicators and not to their meaning.

### **A risk: Reductionism**

Reductionism cannot be avoided, since it is actually impossible to pull an image and a story from a pure observation of the reality and be completely grounded on it.

On the other hand, it is dangerous to concentrate on just a few elements and to statistically infer from them the sufficiency of the reduced observation.

In fact, a statistically high correlation between two indicators does not authorize action without one among them. Such a decision implies the notion according to which indicators showing high correlation are actually measuring the same concept's component.

The range of such decisions is, in reality, that the relationship between two indicators (e.g. number of firemen and amount of damages in a fire) can be high but mediated by a third (e.g. dimension of the fire). If the third indicator's nature changes, the relationship between the two others changes or disappears, even though they will continue to describe, autonomously, the reality. If, by observing the previous high correlation, we excluded one of the two indicators, doing without one of them could deny ourselves precious pieces of the whole picture (as represented by the indicators).

This means that having a solid conceptual model allows indicator concepts' relationships to be identified and interpreted

From the technical point of view, reductionism refers to the possibility of synthesizing the collected information.

The systematic identification of basic indicators, identified with reference to concepts and domains, allows a outright "system of indicators" to be constructed (more complex than a simple "set of indicators," which are not always related to a conceptual framework).

In some cases, the complexity of the system will require the definition of syntheses, which concerns indicators and/or cases [24].

### **Synthesis of Indicators**

Let's adopt the example showed in Table 2.6. By referring to each concept and referring to  $d_{ij}$  as the score in conceptual dimensions  $i$  (for  $i = 1$  to  $I$ , where  $I$  represents the number of dimensions for each concept) and domain  $j$  (for  $j = 1$  to  $J$ , where  $J$  represents the number of domains), indicators are synthesised at two different levels (Table 2.3):

- (i) Synthesis of basic indicators referring to one conceptual dimension. From the technical point of view, this level of synthesis

aims at creating “synthetic scores,” involving basic indicators referring to only one conceptual dimension (in other words, the indicators are conceptually, even though not necessarily statistically,<sup>14</sup> homogeneous).<sup>15</sup> The procedures of summarising basic indicators have been widely and deeply studied. This kind of synthesis concerns one domain (*cell* in the ICM) or can be carried out through the domains.

- (ii) Synthesis of indicators referring to more conceptual dimensions. This aggregation aims at creating “composite indicators,” allowing the complexity of the system to be managed and reduced. In this perspective, the synthesis concerns each ambit/domain through all dimensions of each concept.

Technical solutions for synthesising indicators found different approaches, from those which can be considered traditional to others which introduce some advances, generally based upon discrete mathematics [25] [26]. In performing these syntheses, their meaningfulness and interpretability should be checked.

From a formal perspective, two further levels of synthesis are possible:

- aggregating indicators for each concept across all domains (C) and
- aggregating indicators for each domain across all concepts (D).

Both levels of aggregation are not recommendable, for technical (statistical approaches supporting this kind of aggregation are not actually available) and interpretative (the score eventually produced is not interpretable) reasons.

The debate concerning the level at which the synthesis has to be performed is wide ([24] [27]) and generally involves technical issues as well (aggregation technique, weighting system, and so on).

## **Aggregation of Units**

Each indicator’s value obtained at individual level can be aggregated across cases. This aggregation aims at mainly creating macro units to be

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<sup>14</sup> While the reflective indicators are statistically homogenous, formative indicators are not necessarily correlated.

<sup>15</sup> In the case of reflective subjective indicators, the analytical approaches refer to scaling models (Maggino [2009]; Ruviglioni [2011], “Preaching to the Choir: Are the Commission’s Recommendations Already Applied?” *Social Indicators Research*, Vol. 102, Issue 1, pp. 131-156).

compared (social groups, age groups, geographic areas). Generally, this kind of synthesis is accomplished by applying statistical instruments (e.g. average), and is very simple even though not always able to correctly synthesize and represent the indicator's distribution. Consequently, identifying the aggregating approach requires some attention and care. For example, a possible (but not necessarily the best) solution is to report the percentage of a subgroup or the value of a dispersion index (standard deviation or interquartile range).

### **Aggregating Units, Aggregating Cases: Which First?**

Which level of synthesis (indicators or cases) should be performed first is not a trivial issue. It depends on what meaning the final aggregation should have. An example could help in illustrating the different meaning of syntheses accomplished through different sequences.

The affective component of subjective well-being is observed by collecting, at individual level, data concerning both positive and negative effects. Generally, the synthetic indicator, performed at individual level, is represented by the "effect balance," defined as the difference between positive effects and negative effects. In fact, even though the difference can also be obtained at macro level, and since the obtained indicator should reveal something related to the affective component of subjective well-being, the synthesis should be performed at micro level.

### **Interpretative and Explanatory Models**

The frame described by the indicators should be aimed at drawing information and allowing explanations. Explanations are important not only for understanding phenomena but also for planning eventual policy intervention.

The conceptual models previously classified can be used, although, as pointed out, in a complex perspective, including different perspectives of observation.

For example, each conceptual model allows the level of subjective well-being to be explained. However, in order to have a comprehensive interpretation of subjective well-being, the other models should also be considered.

This means that, for example, the level of satisfaction expressed with reference to work condition should be read by evaluating, at the same time, different explanatory dimensions, e.g. contextual conditions and individual dispositions.



The interpretations should also be consistent with the defined criteria and the identified goals. Let's look at some goals, adoptable for each concept:

**(a) “Quality of life” (individual level)**

- Improving objective living conditions
- Increasing subjective well-being.

**(b) “Quality of nations” (economic and social cohesion:  
Community level)**

- Strengthening informal ties
- Increasing the role of institutions in encouraging social and political participation.

**(c) “Sustainability” (environmental and time level)**

- Increasing and enhancing human capital (education, training ...)
- Preserving natural capital
- Preserving/improving equal opportunities of different generations.

Consistently with definitions of goals, objectives and actions, concrete and observable elements allow the process to be assessed. Consequently, for each dimension different levels of evaluation can be defined. By exemplifying the process through the two dimensions of the quality-of-life concept, their combination leads to the well-known evaluating taxonomy ([5] [6]), illustrated in Table 2.7.

**Table 2.7. Evaluating quality of life: The Zapf's taxonomy**

	level ↓	Subjective well-being	
		high	low
	→		
Living conditions	high	<i>well-being</i>	<i>dissonance</i>
	low	<i>adaptation</i>	<i>deprivation</i>

## Challenges in Measuring Societal Well-being

As we have seen, measuring and monitoring well-being of societies requires a complex and comprehensive framework and approaches integrated at conceptual and methodological levels. This perspective is

urged not only by research by academics but also other organizations and institutions.

The present debate points out that challenges to be faced are institutional, methodological, statistical and technical (including communication issues related to data—how to obtain understandable data—and results—how to correctly present them).

### **Methodological challenges in constructing indicators**

In fact, even a quick check of the academic literature allows us to notice a long tradition and intense research work existing in the field of measuring societal well-being through complex approaches. Sometimes, this tradition has been set against the hard economic perspective that accounts the economic indicators as the main and unique approach allowing progress to be measured.

The recent debates on different perspectives in measuring societal well-being have also led to different scenarios in academic research. Some challenges can be drawn:

- (1) Concerning the conceptual model in terms of components, determinants and drivers of well-being by paying more attention and making greater effort in order to explore the relationship between:
  - sustainability and quality of life
  - sustainability and vulnerability<sup>16</sup>
  - objective and subjective measures and their integration.
- (2) Concerning methodological issues:
  - (a) by assessing the complexity of measurement through systems of indicators instead of single synthetic / composite indicators
  - (b) by improving measurement of subjective indicators (scaling techniques) and enhancing existing data sources
  - (c) by improving the comparative capacity of indicators among countries and across time.
- (3) Concerning strategic issues, to improve quality and legitimacy of indicators more attention should be paid to allowing exchange and dialogue between different actors (stakeholders, civil society organizations, experts, scientists) and within different research contexts.

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<sup>16</sup> The issue has been pointed out by Enrico Giovannini in different occasions (e.g. the oral communication at the conference “From GDP to Well-being,” December 3-5, 2009, Ancona, Italy).

## **Final remarks**

Dealing with societal well-being by taking into account its multidimensionality not only involves philosophical/political issues but concerns each individual's and community's real life.

Consequently, the three concepts are taken into account at both individual and community level.

The family's decision to have a vacation (or not) or the community's decision to have a new tram line (or not) should take into account issues related to quality of life, cohesion and sustainability.

The different levels (individual, family, local, national, etc.) interact and lead to fruitful and positive changes only if the decision-making process is supported by a monitoring system, seen as a continuous observation of the societal well-being, allowing changes to be observed, effects of policies to be evaluated, and future activities to be planned.

However, the monitoring should be grounded on:

- a solid democratic system
- a transparent media system
- the education of citizens.

In this, important roles are played by the education and research system (school, university, etc.) and the official statistics, two strategic and institutional sectors, both meeting social consensus.

## **Are indicators enough?**

As said, a complex approach is needed in order to measure and monitor societal well-being.

Complexity requires many indicators, designed and organized in a consistent conceptual structure. The obtained system provides all the cognitive instruments allowing decisions to be taken more consciously. In any case, those decisions appertain to policy.

In this frame, we could imagine the policy maker to be a pilot sitting at a flight desk [24].

Statistics have the task of defining, constructing and developing the instruments located in the cockpit. However, that activity needs:

- a clear definition of destination (→ goals)
- a democratic process allowing the community to take a shared decision concerning destination (→ democracy)
- a deep knowledge of pre-conditions (→ resources, etc.)

- a constant monitoring of flight conditions (→ monitoring)
- a continuous transmission and sharing of information on flight conditions (→ communication and information system)
- a cultural environment available to support scientific research (basic and applied) to improve the whole system's conditions
- a system allowing the community to face and manage emergencies (→ welfare and social security, etc.).

If even just one of these items is missing, achieving a “good society” is seriously endangered.

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# CHAPTER THREE

## SOCIO-CULTURAL PROGRAMS IN ACHIEVING SOCIAL STRATEGIES AND IMPROVING QUALITY OF LIFE: THE PRACTICE OF THE REPUBLIC OF BELARUS

MARYIA I. VIARENICH<sup>1</sup>

### **Abstract**

This chapter focuses on the concept of social design as an important direction of social policy's states towards solving socio-economic problems and improvement of quality of life for citizens. The programming process is analysed as an effective tool of scientific management of social development. It establishes the relationship between socio-cultural design as the final aim of the complex program of measures focused on increasing the quality of life and effective social policy. Addressed issues are linked to the accomplishment of social and cultural project development as components of government programs in the Republic of Belarus. This justifies the need to revise the mechanism for the preparation and implementation of social policy programs according to current trends.

**Keywords:** Social policy, quality of life, program, project, socio-cultural trends.

At the current stage of development of Belarus, the socio-economic policy focuses on the improvement of the quality of life and on the improvement of the standard of life through a better competitiveness of the national economy and by sustainable development.

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The Republic of Belarus ranks in the second group of countries with a high human development (rank 65) [1]. The HDI for Belarus is 0.756. The components of this index show that the life expectancy at birth (one of the key-indicators for the demographic structure, for population health and for the health care system) is 70.3 years; the indicators of average duration and expected duration of the studies are 9.3 and 14.6 years, due not only to the public education system, but also to the particularities of the demographic structure (the young population within the whole population). The Gross Domestic Product (GDP) per capita (in US\$) in Belarus is 13,469[2] [3].

There are several methods for the evaluation and analysis of the quality of life, which capture different aspects using more or less indices, such as the Global Happiness Index, where Belarus has ranked 103 and 104 over recent years.

The provision of a decent standard of living and quality of life, which are priorities of the economic and social policy, showed that from 1992 to 2011 Belarus displayed a positive trend of a decreasing number of poor people from 41.9% in 2000 to 5.4% in early 2011. However, the value increased to 7.3% in 2011. The layer with incomes between 1 and 2 as values of the minimum requirement for subsistence (BPMbudget of the vital limit) increased from 34.4 to 40.2%.

The quality of life is a socio-human category and cannot be comprehended only in statistics, but also needs parameters that consider the opinion and subjective satisfaction of the human at a particular moment of life. Since happiness is a universal category it requires subjective estimations of these parameters that fit the needs of the people. Thus, quality of life is the subjective-objective characterization of the human conditions of existence, which depend on the development capacity of the particular person and on their subjective perceptions. Some objective components of the quality of life can be more updated than others, and some are not relevant in their dependency on life experience, values, etc.

Sociological methods as patterns of analysis are essential for the study of the quality of life. They allow for analysis of the way in which the individual components of the quality of life and of the integral indicators change and monitor the dynamics of the change during concrete or individual periods. In our study we will use the indexing technique principle proposed by L. A. Belyaeva [4]. The historical transformations which occurred in the new state of the Republic of Belarus, established in 1992, have been accompanied by a significant decrease of production and consumption. This affected mainly the social area, following the sudden drop in the quality of life and social protection that the USSR guaranteed.



However, in the development strategies and economic reforms of the new state, social policy was not highlighted for an obvious institutional reform. The state and dynamics of the social sphere were taken into consideration only in view of the possible causes of the state crises and serious social rebellions. At the same time, the world economic crisis of the late 1990s made it necessary to essentialize the social field in the republic, which created institutional changes. The institutional organisation of the social policy can either be formal structures from the countries with successful economies, or may be done by constructing institutional structures focusing on the existing structure. The attempt to introduce the Institute of Social Insurances in Belarus in the 1990s was hindered by limited capacities of materialization. Household incomes reached a historical minimum of survival, which led to large disagreements regarding the expectations of the population as to the institutional guarantees for security, and the incapacity of the state to fulfil its obligations towards the people. The institutions which were functioning rather efficiently within the planned economy turned into inefficient regulations. For instance, in 2000, 35.7% of the Belarusian households earned incomes below the minimal subsistence per capita. Concomitantly with the inherited social institutions, it was necessary to introduce new social networks, such as benefits for the unemployed, for the poor, etc. This increased the social share of the GDP. In 1999, the gross expenditure of the social programs and subsidies exceeded one third of the GDP which required higher taxes, and this became a factor of economic crisis.

The social reforms aimed first to minimize the social effect of the economic crisis. The inheritance of the planned economy—the traditional paternalism on the one hand, and the low standard of living on the other—was an obstacle for the introduction of market rules in the social area. The first attempt of the state to maintain a minimal level of social security was the introduction of the minimal social standards. An expected law regarding the MSS was adopted in 1999. Decision No. 724 from 30 May 2003 “Regarding the measures of implementation of the system of social standards for the population of Belarus” of the Council of Ministers set the minimal social standards. Regional centres for social services were set up for the implementation of these social standards in every administrative district of the republic. The purpose of the standards is to meet the essential needs of the human and material welfare, thus observing the constitutional guarantees. Most rules and regulations from a system of standards are state obligations towards different layers of population, which require financial resources. This allowed for the maintenance of the minimal guaranteed security for the population. In the future, the state

social protection should be preserved at some minimal standards allocated to the population on low incomes.

After 2000, the active formation of the directorates for social policies started, because it became obvious that the paternalist pattern of social policy doesn't meet the needs of the Belarusian population and that it is a difficult obstacle for improving welfare and social security. The main issues of the social policy reform are: finding ways to limit the costs to the state budget for the social expenditure and collecting financial resources; involving the employers in the social protection and insurances, and; expanding the range of paid health and educational services for the population.

These aspects cause the redistribution of the social expenditure between the main economic actors. Legal changes were initiated in order to cut the state expenditure, and a draft of law was proposed that would reduce the number of benefits. Belarus had over two hundred services and the right to benefit from them was used by over thirty categories of people, or 25% of the population. The opinion polls before the introduction of the law showed the adverse reaction of the population to this law (65.4% of the interviewed people considered in September that the services should not be cut, while the percentage rose to 74.2% in December).

However, these unpopular measures allowed for the concentration of financial resources for work. The President of Belarus issued Decree №458 from September 14, 2009 "Regarding the state social assistance" (entered in force on April 1, 2012). According to the data displayed on the website of the Ministry of Labour and Social Protection of the Republic of Belarus on April 1, 2012, social assistance is provided on a monthly basis or upon request assisting the purchase of foods, medicines, clothes, footwear, school stationery and of other necessities for a normal life, and for the (total or partial) payment of community services, social services to pay the technical means for social rehabilitation, food supplies for the children during the first two years of life, and monthly or occasional cash amounts. In 2012, 281,884 citizens of Belarus benefitted from this possibility (of the 9,463,300 inhabitants on January 1, 2013) [5].

The current system of social policy of the Republic of Belarus, with many goals of success, still has rather serious problems mainly due to the insufficient financing of the social protection measures, which cripples the social protection of the population. At the same time, the social orientation of the economic relations under the conditions of the oriented social state requires the consolidation of the state functions for the social protection of the population.

However, it is obvious that the increase of the governmental expenditure for the social policy is not the only way to solve the social problems: on the contrary, the budget deficit should stimulate the efforts of

the state to improve the efficiency of the funds spent for social services through innovative ways and methods by reorganising the work. Presently, the main task for the reorganisation of the system of social policy is to shift from a predominantly categorical principle of granting social assistance and protection to all groups, to limiting these services to the poorest people. This requires not just financial resources, but also human resources—specialists, managers and volunteers who might help to construct these new forms initiated as socio-cultural programs.

The socio-cultural programs are forms of accomplishing the social policy of the state. Broadly, these programs are means of achieving the function of meeting the collective needs that cannot be properly met by other mechanisms; they solve the social and economic problems through the scientific management of the social development and by accomplishing the current projects, focusing the attention and resources on the most current problems. This allows for the demanded local or societal result to be obtained in a limited period, and calls for social actions that are initiated after a detailed analysis of the necessities, the evaluation of the available resources, the identification and analysis of the current problem, and designing possible solutions. The programs accomplished at different levels solve many social problems or help solidify groups and improve the state or quality of their lives. The government-initiated programs support particular thematic directions, such as: Year of health care; Year of the child; Year of the family, and Year of quality. This allows for the support of the priority directions not just at the national level, but also focusing the attention on each place, family and individual. This also allows the financial resources to be obtained through the consolidation of the different actors and the society. The polls show that the population supports this practice. For instance, 2012 is the Year of Economy.

The level and quality of life are interdependent, meaning that a change of quality from “old” to “new” appears when the accumulation of quantitative changes reaches a particular threshold. Quantity and quality are the elements forming a mechanism of social and economic development. We will therefore give the analysis of the sociological indicators for the quality of life, because it is important to monitor the attitude of the groups of respondents to the changes in the state. Below is an analysis of the quality of life indicators using the technique of L. A. Belyaeva, taking into consideration the evaluation of changes from spring to autumn 2011 [6].

The calculation of the integrated indices of the quality of life in Belarus relies on the research “Standard and quality of life of the population from the Belarus Republic” and on the data from the national sociological monitoring conducted by the Institute of Sociology of the Science Academy of Belarus, conducted in 2009-2011. The sociological

studies conducted in the spring and autumn of 2011 used a sample of 2,400 people. The error margin of the performance indicators guaranteed that the probability of 95% was of  $\pm 2\%$ . Given the incertitude, the conclusions can be extrapolated to the general population.

**Table 4.1. Sociological indicators of the quality of life**

Components	Partial indices	2011 (spring)	2011 (autumn)
1. Estimated standard of life	1. Index of the means of life of the families (for instance 3-4)	55.4	39.0
	2. Index of satisfaction with the dwelling (t. 10)	19.4	19.4 (didn't change)
	3. Index of access to health care (t. 9)	24.9	8.4
	4. Index of accessibility to education	3.8	1.8
Total estimated level of the index for life		<b>25.9</b>	<b>17.2</b>
2. Quality of the social medium	1. Index of self-identification with the inhabitants of settlements	53.8	61.0
	2. Index of protection against crimes	69.5	71.8
	3. Index of protection against poverty	41.9	27.9
	4. Index of social security (fundamental human rights, civil, working, business freedom, etc.)	50.9	46.4
General index for the quality of the social medium		<b>54.0</b>	<b>51.8</b>
3. Environmental quality	1. Index for protection against the environmental hazards	49.6 (table)	49.6 (didn't change)
	2. Index for air quality		
	3. Index for water quality		
General index for the quality of the environment		<b>49.6</b>	<b>49.6</b>
4. Social state	Index for psychological welfare	77.8	No data
	Index of satisfaction with life	81.0	72.6
	Index of confidence in the future	41.0	29.0
General index for the social welfare (based on two indices)		<b>61.0</b>	<b>50.8</b>
Integral index of the quality of life ( $I+2+3+4$ )		<b>47.6</b>	<b>42.4*</b>

\*Note: the sociological models use the method of the relation index, which allows for measuring the different manifestations of the quality of life, using separate data, and brings these measurements to a single scale. The partial indices for each indicator are calculated as the difference between the sum of the positive scores

and the average and the amount of negative rating:  $S S / S - S o$ . The value of the private index may vary from -100 to 100. The index is 100 when the whole population evaluates that part of the life reduced to values below zero, which means the predominance of negative answers. The general indices for each component are calculated as the arithmetic mean of the partial indices.

The index is calculated as the integrant part of the arithmetic mean of the general index. The main purpose when calculating the integral indices is to identify social problems and “critical points” in the public opinion regarding different aspects of the quality of life standard.

As the survey showed, at the beginning of 2011, the quality of life was evaluated as “high” by 0.9% of the respondents, “above average” by 6.1%, “average” by 58.9%, “below average” by 21.2% and “low” by 5.2% of the respondents. 7.7% were non-responses.

As we can see from the table, for the citizens of Belarus, the concept of “quality of life” means, above all, prosperity of the family (80.5%), good health (66.7%), good living conditions (59.2%), confidence in the future (49.8%), and the capacity to save money from basic things and to not give up the basics (46.3%) (see Table 4.2).

**Table 4. 2. Responses to the question: “What means “quality of life” to you?”**

**% (the respondents could pick up to 5 answers)**

Variants of answer	%
1. Prosperity of the family	80.5
2. Good health	66.7
3. Good living conditions	59.2
4. Confidence in the future	49.8
5. The capacity to save money from basic things and to not give up the basics	46.3
6. Job that satisfies you	40.5
7. Opportunity for resting, to spend vacation as desired	36.8
8. Save money	26.1
9. Good education	21.3
10. Knowledge of foreign languages	4.2
11. Participation in the public life of the community	4.0
12. Participation in the political life	1.3

As one can see from this study, although the trend of reducing the poverty rate is confirmed statistically and the Republic of Belarus is included in a group with a high level of development, most respondents

consider that they have a medium quality of life, while very few consider that their quality of life is high. This phenomenon can be explained by the detailed analysis of all indices from Table 4.1.

Thus, the main priorities of social policy in the Republic of Belarus are the improvement of the standard and quality of living, increased life expectancy, the establishment of large families and an increased number of children (presently, 11.5 children are born for every 1,000 people), jobs for the young people, a decent life for old people, development of the intellectual and cultural resources of the nation, and improving the quality and accessibility of the social services irrespective of the residential area (urban or rural).

The analyses show that the social policy of the Republic of Belarus can be optimised by making the following changes: distribution of the social components between the main economic actors of state, employers and public; maintaining minimal differences between the income of the employees from different sectors of the economy; introduction of new types of welfare work; rejection of social services and a shift to targeted social work, and; maintenance of the minimal social guarantees for the population through the minimal social standards.

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# CHAPTER FOUR

## WHY SOCIAL WORK IS NEEDED FOR WELL-BEING

DANIEL ARPINTE<sup>1</sup>

### **Abstract**

This chapter attempts to demonstrate the importance of the social work system in modern societies, with a focus on the Romanian context. Although Romania has one of the lowest levels of public social spending, the previous government decided to follow the instructions and the recommendation of the international institutions (mainly the International Monetary Fund) to drastically cut the public budget for the protection of socially disadvantaged groups. Two types of consequences are identified with impacts contrary to those expected. This chapter ends with a few proposals for financing social work, using the existing resources.

**Keywords:** Social work, socially disadvantaged groups, social work policies.

### **Increase or Reduce the Finance Level for Social Work in a Period of Economic Crisis?**

The need for social assistance services is strongly dependent on the welfare state model and the type and dimension of social problems affecting a society, but also on the volume of forms of informal support provided to families or communities. The welfare state largely affects the need for social assistance, the amount of expenditures in this direction being determined by how the other sectors of social protection are configured. The wider the set of universalist benefits, the lower the need

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for social services. In addition, the reduction of universalist benefits has the main result of increasing expenditures on social assistance [1] [2]. Minas [3] varies this hypothesis, adding that the amount of funding for social assistance depends on the share of beneficiaries who need types of support other than the universalist. Quoting a number of studies, Minas shows that in the shares of migrants and single parent families with young children significantly influence the expense on social assistance.

[1] The perspectives of the above-quoted authors pertain to the need for welfare, but the welfare suppliers' component is neglected. Not every need or problem represents a call for the social assistance system. In countries where family plays an important role in supporting its members facing difficulties, social assistance has less coverage and there is no degree of centralization similar to the one in the northern states. For example, in Italy or Spain the services are unequally developed per region. The providers, most of them private, cover the need for social assistance services, the primordial role falling on the extended family. The services are established or developed as a punctual response to a social problem. In other countries, the extended family plays a diminished role, the responsibility for providing the services primarily returning to the state. This is the case of the Nordic states where the public authorities assume the primary responsibility for social assistance. Therefore, a comparison between the welfare systems of various countries should consider both formal and informal types of support. In our case, the analysis starts from the premise that in Romania the amplitude of social problems requires a significant volume of intervention given the fact that informal forms of support are under-represented. Social assistance should undertake some responsibilities that in other countries are fulfilled by families or communities. Moreover, social assistance is different from the benefit systems offered by social networks (community, family) through its structured and systematic nature of services, underlying the social system development [4]. To the altruistic origin is also added the pragmatism of approaching the issues the working class was faced with during the period of rapid industrialization. McLaughlin [5] explains the apparition of the Charity Organisation Society (COS) as a way to provide support for the working class so that it reduces the risk of resentment.

In Eastern Europe during the communist regime social assistance had a significantly different evolution from one state to another. In Poland or Hungary, the church played an important role in maintaining the existing social assistance services before the communist regime had established itself. In Romania, the communist regime abolished the forms of social assistance and dramatically influenced the role of informal structures. The



administrative-bureaucratic mechanisms or the residential care system have replaced the professional social work and family roles. Moreover, the support systems have been created to support the demographic policies, especially those in employment. The fast development of industry accelerated the urbanization plans, which led to a massive migration of population from rural to urban areas. The family structure has undergone substantial changes, its role in supporting the vulnerable categories diminishing. Another significant change regarded childcare. The employment policies, as well as the precariousness of wage incomes, caused the employment of both parents and the transfer of childcare responsibilities to the services developed by the state. The pro-childbirth policy initiated in 1966 increased a number of risks, the most important being the growth of the number of abandoned children and the number of children born with malformations [6]. Consequently, the service system for children in need has gradually expanded, with the state having a permissive policy for families facing the risk of child abandonment.

Despite the poor quality of the provided services, such systems have developed so that, in 1989, Romania performed very poorly. In the residential system for children there were more than 100,000 beneficiaries. The most dramatic situation was in the institutions for children with disabilities who in many cases had no minimum conditions of care. Nevertheless, the number of institutionalized persons has increased steadily, especially during the 1980s. The main reason in the case of institutionalized persons was the fact that their families had no alternatives for their care. Housing conditions, the need for both parents to be employed and the lack of care services outside the residential system are the main factors for increasing the number of institutionalization demands. In most cases, new-born abandonment was a simple process, requiring no more than a medical recommendation. The report "Causes for the institutionalization of children in Romania" (UNICEF and IOMC 1991) shows that in more than 85% of cases of institutionalized children in orphanages and homes for children suffering from dystrophy, the admission to institutions was made with medical support if there were any concerns about risks in family care. The practice continued after 1989, especially in the areas with very poor communities. Such a case is the one of the Roma community from Babadag, a town in Tulcea County, estimated to have 2,000 inhabitants (about 20% of the city population). Poor housing conditions and the minimal conditions for childcare or no income were forcing families with new-borns to temporarily institutionalize their children in the local orphanage. The children remained in the institutions until they were two or three years old and then

came back to their families. For these families, the temporary institutionalization was the solution for the absence of minimum conditions in the family for childcare. The practice was accepted by local and regional institutions, given the fact that keeping the child in the family meant a major risk to their life.

After 1989, the social assistance system developed a range of alternative services to institutions, but the most developed sectors remain the non-contributory benefits or the ones given to vulnerable social categories, regardless of income, and the specialized support services. Two factors have significantly influenced the institutional development: the fast development of specialized services, especially those for children, and the establishment of social assistance benefits which aimed to cover the widest range of the vulnerable groups' needs possible.

[2] The specialized services were established with massive support from the international institutions, especially from the European Commission, concerned about the precariousness of quality in childcare institutions. The care system reform was fast, with impressive results. In addition, the projects in this area had substantial financial support. Although limited in its initial objectives, the de-institutionalization, being the main target of the child services sector, generated a number of positive effects for the entire social assistance sector, and conditions for the absorption of social work and professionals in related fields were created. Former County Departments for Child Protection (CDCP) had, in 2002, the highest proportion of staff in the public social security services [7]. In 2007, the GDWCPs (General Directions for Welfare and Child Protection) kept the same trend of professionalization, the total number of social workers with specialized higher education was about 2.5 times higher than the total number of social workers employed in the public service of the urban City Halls (calculations based on data from Cojocaru & Cojocaru [2008]) [8].

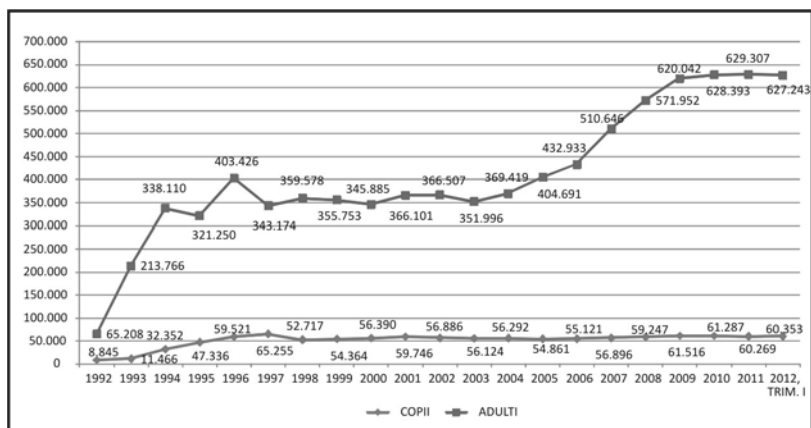
The social assistance benefit system had as a starting point the social welfare law from 1995. At that time, there were no adequate means of financial support for the vulnerable social groups, with universalist benefits having an important role. Later, the set of social benefits was varied, the process being accelerated after 2000. In 2010 there were already fourteen types of benefits, most of them means tested, to which were added various forms of support in the form of gratuities for certain categories (public transport and so on). Overall, the benefit system of social assistance has experienced, in the past 12 years, an increased diversification, generously covering social groups in need or at risk, although their coordination and levels remain questionable.

The two elements—specialized services and the benefit system—cover a wide variety of needs, but studies indicate their low efficiency, the absence of notable results or negligible impact in the long-term. Paradoxically, the current system allows for over-inclusion (through the abuse of social benefits) but at the same time generates exclusion.

## Over-Inclusion: The Benefits for People with Disabilities

The benefit system, although apparently very generous, has poor focus and does not ensure the recovery from the state of vulnerability of the beneficiaries. For example, in the care system for persons with disabilities, in some types of benefits there are anomalies in the number of beneficiaries. In 2000-2012 the number of children increased by 9.5% while the number of adults increased by 80%, although in this period no regulations for a complete overhaul of the re-appointment system for people with disabilities were issued, thus increasing their number.

Fig. 4.1. Evolution of the number of people with disabilities 1999-2012



Source: National Authority for Disabled Persons

Moreover, the media reported a number of cases which illustrate that in some areas the disability certificate has been obtained, and was most likely unauthorized. The fact that there are abnormalities in the institutions responsible for assessing people with disabilities is demonstrated by the sensitive differences at the level of some counties. If the share in the national average of the total population with disabilities was 3.20% in March 2010, in Vrancea County the share of the total population was 6.15%, while in Galati it was only 1.67%.

Without denying the existence of failures within institutions in the field, the main reason is the inefficiency of the social assistance system. The greatest part of the people with disabilities who have energized the growth in the last years are 40-44 year olds, 55-59 year olds and 60-64 year olds, the annual increase in their number being over 11%, almost 15% for the 40-44 age category.

In most cases, people over 40 are among the most vulnerable on the labour market. Job loss at this age means, in most cases, the dramatic restriction of re-employment options, especially in industry and agriculture. In mono-industrial areas, rural areas or those with an unemployment rate above the national average, people who lose their jobs remain only with the perspective of minimum guaranteed income and subsidies for low-income people. However, means-tested benefits are not always a preferred option due to difficult access conditions, the stigma associated with the beneficiaries, or the uncertainty of the income that beneficiaries should collect. The welfare system is characterised by significant delays in the payment of social benefits, and the mechanisms which should have provided support for the reintegration of the beneficiaries (community service activities) are used as means to discourage access to benefits. In the absence of opportunities for reintegration into the labour market, one alternative is the vulnerable social benefits area in regard to eligibility control, an example being the set of benefits for people with disabilities. The trend of the number of people with disabilities illustrated in the previous chart is based largely on the migration of vulnerable people to benefits for which the legal conditions are not fulfilled.

If, for some types of benefits, over-inclusion is registered, for other categories of vulnerable people solutions in response to their needs are modest or inefficiently applied. For a poor person, without a home, there are forms of access to services that don't directly respond to their priority needs. Therefore, in the absence of homeless shelters, in the reintegration in the labour market services for the vulnerable people the society will spend larger amounts of money for the medical care or on other kinds of system for interventions which do not aim to reintegrate the vulnerable person or group, but only solve specific problems. In addition, some specialized services designed to meet specific needs (e.g. transit centres for minors identified as abandoned in other states, centres for the protection of victims of trafficking, etc.) proved, in most cases, to be ineffective. This type of support could not function efficiently because of organizational deficiencies or lack of connection with other types of services. For the beneficiaries, the intervention is limited or has partial

results. Often, they use inadequate forms of support or remain captive in the care systems.

[3] To the economic rationality is also added the function of specific intervention of social assistance for the situations where the intervention of other social assistance sectors is not possible. In Romania there is a significant number of vulnerable groups who need immediate support, failure to act being equivalent to postponing costs with irreversible consequences. For example, in the case of the children in families where parents are working abroad, a number of reports of some organizations (UNICEF, Soros, Social Alternatives and Save the Children) drew attention to the phenomenon and its possible consequences. That most children left home due to the fact that one or both their parents went to work abroad presents significant risks (school abandonment or reduced school performance, drug abuse, deterioration of family relations, and so on). This phenomenon is not isolated but affected at least 170,000 children in 2007, according to the Soros report [9], or 82,464 children, according to the estimations of the National Authority for Child Protection. The economic crisis represents an increase in the number of children left home without parents, in many cases the parents remaining unemployed and going to work abroad, thus being forced to leave their children in Romania in the care of relatives, as reported to the social service NGOs, especially in the Moldavia region. For these children, social security cannot be achieved only through financial mechanisms or residential institutions. As generous as these financial instruments or standard protective measures are, the potential impact is uncertain or even contrary to the intentions. The configuration of needs for each child facing potential risk or in need involves finding personalized solutions, using various resources, whether we are talking about extended family, school, health services or social services professionals. In doing so, the social worker plays a decisive role in determining the needs, resources and the coordination / monitoring of the intervention plan.

In both situations, whether we are talking about over-inclusion in some benefit systems or accessing some services that do not directly answer to the beneficiaries' problems, the common element is the presence of some vulnerable social groups which, independent of the development of the services degree or their type, will identify the optimal solutions to overcome the difficult situation. In the absence of appropriate forms of support, whether they are provided by formal or informal systems, they will turn to the benefit systems or services that prove to be vulnerable in controlling eligibility or will use services that do not solve the vulnerability, only palliating. Hereby, the costs are considerably higher

than in the case of adequate support. The means-tested benefit system, the benefits given to certain categories of beneficiaries (e.g. persons with disabilities), the residential institutions for children or the elderly, and the health care or the pension systems will undertake the effort to protect the vulnerable people with considerably higher costs, but without the certainty of sustainable impact for the beneficiaries.

For Romania, this is the context in which the benefits and social services system works:

- modest amounts are allocated for financing the social security system
- the greater part of the resources are allocated to finance social assistance benefits, excellent electoral tools, but without any clear efficiency in the absence of reintegration services
- there are significant dysfunctions in the benefit system, most of them arising from poor relevance of the benefits compared to the needs of the beneficiaries
- there are created services that meet precise needs which, however, do not provide adequate support for the reintegration of the beneficiaries in the long term
- a clear vision for the institution-building of the system is missing and the strategic directions of its development were not defined.

In these circumstances, the plan initiated by the Romanian Government in 2010 to reduce social costs was more likely to induce adverse effects to the ones initially estimated, in the long term:

- Increased costs for the protection of vulnerable groups. Paradoxically, reducing costs for some social programs (especially for non-contributory benefits) will not diminish the state effort for welfare. The costs will increase by accessing certain services or benefits vulnerable to eligibility control. Equally, delaying the intervention for other vulnerable groups (e.g. children coming from low-income families, children who have parents working abroad and so on) will involve significant costs for the entire society, which will be paid later.
- The significant regression of social services. Poor funding from public money, negligible support that can be used through the European Structural Funds on social inclusion or the incoherent policy for institution-building generate substantial unprofessional services and substantially change the role of social assistance. The social worker is no longer the professional providing the

reintegration of vulnerable people in a supportive manner, but becomes the “inspector” who checks the welfare beneficiaries and who discourages their access to unearned money.

Several measures, without any significant budgetary impact, could ensure the sustainable growth for the service sector:

- (1) Promoting some funding lines in the next financial program of EU funds (2014-2020) dedicated to institution-building, and for creating and supporting social assistance services within the disadvantaged areas.
- (2) Unlocking the social assistance positions (as expected since the beginning of 2013). The savings today are insignificant compared to the effects caused by the absence of employment opportunities.
- (3) Designing forms of support for transnational cooperation projects in the social assistance field, especially for the response to social groups where national approach is not effective (e.g. migrant Roma, children in other countries who are separated, etc.).
- (4) Establishing training programs for the social assistance professionals following the model of Lifelong Learning programs (such as Comenius or Grundtvig).
- (5) Creating a support institution (financial and technical support) for establishing services in the public institutions from the disadvantaged areas.

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# CHAPTER FIVE

## DISABILITY, RESILIENCE AND QUALITY OF LIFE

LIVIUS MANEA<sup>1</sup>

### **Abstract**

This chapter is focused on the relationship between disability, resilience and quality of life. As a constant attribute of the human species, disability has become a social construct that can be approached from different perspectives, with different implications for the disabled people and for society's reactions to disability. The present chapter reviews a substantial body of research focused on different models of conceptualising disability, different factors that promote resilience in the context of disability, and different ways of measuring and conceptualising the quality of life for people with a disability. The chapter also examines the methodological and practical implications of such research on how disability is defined and how society reacts to it.

Keywords: Disability; resilience; quality of life.

### **The Evolution of the Conceptual Framework of Disability**

The issue of disability is a constant, permanent dilemma of the human condition. The concept seems to be related to differences among people, referring directly to those who are at a disadvantage from a physical, sensory or intellectual point of view. It is obvious that disability generates and maintains different stereotypes, as well as various social reactions. However, there is no consensus about what disability actually means. The

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concept of disability seems to be evolving constantly; it is, ultimately, a social construct associated with different models.

As an instrument of social control, the concept of disability is useful for categorising people across several dimensions, although the actual cut off between disability and non-disability is almost impossible to decide. Rather than thinking about these extremes as two categories, it is more useful to imagine a continuum. At one extreme of this continuum, at a conventionally defined point, there are people with disabilities and, at the other extreme, people without disabilities.

At the same time, one cannot ignore the heterogeneity of disability, according to many dimensions such as type, age, age of onset, its effects and limitations, etc. The experience resulting from the interaction of one's health conditions with personal and environmental factors varies enormously.

Disability was imposed as a means of categorising people; for this reason, it is important to examine its connotations as well as its explanatory models, be they *social* or *individual*. As a result of these efforts, we can better unravel and understand the social reactions to disability.

The individual model (critically illustrated by different authors, i.e. Oliver [1], Barnes, Mercer, & Shakespeare [2], Barnes, Mercer [3], Shakespeare [4], Manea [5], Hughes [6], etc.) introduced at the beginning of the twentieth century, relies on medical breakthroughs. From this perspective, Foucault's analysis of the birth of the clinic reveals the ways in which medicine places an increasing emphasis on examination as a method parallel to those used by natural history. The naturalist model embraced by medicine involves: "[seeing and isolating] features, to recognise those that are identical and the ones that are different, to regroup them, to classify them by species or families" [7]. Thus, an idea of normality comes to life, according to the formation of concepts and the prescription of interventions consistent with a standard of organic structure and functionality. In this context, the knowledge of physiology, once marginal and purely theoretical for the physician, becomes the centre of any medical reflection. "The birth of the clinic," according to Foucault, refers to postulating principles that delineate the normal from the pathological; principles that are then embraced by social sciences, as a result of the prestige of life sciences that offered the structure and criteria for differentiating between health and illness.

The distinguishing characteristic of the medical model is the focus on "abnormality," affliction, disturbance, or impairment, which are thought to be the causes of functional limitations of disability. Once people have been

categorised this way, disability becomes their defining trait. Consequently, this categorisation becomes the foundation of a “personal tragedy,” where the individual is thought to be a victim of illness who is in need of attention and support, becoming dependent on others. Surprisingly, even the goal of support policies becomes helping the beneficiaries to cope with their disability, or, in other words, to adapt to it. The solution proposed by this model consists of either a curative medical intervention (specific to medicine) or rehabilitation, ensured through a collaboration of medicine with other disciplines (psychology, social work, education, physical therapy, etc.). Consequently, to have a disability involves becoming the object of attention of different specialists considered to be experts in defining one’s needs and meeting them. The overt purpose of these experts is the reduction, as much as possible, of the negative consequences of individual disabilities. Thus, the medical model implies a re-establishment of a state of health—a “reparation.”

The basis of this model is the diagnosis of a physical, sensory, or intellectual “abnormality,” followed by the prescription of appropriate treatment. At the same time, there takes place a translation of the “abnormality” into a level of disability/incapacity, according to criteria established to quantify the latter, to allow for special provisions and benefits.

This individual model has been criticised, especially by organisations representing people with disabilities (starting with UPIAS [the Union of Physically Impaired Against Segregation], a UK-based organisation which launched the manifesto *Fundamental Principles of Disability* in 1976). Critics have listed several methodological objections [1] [3] [4] [5]:

- it is based on medical definitions of “abnormality,” but the boundaries of what is considered normal vary considerably over time and space. At the same time, this approach implies that medicine should, in theory, look for ways of treating the disability;
- the impairment is considered to be both a cause of the disability and a cause of social disadvantage; this implies that both could be overcome by medical interventions and/or rehabilitation. In this context, the effects of environmental factors on disabilities are largely ignored;
- the model based on medicalisation assumes that people with disabilities are inherently passive and dependent on others, requiring them to rely on “experts” in charge of their treatment, rehabilitation and social support;
- the model creates the expectation that the person with a disability should make an effort to cope and become adjusted. Being born

- with or acquiring an impairment call for the individual to socialise as a person with a disability and become identified by it;
- in relation to the experts, the person with a disability is required to submit to various interventions in order to facilitate adjustment to the “personal tragedy” that defines his/her existence.

To sum up, the individual model approaches disability as a “personal tragedy,” which requires the individual to be dependent on various forms of support from others. In medical terms, the disability is akin to the pathological and, from a social protection perspective, a social problem.

This model is frequently adopted even by people with disabilities. In this sense, in certain conditions, the model becomes internalised. Thus, people with disabilities begin to explain their situation through feelings of personal inadequacy, without taking into account the lack of accessibility and adaptation in their jobs, of inclusive education, of societal changes, etc.

Generally, before the 1980s the approaches of disability were focused on conventional, medical explanations, and centred on individual aspects. There had been no significant attempts to question the ideological bases of disability, the “individual” model, the “medical” model, or the “personal tragedy.” However, we should mention two significant contributions: Parsons’ conceptualisation of “being sick” and of the “sick role” [8], as well as Goffman’s interaction between “normal” and “abnormal” which views disability as a stigma [9]. These contributions emphasise that illness is not necessarily an individual phenomenon, but rather a social one.

Starting in the 1980s, there has been an increased interest towards disability, and it has become an emergent research topic from an interdisciplinary perspective, with a special emphasis on a sociological approach.

The British experience generated a radical movement, a new and controversial approach of theory and practice—the social model—which promotes a social interpretation of disability and argues that people with perceived and recognised impairments (regardless of the cause) become people with a disability because society fails to adapt to their needs. The model invokes different types of barriers—economic, social and political—analysing disability both as a personal experience and a global and social phenomenon.

The social model promoted in the late 1970s to early 1980s in the UK is based on a conceptual reversal of the importance of social versus individual factors. This model started with a distinction between impairment and disability. According to its proponents, impairment is an individual trait, but not a disability. Disability is viewed as a disadvantage

or restriction of activity due to contemporary social features that largely ignore the needs of people with disabilities, thus excluding them from usual social activities. Society is the one that imposes the disability to people with impairments, so the solution should be provided by society, rather than requiring individuals to adjust or rehabilitate. For example, if a person with a disability is required to use a wheelchair, he or she will face different mobility issues due to the lack of accessibility in buildings, means of transportation, etc. For a very long time, the mobility needs of people with disabilities have been ignored when designing social and physical environments. Ignoring these needs creates obvious problems.

As soon as individuals are defined as persons with a disability, they start to be stigmatised and subjected to the pressure of social expectations about the ways in which they *should* behave or the things they *should* or *should not* be able to do; such expectations have a negative impact regardless of the impairment. Because of this framework, measuring disability according to the social model should focus on the barriers and attitudes that face the person with disability.

Although the social model is based on a clear distinction between impairment and disability, some authors, like Tom Shakespeare [4], consider that such a distinction is impossible because the two are so closely related. Even though they can be differentiated from a theoretical point of view, when one examines the personal experience of individuals, the social model becomes extremely difficult to operationalise because it is impossible to separate impairment and disability in the daily lives of individuals. A person with an impairment faces physical, psychological and emotional problems, as well as social restrictions. There cannot be impairment without society, and there cannot be disability without impairment. Often, impairment is caused or exacerbated by social arrangements (such as poverty, malnutrition, different social barriers), and what is considered an impairment is the result of social judgement, depending on the values and attitudes of the society.

The individual and social models offer completely different answers to issues raised by disability. For example, here are two different ways of conceptualising the difficulties of finding or keeping a job:

- from the perspective of the “individual” model, these difficulties are due to personal inadequacy and the person’s inability to respond to requirements;
- from the perspective of the “social” model, the difficulties are due to structural discrimination in the workforce, as well as other barriers associated with it. Because the rate of unemployment is much higher for people with a disability, we should take into

account the existence of a social disadvantage rather than an individual one.

Medical sociology illustrates the way in which people who are chronically ill conceptualise the reductions of their functional capacities, which can lead to diminishing resources, such as lower income, making recovery more difficult. Illness becomes an inherent part of life, which produces a certain degree of dependence. The deficits generated by illness become defining characteristics of one's identity, having an impact on the individual's expectations, as well as the expectations of others. Thus, the individual assumes the role of a person with a disability, a role which more often becomes permanent and increasingly more influential, having a negative impact on the person's social status. Logically, the person will try to find expert help, from which he or she expects interventions that will reduce the manifestations of illness or deficiency, as well as help to recover his or her previous roles, together with the development of some mechanisms of compensation. Some authors delineate the steps involved in acquiring a deficiency: confusion (disorientation), depression, anger, and acceptance [10]. Other authors believe that such a trajectory is based on nothing more than the "psychological imagination" of authors who try to imagine what it would be like to have these experiences, thus unforgivably simplifying the subjective reality of individuals with a disability [1].

Impairment and disability are closely associated with stigma. According to Goffman [9], every society has certain rules of categorising people, involved in creating an identity and in prescribing what types of persons one might encounter in any social interaction. Impairment alters social identity, because those affected manifest undesirable qualities and find it difficult to take part in "normal" interactions. Thus, the person with an impairment or disability becomes discredited. Stigma is an attribute that discredits the person profoundly. Goffman even refers to the "moral career" of the persons stigmatised, which depends on the type of stigma, be it congenital or acquired.

Goffman describes three types of strategies used by people who are stigmatised in an attempt to manage social situations: passing (equivalent to "the management" of information that could discredit them, but that is not revealed), covering up (as a dilemma between what is discredited and the tension of situation management, which requires effort to demonstrate that the stigma does not affect social interactions in situations when the stigma is known or obvious), and withdrawal (avoiding social activities with "normal" people) [9]. Any person who is stigmatised tries to adjust to his or her difficult situation by managing his or her identity. However, the

interactions between people with visible disabilities and those without are marked by tensions, ambiguity, discomfort and ignorance with respect to impairment.

The International Classification of Functioning, Disability, and Health-ICF [11] proposes a compromise between the medical and social models of disability by promoting the “bio-psycho-social” model, in which disability is conceptualised as a generic term for deficiency, activity limitations, and restrictions in participation, referring to the “negative aspect of the interaction between an individual (who has a health problem) and the contextual factors in which he or she is situated (environmental and personal factors)” (217).

In recent years, disability has been increasingly approached as a human rights issue. The most recent international document, The Convention on the Rights of Persons with Disabilities [12], emphasises the need to reconceptualise the legislation, the administrative measures, the policies and the programmes in a way that will allow general human rights to be applied to people with disabilities.

Not without its critics, the medical model continues to be central to the laws and protection of people with disabilities in different countries. For example, in Romania, official statistics [13] reveal that, as of December 31, 2011, 689,576 people with disabilities were registered. Among these, 672,403 were not institutionalised, while 17,173 were institutionalised, resulting in a 3.22% prevalence of disability, considerably lower than the global value of 15% estimated by the *World Report on Disability*.

There are still concerns about the amelioration and refinement of the conceptual framework of ICF. For example, a document about the future of disability in the United States [14] proposes the following:

- clarifying or otherwise resolving the lack of operational differentiation between the concepts of activity and participation
- explicitly incorporating quality of life in the framework of key concepts for understanding health and disability and conducting research
- developing classifications for personal factors affecting functioning and disability
- further developing the classification of environmental factors
- incorporating secondary health conditions as an ICF concept, and
- supplementing the ICF with a dynamic model of factors that influence the movement of individuals among states of functioning or disability.

## **Resilience and Disability**

The concept of resilience was developed in the 1970s to 1980s in the context of studying risk factors associated with negative results. Intuition suggests that stressors always lead to negative results; however, certain personal and environmental factors can act as buffers, protecting the person and contributing to overcoming adversity. This phenomenon is referred to as resilience. For example, a child who grows up in a high-risk environment marked by violence, abuse, poverty, alcohol and drug consumption is more likely to have negative developmental results; however, there are children who, even when exposed to risks, manage to have a positive development and even prosper.

Researchers tried to identify the factors available to protect individuals from the negative impact of high-risk events. For example, Rack & Patterson [15] suggest four categories of protective factors for children exposed to risk:

- (1) children's personal attributes (such as the ability to attract other people's positive attention, which some may have from early childhood)
- (2) family factors (such as the quality of caregiving in infancy and separation from caregiver)
- (3) environmental support (i.e. role models, who can be teachers, counsellors, neighbours, etc.)
- (4) self-related factors (self-knowledge and boundaries of one's sense of self in relation to long-term stressors, such as psychological illness).

The concept of resilience applies not only to children and families but has also proven useful in other fields, such as help for the aged, in an attempt to improve their adaptive capacity.

If disability can be conceptualised as a special kind of adversity, then one can identify the factors most likely to be associated with resilience in the context of disability. The first one is impairment, which can limit activity and restrict participation. This factor seems to have a more negative impact when:

- it is "invisible" because of the stress associated with the dilemma of whether to communicate it to others and whether one should exclude him/herself from activities that might exacerbate it



- there is uncertainty with respect to its evolution—an unpredictable health trajectory, with ups and downs, seems to be more distressing than a condition that remains constant
- there is an uncertain prognosis
- there is a need for care, which can lead to exhaustion and depression among one's family
- there is pain and discomfort, which may lead to emotional problems
- the cost of services is important
- there is social isolation
- stigma in the community exists.

Even though disability can be viewed as an adverse factor for both the person and the family, there are many people with a disability and many families that are well-integrated and socially included, just as there are families and people with disabilities who are excluded and marginalised.

Among the factors that promote the resilience of families of people with disabilities are:

- being aware that life represents more than just managing one's disability; trying to balance the special requirements of disabilities with meaningful and satisfying activities
- meeting with other family members and being able to discuss ways of dealing with the disability, clarifying care roles
- agreeing on a mutual vocabulary understood by everyone in the family, listening to each other
- engaging the family in positive activities, such as visits, outings, etc.
- engaging the family in different activities as a whole, in terms of tasks, responsibility and morale
- learning new ways of defining difficulties and new ways or problem-solving
- being involved in partnerships with medical staff, therapists and carers.

In addition to the family, the community may also contribute to resilience, providing emotional support, information, advice, resources, or tangible support for the family (such as supervising the person with a disability when the rest of the family is otherwise engaged).

Discussing resilience associated with disability, Burke [16] refers to it as “normal development under abnormal circumstances.” From his point

of view, resilient children with disabilities are good communicators, sociable and independent, and thus better able to manage difficulties.

To conclude, ICF proposes an approach of resilience as an interaction between protective factors and the barriers faced by people with a disability.

## **Disability and the Quality of Life**

As soon as disability started to be recognised as a social problem, new ways of improving disabled people's statuses began to be investigated, according to a heightened interest in health and the consequences of care. Related to this approach are the attempts to measure the results of health care from the point of view of efficiency and efficacy. At the same time, ethical aspects related to patients' consent for treatment, as well as their satisfaction with care, became increasingly prominent. These perspectives contributed to the development of the study of quality of life for people with disabilities.

One of the first versions of a formula quantifying quality of life was  $QL = NE \times (H + S)$ , where NE stands for "natural endowment," H for "home and family," and S for "society." Some versions of this formula exclude S, resulting in  $QE = NE \times (H)$  [17]. This means that, in societies that treat people similarly, quality of life is the product of their natural endowment multiplied by the quality of their homes. The H variable reflects parental heritage as well as opportunities moderated by socio-economic status, which means that rich people without disabilities have a higher quality of life than poor people with disabilities. The formula becomes tautological. A possible implication of this formula with negative consequences for children and adults with a disability could be the decision to stop giving them food and liquids in order to "allow them to die," because their life perspectives and the lowered level of their quality of life do not meet the expectations of medical staff.

Some studies focus on the social participation of persons with disabilities after they leave hospitals or rehabilitation units. One of these studies is CHART (Craig Handicap Assessment and Reporting Technique) [18], which did not find an association between the sub-scale that measured reintegration in community and the other predictors of effective rehabilitation.

A survey conducted by Harris [19] found that people with disabilities had a much lower likelihood of engaging in activities such as shopping in a supermarket, dining out, going to concerts or cinemas, and visiting friends or neighbours. Thus, they were likely to feel isolated and socially

excluded by architectural or communication barriers. Even though such barriers are forbidden by law, they still prevent people with disabilities from going out of their homes.

Once WHO adopted the International Classification of Deficiency, Disability, and Handicap in 1980, there seemed to be a new impetus for collecting data both on disability and on the quality of life of people with disabilities. However, debates concerning the proper methodology and implications of such studies continued.

The theoretical framework that contributed to the development of a standard for quality of life was based on utilitarian principles such as “the greatest good for the greatest number.” Such a principle is problematic because, in any society, people with disabilities are a minority. From this point of view, the protest of those embracing the social model of disability seems justified. According to them, people with disabilities are subject to “societal oppression,” meaning that other people dictate what needs they have, what forms of support they are entitled to, what their quality of life is and how to measure it. Another concern was that studies of quality of life could justify decisions that are clearly detrimental to people with disabilities. Utilitarianism associated with a normative perspective can easily lead to cost-benefit analyses that could, in theory, justify neglect and a depreciation of the needs and interests of people with a disability, when experts are the ones who decide what these needs and interventions should be. The clearest example of such an approach is DALYs (Disability Adjusted Life Years), a phrase encountered in a project sponsored by the World Bank [20]. The concept combines indices of mortality and morbidity in a single health measure. In this context, disability is defined as both a negative factor with a negative impact on health and as a type of health problem that places a substantial burden on the individual and society. It is clear that this index individualises disability and ignores that it is an interaction between the person and the environment.

Despite these concerns, these measures continue to be widely used; for example, the “Global burden of Disease” studies and periodic reports commissioned by WHO [21] are meant to calculate the number of healthy life years lost as a result of mortality and disability, depending on age, causes, etc. The methodology involves calculating the DALYs corresponding to a certain illness or accident as the sum of “years of life lost” due to premature mortality (YLL) and the “years lost due to disability” (YLD). Years spent in a less than optimal state of health are converted into an equivalent number of YLDs using assessment and different weights of health and disability. Disability weight is an average score between 0 (perfect health) and 1 (dead).

Hahn [17] believes that this approach is problematic due to a series of conceptual confusions:

- disability is not disease, in the sense that it cannot be referred back to diagnostic criteria
- disability is not sickness, which involves an acute health problem
- disability is not an exclusive result of impairment.

Similarly, discussing the conceptual differences between “disease” and “illness,” Hunt [22] emphasised the fact that:

disease is a medical paradigm, a labelling system aimed at biological and physiological malfunction designed to facilitate diagnosis and treatment. Illness, on the other hand is a personal, social and cultural reaction shaped by the social system, the language and rules of behaviour, and is primarily a cultural construct. The degree of relationship between disease and illness is not high, about 50% in UK.

In fact, disability is produced primarily by the effects of an environment that is not fully adapted to the needs of people with certain deficiencies.

Several authors (i.e. Hahn [17]; Nord [23]) warned that DALYs-type approaches might end up threatening the lives of people with disabilities by promoting ideas that seem to resurrect concerns for eugenics and referring back to increased costs. DALYs suggests that “a healthy life” is equal to “a life without disability.” Thus, once more, disability is devalued and potentially stigmatised, which could feed stereotypes, negative reactions and discrimination. Even the authors of the DALYs reports warn that country scores should not be used as a basis for making decisions with respect to, for example, insurance policies or credit.

Besides, the utilitarian approach frequently used in the study of the quality of life ignores the possibility that one person might have a significant disability but have almost perfect health, conventionally speaking. For example, the famous anthropologist R. Murphy, who discovered he had a spinal cord tumour, the evolution of which gradually restricted his mobility and independence, forcing him to use a wheelchair, asked the following questions: “Who is the person with disability? What is the disability?” [24].

During the 1990 census, Murphy answered “no” to the question “Is there anyone with a severe disability living in this household?”; he believed that the question was related more to income than to health and he continued to be employed full time by the university. Even though he was faced with a progressive reduction of mobility, he did not think of

himself as being impaired in his profession of anthropologist because he did not suffer any impairment in the three required domains of: teaching, conducting research, and publishing.

More and more people with disabilities begin to think of their disability as a positive source of political and personal identity and a potentially valuable experience that allows them to identify new positive meanings for their lives.

ICF, adopted by WHO, raise other aspects related to the study of quality of life. These guidelines approach disability from the perspective of activity limitations and restrictions in participation, considering that the state of health is a continuum and taking into account personal and environmental factors that can act as either barriers or facilitators.

More than a decade after ICF has been introduced, it is clear that it is a document that can be refined and improved. For example, the quality of life can be included as a key concept for understanding disability [14]; other authors suggest the inclusion of the idea of human development in the conceptualisation of disability [25]. From the very beginning, one of the applications of ICF was its use “as a research tool to assess and measure results, the quality of life, or environmental factors.” According to McDougall et al. [25], another future direction of the development and application of ICF is “the establishment of an association with quality of life and the measurement of subjective well-being,” although quality of life is narrowly defined as “how people feel about their health problems and their consequences.” This definition seems reductive, because the quality of life is limited to only one domain—health. Such a conceptualisation reiterates how difficult it is to distance ourselves from the medical model of disability.

## Conclusions

Disability continues to be an interesting field for research and the development of policies, programmes and support services. Some useful directions of research for future studies could be:

- identifying the factors that promote resilience in children and adults with disabilities and their families
- conducting studies that examine the quality of life of people with a disability and their families that do not rely on a definition of quality of life that excessively emphasises health
- the development and increased application of ICF, through the measurement and identification of barriers and protective factors, as well as activity limitations and restrictions in participation.

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# CHAPTER SIX

## QUALITY OF LIFE OF THE CHILD VICTIMS OF HUMAN TRAFFICKING

DANIELA NICOLĂESCU<sup>1</sup>

### **Abstract**

The economic and political transition undergone by Romania since 1990 has resulted in the phenomenon of human trafficking, and the most vulnerable category of this crime is the children. The trafficking of children demands special attention and targeted responses which lead to prevention and intervention to address child trafficking as a social unit. This analysis argues for the recovery of child victims of trafficking given that they develop atypical organizational systems and special social rules in order to survive. In this context, the nuanced role of experts specialized in providing counselling services and social assistance recommends the treating of these children as a social unit to facilitate a proper understanding of the reality of human trafficking of especially children in Romania, its development trends, causes and conditions, and to establish effective preventive measures and gradual recovery.

Keywords: Victims, children, rehabilitation, prevention, clinical sociology.

### **Introduction**

Historically, the phenomenon of human trafficking has always existed, but has grown in scale over time. The general term of “traffic” was used for the first time in the sixteenth century as a synonym for trade, with no negative connotations. However, towards the seventeenth century traffic started to be associated with the illicit and/or unlawful sale of goods.

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Although in the beginning, the term largely signified the sale of drugs and weapons, towards the nineteenth century this notion also included the trade in human beings, treated as goods and sold in slavery. This “traditional” trade of slaves was banned towards the end of the nineteenth century. In the early twentieth century, the term traffic referred mostly to the “trade in white slaves” [1], which meant the circulation across international borders of women and children for purposes of prostitution. Two conferences were organised in Paris in 1902 and 1910 in an attempt to end what was commonly known as “white people trafficking.” The work of the two conferences resulted in the international convention on white people trafficking signed in Paris (May 4, 1910), subsequently completed by the international convention on curbing women and children trafficking (September 30, 1921) and by the International convention on curbing the trafficking of adult women (Geneva, October 11, 1933). The Convention for the control of human trafficking and prostitution was signed in New York on December 2, 1949; this convention cancelled and partially replaced the dispositions of the previous international instruments. Only in the late 1990s was traffic associated with the prostitution and sexual exploitation of women and children.

## **The Romanian Context of Human Trafficking**

The economic and political transition which Romania experienced from 1990 led to a rapid increase of poverty, particularly in specific areas of the country. The high unemployment rate, the low level of wages and the high expectations towards the new regime were just a few of the factors which determined the increase of illegal migration for work in Western countries. This made the appearance of the human trafficking phenomenon possible. Within this context, the geographical position of Romania made human trafficking an increasingly profitable activity.

In Romania, women appear particularly vulnerable in relation to the issue of violence and employment opportunities in the labour market [2]. The often precarious financial situation is the reason why women are victims of exploitation and trafficking. From this perspective, the phenomenon is commonly identified in other countries [3] [4].

## **Child Trafficking**

Children are a vulnerable category in human trafficking, being more susceptible to fraudulent border crossing, much more exposed than adults

and therefore much easier to manipulate. On the other hand it is better to take into consideration the risks faced by children at the risk of losing parental care and the rights which are most often violated, and the consequences thereof [5]. Children's trafficking deserves special attention and specific responses due to the following aspects [6]:

- Children's vulnerability to trafficking. For instance, children are perceived by the traffickers as more docile and cheaper than the adults used for work; young people are better for the sex industry because it is less probable that they are infected with HIV/AIDS, while marginalised children are less prepared to resist trafficking and exploitation and have less opportunities to work in an environment without exploitation than other children from the same community. The psychological, physical and social impacts of child trafficking have an effect on the victims' perspectives of integration. For instance, a trauma suffered during an early stage of development may have much more serious consequences on the long-term development of the child and his/her healing.
- The legal responsibility of states to guarantee and protect children's rights is stipulated by the UN Convention on the rights of children and other international norms and instruments.

The exploitation and abuses suffered by trafficked children are serious breaches of their human rights. Many suffer emotional, sexual and physical abuses and are exploited by the traffickers, panderers or clients. Even worse, the trafficked children may be frequently exposed to beatings, rape and torture. Some are intently maimed by their so-called "owners" with the purpose of making a profit. Their freedom of movement is often restricted and many children are threatened with physical punishment if they don't make enough money or if they don't give the bulk of their earnings to the people controlling them.

The factors contributing to the higher vulnerability of a child as a victim of sexual exploitation have been identified by the reference studies as economic, cultural and social factors [7]. We may also say that the risk factors are different for different types and subtypes of exploitation of the trafficked children. These risk factors also depend on the socio-cultural norms of the community to which the child belongs, and the identification of these norms may be of help in identifying the risks run by the children within a community or group of individuals. These factors can be grouped as follows [8]:

**Table 6.1. Protecting and Risk factors**

	<b>Exploitation by work</b>	<b>Exploitation for sexual purposes</b>	<b>Exploitation by illicit work (drug smuggling)</b>
<i>Risk factors (most frequent)</i>	<ul style="list-style-type: none"> <li>- Poverty/low income of the parents</li> <li>- Rural environment</li> <li>- Gender</li> <li>- Educational level of the parents</li> <li>- Large families</li> <li>- Parents' attitude toward children's work</li> <li>- Parents' problems with mental health</li> <li>- School dropout by the children</li> </ul>	<ul style="list-style-type: none"> <li>- History of sexual, physical and/or emotional abuse</li> <li>- The child runs away from home because of abuse by parents</li> <li>- Poverty/low income of the parents</li> <li>- The child is abandoned by the parents in social institutions or in the street</li> </ul>	<ul style="list-style-type: none"> <li>- The children or parents consume alcohol or drugs</li> <li>- Delinquent behaviour of the child resulting from the abuses in the family</li> <li>- Community with a high risk of drug smuggling</li> <li>- Sexual and/or physical abuse of the child</li> </ul>
<i>Protecting factors</i>	<ul style="list-style-type: none"> <li>- Vocational training of the parents</li> <li>- Prevention of school dropout</li> <li>- Development of the abilities for an independent and autonomous life</li> <li>- Career development and training for a career</li> </ul>	<ul style="list-style-type: none"> <li>- Prevent physical, emotional and sexual abuse</li> <li>- Intervention to recover the children who are victims of abuse</li> <li>- Prevention of school dropout</li> <li>- Development of the abilities to cope with risk situations</li> </ul>	<ul style="list-style-type: none"> <li>- Interventions in the community with risk: development of the abilities to recognise and to cope with the risk situations</li> <li>- Counselling children who consume alcohol or drugs</li> <li>- Prevention of school dropout</li> <li>- Training for a career</li> </ul>

Being a social phenomenon, the children who are exploited sexually and commercially must be approached from a two-fold perspective. First, that of the victim, which means a subjective approach. We can speak here of what the victim represents due to their bio-psycho-socio-cultural resources. Second, the victim must be analysed from the angle of human trafficking, i.e. from the angle of involuntary participation, as means of production, to the illicit economic activity which derives from the imperative of self-imposing, at any cost on the financial market, on those people wanting to recover from their financial and social handicap (no money, prestige, acknowledgement or esteem, and therefore nothing to lose) through an activity which is directed towards making money. Because the victim doesn't participate voluntarily, deliberately and consciously to the illegal process, we can speak of the victim as an effect.

The children are victims of the traffickers for much the same reasons as adults. However, children lack the wisdom and life experience of adults, and are thus more vulnerable.

There is no “pattern” of the victim child, but there are a lot of factors which make the children become vulnerable. One of the typical scenarios is that of the child who accepts going to another place without being conscious of the exploitation which he/she is about to bear. The children are tempted by the opportunity to make money and believe in the stories they are told; many young people actually believe they will have a real job in a hotel, bar or private house. Some believe they will get married. They may be unhappy with the situation in their homes and want to escape; many of them do not do well at school and see themselves as having no future in their environment of origin. Some belong to a minority which is discriminated in their country and want to escape from poverty. Other times, they are simply abducted by the traffickers and sold.

The children and young people who are victims of trafficking suffer physical and/or sexual abuse, mostly of an extreme nature, such as rape and torture, at ages when they should normally be trustful, healthy and full of life. The consequences are devastating and affect all aspects of their lives. The following are some effects of the various forms of exploitation suffered by the victims of human trafficking [9].

All children who have been exploited sexually will experience some kind of physical or psychological suffering. Usually, the longer the exploitation, the more numerous the health problems.

**Table 6.2. Effects on the child victims of trafficking**

<b>Effects on physical and mental health</b>	<b>Emotional effects</b>
<ul style="list-style-type: none"> <li><input type="checkbox"/> The victims contract various venereal diseases and AIDS</li> <li><input type="checkbox"/> Very often, the victims become alcohol and drug addicts</li> <li><input type="checkbox"/> The victims become depressive and often attempt suicide</li> <li><input type="checkbox"/> The girls become pregnant</li> <li><input type="checkbox"/> The girls may have complications during the pregnancy and have to abort the child</li> <li><input type="checkbox"/> The victims are often maimed, beaten and starved</li> <li><input type="checkbox"/> The victims suffer post-trauma stress; the memory of the traumatic experiences comes again and again, insistently, they have nightmares and panic, are irritable and also have other symptoms of stress</li> <li><input type="checkbox"/> The victims suffer nervous breakdowns, sometimes with permanent effects;</li> <li><input type="checkbox"/> The victims may suffer physical diseases, such as skin disease, headaches, spinal damage etc.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> The victims lose trust in adults and acquire anti-social behaviours</li> <li><input type="checkbox"/> The victims have difficulties in their relations with other people, their family or work fellows included</li> <li><input type="checkbox"/> The victims lose trust in the self and create a negative image, considering themselves useless and of no value</li> <li><input type="checkbox"/> The victims may turn aggressive and nervous with other people</li> <li><input type="checkbox"/> The victims may develop relationships of dependence on their abusers</li> <li><input type="checkbox"/> The victims are fearful and tense</li> <li><input type="checkbox"/> The victims are afraid they will never be able to lead a normal life again</li> <li><input type="checkbox"/> The victims are afraid the members of their family and community will find out what has happened to them and are afraid to return home</li> <li><input type="checkbox"/> The victims lose the ability to focus</li> </ul>

## **Trafficked Children as a Social Unit**

We are speaking of the trafficked children as a social unit, because we can say that these children, within the residential system of psychosocial recovery, form a special social group and develop their own systems of organisation and social rules due to their life histories. Generally, the lives of children are organised and determined by school, groups of friends and preferred playgrounds, affiliations to religion, ethnic groups, economic situations and social statuses of the parents, etc. The trafficked children, however, develop atypical systems of organisation and special social rules just to survive.

As we well know, according to the sociological rule, the social unit “designates any human group, collectivity or community, association, organisation or social institutions” [10]. The social unit [11]:

is characterised by a structure of relations between its members and has specific forms of manifestation either at the level of community life, at the level of the economic, social, political, cultural etc. activity; all these become “object of study for sociology, as elements composing the social life, parts forming the social, investigating their genesis, their structure and way of existence, their influences within the society.”

In turn, the social group is the “assembly of persons characterised by a specific structure and with a specific culture which results from the psycho-social relations developed within it” (Ibid.) The child victims of human trafficking are generally deprived of parental care, come from families with precarious socio-economic statuses, and their development is not harmonious, their interaction with peer groups being mostly negative, which is why they are much more vulnerable to the risk of being victimised and try to integrate into other social groups where they may not feel discriminated. Child socialisation starts in the early years and continues throughout their life; however, even though “it is a global social process, it is accomplished within the framework of groups” [12], which most times may have a positive form, but in the case of these children will be a mostly negative form of socialization.

The successful reintegration of the child victim into society may be accomplished only by understanding the characteristics of childhood and by placing the interventions within a local cultural context. The interventions of rehabilitation, led by the social assistants, are much more efficient if they recognise, strengthen and encourage the natural process of recovery of the child. The restating of individuality and power to be active within the society refers to the development through flexible interventions based on the acknowledgement of child abilities and by asserting their

inherent values and respect as human beings. The interventions must be adequate to the cultural situation in which the victim thinks, communicates and looks for meanings of his/her recovery. The integration of the indigenous knowledge and practices in counselling and assistance acknowledges behaviours, social relations, patterns of communication and healing options which are of great value during the process of rehabilitation and social reintegration of the child returned from trafficking.

Most children who were the victims of repeated experiences of neglect and physical and/or sexual abuse have a high risk of being victimised again. The most important factor of maintenance of the risk of re-victimization has been identified as the dysfunction in the perception of the risk situations. A child who is the victim of trafficking for sexual exploitation runs a higher risk of subsequently being involved in illicit work, such as drug smuggling, due to cognitively underestimating the risk situations.

The types of assistance with impact on human trafficking include: alternative economic programs for the vulnerable groups; educational programs; training governmental officials and the medical staff; anti-corruption measures; development or improvement of the anti-trafficking laws; supplying the necessary equipment for law enforcement; establishment or restoration of the shelters of anti-crisis centres or of safe houses for victims, and; providing support from the non-governmental organisations, international organisations and governments for the psychological, legal and medical assistance of the victims.

Other prevention means that can be taken into consideration are the public-private partnerships for the integration of the risk populations within the community and within the labour force. The collaboration with other countries must be intensified with the purpose of gathering information reflecting the reality in terms of the trends, number of victims, legal suits and convictions more accurately. The measures and mechanisms preventing the re-occurrence of victimization must be part of a standard strategy for the reduction of risk factors favouring child trafficking and re-trafficking.

The discussion and analysis of these risk situations/contexts and the exercise of the correct estimation of some causes and consequences are objectives and measures that can be analysed by clinical sociology, focusing on the prevention component in order to identify the protective factors which decrease the risk of the child becoming involved in other situations of exploitation. The prevention of risk behaviours at the individual and family levels, by enforcing quality standards of the social protection, will decrease

the risk of the reoccurrence of victimization states among children, a considerable challenge within the context of Romania.

Clinical sociology has a role to play in this context, forming a working method which is sufficiently adequate for the intervention on the trafficked children seen as a social unit and group having particular systems of organisation and particular rules of surviving within a special social and cultural context. Clinical sociology is a multidisciplinary field of science because the major paradigms (i.e. the humanist paradigm, the cognitive-behavioural paradigm, the psycho-dynamic paradigm) fundament the strategies and techniques, and can be found to be a working method for the social recovery of trafficked children. Clinical sociology has become a distinct orientation within the sociology of the social problems, proposing three main objectives [13]:

- a. The “clinical” analysis of a collective stat with critical character, materialized in a “diagnosis” formulated by experts, who consider this state as a problematic aspect of the social life
- b. Investigation of the causes and states which determine this state, evaluation of public opinions, and of the existing social policies and practices for its improvement and eradication
- c. The activity of practical intervention by the development of operational solutions.

The main contributions of clinical sociology to solving or improving the social problems are the following [14]:

- a. Theoretical analysis—elaboration of a complex and integral evaluation of the problem on the basis of synthesizing the main theoretical models existing in the disciplines covering the studied field (psychology, sociology, demography, medicine, criminology etc.)
- b. Applied research—acquiring data and information on the studied population, investigation of its opinions and the opinions of the experts regarding the different ways of solving the problem; confronting these opinions with the efficacy of the official social policy measures, inventory of the social assistance measures etc.
- c. Operational intervention through actual support to the individuals or groups to change their life situations.

The main technique used by the clinical sociology is the case study; however, the use of the systemic perspective expands the analysis and

practical intervention to the level of entire groups, and organisations of local communities.

The basic role of clinical sociology is to create an adequate activity of intervention before the effects of social problems affect the entire community, and this action takes place on the basis of a decision elaborated by confronting the objective conditions which generate the problematic social state through the perception of the involved population. As Jonathan Freedman said [15]:

the clinician sociologist tries to understand the nature of the societal factors which prevent the individual or the collectives to activate in an efficient manner ... [to this purpose, they have] to be able to go beyond the way in which the client formulates the problem, in order to take into consideration the social trends with a broader character.

## Conclusions

The critical analysis of the methods used to evaluate the risks of reoccurrence of victimization using clinical sociology may lead to the development/elaboration of quality standards for the social protection in the field of human trafficking which provide actual assistance and social support to the victims. Transparent and responsible practices of professional assistance must be developed and maintained, and the social assistants must be aided and supported in their difficult undertakings.

From the multitude of interventions which characterise the cases of human trafficking, one can observe that the working instruments used for the social protection of the child prove to be mostly maladapted to their situation and poorly integrated in the quotidian context of the past trauma. This gives rise to the necessity to approach the child victims of trafficking as a social unity. Within this context the scientific analysis, through the elaboration and adoption of optimal quality standards to be used as scientific tools adequate for the situation of the trafficked children and the Romanian population, will standardise the interventions and generate a distinct approach, characteristic of these social groups.

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## CHAPTER SEVEN

# NOT SO LOCAL AS IT SEEMS: TRANSNATIONAL PROTESTS AGAINST THE GOLD MINING PROJECT AT ROȘIA MONTANĂ

IONUȚ-MARIAN ANGHEL<sup>1</sup>

### Abstract

The policies agreed upon under the “Washington Consensus” (deregulation, privatization, elimination of national barriers), which laid the foundations of neo-liberalism, gave way to foreign direct investment in the peripheral zones of the globe. The structural reforms implemented in Southeastern Europe created discontent among the sectors which needed to be reformed. The objective of this chapter is to discuss, using the conceptual and methodological tools of contentious politics, the social movements regarding the mining project in Roșia Montană, Romania. Here, a Canadian-Romanian company, the Roșia Montană Gold Corporation (RMGC), wishes to exploit the gold deposits in the Apuseni Mountains for a period of 16 years. The company’s project, articulated by a neoliberal discourse based on economic growth through foreign direct investment, was postponed by a coalition of local, national and transnational NGOs in what turned out to be one of the major victories of Romania’s civil society against foreign investment and state authorities.

Keywords: Neo-liberalism, contentious politics, transnationalism, social movements.

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## Introduction

The fall of socialist regimes in Central and Eastern Europe gave rise to two opposing trends. On the one hand, we witnessed the end of the socialist modernization project, guided by the state [1] and the integration of Eastern European countries in the global economic circuit. The collapse of state companies and of the industrial and agricultural sectors has generated new forms of marginalization and exclusion through unemployment, lack of cultural capital and financial incentives for entrepreneurial initiatives and no more social aid networks provided by the state. Industrial regions and especially the mining regions have been declared disadvantaged areas due to the difficult socio-economic conditions, extreme poverty and lack of development opportunities [2]. The effects of this collapse were reflected in the poor quality of public services, degradation of public space, decline of the standard of living and the impoverishment of local populations in these areas. On the other hand, as we shall see in the Roşia Montană mining project, which is the focus of this article, the fall of communism, the democratization of the society, the empowerment of civil society and local communities, and integration in regional structures such as the European Union gave rise to a series of social movements and coagulation of networks at local, national and transnational levels resulting in fierce opposition against the project proposed by the Roşia Montană Gold Corporation (RMGC), fuelling a difficult socio-economic situation in this area.

Inefficient and corrupt state bureaucracy, low administrative capacity and the increasing of external debt forced the Romanian government to restructure many of the public sectors. Among these sectors of strategic importance for Romania, if we think of the rich mineral resources, was the mining sector. Old infrastructure, high wages in the industry, lack of profitability from exploitation activities—the production costs are higher than the sale price—and large debts built up over time forced Romania to restructure the mining sector. The mining reform took place under the auspices of international intergovernmental institutions: the World Bank, the International Monetary Fund and the European Union. The World Bank, for example, provided financial and logistical support. Under the guidance of technical experts from the World Bank, the Romanian government adopted a new mining law (Mining Law no. 61/1998) with a more friendly approach to foreign investment (FDI). The new law, designed to eliminate restrictions on state ownership of mines, which dated from the socialist regime, paved the way for FDI in a sensitive economic sector [3, p. 27] [4, p. 7]. Also, the European Union (EU) urged

Romania to cut state subsidies to unprofitable sectors as part of the EU accession negotiations [5, p. 130].

Thus, the neoliberal reforms—elimination of national barriers, trade liberalization and tax cuts cleared the way for the mining companies to access the peripheral regions of the globe in search of cheap labour, lax environmental regulations and low taxes. These changes cannot be dissociated from changes in the global capitalist system since the 1970s:

“The economies of the South are ... being reopened to mining TNCs [transnational corporations] through structural adjustment and the liberalisation of the global economy. Under pressure from the IMF and the World Bank, more than 70 countries have changed their mining laws to make themselves more attractive to foreign investment; foreign ownership restrictions have been watered down or abolished; and TNCs are being invited to bid for state-owned mining assets, as huge sections of the industry ... are being offered for sale under ‘free market’ privatisation programmes” [6, p. 46].

These peripheral areas are usually inhabited by indigenous people without political representation, with property rights which are poorly defined or which previously had no value whatsoever, and where there is little or no development [7, p. 305]. This is also the case of Roşia Montană which attracted the public’s attention for 13 years by resisting a mining project proposed by a Canadian-Romanian transnational corporation.

The Roşia Montană Gold Corporation (or *Goldul*, as it is called by the locals) includes Gabriel Resources, with headquarters in Toronto and an offshore branch in Barbados, which holds 80% of the shares, the state-owned enterprise Minvest Deva with 19.3% of the shares and some minority shareholders with 0.7%. RMGC wishes to exploit an area of 1,660 ha, split into four operating sites (quarries)—Cetate, Cârnic, Jig-Văidoaia and Orlea—in order to extract 10.6 million ounces of gold (300 tons) and 15 million ounces of silver (1,600 tons of silver). The project also includes the relocation of 975 households, two thirds of which have already been relocated, eight churches listed as historic monuments, and the construction of a 600 ha pond for the 250 tons of cyanide-rich tailings, held by a 185 m high dam [8, p. 8] [9, p. 21]. Following this transaction, the Romanian state would receive \$4 billion-1.8 billion in dividends, royalties and taxes to the state budget and 2.4 billion in human investments, infrastructure and maintenance. The revenues of the Romanian government, however, are ambiguous. At the last capital increase in 2010, the Romanian government, represented by Minvest Deva, could not come up with that increase and borrowed from Gabriel Resources. The company also spent around 400 million dollars for

expropriations and 160 million dollars for preparatory work, including advertising campaigns to highlight the high-tech mining approach [10, p. 52] [11].

Benefiting from the new mining law favouring the FDIs and supported by the World Bank experts, the Romanian government in 1999 transferred the operating license from Minvest Deva to Eurogold Resources (now Gabriel Resources) [4, p. 20]. With a price of \$1,500 per ounce of gold, as currently evaluated, that means that the price of Roşia Montană gold is \$15 billion. Instead the mine was leased for \$3 million at that time. The Romanian government justified its decision with the World Bank's offer to provide technical and financial assistance through a \$40 million loan consisting in a Mine Closure and Social Mitigation Project and the need to comply with EU restrictions regarding subsidies for state sectors [4, p. 20].

## **Methodology and some Conceptual Delimitations**

I will try to apply in this article the conceptual and methodological tools of contentious politics which became hegemonic in studying social movements. The most representative scholars for this paradigm are Charles Tilly, Sidney Tarrow, Doug McAdam and Donatella della Porta. In their opinion, contentious politics represent “the episodic, public, collective interaction among makers of claims and their objects when (a) at least one government is a claimant, an object of claims, or a party to the claims and (b) the claims would, if realized, affect the interests of at least one of the claimants” [12, p. 5]. Thus, contentious politics proposes four analytical dimensions:

- a) political opportunities—opportunities to change the political environment (static vs. dynamic political environment). Political opportunity is an essential variable favouring the birth, success or failure of social movements and is measured as: closed vs. open political local system [13], the ability to attract influential allies [14], and elites' tolerance for protest [15].
- b) mobilizing structures—organizations and social networks that support social movements, attracting the support of public elites, mobilizing supporters, the use of mass-media, and access to institutional centres or pre-existing networks [16, pp. 1216-1217].
- c) collective action frames—sets of beliefs, ideas and meanings that inspire and legitimate the activities and campaigns of social movements and organizations involved in shaping the movement's identity [17, p. 614].

- d) repertoires of contention—effective actions through which the claimers express their discontent, such as protest marches, strikes, petitions etc. [12, pp. 14-15] [18, p. 33].

Because of the lack of space, only the first two of the four dimensions will be discussed in this paper. For a history of the emergence of contentious politics and how this paradigm became hegemonic in explaining social movements see [19]. As I will show below, the rhetoric of Europeanization, the observance of the rule of law and of human rights, environmental protection and sustainable development have been used by the project's opponents as core values, taking advantage of the political opportunities provided by EU's pre-accession conditions and the community law. As for the second dimension, strategic alliances with transnational networks of advocacy brought legitimacy to this movement, putting some pressure on domestic actors to meet regional and international standards for environmental protection. The research was conducted between March and May and consisted of semi-structured interviews with Bucharest and Roşia Montană based NGOs opposing the mining project to find out which alliances were originally formed at national and transnational levels and the political context that favoured these networkalliances. Also, we will use the previous empirical research conducted at Roşia Montană to have a broader perspective on the issue.

### **The Success of a Social Movement with Neoliberal Characteristics against the “Neoliberal Forces”**

The first protests against the project were organized locally by Alburnus Maior, which claims to represent the interests of 300 farmers and engineers in Roşia Montană, Corna and Bucium involved in subsistence agriculture. Formed in 2000, Alburnus Maior (AM) had a single purpose at first: defending the right to property and life in Roşia Montană (president of AM, 2012). The first forms of discontent materialized in meetings and protests at the local, county and even national levels, but as long as the protests remained local or national, they had no effect [20] [21].

The lack of material and cognitive (logistic) resources and political opportunities forced the AM people to forge alliances at national and transnational levels. The project was launched for debate by NGOs nationwide and abroad through the Internet and e-mails sent by AM. Among the NGOs which responded to the invitation was Terra Mileniul III, a Bucharest-based NGO already connected to transnational

networks including CEE Bankwatch and which deals with monitoring the funds provided by international financial institutions [22]. In 2002, AM and Terra Mileniul III organized a public meeting at Roșia Montană attended by representatives of environmental NGOs in Romania and 350 locals, who drafted the declaration of Roșia Montană, the first grass-roots environmental manifesto in Romania [8, p. 9] [20].

A second step of the movement was the implication of Stephanie Roth, a former journalist with the “The Ecologist” magazine, who happened to be in the area for another protest in Sighisoara against the governmental project to build Dracula Park. Assuming the role of a broker—i.e. two actors with no previous connection linked by an organization, company, individual(s) [12, p. 102]—Roth will teach AM the secrets of a successful protest campaign using professional methods inspired by the environmental movements in Western countries. AM managed to involve transnational actors in the movement such as CEE Bankwatch, Mining Watch Canada, CEE Greenpeace, Friends of the Earth, Earth Works with the help of the new information and communication technologies such as the Internet, which facilitates the connection between members of the “network society” [23] mobilizing civil society sectors [8, p. 9] [24].

Greenpeace Romania, under the supervision of Greenpeace CEE headquartered in Vienna, conducted several information campaigns in Bucharest and the cities around Roșia Montană, Abrud and Câmpeni. Protests have spread at transnational level in front of Romanian embassies in Hungary and Slovakia (a similar project has been proposed in Slovakia). Greenpeace CEE’s experts used their expertise on toxic waste to challenge the company’s project and to draw attention to the possible environmental risks [25].

In 2002, the transnational advocacy network manages to stop a \$100 million loan from the International Finance Corporation, the lending arm of the World Bank, to Gabriel Resources [8, p. 9] [22]. Network members, who could rely on hundreds of activists, picketed the World Bank General Assembly in Washington, condemning the president James Wolfensohn for his support of an unsustainable project. Concerned with the lack of sustainability and the possible negative impact on the environment, Wolfensohn withdrew the World Bank’s support to finance the project [22].

An important step in this campaign was the use of the EU as a political opportunity structure. The rhetoric of Europeanization was used by the project’s opponents to put pressure on domestic actors to redefine their identity and interests [24, p. 133]. Hicks (2005) discusses two mechanisms through which the EU can cast an influence: a) the opportunity of a legal



structure through which EU will urge compliance with environmental standards and policy agenda for governments wishing to adhere, adapting and strengthening the provisions of environmental normative acts; b) the transfer of material and procedural resources from the EU to member states. Procedural empowerment refers to the involvement of local community and civil society in environmental decision-making [cited in 8, p. 6].

The opposition's discourse, especially that of AM's president, Eugen David, a rooted cosmopolitan, has focused on the observance of the rule of law, of Romanian laws, protection of private property and environmental rules issued by the EU, and compliance with the environmental acquis and EU legislation, more democratic and more "green" than the Romanian legislation [8, p. 12]. Moreover, the project's opposition demanded the compliance with environmental agreements signed by the Romanian government prior to the accession, namely the Aarhus Convention, which provides access to public information, decision-making and public participation regarding environmental decisions and the Espoo Convention on environmental impact assessment in trans-boundary environmental projects [24, p. 134].

As a consequence, Hungary became an important actor in the decision concerning the granting of the environmental permit. AM lobbied the Hungarian minister to activate the Espoo Convention, thus becoming an important stakeholder in the Environmental Impact Study (EIS). After the incident in Baia Mare in 2000, when cyanide wastes contaminated the Tisza River, subsequently affecting 2000 km of the Danube River and its tributaries before running into the Black Sea [24], Hungarian officials and environmental NGOs stayed alert regarding the Roșia Montană project. Between 2002 and 2006, the project was on the list of diplomatic relations between the Romanian and the Hungarian governments [8, p. 19], the latter urging EIS consultation.

The dispute around the Roșia Montană project drew the attention of the European Parliament (EP) and the European Commission (EC), both keeping a close eye on the case from 2003. The EP has shown on several occasions [26] [27] its concerns regarding Romania's administrative capacity to align to legislative regulations and European standards and has warned Romania on cyanide contamination and rehabilitation after mine closure [26, p. 10]. On January 31<sup>st</sup> 2005 the European Parliament adopted a resolution on Romania's EU integration progress in which, according to Article 41, the EP expresses its concern about the environmental record of Romania and in particular the development of the Roșia Montană mining project, which presents serious environmental threats to the entire region

[27, p. 6]. However, after several meetings with Romanian experts and representatives, the European Commission demanded compliance with the EU environmental regulations, but became looser as Romania's integration process was coming to an end, arguing that the EU is a regional structure that relies more on economic and political cooperation and the Roșia Montană case does not endanger Romania's EU integration [8, p. 15].

The EIS was finally rejected in 2007 by the Ministry of Environment due to criticism from local, national and transnational NGOs, the European Parliament, the numerous inaccuracies in the document and the numerous acts and permits declared void by the Romanian courts. For four years, the Roșia Montană project went into obscurity because the company was forced to start all over again with the documentation for EIS, environmental and archaeological discharge permits, etc.

The social movements on the subject of the Roșia Montană mining project revealed several features of the new "local" social movements in a global era. First, success against the "global capital" [28] is achieved through strategic alliances with transnational networks of advocacy and NGOs, with their own political agendas which influence the "authenticity" of local movements, leading to compromises. Transnational NGOs promote implementation of rules, putting pressure on domestic actors to adopt new policies and to comply with international and regional standards [29, p. 90]. Closed political opportunities used to influence the decisions of internal actors prompted AM to seek non-governmental or trans-governmental agents in the international arena to put pressure on domestic actors through a "boomerang effect" [29, p. 93].

The objectives of local movements are embedded in universal values such as environmental protection, democracy, respect for rule of law, economic justice, quality of life, sustainable development, human rights, etc. [7, 304]. The success of the social movement was (also) achieved by exploiting the EU's political and normative opportunities and a proper framing of grievances. The respect for the rule of law, democratization of the decision making process on environmental issues according to the Aarhus and Espoo Conventions, property rights, and freedom of expression are (neo) liberal values that the opposition used to frame its grievances.

## **Conclusions**

The dispute around the Roșia Montană mining project generated plenty of controversy, but also ambiguities. The boundaries between the two sides are actually quite fluid, both borrowing elements and mutually influencing one another [30]. The Romanian government between 1996-

2000 justified the privatization of the state-owned mine at Roșia Montană as part of the Europeanization process, the marketing of the mining sector, to make it more attractive for FDIs and to adapt to neoliberal economic and political standards supported by the EU and the international financial organizations, facilitating institutional framework for FDIs and closing unprofitable state sectors that operated at a deficit [5, p. 130]. In response, the project's opponents have used the rhetoric of Europeanization to force the mining company and domestic institutional actors to observe the European environmental regulations, EU environmental acquis, the rule of law and private property regulations.

Following criticism from the transnational advocacy network which stopped the World Bank's loan in 2002, showing that the company proposed a non-sustainable project, RMGC changed its policies and came up with a new project for the sustainable development at Roșia Montană. Investments in infrastructure, public services, transport, schools, hospitals and tourism are the arguments through which the company seeks to convince people that the mining project is sustainable. Mining companies have learned from their own mistakes, or those of others, and have revised their policies to take into account unexpected threats from the local people. The discourse of accountability, transparency, sustainability or corporate social responsibility has become a prerequisite for any corporate audit culture [7].

Moreover, in recent years the "Save Roșia Montană" campaign has directed its lobby towards introducing Roșia Montană in UNESCO World Heritage. Thus, alliances with organizations such as ICOMOS and ARA (Archeology. Restoration. Architecture) have moved to the forefront. Even the FânFest festival, initially a protest festival, changed its agenda and is now promoting speeches, movies, and producing travel guides about the heritage value of Roșia Montană. In response, the company started a project to restore the houses it purchased between 2002-2007 to show concern for heritage, promising an investment of \$70 million for the heritage of Roșia Montană (Roman galleries, lakes, and Mount Cârnic). At this point, the two sides have the same public agenda: sustainable development, tourism and enhancement of cultural heritage, the only difference being that RMGC wants to implement its policies only after excavations for gold.

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## **PART II**

### **MEASURING THE QUALITY OF LIFE: INDICATORS AND STANDARDS**

## CHAPTER EIGHT

# LIFE SATISFACTION IN ROMANIA: A LONGITUDINAL STUDY

IOAN MĂRGINEAN<sup>1</sup>

### **Abstract**

Life satisfaction has received sustained attention from social scientists over recent decades and it has been approached from different perspectives. In the quality of life approach, life satisfaction is considered the cognitive dimension of subjective well-being, whereas happiness is its emotional component. Life satisfaction is usually considered an output variable, although it can also be used as an input.

This chapter deals with the general life satisfaction of Romanians as well as with their satisfaction with specific life domains. The relevant data were produced as part of the Quality of Life Diagnosis (QLD) carried out over thirteen waves by the Research Institute for the Quality of Life between 1990 and 2010. The main conclusion is that the level of life satisfaction among Romanians is relatively low. There are, however, noteworthy differences among life domains, in that Romanians report the highest level of satisfaction with family life and the lowest level of satisfaction with domestic political life. Also, attention will be given to some data from European Quality of Life Surveys (EQLS) of 2003, 2007 and 2011 to put Romania in the EU context.

This chapter identifies the social factors (living conditions and social opportunities) which influence life satisfaction. The strongest predictor of life satisfaction is the economic status (the poor-rich scale), followed by the respect for personal rights, chances of individual achievement in life, educational opportunities and the accessibility of workplaces. By revealing these social factors, this research can inform public policies towards

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improving living conditions and the quality of life in general, including subjective well-being.

Keywords: Satisfaction, contentment, happiness, subjective well-being, quality of life.

## Conceptual and Methodological Clarifications

“Satisfaction” is a common word, as are its synonyms “contentment” and “happiness.” These terms have relative rather than absolute denotations and there are also specific connotations attached to them, especially when we have satisfaction and happiness in mind.

The associated meanings of all three terms are suggested by the Romanian Dictionary [1], which defines satisfaction as the “feeling of contentment, of pleasure; that which creates contentment.” Happiness is defined as “the state of intense and full spiritual contentment.” Contentment, in turn, is defined as “satisfaction, pleasure, joy and happiness.”

The Oxford Advanced Learner’s Encyclopaedic Dictionary [2] defines these terms in a similar way—satisfaction is the “feeling and contentment when one has or achieves something what one needs or desires,” while happiness is “the feeling of expressing pleasure, contentment, satisfaction.”

In Romania, the common terms used to refer to states or lack of fulfilment are contentment or discontentment, whereas happiness is mostly for greetings, such as “happy birthday,” “happy holidays,” “happy marriage,” etc.

In this chapter we will refer to contentment and satisfaction as synonymous concepts, the approach of choice from the beginning of the quality of life diagnosis (QLD) in 1990, and also suitable today, even though contentment is widely used in everyday life.

Early concern with happiness emerged in the philosophical and theological traditions of the East and the West many centuries ago. These were supplemented at the beginning of the twentieth century by psychological research on happiness. Life satisfaction or contentment have received systematic attention from sociologists since the 1960s [5], while the following decade saw path-breaking contributions to quality of life research and subjective well-being [3] [4].

The terms satisfaction and happiness were not immediately reflected in the sociological dictionaries of the time. For example, the much-cited, UNESCO-supported *Dictionary of Social Science*, which was published in 1964 by J. Gould and W. Kolb, did not include the words happiness,

satisfaction or contentment. Similarly, the *Dictionary of Modern Sociology* [6] did not include these terms.

Extensive research on happiness and satisfaction was carried out in 1971-1972 by the Institute of Social Research, Michigan, USA. Andrews & Withey (cited above) [3] discuss three topics, namely life satisfaction, happiness and worries. The authors draw distinctions between states of satisfaction and happiness and their findings support these distinctions. More exactly, they measured different frequencies for the two questions (on satisfaction and happiness), using both a 3-grade and 7-grade scale.

The European quality of life survey (EQLS), commissioned by the European Foundation for the Improvement of Living and Working Conditions, which began in 2003 and continued in two successive waves in 2007 and 2011, also used different questions for satisfaction and happiness. As in the US studies, the findings support this distinction, even if in the case of EQLS there is a strong correlation between them. The more detailed analyses focus, however, on life satisfaction rather than happiness [7] [8].

There are also researchers who support the conflation of satisfaction and happiness. Among other researchers, Veenhoven, the coordinator of the *World Database of Happiness*, endorses this position. Although he uses both concepts, general life satisfaction is taken to stand for happiness. This is clear from the very title of one of his recent articles: “Happiness, also Known as ‘Life Satisfaction’ and ‘Subjective Well-Being’” [20]. In this piece, the author claims that the emotional dimension precedes the cognitive one. Regardless of whether they are considered jointly or individually, subjective well-being includes one affective element (happiness) and one cognitive element (satisfaction) [10] [11].

## **Data Sources and Research Objectives**

The data presented below stem from a longitudinal study on the quality of life in Romania, which began in 1990 at the Research Institute for the Quality of Life (RIQL). In developing this research project, we relied on the previous research experience collected both in Romania and internationally. With regard to the former, it is worth mentioning that even in the 1970s and 1980s, sociologists at the University of Bucharest carried out research on the quality of life. The first research project focussed on the human development of the enterprise, in which work satisfaction was considered as one of the dimensions of the social system of industrial enterprises [12] [13]. The second research dealt with the quality of life proper [14].

A total of 13 successive waves of data gathering took place in each year between 1990 and 1999 and repeated at irregular intervals in 2003, 2006 and 2010. The data gathering instrument was developed by a team of researchers (including the present author) from RIQL, coordinated by prof. C. Zamfir. Beginning in 1990, the research instrument included nine questions on contentment/satisfaction, including one on the degree of contentment with everyday life and eight questions asking about contentment in different life domains. The scale used for responses included five grades: (1) Very discontented (2) Discontented (3) Neither discontented nor contented (4) Contented (5) Very contented. The questionnaire also included one question on happiness.

The samples used were randomly selected, with the exception of the first wave (1990), when quota sampling was used. The errors were of  $\pm 3\%$  for a probability of 0.95. The size of the samples varied between 1,018 and 1,516 respondents. The results of these waves of research were published over the years, the most recent in 2011 [15] [16]. In this article, I focus on the longitudinal perspective for the whole data series between 1990 and 2010. The aim is to reveal the social factors which are best able to predict life satisfaction and which can be improved in order to achieve a higher level of subjective well-being for the population, such as the material conditions of life, the protection of personal rights, better chances of achievement in life, improved educational opportunities and the higher accessibility of workplaces.

The conditions of longitudinal analysis are all optimally met for achieving the above-stated aim. These conditions refer to the nationally representative character of the samples, the same operationalization of concepts for different waves and the same data gathering technique (interviewer-administered questionnaire at the respondent's home). For comparative purposes, I will also use the results of the EQLS.

## **Life Satisfaction in Romania**

The level of life satisfaction or contentment with everyday life and with specific life domains is relatively low in Romania. This low level characterizes the whole period analysed (1990-2010), without any noticeable upward trend. In fact, between 1990 and 1999 there is clear decline in the level of satisfaction, followed by a relative increase after the year 2000. With regard to the level of satisfaction with everyday life, the highest mean values were recorded in the early 1990s and in the late 2000s. More exactly, the highest mean value of 3.1 was recorded in 1990 and 2006, while the lowest value (2.7) emerged in 1998 and 1999. (We

should note that the difference between means of one tenth (.1) is statistically significant at  $p < .01$ . This level of significance will be used as a reference for all comparisons).

**Table 8.1. Mean values of everyday life satisfaction in Romania (1990-2010)**

Year	1990	'91	'92	'93	'94	'95	'96	'97	'98	'99	2003	2006	2010
Mean	3.1	2.9	2.9	2.9	2.8	2.9	2.8	2.8	2.7	2.7	3.0	3.1	3.0

Source: QLD.RIQL

The mean values of everyday life satisfaction in Romania are displayed in Table 8.1. There are identical values for different years, for example 2.8 (for the years 1994, 1996, 1997); 2.9 (for the years 1991, 1992, 1993, 1995), and 3.0 (for the years 2003 and 2010).

The most recent wave of quality of life diagnosis (2010) reveals a frequency distribution slightly skewed towards the positive side (see Table 8.2.). However, the negative extreme (very dissatisfied) is four times more frequent than the positive extreme (very satisfied). Of note is also the large percentage of respondents who are undecided, which can perhaps be interpreted as being satisfied rather than dissatisfied with their everyday lives.

**Table 8.2. Frequency distribution of response categories for everyday life satisfaction in 2010 (%)**

Category	Very dissatisfied	Dissatisfied	Neither dissatisfied, nor satisfied	Satisfied	Very satisfied
per cent	8	22	35	33	2

Source: QLD.RIQL

The level of satisfaction with everyday life varies substantially by sex, age group, residence, health, education and occupation. For the longitudinal analysis I have chosen three years to illustrate the distribution of responses according to these variables. The years chosen and the reasons for their inclusion are indicated below: 1991 is the first year in which a random sample was used; 1999 is placed towards the middle of the 1990-2010 period and is, at the same time, the last year in the waves of data collection; 2010 is the most recent year for which each data are available. Apart from the methodological grounds for selecting these years, it is important to recognize that each year witnessed different social and economic conditions. As these conditions changed, it can be expected that life satisfaction also varied among the three years, as was the case for the whole sample. The year 1991 saw political tensions and even conflicts,

although at a more reduced level compared to the previous year, which followed immediately after the bloody regime change of 1989. Referring to 1999, it marked the final year of the first decade of post-communist transition, which was characterized by the lowering of economic output, the subsequent decrease of GDP and the reduction of income levels for most Romanians. The research carried out in 2010 took place in June, just before the salary cuts for state employees (25% reduction in salaries and up to 40% if the reductions in bonuses are taken into account) and before the reductions in social assistance levels. At the same time, the value added tax increased from 19 to 24% in Romania. It is important to mention, however, that between 2000 and 2008 the Romanian economy grew significantly. After 2008, the effects of the economic crisis begin to be felt, leading to reductions in GDP levels. Many employees lost their jobs, sometimes due to the withdrawal of foreign investors. The budgetary cuts alluded to the above imposed additional costs for the population. The latter are not, however, reflected in the quality of life diagnosis as they were introduced in July 2010.

As shown above, these macro social and economic conditions are reflected in the changes of life satisfaction levels: the lowest level was reached in 1998-1999, followed by a slight redress between 2003 and 2010, but not much higher than in 1991. The highest level was reached in 2006, towards the end of the short period of economic prosperity.

This pattern of life satisfaction trends is also valid, in broad outlines, for the some population categories taken into consideration. The highest levels, modest even from an absolute perspective, were recorded in 2010, in the first half of that year. On the other hand, in a number of cases, the mean values of 2010 are lower than in 1991 (see Table 8.3).

**Table 8.3. Mean values of life satisfaction for specific population groups (for the years 1991, 1999 and 2010)**

Criterion	Population groups	Years		
		1991	1999	2010
TOTAL	n= 1502 -1195 -1161*	2.9	2.7	3.0
Gender	Men (n= 807 – 564 - 549)*	2.9	2.7	3.0
	Women (n= 684 – 628 - 612)*	2.8	2.7	3.0
Age	18-30 years (n= 363 – 264 – 253)**	2.8	3.0	3.2
	31-60 years (n= 959 – 676 – 605)*	2.9	2.6	3.0
	61 years and above (n=168 – 251 - 303)**	3.1	2.7	2.8
Residence	Urban (n= 816 – 650 - 647)*	2.8	2.7	3.1
	Rural (n=670 – 542 - 514) *	2.9	2.8	2.9
Health status	Health problems (n=172 - 352 - 303)**	2.6	2.4	2.5
	Good health (n=1308 – 837 - 858)*	2.9	2.9	3.2

Criterion	Population groups	Years		
		1991	1999	2010
Education	No formal schooling, primary school incomplete (n=186 – 209 - 135) ***	2.8	2.5	2.6
	Grades 5 - 8 (n=314 – 338 - 245)**	2.9	2.6	2.8
	Vocational school (n=261 – 207 - 257) **	2.9	2.6	2.9
	High school (n=392 – 243 - 280)**	2.8	2.8	3.1
	Post high school (n=107 – 74 - 71)****	2.9	2.8	3.3
	University (n=216 - 116 - 173)***	2.8	3.0	3.4
Occupation	Unemployed (n= 96 – 104 - 82)****	2.5	2.3	2.8
	Farmers (n=230 - 355 - 259)**	3.0	2.7	2.8
	Workers (n=511 – 249 - 247)**	2.7	2.7	3.1
	Clerks/ technical personnel (n=206 – 104 - 76)****	2.9	2.9	3.3
	University-educated professionals (n=153 – 62 - 106)****	2.7	3.0	3.5
	Pensioners (n= 107 - 216 - 267)***	3.2	2.7	2.8

Source: QLD.RIQL

Note: The number of stars indicates the number of decimal places needed for the maximum differences between means for different years at the probability level of p<.01 (from one to four decimal places).

The data indicate that life satisfaction is at the lowest level in 1999, compared to both 2010 and 1991. From among the 21 groups for which computations were carried out (specified in the table above), 10 have mean values lower in 1999 than in 1991 (for  $p < .01$ ). In only one case, namely university-educated professionals, the mean value of life satisfaction is higher in 1999 than in 1991. On the other hand, in 2010 14 groups have higher levels of life satisfaction compared to 1999 and there is no decrease, even at a non-significant level. Compared to 1991, there are improvements for 12 groups in the level of life satisfaction for the year 2010. For only two groups, which largely overlap (respondents of 61 years and above and pensioners), the values in 2010 are lower than in 1991. These two groups of respondents had, in fact, the highest levels of satisfaction from among all groups for the year 1991.

A plausible explanation for this latter finding is that some of these respondents became early retirees, which made it possible for them to avoid unemployment, which was a new phenomenon for many Romanians in the early 1990s. At the same time, however, the mean satisfaction level of the elderly or pensioners was not the lowest in 2010; respondents with health problems and those with no primary schooling or with incomplete primary education had lower levels of satisfaction, while the unemployed and farmers were on a par with the elderly or the pensioners. As with the pensioners or the elderly, the farmers also enjoyed a better level of life satisfaction in 1991 compared to subsequent years. The most critical

situation with regard to level of satisfaction can be found among respondents with health problems.

Sizable increases in the level of life satisfaction can be noticed for several population categories. These include the following: the young generation (18-30 years), the urban population, high school age, post high school age and university graduates, and the adult population ages 31 to 60. The latter also refers to the unemployed, who have experienced the lowest level of life satisfaction in comparison to any other group mentioned in Table 8.3 (with a mean value of 2.3) and have increased their mean level to 2.8 by 2010.

Also, note that for 2010, the data for satisfaction become more structured. This enables the identification of specific patterns shaped by social and demographic factors. The level of life satisfaction increases with the level of education and it also increases with the degree of professional qualification. On the other hand, the relationship between life satisfaction and age changes its direction for the three waves analysed here. Whereas in 1991 the level of life satisfaction increased with age, by 1999 the curve peaked for the younger age groups. In 2010 the level of satisfaction decreases with age.

For the last two years compared (1999 and 2010), men and women have similar levels of life satisfaction. Furthermore, the gender difference for 1991 is only marginally significant. Compared to both 1991 and 1999, the year 2010 has another noteworthy characteristic—the gap between the lowest and highest level of life satisfaction is greatest for this year. More exactly, there is a one point difference, between 2.5 and 3.5, compared to a .7 point difference in 1991 (between 2.5 and 3.2) and a .7 point difference in 1999 (between 2.3 and 3).

## **The Relationship between Satisfaction and Happiness**

As specified above, the quality of life diagnosis (henceforth QLD) included one question on the level of happiness in the days before the survey. The scale used for this variable was ordinal rather than interval, which precludes the calculation of mean values. I will therefore directly compare the frequencies for the two questions on happiness and life satisfaction. The answer category at the positive end of the scale for both questions has very low frequencies, and therefore it will be collapsed with the next (positive) category (i.e. “content or very content” will form one category as will “happy, with no worries or very happy”).

There is a significant overlap between the two distributions, but not a perfect one. Most of the respondents who said that they are unhappy or

have great worries are also discontented with their everyday lives, while among those who declared themselves happy, most are also contented with their lives. Conversely, most discontented respondents experienced worries in the days before the survey, while those who said they were contented did not report any great worries in their lives before the survey (Table 8.4).

**Table 8.4. The Relationship between Happiness/Unhappiness and Contentment/Discontentment (2010)**

Happiness/ Unhappiness	N	%	Contentment/Discontentment (%)				Total
			Very discontented	Discontented	Neither contented, nor discontented	Contented or very contented	
1. Unhappy/ desperate	57	5	38	46	14	2	100
2. Great worries	151	13	17	44	24	15	100
3. Some worries	226	19	7	36	41	16	100
4. Small worries	483	42	4	14	42	40	100
5. Happy, with no worries	221	19	3	7	29	61	100
6. Very happy	23	2					
TOTAL	1161	100					

Content- ment/ Discontent- ment (%)	N	%	Happiness/ Unhappiness (%)					Total
			Unhappy/ desperate	Great worries	Some worries	Small worries	Happy, with no worries or very happy	
1. Very discontented	91	8	24	29	18	22	7	100
2. Discontented	256	22	10	26	32	26	6	100
3. Neither contented, or discontented	412	35	2	9	22	50	17	100
4. Contented	378	33	0	6	9	48	37	100
5. Very contented	23	2						
TOTAL	1161	100						

Source: QLD.RIQL



The gamma correlation coefficient has a pretty high value (.55), which suggests a strong correlation between life satisfaction and happiness. There are, however, noteworthy discrepancies between the categories of the two variables. On the one hand, respondents who are happy, with no worries or with only small worries, were very discontented (7 respondents) or discontented (21 cases). On the other hand, contented or very contented persons declared that they had great worries (6 respondents) or at least some worries (9 cases).

By chance, for both happiness and contentment, the highest value has a frequency of 23 cases in our sample, but there is only partial overlap between them. Out of the 23 respondents who experienced the highest level of happiness, only four are also very contented, nine are contented, eight are neither contented nor discontented and two are very discontented. At the same time, out of the 23 respondents who are very contented, four are very happy, eight are happy and have no worries, another eight have small worries, one has some worries and two report great worries.

It is important to point out that, in expressing one's personal feelings of satisfaction or happiness, individuals with different socio-economic statuses can provide identical answers with regard to their happiness or satisfaction. Conversely, respondents with similar statuses can provide different answers. The findings above support the distinction between satisfaction and happiness. However, there are causal relationships between the two, as described by the top-down and bottom-up approaches [17] [18] [19].

### **Comparing Levels of Happiness and Satisfaction in Romania and in the EU**

The level of life satisfaction and happiness in Romania are at a relatively modest level compared to the member states of the EU. However, unlike the material resources which are placed at the bottom of European rankings (e.g. GDP per capita or income per capita, which are consistently ranked in the last or penultimate position in European comparisons), life satisfaction and happiness are comparatively higher (see Table 8.6).

**Table 8.6. Satisfaction and Happiness in Romania in comparison to the EU (mean values, the scale goes from the minimum value 1 to the highest value 10)**

Categories	Variables	2003	2007	2011
EU* mean	Satisfaction	7.1	7.0	7.1
	Happiness	7.5	7.5	7.4
Romania	Satisfaction	6.2	6.5	6.7
	Happiness	7.2	7.0	7.0
Maximum value in the EU (Denmark)	Satisfaction	8.4	8.5	8.4
	Happiness	8.3	8.3	8.2
Minimum value in the EU (Bulgaria)	Satisfaction	4.4	5.0	5.5
	Happiness	5.9	5.8	6.3

Source: EQLS, European Foundation for Improvement Living and Working Conditions

\* The mean has been calculated for 25 states in 2003, and for 27 states in the following years.

On a scale with ten ordered response categories, the levels of life satisfaction and happiness in Romania are between the lowest values (found in Bulgaria) and the mean values of the EU, but nevertheless closer to the mean than to the bottom of the distribution. Over the three years, there have been changes in the ranking of the different countries, including Romania. For satisfaction and happiness, Romania was ranked in positions 19 and 18, respectively, in 2003, in position 23 for both satisfaction and happiness in 2007 and in position 19 for both indicators in 2011 among the 27 EU member states. In evaluating these results, the cultural effect described by Veenhoven [20] should not be ignored when comparing Northern and Southern countries of the EU.

### **Satisfaction or Contentment with Different Life Domains (1990-2010)**

The mean values of life satisfaction or contentment with specific life domains, for which data have also been collected as part of the quality of life diagnosis between 1990 and 2010, complement the longitudinal analysis of general life satisfaction carried out above. As expected, for the eight life domains considered in the analysis, there are variations over time. With two exceptions (income and political life in Romania), the lowest values of satisfaction or contentment are identified in 1991, while the higher values occur either in 1999 or 2010. The satisfaction with four life domains (profession, workplace, individual achievement in life and

leisure time) has its highest levels in 2010 or at the same level in 2010 and in other years.

However, the level of satisfaction with political life is at its lowest in 2010 compared to any other value in 1991 and 1999 (see Table 8.7). As contextual information, this indicator reached its maximum value in 1996, when the quality of life diagnosis was carried out after the parliamentary and presidential elections. These elections marked the first change in government (whereby the opposition came to power) since the beginning of the transition (1990).

**Table 8.7. Satisfaction with different life domains (1990-2010)**  
**Minimum and maximum mean values for different life domains (scale with five response categories)**

	Minimum value	Year	Maximum value	Year	Values in 2010, if different from minimum or maximum
Family life	3.8	1990,1991	4.1	1992,1994, 2006	4.0
Profession	3.4	1990, 1991	3.7	1992-1995, 2010	
Workplace	3.3	1990, 1991	3.7	1992, 2010	
Achievement in life	3.0	1991	3.6	2006, 2010	
Relationships between people into society	2.6	1992	3.0	1996	2.7
Leisure time	2.6	1991	3.3	2010	
Personal income	2.3	1994-1996 1998, 1999	2.8	1990	2.7
Political life in Romania	1.7	2010	2.7	1996	

Source: QLD.RIQL

Even when broken down by domains, life satisfaction has modest mean values, with the exception of family life. The latter has mean values around 4 for the whole period being analysed and is one of the indicators with the highest values for the whole quality of life diagnosis. At the same time, for each life domain, there is a statistically significant difference between the mean minimum and maximum values at the level of significance of  $p < .01$ .

The Pearson  $r$  correlations between general life satisfaction and those by specific life domains as well as among the latter are statistically significant at the level of  $p < .01$  for the year 2010. Exceptions are the correlations between satisfaction with family life and satisfaction with political life, where there is no significant correlation. The level of satisfaction with political life correlates only marginally with profession (at the significance level of  $p < .05$ ) and the same is true for the correlations between the satisfaction with relationships between people in society and the satisfaction with one's profession and workplace (see Table 8.8).

**Table 8.8. Correlation coefficients (Pearson  $r$ ) among satisfaction variables (QLD 2010)**

Satisfaction indicators:	1	2	3	4	5	6	7	8
1. Everyday life (general)								
2. Family life	.26							
3. Workplace	.45	.36						
4. Profession	.36	.33	.76					
5. Leisure time	.43	.34	.51	.46				
6. Personal income	.49	.21	.50	.38	.39			
7. Achievement in life	.42	.38	.39	.40	.36	.38		
8. Relationships between people into society	.18	.11	.09*	.09*	.13	.10	.19	
9. Political life in Romania	.25	-	.18	.09*	.20	.29	.13	.34

Source: QLD.RIQL

Note: The correlations are significant at the level of  $p < .01$ . Those marked with a star (\*) are significant at the level of  $p < .05$ .

Everyday life satisfaction correlates highly with the satisfaction related to one's personal income, workplace, leisure time and achievements in life. At the same time, correlations between general life satisfaction and satisfaction with family life, interpersonal relationships and political life have lower coefficients. Overall, the highest correlations among the life domains for which satisfaction was measured are those between workplace and profession, leisure time and personal income, respectively.

At the same time, the indicators that measure satisfaction with the life domains closely related to one's personal life (rows 2 to 8 in Table 8.8) correlate more strongly among themselves than with the societal indicators (rows 9 and 10). However, the last two variables do correlate more highly among themselves.

This finding is confirmed by factor analysis. The optimal model includes the two main factors (corresponding to the personal and societal satisfaction components), even if a one-factor model is also acceptable.

The explained variance increases significantly from the one-factor model (38%) to the two-factor model (53%) for occupied populations. For the entire sample, a reduced initial model with seven variables (which does not include the workplace and profession), the increase in explained variance from the one-factors to the two-factor model is still larger (from 38% to 56%).

### **Predictors of Life Satisfaction / Contentment**

Life satisfaction correlates (Pearson  $r$ ) with more than half of the 60 indicators from QLD ( $p < .01$ ), including the 8 indicators, which measure satisfaction by life domains. My focus here is on the predictors which measure living conditions and the accessibility of social services that can be influenced through targeted policies. By increasing the values of these indicators, social policies can contribute to improvements in the subjective well-being of the population.

The results reported below are based on the 2010 wave of the QLD. The dependent variable, which is in this case the general satisfaction with everyday life, correlates most highly with the material resources (measured on a 10-point scale from poor to rich) ( $r = .488$ ), with opportunities for achievement in life ( $r = .335$ ), with the accessibility of education ( $r = .313$ ), with the accessibility of workplaces ( $r = .303$ ) and the respect of personal rights ( $r = .289$ ).

The results of the multiple regression analysis indicate that all five variables are statistically significant and the explained variance is 34% (Table 8.9). This is a noteworthy finding given that the predictors of life satisfaction are taken to include not only socio-economic factors but also personality and even cultural factors [20]. I posit, however, that there is also an invariant factor when humans are expressing their emotions and sentiments, which can be explained by their internal creative nature, which is never empty (not starting from zero).

The standardized ( $\beta$ ) coefficients, in turn, vary between .4 (for the poor-rich scale) and .09 (for the possibility of finding work).

The regression analysis was carried out separately for different groups, based on criteria such as gender, age, residence, health status, education and occupation. Some of the categories of the dependent variables were collapsed in order to increase the number of cases for these specific groups.

**Table 8.9. Socio-economic predictors of life satisfaction by population groups: standardized  $\beta$  coefficients and explained variance**

Indicators		Response categories (%)									Means	
		Very bad	Bad	Satisfactory	Good	Very good						
Protection of personal rights		7	24	49	18	2					2.9	
Accessibility of education		5	23	41	27	3					3.0	
Workplace accessibility		39	37	17	6	0					1.9	
Opportunities for achievement in life		16	40	31	11	2					2.4	
Poor-rich scale		1	2	3	4	5	6	7	8	9	10	Mean
		5	9	14	17	31	11	7	4	0	0	4.5

Source: QLD.RIQL

The order of predictors is relatively different from one population group to the next. For men and women, as well as for the healthy population, all five predictors are significant, albeit with different levels of influence. The poor-rich variable is significant for 16 out of the 17 groups and has the highest beta coefficients. This variable is non-significant only for the technical personnel/clerks, which also has the lowest explained variance (19%). The finding that economic conditions have a strong influence on satisfaction or happiness, up to a given level of general well-being, has long been recognized in the literature [21] [8].

Some of the predictor structures are particularly noteworthy. For respondents with post high school or university degrees and for the unemployed, only the poor-rich and the protection of personal rights variables are significant. The explanations for each of these two groups (the highly educated vs. the unemployed) are nevertheless very different. In the first case, the non-significant variables can be seen as not being relevant, for their higher values can be taken for granted at a given level on the poor-rich scale. The second case, on the other hand, can more easily be explained by the fact that the unemployed do not have the expectations indicated by those variables. This explanation is also supported by the fact that the explained variance for life satisfaction is relatively large for the unemployed, second only to the explained variance for the young (38%).

The explained variance is larger for rural respondents and for women, compared to their counterparts. Low explained variance can be found for technical personnel and clerks, and for workers and farmers, as well as for those with high school or vocational degrees.

Also of note are the frequencies of the response categories for the five predictors (Table 8.10). Their low level suggests that policy interventions are needed to improve their perceived dismal state and, in this way, contribute to an increase in the subjective well-being of individuals.

The values for the five predictors are, indeed, extremely low. For the accessibility of education, the mean is towards the middle of the scale, while for the other cases it is placed in the lower half of the curve. In all cases, the “negative” frequencies are larger than the “positive” ones. The direst situation is with regard to the accessibility of workplaces, where three quarters (75%) of the responses are placed in the lower half of the curve and the mean is 1.9. In fact, this indicator captures not only the availability of workplaces but also their quality. Predominantly negative assessments are also noticeable with regard to the opportunities for achievement in life (56% of cases in the lower half of the curve and a mean of 2.4). Material conditions are also judged to be highly precarious. Public policies which would address these results would certainly require

economic resources, but this is not always the case. Of course, rising income levels or creating well-paying workplaces is far from easy. Arguments against such measures come readily to mind: “wages cannot be increased without a corresponding increase in labour productivity,” “pensions and social benefits cannot be augmented without additional budgetary resource,” or “we cannot consume without limit,” etc. However, the absence of a decent living standard has serious repercussions both for personal and collective (social) life. On the other hand, channelling material resources towards those in dire need should be a priority, but is not sufficient for it. The predictors considered above indicate that what are needed are diversified public policies to respond to the identified needs. Concomitantly, a shift in attitudes and behaviours among public authorities, civil servants, employers and even among ordinary citizens is also required. These policies, attitudes and behaviours would lead to a more open society where individuals can pursue successful lives based on their competences and efforts, while their personal rights are actively respected. Such a comprehensive strategy of improving subjective well-being is workable from the point of view of the objectives stated in this chapter. It is, at the same time, a strategy that retains validity—with the required adjustments—in every human society.

**Table 8.10. Frequency distributions and mean values of social predictors of satisfaction with everyday life (2010)**

Indicators	Response categories (%)										Means
	Very bad		Bad		Satisfactory		Good		Very good		
Protection of personal rights	7		24		49		18		2		2.9
Accessibility of education	5		23		41		27		3		3.0
Workplace accessibility	39		37		17		6		0		1.9
Opportunities for achievement in life	16		40		31		11		2		2.4
Poor-rich scale	1	2	3	4	5	6	7	8	9	10	Mean
	5	9	14	17	31	11	7	4	0	0	4.5

Source: QLD.RIQL

Note: The differences of 100% are non-responses



## Conclusions

The longitudinal analysis of life satisfaction in general, and within specific life domains, has revealed that, between 1990 and 2010, its values were relatively modest. The analysis shows that there was no noticeable upward trend from the beginning to the end of the period. There are, however, noteworthy differences among different population groups. The most difficult situations are reported by individuals with health problems, those without schooling or with incomplete schooling as well as for the unemployed, farmers and pensioners. Variations are also visible across life domains. In some cases, the level of satisfaction stays at a relatively high level (e.g. with family life), while in others there are noteworthy drops (e.g. political life in Romania).

The relationship between life satisfaction and happiness occurs in the predicted direction (i.e. towards convergence), but there are also important divergences. For example, there are respondents who report that they are happy but discontented, or discontented but without major worries.

Comparing the subjective well-being in Romania with that in other EU member states reveals that, even in comparative terms, life satisfaction is relatively modest in Romania. However, the measures of subjective well-being place Romania higher in EU rankings than the economic indicators (GDP per capita).

The regression analyses have revealed the significant predictors of life satisfaction. Among these, the strongest predictor is the economic status, which characterizes those societies with a low level of income but also those in which social and accessibility factors are important.

The factors, which predict the level of life satisfaction or contentment, can serve as reference points for public policies. Actions are needed because the structure of predictive factors directly shows that the accessibility of education or opportunities for achievement in life, for example, are important factors for life satisfaction. On the other hand, the predictive factors can indicate indirectly, through their very absence, that certain basic premises for a decent life satisfaction are not met. If these premises are activated through targeted policies, individuals will be able to experience more comprehensively the factors that shape their life satisfaction. The fact that Romania is not the last EU member state in terms of life satisfaction or happiness should not be taken as a consolation. On the contrary, that satisfaction is not strictly tied to economic resources leaves a significant leeway for effective public policies targeted at increasing individual subjective well-being.

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# CHAPTER NINE

## ANOTHER WAY OF INTERPRETING EVALUATION DATA

CĂTĂLIN ZAMFIR<sup>1</sup>

### **Abstract**

Most data used by sociologists are produced by questionnaires. A mistake often made is to interpret the questionnaire data as estimates. In fact, most of them are *evaluates*. The usual mistake is that their distribution is not taken as an indicator of the state of the system.

The hypothesis of this chapter is that the evaluation data produced by a stable social system is a Gauss distribution located on the positive slope. More precisely, the distribution of the collective attitudes towards a stable social system will tend to display a 17/33/17 pattern.

The hypothesis is verified by confronting it with data offered by more than a thousand empirical researches.

On the base of this hypothesis, a schema for evaluation of the state of a social system based on the questionnaire data is suggested—SEDA.

**Keywords:** Estimation, evaluation, natural observer/ evaluator, distribution of data, SEDA schema.

Most data which current sociology uses are “opinion data”. This information is obtained from natural observers, “the subjects,” using questionnaires.

A natural observer is a member of a community who gathers information on the system to which he/she belongs, having the experience of its social environment.

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## Estimations and Evaluations

Some of the data produced by the questionnaires are estimations. The census data (gender, age, family status, dwelling etc.) obtained from respondents are “factual” data. We suppose they are not distorted by the subjectivity of the respondent. The estimations which several observers make for the same thing should be identical, and are thus consensual.

Other data are evaluation data. The social reality is filtered through the personal filters of the evaluator, through their experience and attitudes. Hence, the same thing can be evaluated in a different manner by different evaluators. Usually, the evaluations are dissentious.

How do you evaluate the competency of your boss? I was frequently surprised. I expected the same object—the competency of the boss—to be evaluated in a rather similar way by all subordinates, but this is not the case. Some consider that their boss is competent, others that they are rather incompetent, while most say they are so-so.

The natural observer is thus doubled by a natural evaluator, having a natural endowment to not just observe the reality, but also to evaluate it, which directs its activity.

The evaluations are produced via the mechanisms which form the states of satisfaction/dissatisfaction, pleasure/displeasure or good/bad. We can say that a food is good or bad. We do not find what it is, but rather how it is evaluated by the taster who uses their personal criteria of evaluation. They may say the food is too salty. We do not know how much salt it has but, related to the taste of the observer, it is too salty. Do they like spicy food, or not? Do they like symphonic music, or not?

The evaluations usually use a scale of 2, 3, 4, 5, 6, 7 or 10. Most scales are of 5, the others being compressed or expanded variants of it:

- (1) Very little/to a very low degree, very unsatisfied/bad
- (2) Rather little/to a rather low degree, rather unsatisfied/bad
- (3) Neither high, nor low/neither satisfied, nor dissatisfied
- (4) Rather high/rather satisfied/good
- (5) Very much, to a very high degree, very satisfactory/good

The scales of evaluation have a negative slope (very/rather little, bad, dissatisfactory) and a positive slope (very/rather much, good, satisfactory).

In order to present the multitude of data, they must be condensed in different ways to make them intelligible and comparable.

The simplest procedure is to present frequencies on the scale of questions, usually as proportions (%).

A more condensed procedure is the mean. On a scale of 1/5, the mean may be, for instance, 3.50.

## **Significance of the Evaluation Indices Provided by the Natural Observers**

We need to take into consideration three types of subjective frameworks used by the natural observers (“respondents”) when making their evaluations.

(1) The evaluations are estimations relating to the subjective standards of the evaluator.

Gulliver in the lands of the Lilliputians and the giants fills in a sociologic questionnaire. What is the height of the people in these lands? He may say that in the land of the Lilliputians the average height of the people is 5 cm, while in the land of the giants the average height of the people is 50 m. These are estimations. Gulliver would have been able to make such estimations provided he had measuring equipment and was able to measure them. However, Gulliver is not in a position to give such an answer. He would rather answer that in one land the people are Lilliputians, while in the other they are giants. The people are, for Gulliver, midgets or giants only in relation to him, with his criteria of normality. The midgets are not midgets and the giants are not giants for themselves, rather for Gulliver as an observer. Gulliver himself is a giant in one land and a midget in the other. Such evaluations have something objective—the midgets are smaller than the giants. However, the midgets and the giants don’t coexist in the same world; it is Gulliver that travels to the two lands and carries the framework of estimation.

How do you evaluate the professional competency of your boss? From the dissenting evaluations of competency, what seems to be a fact? The evaluators use different standards to evaluate competency. Those with a lower level of competency may tend to consider that their boss is better than them, more competent, than those with a higher level of qualification.

(2) The evaluations are different depending on the attitude of the evaluator towards the evaluated object.

The personal relations with the boss are another factor of the varied evaluations given to their competency. The subordinates who are “in the graces of the boss” will consider that they are rather competent, compared to those who are in conflict with them. Many who are in rather neutral relations with the boss might pick up the variant “somehow” or “rather”. This information is neither estimation nor evaluation if filtered through the personal relations with the boss.

(3) The partial evaluations are coloured by the global evaluation.

We are tempted to interpret the data as punctual attitudes towards some characteristic of the object, independent of the global evaluation of the

particular object and of the evaluations of the other traits of that object. The global evaluation of a complex object—the governance of the country, the President, the quality of education or of health care, the direct boss, the enterprise where one works—is not necessarily the result of summing up the evaluation of the components. Rather, once a global evaluation is made, which may predominantly be produced by the evaluation of one component and the way it colours, positively or negatively, the partial evaluations. The evaluation of an important component may radiate the evaluations of the other components, being the main source for the global evaluation which, in turn, colours, in terms of value, all the particular components. The process of evaluation induces a much higher coherence of the evaluation of all components than the objective coherence of the evaluated object.

Those who consider that a fellow worker is a good person will evaluate them as being more competent, more friendly, even “nicer” than those considering them to be not so good.

How do you evaluate the way in which the President of the country fulfils their mission? Some, for various reasons, with a positive attitude towards the President, will evaluate them as being more competent, more responsible, more intelligent, more spiritual and more moral. Those having a negative attitude will describe them as being more incompetent, shrewder and more irresponsible.

Due to this confusion between “estimation” and “evaluation” we are confronted with structural difficulties in interpreting the obtained data. This is, for instance, the case of the difficulties of interpretation within international companies. Obtained with the same instrument—a questionnaire—the data may be different because the natural observers are different. We cannot know how much of the difference is due to the actual differences between the evaluated situations or the criteria of evaluation, the expectations of the observers, or their attitudes towards the estimated object.

What may seem an objective estimation of a fact—the competency of the boss, for instance—is actually an evaluation highly coloured by the subjectivity of the respondents who are, consequently, dissenting.

## **How Do We Interpret the Indicators of Evaluation?**

The sociologist is frequently confronted with difficulties in interpreting the evaluation data produced by questionnaires. The difficulty comes from the lack of procedures to extract the significance from the data.

Case 1. The director of an organisation is interested in finding out whether their employees are satisfied with their job. The sociologist uses one of the most frequent scales, 1 to 5, with 3 in the middle: neither a lot, nor a little.

Sociologist: the synthetic result of the analysis is 3.10.

Director: you are a specialist, how do you interpret this data?

Accounting sociologist: I am not competent to say whether it is good or bad. I just present the facts. Max Weber said that the scientist must not make evaluations.

Angry director: this is no longer science if you cannot tell me whether this is good or bad. Don't we have even a 4? This is not good.

Another supportive sociologist: it is good; it is on the positive slope, over 3.0.

Interested director: at least we know how we stand compared to other organisations; maybe you also have comparative data.

Confused sociologist: well, you see, not so many diagnoses have been done lately, and many of the completed surveys are not available. Anyhow, the conditions may be very different and comparison is always arguable.

What if the diagnosis would produce a synthetic indicator of 2.98?

Supportive sociologist: truly, it is on the negative slope, but very little; not too worrying.

Case 2. CCSB, July 1<sup>st</sup> 2012, provided the following data regarding the attitude of the population towards the President:

How satisfied are you with the manner in which President Bănescu fulfilled his duties during his present mandate?

	%
Very dissatisfied	44
Rather dissatisfied	22
66 - Negative	
Rather satisfied	19
Very satisfied	5
24 - Positive	

The mean is 2.1<sup>2</sup>

How do we interpret this data? Should the President of Romania be untroubled or worried? Should the population consider it normal or abnormal to demand a change of President?

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<sup>2</sup> This scale eliminated the intermediary value. To compare the data, we transformed 3 into 4, and 4 into 5.



President: These are the Romanians. Always dissatisfied.

Sophisticated sociologist: let us consider that the data acquire a meaning if we relate them to several other data; we will notice that most of the population was satisfied at the start of the mandate; now, towards the end, the situation is different.

President: You see, it is only normal, towards the end of a mandate it is always like this; this is a normal decrease; all dissatisfactions build up; nothing unexpected.

Reflexive, yet hesitant sociologist: we also have data on the evaluation of other presidents; they show a not so high decrease towards the end of the mandate.

President: but the conditions are different; the crisis, the necessary austerity measures; and, of course the influence of Antena 3 which misleads the population.

Confused sociologist: well ...

Therefore, the sociologist does not have a clear procedure to interpret the evaluation data. The lack of a procedure for data interpretation leads different sociologists to make different interpretations. We might conclude that data interpretation depends more on the psychological profile of the sociologist or on his/her relation with the person evaluated.

### **Data Distribution as Indicator of the State of the System**

Most times we see in the diagnoses of the state of a social system a multitude of indicators that evaluate a variety of system components.

The social state of an organisation can be diagnosed with a list of indicators regarding: the work place, working conditions, colleagues, the direct boss, and the governance of the organisation [1].

The quality of life in Romania is diagnosed by a set of over 90 indicators for the evaluative perception of the health state, family relations, children, work place, incomes, environmental quality, and governance of the society [2] [3].

The multitude of indicators evaluating the components of a social system raises one question—does it have an internal structure, or is it merely a collection of different evaluations with no connection between?

Usually, the multitude of indicators evaluating a system is taken as a mere list, with no systematic logic. Each individual indicator of evaluation is considered by itself.

Seen from a different perspective, the problem is—given a new set of data, do we have any expectations regarding the distribution of answers?

Do we bring in a statistical *tabula rasa*? Or do we expect the data to be distributed one way or another?

Empirical sociologist: the data can be in any way. There is no expectation. The solution is to wait for the data and see what kind of distribution we have.

God: This is a bad world. Nothing is right. If He were to fill in an evaluation questionnaire, He might rate every aspect as “very bad” or “bad.” His solution—end of this world and last judgement.

The actor participating in that system would probably not agree fully with God. True, nothing is perfect, but some things are better, and some are worse. His solution—as an actor within the system he will try to do something to make it better, here and now, within the limit of his possibilities.

What would the distributions of the evaluative indicators look like, anyhow?

Distribution “in any way.” In an organisation, the distribution by age of the employees cannot be “in any way”—there may be more young people, or more older people, or they may be equally represented. We cannot expect the age distribution to be one way or another.

Other distributions may focus on one extreme or another, and can be polarized or equal.

The Gauss distribution. Many times, the distribution of the working data is not “in any way” concentrated on one side or polarized; rather, it has a Gaussian configuration. The distribution will no longer be random, it will be a Gauss distribution—a group around the mean—and the farther we move away from the mean, the number of tall or small people decreases sharply.

The Gauss distribution is the most frequently used distribution in the human and social world. It can also be found in the living, physical and chemical world.

The Gaussian sociological evaluative data show a positive and a negativeslope: the positiveness (very much, very good, very satisfied) and the negativeness (very little, very dissatisfying etc.) increase towards the limits, and in between we have the middle of the scale (neither, nor).

The question is—where do we expect the means of the indicators to be on the evaluation scale?

We are tempted to expect the means of the evaluations to group towards the middle of the scale, towards 3.00 (on a scale of 5) or 4.00 (on a scale of 7), and to decrease towards the limits (1 and 5, or 1 and 7, respectively), in an even manner, about 50% below and above the middle

of the scale. Consequently, we might be tempted to consider that if the means of the evaluations are on the positive slope, this is good, to different extents, while if the means of the evaluations are on the negative slope, this is bad, to different extents.

### **Hypothesis: Gauss distribution located on the positive slope**

Analysing, in the 1970s, a large volume of indicators of evaluation, I was surprised by a distribution pattern that was different to my expectations—Gauss, with the mean close to the centre of the scale.

The data belong to Database indicators '70, which included 1,000 indicators using a scale of 5 (all of them used on large samples in 8 countries: USA, Romania, Federal Republic of Germany, Ireland, Bulgaria, Hungary, UK and the Netherlands). This shows that a large range of social systems was evaluated; first of all organisations, but also the perceived quality of life, taken from different social-cultural contexts.

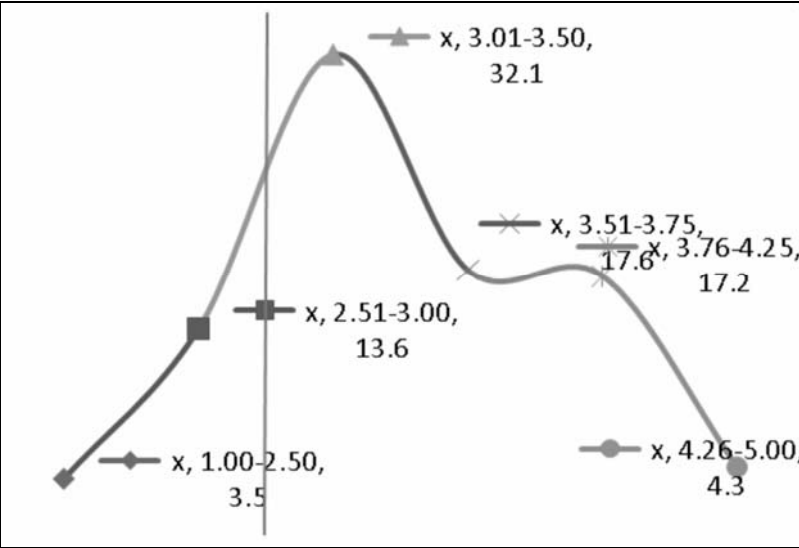
The empirical pattern discovered at that time is that data distribution was not close to the mean of the scale, 3.00; rather, this was a Gauss distribution which moved significantly on the positive slope, with a mean of 3.45.

**Table 9.1. Distribution of the 1,000 indicators (Database indicators '70), on the scale of 5**

<i>Intervals</i>	<i>Nr.</i>	<i>%</i>
1.00-2.50	35	3.5
2.51-3.00	136	13.6
3.01-3.50	321	32.1
3.51-3.75	176	17.6
3.76-4.00	172	17.2
4.01-4.25	107	10.7
4.26-5.00	43	4.3

Mean of 3.45.

Fig. 9.1. Gauss distribution shifted significantly on the positive slope: Database indicators ‘70



Synthetically, the empirical pattern is the following:

**Table 9.2. Distribution of the 1,000 indicators (Database indicators ‘70), on three intervals**

1.00-3.00	17.1- negative	<i>Negative: 17.1</i>
3.01-4.00	66.9- moderately positive	
4.01- 5.00	15.0- strongly positive	<i>Positive: 81.9</i>

The extreme intervals contain very few indicators:

**Table 9.3. Distribution of the 1,000 indicators (Database indicators ‘70), on the extreme intervals of the scale of 5**

1.00-1.25	0
1.26-1.50	1
1.51-1.75	1
1.76-2.00	1
4.51-4.75	2
4.76-.5.00	0

The analysis of the 1,000 indicators suggests two empirical hypotheses regarding the distribution of the evaluation data:

Hypothesis 1. Hypothesis 17/ 66/ 17 (or 1/6, 2/3, 1/6)—the multitude of the evaluation indicators which describe the variety of the system components tends towards a Gauss distribution shifted towards the positive side, with about 1/6 (17%) on the negative slope, 2/3 (66%) on the moderately positive slope and 1/6 (17%) on the highly positive slope. More precisely, the multitude of the evaluation indicators groups around the middle of the moderately positive interval of the scale—this means towards 3.5 on the scale of 5, or 4.75 on the scale of 7.

The Gauss distribution shifted towards the positive end would look like this on the scales of 5 and 7:

Scale of 5:

> 3            17%

3 >< 4        66%

4 >            17%

Mean = 3.5

Scale of 7:

> 4            17%

4 >< 5,5       66%

5,5 >         17%

Mean = 4.75

However, one contextual specification must be made. The 1,000 mean evaluations (Database indicators '70) have been collected from societies which were in the stage of balanced development with expectations for a positive evolution, both in the West, and in the socialist countries the late 1960s and the first half of the 1970s.

Starting from these considerations I will formulate a new hypothesis:

Hypothesis 2. Pattern 17/ 66/ 17, distribution shifted towards the positive side, expressing the state of spirit of the social systems existing in a state of balance and engaged in a positive evolution; the social systems in crisis will have the distribution of evaluations shifted towards the negative side.

I was surprised that, ever since, nobody has paid attention to the empirical pattern discovered over 32 years ago. I also felt that I should also submit this hypothesis to an empirical and a theoretical test.

**Empirical Testing of Hypothesis 1/6, 2/3, 1/6**

Pattern 17/66/17 of the distribution identified in Database indicators ‘70 should also be traceable in other surveys, if the investigated systems meet two conditions:

- (1) Balanced systems, evolving along a positive path
- (2) The indicators must refer to a wide range of evaluated aspects.

Quality of life 1979: 83 indicators of the Perceived Quality of Life on a scale of 7 (sample size 1,804):

**Table 9.4. Distribution of 83 indicators of the Perceived Quality of Life 1979**

1.00-2.50	0
2.51-3.00	2.4
3.01-3.50	4.8
3.51-4.00	15.7
4.01-4.50	28.9
4.51-5.00	20.5
5.01-5.50	15.7
5.51-6.00	8.4
6.01-6.50	3.6
6.51-7.00	0
Mean = 4.65	

Synthetic:

**Table 9.5. Distribution of 83 indicators of the Perceived Quality of Life (1979) on 3 intervals**

<i>Negative:</i>	1.00-4.00	22.9%
<i>Moderately positive:</i>	4.01-5.50	65.1%
<i>Strongly positive:</i>	5.51-7.00	12.0%

As one can notice, this series of data is in agreement with the hypothesis formulated here. At the end of the 1970s, Romania had already entered a crisis which only deepened dramatically in the 1980s. Confidence in the future was fading.

IMEB—Bucharest—1977: a sample of 618 subjects from different sections/services of the enterprise.

On a scale of 7, with 4 in the middle (neither, nor)<sup>3</sup>:

**Table 9.6. Distribution of the human quality of work: IMEB '77**

Intervals	Nr	%	
1.00 – 4.00	88		Negative: 14.2
4.01 – 4.75	135	21.8	
4.76 – 5.25	124	20.1	
5.26 – 5.75	140	22.6	
4.01 – 5.75			Moderately positive: 66.4
5.76 – 7.00	131		Strongly positive: 21.2
Mean: 4.90 <sup>4</sup>			

The pattern of the distribution in this case is also close to the hypothesis 17/ 66/ 17.

I have been watching the data obtained by Iulian Stănescu in July 2012 who asked a question regarding a synthetic situation of the life experience/happiness during a period of economic, social and politic crisis. What will the reported distribution of the state of happiness/unhappiness be?

There are good periods and less good periods in the life of a person. How would you describe your state of the past few days?

**Table 9.7. Distribution of the reported happiness/unhappiness [4]<sup>5</sup>**

1 I am unhappy, even desperate		2.0
2 I have rather big sorrow		6.6
3 I have the feeling that “something is wrong”, I had some troubles	20.7	29.3
4 Generally, I am well, although I had some small problems	53.1	53.1
5 I am well, no problems		15.5
6 I am fully happy	2.1	17.6
	Mean: 4.50	

<sup>3</sup> Analysis of the indicators has been made on a larger interval—4.01-5.75. We could not reconstruct the distribution on the interval presumed here—4.01-5.50.

<sup>4</sup> The data are of the following type—for each subject we calculated a synthetic indicator of quality of the working life, which includes all its components. The result was a total of 618 individual indicators of the working life.

<sup>5</sup> The used scale eliminated the intermediary value. For data comparison, we turned 4 into 5, 5 into 6, and 6 into 7

Here, too, in a period of deep social crisis of the Romanian society, with strong effects on the state of the spirit of the population, we find the same Gauss distribution, shifting towards the positive slope, but with a somehow higher proportion of the negative evaluations and a somehow lower proportion of the positive evaluations.

The empirical testing of hypothesis 17/66/17 is given in the following table<sup>6</sup>:

**Table 9.8. Theoretical distribution of the proposed hypothesis and the empiric distributions from different surveys**

	Distribution on a scale of 5			Mean
	> 3	3 >< 4	< 4	
Hypothesis	17	66	17	3.50
<i>Empirical distribution</i>				
Database indicators '70	17.1	66.9	15.0	3.45
	Distribution on a scale of 7			Mean
	4	4 >< 5.5	< 5.5	
Hypothesis	17	66	17	4.75
<i>Empirical distribution</i>				
CV '79	22.9	65.1	12.0	4.65
IMMB '77	14.2	66.4	21.2	4.90
Happiness '12	29.3	53.1	17.6	4.50

### Theoretical testing of hypothesis 17/ 66/ 17

Hypothesis testing is not only done empirically, but also theoretically. Is it possible to formulate a credible explanative theoretical model? By this, the hypothesis also shows that it fits within a broader theoretical corpus.

The theory of social problems [5] provides an explanatory model of the hypothetical empirical pattern formulated here.

The human-social systems are not stable systems, but dynamic systems. The dynamics of the social systems are characterized by a continuous confrontation with problems and by activities to solve these problems.

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<sup>6</sup> The figures are approximate because we don't have the initial databases used to make these calculations, but only the result of the different analyses made with different methods.



The diagnosis of a social system consists mainly in identifying the problems to be solved and the intervention activities. The external expert is employed to conduct such diagnoses.

The system actors (the natural observers) also continuously evaluate the operation of the system, identify the system problems and evaluate their seriousness, set the priorities and imagine strategies of action. The system actors continuously estimate what is wrong and what should be done to make the system better. They continuously produce a natural diagnosis of the state of their system.

Very often, the external expert uses the knowledge accumulated by the natural observers and their capacity to diagnose the state of the system, using questionnaires and interviews to this purpose.

Gauss distribution shifted on the positive slope as an expression of the state of the spirit of the active dynamic systems. I formulated the hypothesis that under “normal” conditions about 83% of the evaluations are located on the positive slope and just 17% on the negative slope. The mean values of the indicators are significantly shifted on the positive slope of the scale. Can we consider that a sufficiently complex system has just 17% problems, the rest being solved, more or less? How could we explain such distribution?

The explanative theoretical pattern of pattern 17/66/17, proposed here, has several propositions which are relevant for our analysis:

- (1) The social systems (Ss) are not problem-free. They are confronted with a multitude of problems, the solution of which enables the maintenance/development of these social systems.
- (2) Ss do not have the resources to solve all problems confronting them. In order to function, a system must prioritize the problems and focus on just some of them which it rates as being more important. The priority problems clearly appear in the conscience of the actors as needing to be solved for the normal operation of the system, and they are evaluated negatively.
- (3) The problems that are not a priority are pushed to the margin of the collective conscience—they are in a latent state.<sup>7</sup> Tolerance develops regarding the latent problems, they are accepted relatively (well, it is well as it is, it works this way too...). Some of the latent problems can thus be rated positively, but with a low rating.

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<sup>7</sup> A system which assumes as manifest all its problems enters a state of paralysis. The person turns neurotic when they fail to solve their problems, assuming them far beyond their capabilities.

- (4) If there are no possibilities to solve a priority problem using a significant measure, it may be shifted to latency. If it is vital but there are no possibilities for solving it as yet, it may remain manifest in the conscience of the system, but in a passive state, pending.
- (5) When the problems are solved or shifted to latency, other latent problems may become manifest. When solving opportunities appear, some latent problems may become manifest.
- (6) The proportion of the manifest problems (rated negatively) is significantly lower than that of the positive/tolerated ones. A not-too-high proportion of the negatively rated problems mobilizes the action of the system, but if a specific limit is exceeded, the action may be blocked and a tension builds up, which cannot be resorbed by action.
- (7) A rather balanced system will therefore tend to follow the 17/66/17(1/6, 2/3, 1/6) pattern. The Ss in crisis will be characterised by a shift towards the negative slope, but as exceptions, and the proportion of the negative ratings will exceed that of the positive.
- (8) The experience of the problems confronting a social system produces the state of satisfaction/dissatisfaction of the system members.

### **Gauss Distribution Shifted on the Positive Slope and the Social Structure of the Social Systems**

The configuration of the actors' attitudes reflects the social structure of the system to which they belong.

- (1) The active ones—those who want to act to improve/change the system. They will stress the negative character of the priority problems while promoting a balance between priority and non-priority, manifest/latent. Activism usually decreases the level of dissatisfaction, which is decreased by the optimism of the successful action.
- (2) The ones responsible for the functioning of the system. Probably, the level of negativity will be lower, including a lower proportion of the acknowledged problems. The people responsible for the system will be more positive, and will not assume too many problems which they cannot solve as being manifest.

- (3) The adapted passive ones. The passive participants do not get involved in changing the system/solving the problems; however, adapted to the system they either benefit from some advantages, or are resigned, and do not think that something can be done. The adapted passive ones tend to shift many problems to the state of latency. Even within a system in crisis, these people tend to develop an adaptive orientation to the situation of resignation, seeking satisfaction in the given conditions. Adaptation tends to shift the evaluations towards the positive slope. In conclusion, the sum of the positive evaluations is larger than that of the negative evaluations; the level of even modest satisfaction is higher.
- (4) The critical passive ones—those not involved in the change of the system are passive due to the lack of action possibilities, but are critical towards it. They are chronically dissatisfied. For them, the proportion of the negatively rated problems may be higher. They tend to be more critical towards the problems of the system than the people in charge having the responsibility to solve the problems. They have a high level of dissatisfaction.
- (5) Those struggling for power who are now in some kind of opposition. They will be stronger critics, enlarging the scope and gravity of the system's problems.

Hypothesis 3: The social structure of Ss, the configuration of the collective attitudes towards the system's problems will also tend to display the 17/ 33/17 pattern, the most active one being the sixth, the mass of the adapted/passive actors (two thirds), and one sixth, those dissatisfied by the system.

### **SEDA as instrument of diagnosis of the state of a social system**

Based on hypothesis 17/ 66/ 17 and Database '70 we may develop a finer procedure to determine the evaluation data—SEDA [6].

Hypothesis 17/ 66/ 17 is an attempt at the empirical generalization of the data from the Databases of Indicators '70.

SEDA is a design for evaluation with seven intervals of the evaluation indicators expressing the state of a system. It mainly proposes a procedure to distinguish the 66% indicators located on the moderately positive slope of the evaluation scales.

The hypothesis presented here represents a new approach—data configuration shows the state of the measured social systems. A balanced

and dynamic social system displays a 17/ 66/ 17 configuration, which is a Gauss distribution shifted on the moderately positive slope of the scale. The data shifted towards the left slope of the scale express a state of system crisis, while the stronger shift towards the right side of the scale represents a state of success which is not sustainable. Using it, we may evaluate particular indicators within the global dynamics of the system to which it belongs.

**Table 9.9. SEDA on a scale of 5, Database indicators '70**

Serious situation		Situation of dynamic balance				Very well
Blockage	Critical state	Pre-critical state	Worrying	Normal state	Positive stability	State of success
>2.50	2.51 – 3.00	3.01 – 3.25	3.26 – 3.50	3.51 – 3.75	3.76 – 4.00	4.01 – 5.00
3.5	13.6	16.0	16.1	17.6	17.2	15.0
Mean: 3.45 <sup>8</sup>						

**Table 9.10. SEDA on a scale of 7, Quality of life '79**

Serious situation		Situation of dynamic balance				Very well
Blockage	Critical state	Pre-critical state	Worrying	Normal state	Positive stability	State of success
>3.25	3.25 – 4.00	4.01 – 4.50	4.51 – 5.00	5.01 – 5.50	5.51 – 5.75	5.76 – 7.00
4.0	18.9	28.9	20.6	15.7	5.6	6.4
Mean: 4.65 <sup>9</sup>						

A system, or one of its components, may be characterized by different states:

- State of success—very well, excellent. This scored successes compared to expectations. Many rate it as very good (with 5 or 6-7), while few provide lower ratings. The mean evaluation will be around 4 (scale of 5) or 6 (scale of 7) and even more.

<sup>8</sup> The mean is situated at the upper limit of the state of worrying, towards the normal state.

<sup>9</sup> The mean is situated at the lower limit of the pre-critical state towards the state of worrying.

- State of positive stability—good (stressed good). There are also ratings of 5, mostly of 4, but some of 3 or even negative; it has problems and difficulties. The mean is close to 4—over 3.75.
- State of normal stability—generally well, but there are still problems, so it is not perfect. It is not a priority, or the actors do not see what more can be done. Means are between 3.50 and 3.75.
- Worrying state—the system or one of its components have problems that have to be addressed. Below the mean of the normal system. It needs to worry in order to mobilise the effort. Means between 3.25 and 3.50.
- Pre-critical state—the mean/means are slightly above 3, but rather far away from the mean. Worrying with many problems and risking crisis. The mean/means are between 3.00 and 3.25.
- Critical state—the state of the system is unacceptable. There is pressure to act for change, to take urgent measures. Imminent social explosion is predicted, or desperate resignation. Possible escalation of the social tensions/conflicts. A component of the system is a critical variable of the system. The mean/means are between 2.75 and 3.00.
- State of functional blockage and social dissolution. A component is in a desperate, jammed state. The mean/means are below 2.50.

SEDA evaluation design provides a fine differentiation of the overcrowded interval (3-4 on a scale of 5 and 4-5.50 on a scale of 7), while proposing a dynamic evaluation. This design entails elements of intuition and hypotheses, of course. Its advantage is that it goes beyond a merely empirical approach, relying on a theory of the social systems.

## **Applications of SEDA**

I am a lover of data. However, I often experience a feeling of dissatisfaction. I have open in front of me a book with a multitude of tables. First, I read them with much interest. After reading several data tables my interest vanishes. So what? What is their significance? Is it a lot or a little?

My opinion is that we obviously do not have a stronger instrument with which to interpret them. SEDA provides a more adequate instrument for data interpretation.

Case 1. Dispute between the director of the organisation and our sociologists on the significance of the 3.10 indicator of satisfaction with the institution. Using SEDA on this indicator, we may conclude that the organisation is in a pre-critical state.

Case 2. The dispute between the President and the sociologists on the significance of the poll data. The president considers that a social system rated 2.1 is in a state of blockage. Relating this evaluation to the 1,000 indicators from Database '70, we will notice that just four of them are below 2.1. Thus, this is a worryingly bad evaluation.

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This study proposes a new perspective—that the evaluation data obtained using the questionnaire should be considered from a global perspective of the dynamics of the surveyed system. We need to analyse not just every evaluated aspect, but also the global context of the system to which it belongs. From this perspective, the questionnaire data start showing a new face, being important indicators for the state of the social systems.

SEDA provides a way to compensate for the lack of comparative data during the process of evaluation. By treating a system as any other system, we may relate particular indicators to all the other indicators measured in other examples.

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# CHAPTER TEN

## THE RIGHT TO A DECENT STANDARD OF LIVING

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### **Abstract**

For most people, the state of happiness is more or less conditioned by the equilibrium between their aspirations and accomplishments in terms of material welfare. The people who do not manage to reach such a state of balance live out a never-ending stage of quest and dissatisfaction. When the proportion of such people reaches a critical level within the society, that particular society displays a dangerous potential for radical, destructive change (revolution, street conflicts, etc.). This happened in Romania in 1989. However, even after almost twenty-five years of reform, most of the population of this country cannot afford a minimal balance of material welfare—a decent minimal consumption. Wondering how stable the social peace in Romania is may be a legitimate, worrisome question.

Keywords: Welfare, incomes, decent minimal consumption.

### **Increase of the GDP per capita and polarization of the social welfare in Romania**

Romania has recently integrated within the European Union with great expectations for a better material and spiritual wealth. In the 1990s and even after the 2000s, although the overall access of the population to

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goods and services increased compared with the communist period, the distribution of welfare within the population changed significantly. The social polarization and the impoverishment of a large number of people are pressing matters. The Gini index of the incomes increased from 0.27 to 0.28 in the early 1990s to 0.32 to 0.34 (even 0.37 if we do not consider the contribution of the consumption of household produced goods and services in the decrease of the poverty rate). In European countries, similar values of this index were recorded only in the United Kingdom, a country with a strong liberal tradition. On such a background, in the year of accession to the European Union (2007), Romania was noted for the very high rate of the population affected by different economic frustrations, being much less than in other EU member states.

**Table 10.1. Lack of basic material resources in EU member states in 2007 (% of overall population affected by poverty)**

Country	Lack				Incapacity		
	Phone	Colour TV set	Washing machine	Auto-mobile	Pay the rent	Heat the home in winter	Cope with unexpected expenditures
EU27	6	2	7	22	7	21	57
Bulgaria	39	20	55	67	5	17	96
Czech R.	6	3	2	43	14	18	82
Spain	1	0	1	10	4	15	49
Germany	1	1	1	17	4	15	70
France	2	1	3	11	13	11	66
Lithuania	10	5	19	47	4	42	89
Hungary	10	2	8	42	10	24	88
Poland	6	2	2	33	2	39	81
<b>Romania</b>	<b>43</b>	<b>9</b>	<b>55</b>	<b>75</b>	<b>0</b>	<b>44</b>	<b>69</b>
Slovakia	6	3	4	48	13	14	76
UK	1	0	2	20	9	9	50
Sweden	0	3	0	14	9	9	50
Norway	1	1	2	20	12	2	29

Source: Eurostat, 2010, Combating poverty and social exclusion, a statistical portrait of the EU [1]

The average GDP per capita in EU27, in 2010, was 24,500 (PPP), higher than in 2009 (23,500; PPP), but lower than in 2008 or 2007, when it was 25,000 related to PPP (in both years). The lowest values of the average GDP per capita—less than half of the EU27 average—were recorded in Romania and Bulgaria (see Table 10.2). The economic regression of many Western countries due to the 2008 crisis narrowed the gap in the standard of living among the EU27 member states, bringing the standard of living of the countries which joined the EU in 2007 closer and, more so, of the countries which joined the EU in 2004, except for



Luxembourg, whose GDP per capita moved farther (increased) from the EU27 average. From 2000 to 2010, the indicators for many of the EU15 countries (Italy, Belgium, Denmark, Austria, United Kingdom, Sweden, Ireland and France) came very close to the EU27 average. Coming from a position below the EU27 average, Slovakia, Estonia and Lithuania also neared the EU27 average.

**Table 10.2. GDP in some EU countries**

Country	GDP						GDP per capita			
	EURO (1000 million)			PPP (1000 million)			PPP EU27 = 100			PPP
	2000	2009	2010	2000	2009	2010	2000	2009	2010	2010
<b>EU27</b>	<b>9208</b>	<b>11770</b>	<b>12268</b>	<b>9208</b>	<b>11770</b>	<b>12268</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>24500</b>
Bulgaria	14	35	36	44	79	80	28	44	43	10600
Czech R.	61	137	145	134	202	205	68	82	80	19500
Germany	2063	2397	2499	1855	2241	2369	118	116	118	29000
Greece	138	235	230	175	249	246	84	94	89	21700
Hungary	51	93	98	108	153	157	55	65	64	15700
Poland	186	310	354	352	544	583	48	61	62	15300
<b>Romania</b>	<b>41</b>	<b>117</b>	<b>122</b>	<b>111</b>	<b>233</b>	<b>236</b>	<b>26</b>	<b>46</b>	<b>45</b>	<b>11000</b>
Sweden	268	291	347	216	260	282	128	119	123	30100
UK	1602	1566	1697	1335	1636	1723	119	113	114	27800

Note: PPP = purchasing power parity

Source: Eurostat, 2011, Statistics explained [2]

Romania was closer to the EU27 average in 2009 than in 2010, the economic crisis being strongly felt in Romania in the purchasing power of the population. In 2010, it decreased to 45% from 46% of the EU27 average in 2009 (see Table 10.2). Almost half of the GDP in most EU member states consisted of household consumption expenditures (see Table 10.3).

**Table 10.3. Household consumption expenditures in some EU countries**

Country/ Year	Proportion of consumption expenditures within the GDP (%)			Consumption expenditures per capita (at PPP)		
	2000	2006	2010	2000	2006	2010
Bulgaria	71.3	69.5	...	3900	5700	...
Czech R. 1)	54.5	50.8	51.9	7100	8700	10000
Germany (1)	56.2	56.5	56.4	12600	14700	15300
Greece (1)	75.7	75.5	75.4	12100	15500	18600
Hungary (1)	56.4	55.5	53.4	5900	7800	8200
Poland 1)	63.8	62.7	60.6	5900	7200	8600
<b>Romania(1)</b>	<b>67.5</b>	<b>68.5</b>	<b>61.1</b>	<b>3300</b>	<b>5400</b>	<b>6600</b>
Slovakia (1)	56.1	56.4	59.6	5400	7600	10300
Sweden	47.0	46.5	48.3	11400	12700	13500
UK	62.4	61.6	62.0	14200	16900	16400

Note: (1) 2009 data instead of 2010.

Source: Eurostat, 2012, Statistics explained [3]

The proportion of household consumption within the GDP was constantly higher in Greece than in Romania, but Romania, not Greece, increased austerity till 2010 (see Table 10.3). The general trend in 2000-2010 was an increase of the per capita consumption, the only exception being the United Kingdom, with a slight decrease (see Table 10.3). For the population of Romania, however, things changed in 2009—from 68.5% in 2006, the proportion of household consumption within the GDP decreased to 61.1% in 2009, even as the purchasing power per capita increased from 5,400 in 2006 to 6,600 in 2009 (see Table 10.3). The structure of the total expenditure for consumption (see Table 10. 4) shows that in the interval 2005-2010 the proportion of food expenditure decreased slightly until 2008, reaching about 41%, under the conditions in which the proportion of food expenditure within the total expenditure was almost twice as high in Romania than in most of the other European countries; the same level remained unchanged even during the years of crisis. The decrease of food expenditure—from 23.0 in 2005 to 22.1% in 2010—occurred against the background of higher expenditures for taxes, from 12.5 % in 2005, to 16.2 % in 2009 and 15.7% in 2010.

**Table 10.4. Total household expenditure in Romania (lei monthly/household)**

Indicator/year	2005	2006	2007	2008	2009	2010
Total expenditure	1149.33	1304.66	1541.96	1915.19	2047.33	2062.95
Cash expenditure (%)	81.7	83.0	82.7	84.6	84.5	84.1
Food and drinks (%)	23.0	22.2	22.0	22.2	22.3	22.1
Non-food items (%)	21.6	21.9	21.7	22.4	22.2	22.1
Services (%)	18.1	18.4	17.7	17.3	17.8	18.2
Investments (%)	1.4	2.4	1.7	2.1	1.3	1.5
Production (%)	1.5	1.3	1.3	1.4	1.2	1.1
Taxes, dues (%)	12.5	13.5	15.0	15.8	16.2	15.7
Value of self-consumption (%)	18.3	17.0	17.3	15.4	15.5	15.9
Value of self-consumption <i>employees</i> (%)	9.6	9.0	8.7	8.0	8.2	8.7
Value of self-consumption <i>farmers</i> (%)	45.3	45.0	49.0	47.3	44.6	44.0
Value of self-consumption <i>unemployed</i>	18.2	18.4	17.2	15.9	15.2	16.3
Value of self-consumption <i>pensioners</i> (%)	24.5	22.6	23.7	20.5	19.9	20.2

Source: I.N.S., Anuarul statistic al României 2006-2011 [4]

The population from decile 1 was forced to cut even self-consumption, while the monetary expenditure increased from 54.2% in 2005 to 58.7% in 2010, which was more a circumstantial play of the figures than a real increase of the welfare.

**Table 10.5. Total household expenditure, by deciles, in 2005, 2009 and 2010**

Income deciles total/person (lei)	D1	D2	D3	D4	D5	D6	D7	D8	D9	D10
<b>2010</b>	1305	1474	1526	1667	1826	1933	2012	2291	2748	3841
Monetary expenditure	58.7	68.4	71.5	77.7	81.2	84.8	88.1	90.4	92.9	95.6
Self- consumption	41.3	31.6	28.5	22.3	18.8	15.2	9.9	9.6	7.1	4.4
<b>2009</b>	1204	1410	1473	1646	1806	1910	2050	2267	2784	3917
Monetary expenditure	57.4	67.2	72.4	77.8	81.9	85.5	88.6	90.7	93.3	95.1
Self- consumption	42.6	32.8	27.6	22.2	18.1	14.5	11.4	9.3	6.7	4.9
<b>2005</b>	695	727	805	892	988	1002	1119	1331	1599	2332
Monetary expenditure	54.2	59.6	67.8	73.9	78.7	81.3	85.7	89.0	90.8	93.8
Self- consumption	45.8	40.4	32.2	26.1	21.3	18.7	14.3	11.0	9.2	6.2

Source: I.N.S., Anuarul statistic al României 2006, 2010, 2011 [4]

Accepting, however, that this would signify a slight loosening of the economic context specific to the category of population with the lowest incomes, we may notice similar trends, at different levels, in all deciles (except decile 7, whose self-consumption increased from 14.3% in 2005 to 19.9% in 2010). Decile 7 probably includes the population with the highest number of owners of agricultural fields. The strongest decrease in self-consumption was noticed in decile 6, from 18.7% in 2005 to 14.5% in 2009. The highest proportion of self-consumption was noticed in the (rural) households with 6 or more people, while the lowest proportion was noticed in the (urban) households with 3 persons, followed by the households with 4 persons (urban households with 2 children). The highest expenditure per capita was reported in the households consisting of one person.

**The formation of household incomes in Romania** is characterized by the (rather low) contribution of the wages which provide about half of the total income and by the (rather low) contribution of the monetary income from agriculture, while the farmers account for about quarter of the occupied population. Most of the income is used to cover the basic needs of the population, the food expenditure exceeding 40% of the total

(compared to 10-12% in Western countries). About half of Romanian households cannot cover the quasi-compulsory expenditures with their available income. This increases their vulnerability in the case of decreased or even cancelled incomes.

The household incomes in Romania are extremely sensitive to the unfavourable evolutions of the economy and to the changing balance of the national and international markets. This is because they are generally low, the average income amounting to less than a quarter of the average income of EU15 households and half of the average income of the new EU10 member states. The gap between the incomes of the Romanian people and those of the other European people is determined by the differences in the occupational level and structure, by the different work productivity and by the different remuneration policies. The preponderantly low level of the population's income did not allow the people to save during the years of economic growth before the crisis, which only caused a more dramatic degradation of the conditions of living during the period of crisis, much below the threshold of the minimal decent consumption for all categories of households.

The consumption requirements can be determined objectively, using scientific methods. The personal evaluations of the consumers reveal the "subjective dimensions" of the consumption, which are as important as the objective dimensions because they are determined by the consumption practices and therefore create a more realistic image, complementary to the objective methods, on the social perception of poverty.

The methods used to calculate the minimal requirements for living (the poverty threshold) may differ, and are described in the literature. Some of them are broadly appreciated and used because they bring a valuable scientific contribution to the knowledge on the human requirements and on the situations confronting the people at different moments of their lives.

The importance of the poverty threshold comes from its relation with the objective requirements of the people and with the actual economic circumstances. The latter refer to the nature of the market offer of goods and services, to the relations established between the prices of goods and services and, last, but not least, to the proportions that are established between the different categories of incomes of the population. It is particularly relevant to relate the poverty threshold or the different types of the minimal consumption basket (minimal decent consumption basket or the subsistence consumption basket) to the standard income of some categories of population (the minimal guaranteed income, the minimal pension or the average national wage). It is also relevant to relate them to the different categories of incomes improved with different social benefits (such as the state allocation for children) or to other categories of social

benefits such as the minimal unemployment benefit or the support allocation [5] [6].

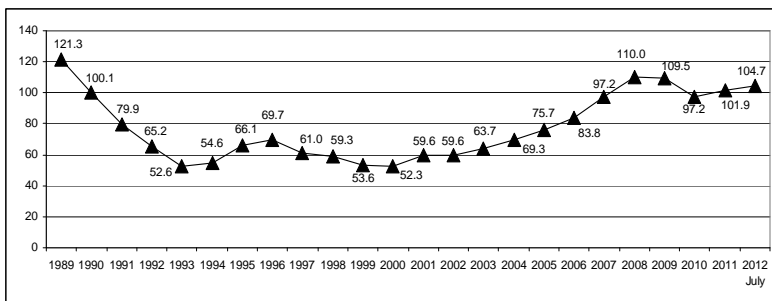
The Institute for Researching Quality of Life calculates, from 1990, several instruments to evaluate the welfare of the Romanian population, such as the value of the minimal basket of consumption at the level of survival or at the minimal decent level, for different categories of households [7].

We will subsequently present several such evaluations of the social welfare of the Romanian population, which are particularly relevant for getting an image, be it very approximate, of the general state and the psychological equilibrium of the majority of the population. We present the type of urban four-member family (2 adults, 1 of them employed, and 2 children):

### **Evolution of the incomes in relation to covering the minimal needs of a decent living standard and of the subsistence level**

During the past two decades, the average net national remuneration was much below what we may call a “wage for decent conditions of life.” The goods and services that could be bought with this type of wage decreased to 60% in 1993, 63.7% in 1994, and slightly over 65% in 1997 and 1998. The purchasing power decreased again in 1999-2002 to 60% regarding what one could buy in the year of reference 1989. The real average net national remuneration peaked towards the end of the surveyed period, in 2009, when it could cover about 110% of the requirement for goods and services included in the minimal basket for a decent consumption.

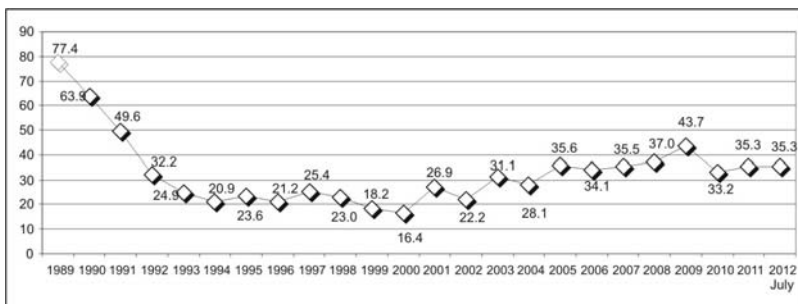
Fig. 10.1. Dynamics of an average wage and of two allocations for children related to the minimal requirement for a decent living in urban area, October 1989 to July 2012



Source: Mihăilescu (2012)

The economic situation of the families with two children in care, having just one average wage, started to improve only in 2008, when the purchasing power of the average net national remuneration could completely cover the basket for foods, non-food items and services from the year of reference 1989. This situation persisted until 2010, when the decrease by 25% of the average national wage again placed this income close to the purchasing power of 2008.

Fig. 10.2. Dynamics of a minimal wage and two child allocations related to the minimal requirement for a decent living in urban areas, October 1989 to July 2012



Source: Mihăilescu (2012)

The real value of the minimal national wage decreased in the interval 1989-2012, with minimal values in 1999 and 2000 (a decrease by 74.2% and by 75.6%, respectively), due to the higher prices for fuel, electric power and water. In other words, in the interval 1993-2003, the purchasing power of a minimal wage was quarter or even less than the minimal decent necessities of a family with two children in care.

As of October 2000, the minimal national gross wage was 700,000 lei, minus the contributions of 1% for the unemployment fund, 5% for the pensions fund, 7% for the health care fund; as of December 2000, the minimal national gross wage increased to 1,000,000 lei; as of March 2001 it increased to 1,400,000 lei and as of January 2003 it reached 2,500,000 lei, which meant 2,175,000 lei net. As of 2008, according to HG 1051/2008, the minimal national gross wage increased to 500 lei, but the 33% contributions increase, for the health care fund and pensions fund, brought the net value to just 335 lei, which was less than in 2007. Starting from October 2009, the minimal gross wage became 600 lei, meaning 402 lei net, while starting from January 2012 the minimal gross wage increased to 700 lei, meaning 469 lei net. Under these circumstances, the economic situation was not much better for the families with two children earning two national minimal wages.

Under such conditions, one might wonder how a family with children (directly bearing the expenses that secure a future for Romania) can presently live a normal life, socially integrated, since this family frequently has an income below or close to the average net national wage. Life is certainly not easy for such families. The economic support of such families should be a priority for the social policies from Romania. For the time being, for the members of such families and for the families with children, in general, the right to a decent standard of living is still impossible to reach. Many other people may think and speak about happiness, but the members of such families usually cannot think farther than securing the life necessities for today.

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## CHAPTER ELEVEN

# ANALYSIS OF THE RELATIONSHIP BETWEEN THE EDUCATION SYSTEM AND LABOUR MARKET DEMAND: THE CASE OF ROMANIA

GABRIELA NEAGU<sup>1</sup>

### **Abstract**

For investment in education—both public and individual—to be exploited to the full, adequacy of the educational offer and demand of skills in the labour market are required. Collaboration between the institutions responsible—Ministry of Education, Ministry of Labor and Social Protection, colleges, universities, trade unions—is vital to achieve this objective. Romania is among the states that have made little effort in this direction and the causes are multiple. An analysis of the relationship between educational supply and the demands of the current and future labour market in Romania is the subject of this article.

Keywords: economic crisis, prospective studies, educational offer, human capital.

### **1. Introduction**

This study ranges from recent productions—reports, articles, studies, research—which focus on the socio-economic situation currently faced by most countries. One of the greatest difficulties which the economically affected countries have to cope with is the vocational integration of people who are looking for a job whether they are unemployed graduates of various levels of education or any other situation where a person has

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decided to enter the labour market. The difficulty comes not only from the reduction in the number of jobs, but also the growing gap between what is installed to provide the school in terms of qualifications, what people want (professional aspirations) and the current and future labour market needs. Romania is no exception. After two decades of market economy, Romania has not had time to consolidate economic structures in order to face this kind of crisis and no negative effects were immediate, such as fewer jobs, a significant decrease in profit firms, a major decrease in the number of start-ups, increased poverty, etc. Regarding the education system, it has, since 1990, undergone permanent and continuous reforms that have significantly altered the structure, organization and content of education, thus limiting the possibility of establishing medium- and long-term goals and evaluating their implementation. Moreover, education reform taking into account the peculiarities of the labour market requirements was not carried out.

## 2. Theoretical and Methodological Aspects

The relationship between education and the labour market can be approached from several perspectives: economic, social and political [2]. Each of these perspectives highlights aspects of the interim order they represent. In this chapter we concentrate on two perspectives of analysis of the education-labour relationship: the sociological and economic. Within these are included numerous theories and models of analysis in which we select those that best reflect the situation in Romania.

Among the theories that are part of an economic approach to the relationship between education and the labour market we have retained the attention of “human capital theory” and “theories based on the signal model”[4]. When dealing with the relationship between education and the labour market from a sociological perspective, most analysts refer to the Bowles & Gintis theory of correspondence Americans [5], and the theory of unequal opportunities of access to education [3].

The relationship between education and the labour market can be investigated with both quantitative methods (questionnaires) and qualitative methods (in-depth interviews, focus groups). For this study we use only quantitative research conducted in Romania in recent years. Data obtained by conducting quantitative research provide representative samples by population, for either a whole population of a country or for segments of it (employers, students or students in their last year of study).

We are using data with high generality, being the results of the following research: *Diagnosis Quality of Life* [12], *Romanian Employers*

(public and private) and the labour market [14], *Attitudes toward work* [13] and *Quality preuniversity education in Romania* [10]. Objective data provided by institutions such as the INS (National Institute of Statistics) are those that will complete the analysis conducted in this chapter. The underlying assumption of this study is that between the educational offer—understood as the number of graduates of different educational levels and profiles—and demand on the labour market—the number and types of jobs and skills—there is a huge gap generated by different causes, such as: lack of prospective studies that need to be assessed and the type of personnel required in the labour market, to be prepared in advance by the school; limited experience of the education system, through their representatives (teachers, school inspectors, ministry employees, research centres, etc.), of collaborating with other institutions, such as the Ministry of Labour, employment agencies, training providers, etc. to jointly develop a mutually beneficial educational offer; and a significant decrease in public confidence in the school as the main means of socio-professional integration and determinant of socio-economic ascension and professionalism.

### 3. Data Analysis

The data allow us to analyze the relationship between education and the labour market in terms of three categories of people:

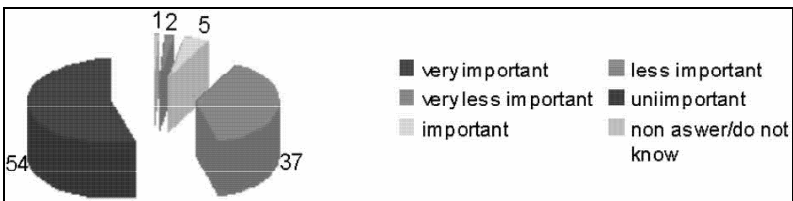
- from the perspective of the younger generation, those still in the educational system in preparation for future employment status;
- from the perspective of the adult generation that has already experienced professional integration;
- from the perspective of the employers.

#### 3.1 How should the labour market be “seen” from school?

Preparing prospective employees from the first day of school consists of at least two components: one that focuses on the practical—learning the skills, knowledge and abilities necessary to carry out an occupation—and a second, theoretical attitude that focuses on training the younger generation in behaviours and attitudes towards work. This training includes two instances: the family and the school. In both cases one will need not only to educate but also to have the opportunity to do so. The Romanian population, in the main, are characterized by high levels of poverty and for which the priority is providing a daily living, with little or

no investment in medium- and long-term personal and professional development. According to the social report ICCV, relative poverty in Romania (below 60% of median income) affects 22% of the population, while the EU average is 16% [9]. Increasing unemployment and reducing income by 25% for the public sector has resulted in higher growth and a greater share of those facing economically-driven social difficulties. Those at a greater risk of poverty are families with dependent children. One of the effects of recession observed in living standards is the rate of young people who leave school prematurely being about 20%, while the EU average is 14% [16]. A very small percentage of this population that prematurely abandon the education system will resume school education and/or training at an older age. Poverty leads to inequality of access to educational opportunities between different categories of people, which in turn has the effect of inequality of opportunity in the labour market. The majority of the population strives to keep children in school because education is seen as way to employability.

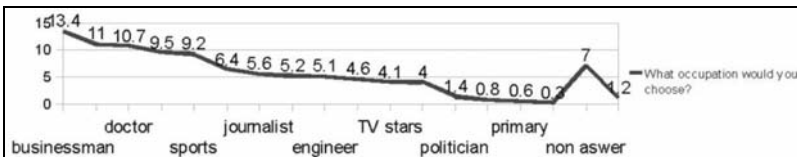
Fig. 11.1. Perception of students in urban schools regarding the importance of education about the labour market (%)



Source: Metro Media Transilvania, 2007 (Database students)

Education is the main feature of most Romanian students in the medium- and long-term projects not only because they realize they need to have a job, but also because their professional aspirations are high and very high.

Fig. 11.2. Professional aspirations of students in schools in urban areas (%)



Source: Metro Media Transilvania 2007 (Database students)

We note that most of the target occupation students are located at the top of the professional hierarchy in Fig. 11.2, being economists, doctors or lawyers. This means not only increased medium- and long-term pressure on public budgets for education and the household budget, but also increased competition in filling professional positions located in the upper socio-professional hierarchy. That career aspirations of students are high is positive, and profitability of investment in education will prove to be at least as high. As stated on other occasions, in Romania there is a direct relationship between the different levels of education and occupational positions set forth, confirming the correspondence theory of Bowles and Gintis. The population is aware of this and hence the confidence that a high level of education favours a position as a high socio-professional [6]. According to “human capital theory”[1], the profitability of higher education is higher for the individual than for the society to which they belong, and is a situation that favours states in which education is free for all Romanian people as appropriate. On the other hand, we must take into account the specific situation of each country. Currently, in Romania, we cannot talk about a surplus of people with higher education or a very high level of professional qualifications and withdraw their financial support if the share is likely to decline further. In recent years, Romania has been faced with another problem—people with a higher education and vocational training, especially young people, choosing to emigrate to Western countries looking for a better paying job. Romanian society investments in education and professional preparation of this population will never be recovered. Some of the graduates who demonstrated high levels of education continued their studies only to use school diplomas as a “signal” to employers. Thus, Arrow believes that people invest in education to transmit signals to employers that they are best suited to fill the vacancy. Employers are rarely informed about what they have learned and especially how they learned—about their intellectual and professional potential [8]. In the selection process, many employers are guided by the school diplomas that potential employees have, with attention to the prestige accorded to the educational institution attended by those seeking employment. The number of vacancies located at the top of the socio-professional hierarchy is much lower than that of graduates of higher education.

We note that in recent years in Romania, in all groups of occupations the number of vacancies have been steadily declining (Table 11.1). The most significant reductions occurred in the intellectual and scientific categories of occupations that are targeted by most Romanian students. For many of them, completing higher education will serve to keep them in the race to get a job rather than allowing them to take one at the top of the occupational hierarchy. The situation is not unique to Romanian society. According to the analysis conducted at EU level, in the medium- and long-

term about 50% of job offers in the EU will require mid-level training [17]. Under these conditions a part of higher education graduates will occupy professional positions below their level of education. Confidence in the school as a means of socio-professional ascent may thus be diminished.

**Table 11.1. Rates of vacancies by major groups of occupations (%)**

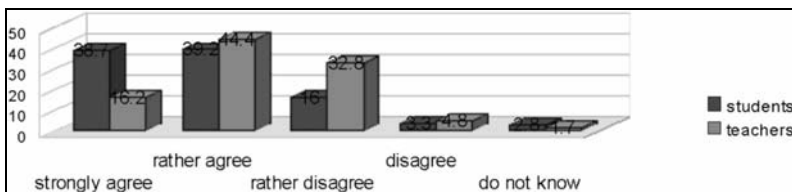
	2008	2009	2010
Total (*1)	1.94	0.88	0.59
Legislators, senior officials and managers	1.17	0.56	0.33
Specialists with intellectual and scientific occupations	3.17	1.4	0.75
Technicians and associate professionals	2.13	1.04	0.75
Administration officials	1.68	0.69	0.52
Operative workers in services and trade	1.57	0.89	0.52
Farmers and skilled workers in agriculture, forestry and fishing	1.72	1.00	0.39
Artisans and skilled workers	1.64	0.62	0.41
Plant operators and assemblers or equipment	1.64	0.72	0.88
Unskilled workers	1.94	0.77	0.64

(\*1) Exclusive armed force and assimilated staff

Source: Romania in figures 2012 Statistical Summary [15]

Adequacy of the education system and labour market demand steps cannot be done through a single institution—the school or the market—but through collaboration and cooperation between them. The first issue on which the two courts should agree concerns the type of knowledge, skills and abilities to teach to students, as prospective employees, through the educational process. Knowledge acquired by students during school may be helpful in the transition from one school level to another, especially if education systems are characterized by numerous points of bifurcation[3], as is the education system in Romania. In other words, those who assumes the best knowledge conveyed in the classroom have the greater chance of attending all levels as desired. Knowledge acquired by students will also be checked outside of the education system, but this time in the labour market.

**Fig. 11.3. Relevance of knowledge learned in school in relation to future needs (%)**



Source: Metro Media Transylvania 2007 (Database)

A very small proportion of teachers and students in urban school education question the usefulness of knowledge that is taught in the classroom (Fig. 11.3). Confidence in the validity of knowledge taught in school is so high that teachers in Romania do not accept the idea of a collaboration between the school and other areas in determining the content of education. No civil society or local authorities, or even future employers, are welcome in the discussion about what students should learn in school, considered to be an internal affair [7]. Unfortunately, employers are not of the same opinion.

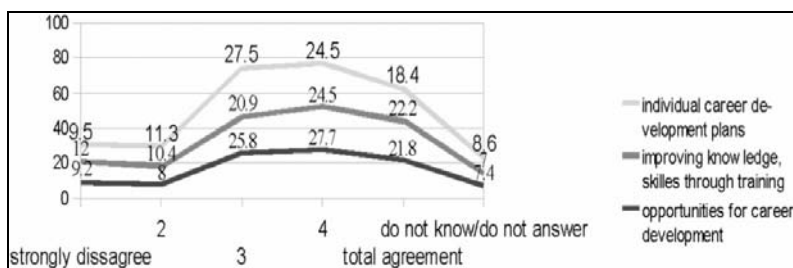
**Table 11.2. Reasons for the failure to recruit candidates to fill jobs**

First choice	(%)	Second choice	(%)
Appropriate job training school	24,6	Insufficient work experience	18,1
Insufficient work experience	14,9	Insufficient job skills	12,4
Inadequate presentation at interview	13,8	Excessive salary requested	7,0

Source: Romanian Employers (public and private) and the labour market, CSOP, 2007 [14]

The main reasons why applicants are rejected when they apply for a job are related to quality of the school, the level of knowledge and skills acquired. Even if the education and training of the population has increased in recent years, and teachers and students believe that what they learned in school is of relevance, the final decision belongs to the employer and whether they consider that the individual meets their offer of employment. Although mostly unhappy with the level of skill that graduates enter the job market with, employers are generally unwilling to help them address this situation.

**Fig. 11.4. The company provides ... (%)**



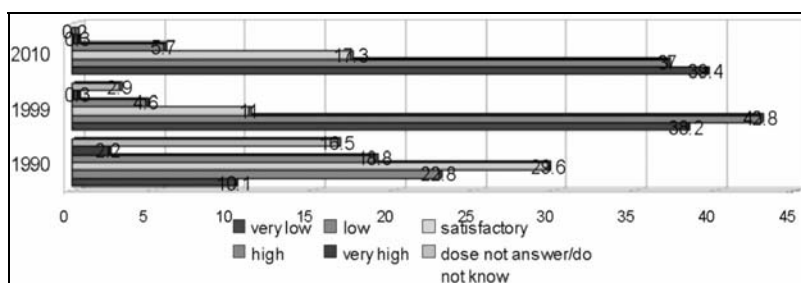
Source: Romanian Employers (public and private) and the labour market, CSOP, 2007

The education system in Romania does not like the idea of cooperation in the content of education with other socio-economic actors, and representatives of the economic environment are to a very small extent willing to contribute to the professional development of employees (see Fig. 11.4). The responsibility to identify the best solutions for a successful route is that of the socio-professional individual. The results of the efforts made by individuals throughout their career and professional schools are better revealed when they accumulate labour market experience.

### 3.2 How is the labour market seen in terms of a potential job candidate?

The situation on the labour market in Romania has not been very appealing in the past twenty years, with risks of unemployment, low wages, difficult working conditions, etc. Quality of Life survey data confirm this diagnosis.

Fig. 11.5. Public perception of the possibility of obtaining one job



Source: Quality Diagnosis Life 2006, 2010, 1990-1998, 2003, 2010

In the two decades of market economy, people's perceptions of opportunities in the labour market have remained at very low levels (see Fig. 11.5). A detailed analysis of this issue—people's perceptions of opportunities to get a job based on age, sex, area of residence, level of education—reveals that the rural population, young people (18-24 years) and those with a low level of education (ISCED 0-2) appreciate that their chances of getting a job are much lower compared to the urban population, those with higher levels of education (ISCED 5-6), and those aged 34-45 years. Regarding respondents' gender, there are no significant differences between men and women in Romania from this point of view. Improving the perception of the labour market also depends on personal efforts in the accumulation of the highest education and professional levels and

economic developments. Employers are those best placed to appreciate and anticipate changes in the economic environment.

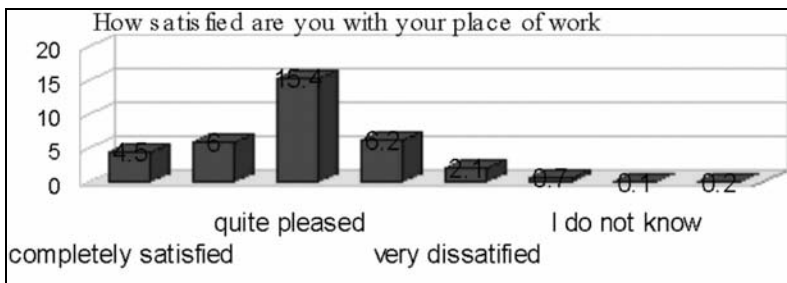
**Table 11.3. Responses of employers on labour market developments in the future (%)**

	Better	The same	Worse	I do not know/no answer
Total institutions (1212)	23	55	13	10
Private institutions (904)	19	57	14	10
Public institution (308)	33	49	10	8

Source: Romanian Employers (public and private) and the labor market, CSOP, 2007 [14]

Although the CSOP research was conducted at the beginning of the economic crisis, Romanian employers highly anticipated the evolution of the economy and the labour market, and that it will remain at its best in the future (see Table 11.3). As the number of jobs is shrinking and competition for employment is growing, once again the employers are not optimistic that those who already have a job will show a high degree of satisfaction.

Fig. 11.6. Level of satisfaction across the street from work (%)



Source: Attitudes towards work, the Soros Foundation Romania 2008

In conditions of economic crisis, employers are the ones who set the rules according to the model of competition for a job [8]. Thurow puts the existing labour market offer first and not the individual or diplomas held by them. The labour market is the one that decides who can take a job in terms of labour supply shortages and oversupply of conditions. In the first case, employers will choose the best of the employees and will allow even overqualified people to commit to jobs, while in the second case the excess job demands will be those that allow employers an advantage. Romania is the first case—offering reduced employment and many candidates—which explains the high satisfaction of employees at work



(Fig. 11.6), meaning that people are not necessarily satisfied with working conditions, but rather that they have a job.

## 4. Conclusions

The results obtained from the analysis of data from different research conducted in the Romanian population marked by economic crisis in recent years reveal the following:

- the population that has the highest level of education is more likely employable with positive effects on all areas of quality of life
- there is a lack of communication and cooperation between the main actors involved in the education-employment relationship (educational institutions, employers, the population as a whole)
- labour market developments in the medium- and long-term are considered to be satisfactory both by employers and the population, but it should not be forgotten that this study dealt with a company facing major socio-economic problems, and which offered few opportunities for development
- higher levels of education and employment for Romanian society are medium- and long-term solutions for development, improving living conditions and standards.

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## CHAPTER TWELVE

# EMOTIONAL WELFARE: CAN MONEY BUY HAPPINESS?

MIHAI DUMITRU<sup>1</sup>

### **Abstract**

The relation of the association between the standard of life and emotional welfare is significant, robust and authentic, but it is neither linear nor general. The influence of income on the feeling of happiness or unhappiness is mediated by the role and significances which people bestow on money. The inability of incomes to meet vital, basic needs generates life problems and unhappiness. Happiness appears when people accomplish the life they cherish and desire, consisting of either materialist aspirations or other aspects of their personal life: family, health, social relations, work, social acknowledgement, self-accomplishment, etc. In order to explain and understand the relation between material welfare and happiness we need to take into consideration—next to other factors such as the individual characteristics or the social context—the particularities of the social construction of the representations of the good life in Romanian society.

**Keywords:** Emotional welfare, happiness, standard of living, good life, social representations.

Happiness and general satisfaction with life are central for subjective welfare. “Happiness is a state of mind that incorporates both the existence of positive emotions, and the absence of negative emotions, which means that somebody can be happy without evaluating his/her life as being good. Inversely, someone considering that he/she has a high level of satisfaction with life, may yet feel unhappy” [1]. While satisfaction with life is a

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cognitive dimension, happiness is an affective component of subjective welfare. The differences are nuanced rather than basic, and the data of researches conducted in Romania show a significant and robust association of the two components of the quality of life ( $\gamma=0.549$ ). “Generally, when the people feel satisfied, fulfilled, in harmony with themselves and the world around them and, ultimately, happy, one may say that they experience a state of subjective welfare” [2]. Analytically, we may consider happiness and unhappiness as components of “emotional welfare.” Although the study of happiness has a long history, the theoretical difficulties persist and impose an almost continuous redefinition of the research methodology [3].

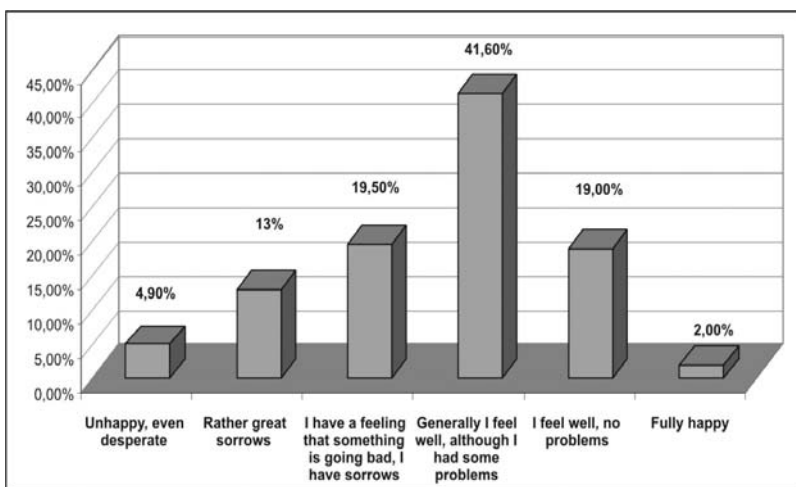
The relation between incomes and happiness is a frequent and controversial subject within the social research. “Of all the determinants of the subjective welfare, the income was considered by far the most important theoretically” [4]. The empirical studies reached different conclusions depending on the theoretical and methodological perspective, on the level of analysis (macro-social or individual), on the longitudinal or transversal character of the research, on the measuring methods, etc. The international comparative surveys have shown that in the more developed countries, the increase of income (of the GDP) no longer has a significant impact on people’s happiness [5]. The most recent Eurofund report shows that, in EU countries, the socio-economic determinants next to the demographic factors account for about 21% of the variation of the satisfaction with life (the strongest factor being the state of health) [1].

In Romania, during the past two decades the Institute for Quality of Life Research has periodically measured emotional welfare using a scale of six that describes the different types of emotions from happiness to unhappiness.

In 2010, the Romanians had varied individual emotional experiences (see Fig. 12.1). Most people feel well, but just a few stated that they were “fully happy and with special joys” (2%). Every third Romanian mentioned rather serious troubles and sorrows; ultimately, some are unhappy, even despairing (4.9%).

Both objective and subjective indicators have been used to measure material welfare. Of them, the evaluation of income in terms of the family requirements displayed the strongest association with the individual emotional welfare (see Table 12.1 below). Not at all surprisingly, this subjective measurement is significantly correlated with the total household income (distributed in quintiles). Furthermore, it better captures the inter-individual variance of the economic needs and aspirations than the mere measurement of incomes.

Fig. 12.1. The life of a person has good and less good periods. Characterise your state over the past few days



Source: ICCV database “Diagnosis of the quality of life 2010”

**Table 12.1. Sources of variation of emotional welfare (happy-unhappy)**

Variable	Gamma coefficients
Estimation of incomes in relation to the necessities	0.554
Satisfaction with family incomes	0.429
Household income (quintiles)	0.382
Satisfaction with own income	0.249
Evaluation of economic inequalities	0.160

Money has no direct influence on people’s happiness or unhappiness, but is important through the significances and role that the people bestow on it [7]. A qualitative survey has shown that money is seen as an instrument of access to the world of consumption (of goods and services), of self-accomplishment, of the social acknowledgement and ascent etc. (see Table 12.2).

**Table 12.2. What does money represent for you?**

Significances	Percentage
Source of welfare and accomplishment in life	62
Reward for work, price of the personal value	17
It brings peace, understanding and balance within the family	6
Social standing, influence, power	5
Other	10

The correlation between material and emotional welfare cannot be interpreted as a causal relation. However, knowing the position of a person on the scale of incomes, we may predict rather well the kind of emotions they experience. The effects of the standard of life appear quite clear in the differences (from the average population), and they produce the emotions experienced by people (see Table 12.3).

**Table 12.3. Economic and emotional welfare (differences from the average)**

	1	2	3	4	5	6	No. people
Not enough for the bare necessities	+7.2	+14.9	+5.9	-14.6	-12.5	-2.3	355
Enough for the bare necessities	-2.1	-1.5	+5.2	+2.0	-2.7	-2.4	392
Enough for a decent living without more expensive items	-3.9	-10.7	-8.8	+10.1	+11.9	+1.4	298
We can buy more expensive items	-4.9	-13.0	-13.5	+11.8	+17.2	+2.3	110
Total	4.9	13.0	19.5	41.6	19.0	2.0	1161

- (1) Unhappy, even desperate
- (2) Rather great sorrow
- (3) I have a feeling that something is going bad, I experience sorrow
- (4) Generally I feel well, although I have some problems
- (5) I feel well, no problems
- (6) Fully happy

The higher the standard of living, the higher the proportion of the people sharing positive feelings. It peaks with the people having the highest standard of living. However, happiness is not monopolised by wealthy people. One in three poor people stated “feeling well” or being “fully happy.” Many people have adapted to the economic conditions of their life and have different sources of satisfaction within them. Negative emotions are frequent among poor people (65.4%), and appear 11 times less frequently among the wealthy people.

The influence of income on the state of happiness, although frequent, is not general, being found in 28% of the population (the poor people that feel well and the rich people that are unhappy).

The relation of the standard of living with emotional welfare is not linear either, the direction and size of the effects caused by the economic position varying rather significantly.

Happiness is a rare word in the vocabulary of the Romanian people. Almost as rarely, the people describe themselves as being “unhappy, even desperate.” Happiness, like unhappiness, consists of feelings of utmost intensity. In order to increase the number of people surveyed to observe how the relation between material welfare and happiness works, we grouped the answers from the extremes of the scale of emotional welfare, with “Rather great sorrows” and “Unhappy, even desperate,” on the one hand, and “I feel well, no problems” and “Fully happy” on the other (see Table 12.4).

**Table 12.4. Contrasting feelings—influence of the standard of living (%)**

	Unhappy	Happy
Not enough for the bare necessities	40.0	7.6
Enough for the bare necessities	14.3	17.3
Enough for a decent living, without more expensive items	3.1	34.2
We can buy more expensive items	0.0	40.5
Total	17.9	21.0

The emotional polarization (happy-unhappy) is associated with the economic polarization. Happiness and unhappiness do not have a symmetric evolution from one economic category to another: the proportion of unhappy people decreases abruptly (- 26%) as soon as the money is enough to cover the bare necessities of the family; the proportion of happy people increases most when people have a decent standard of life (+ 17%).

Happiness and unhappiness have different thresholds of increase or decrease. Unhappiness decreases significantly as soon as the poverty threshold is exceeded and the basic necessities are met. Happiness, however, demands more, and the proportion of happy people increases significantly with the achievement of a decent standard of life. That means that happiness is closely related with the accomplishment of material aspirations.

Emotional welfare depends on several dimensions of the social life environment (family, relations with the neighbours, governance of the country, perception of life chances, etc.), as well as on a series of individual socio-demographic characteristics: age, education, marital status, etc. Given the multiple sources of variation of the emotional welfare, might the relation between the standard of life and happiness be an artefact caused by another variable? The relation was tested by introducing several control variables in analysis. The initial relation of association between the material welfare and the emotional welfare remained. The relation between money and happiness is authentic, but not general. The analysis allowed us to specify the conditions in which the relation of association is weaker or stronger. The relation between income and emotional welfare is, for instance, more intense in the persons who are active on the labour market than in the young people or the elderly. For most, work and making money are daily concerns and the success or failure to meet the economic necessities of the family influences the emotional welfare. A high level of satisfaction with family life decreases the probability of the association between income and the emotional welfare.

Unhappiness is generated by insufficient income and deprivation caused by poverty. The vital, basic necessities have an internal source; they are universal, imperative and vanish when they are met.

Happiness appears as people achieve the life they cherish and want, be it a materialist aspiration modelled by society values, norms and opinions, or non-material aspects of life. The values that inspire the individual options have an external source (the social context), and the desires, aspirations and purposes of life do not stop their motivational action as they are met. This is the realm of liberty and individual choices.

The qualitative surveys conducted during the past decade show that people have different, highly individualised perspectives on the significance of a good life, but beyond the inter-individual variability of the representations, some ideas are dominant and are shared by large segments of the population, such as standard of life, family, occupation, health, satisfaction, self-accomplishment, social relations, autonomy, etc. [7].



Some “themes” of the representations of the good life dominate by frequency, position in hierarchy and by the number of connections with other components of the quality life. The family is the core of the social representation of a good life and of the universe of values shared by people. People make distinctions between the economic world and the social world, between the material necessities of welfare and values. When asked what they cherish more in life and what is important for their life, just two people of one hundred mentioned material welfare.

Nobody wants to be poor, but not everyone wants to be rich. Most people want a decent, moderate, satisfactory standard of living.

Romania is one of the poorest countries in the EU. The economic crisis accentuated poverty and the number of people whose income “is not enough for the bare necessities” increased by one million. Transition was accompanied by the “phenomena of poverty and social disintegration on the background of the fast increase of inequalities. If the economy doesn’t revive in a rather short period, these adverse conditions might persist for an unpredictable period” [8].

The anti-poverty social policies may significantly reduce the rate of unhappiness among the Romanian population. The economic growth might establish the conditions (necessary but not sufficient) for a higher rate of public happiness and life accomplishment.

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CHAPTER THIRTEEN

SPORT AND SUBJECTIVE WELL-BEING  
AMONG ROMANIAN  
AND HUNGARIAN STUDENTS:  
THE MEDIATION OF RESILIENCE  
AND PERCEIVED HEALTH

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**Abstract**

Continuing a previous paper which analysed the determinants of subjective well-being of students, we have explored comparatively the mediators by which sporting activity influences the subjective well-being of college students in Hungarian and Romanian universities at the cross-border between the two countries. We used data collected in 2011 within the research project “Higher Education for Social Cohesion—Cooperative Research and Development in a Cross-border area (HERD).” Bachelor and master degree students from Hungary (n=1296) and Romania (n=1323) filled a questionnaire during classes which included measures of subjective well-being (life satisfaction and happiness), sport activity, socio-economic background, self-reported health and psychological variables such as resilience. We found that, when controlling for gender, family economic well-being and country, sport has no independent influence on subjective well-being. Instead, it increases the feeling of being healthy and personal resilience and, by mediation of these factors, contributes to the increase in subjective well-being. Finally, we call for a more active involvement of universities’ management in the increase of

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sport activity within campuses as a means of improving the quality of life of the students, which will result in a better educational process.

Keywords: Sport, resilience, subjective well-being, higher education.

## **Introduction**

This chapter aims to examine the relationships between sports, health, resilience and subjective well-being measured by satisfaction with life and happiness. We will ask whether sport can function as a protective factor against stress associated with student life and contribute to students' health and subjective well-being. Such an in-depth exploration of these connections has not yet been realized, to our knowledge, in the case of students. We would like to test these relationships in a special, multicultural and multilingual geographical context—the cross-border area of Hungary and Romania. We will build and test a path model with sport activity as the cause, subjective well-being as the effect and resilience and perception of health as the mediators. Practicing better and healthier leisure through sport can be a coping strategy for stress (although in some cases competitive sport can raise the stress level). In our theoretical framework we build upon the work of investigations of the protective factors that contribute to the well-being of individuals and communities. The research of protective factors emerged when it became apparent that several risk factors are so deeply rooted in societies, cultures or even in the micro-environments surrounding individuals that it is impossible or takes too much time to eliminate them. In our theoretical model we applied the positive approach by considering sport as a protective factor against stress which contributes to health and well-being of students in higher education.

We will build our approach as a continuation of our previous paper [1] which examined sport as an independent determinant of subjective well-being within a sample of students from higher education institutions in the cross-border area of Hungary, Romania and Ukraine.

The chapter will proceed as follows. In the first part of our study we will present the definition and a short literature review on predictors of subjective well-being. Then we will review the mediators of the relationship between sport and well-being, analysing variables such as health and resilience. Afterwards we will introduce our causal model that will be tested by pathanalysis. The final part of the paper contains a discussion of the results and formulation of conclusions and recommendations.

## **University students' subjective well-being: Definitions and predictors**

Subjective well-being (SWB) is the modern term for happiness. While for the moral philosophers happiness was a normative ideal [2], in the twentieth century the psychological and social sciences connected an empirical approach to the sources of personal and societal well-being. This activity was in line with the quality of life and social indicators movement as a form of the tendency towards rationalizing society and correcting the problems raised by contemporary capitalism [3]. It also involves the identification and operationalization of an unequivocal scientific concept of happiness. Until now, researchers have not reached a consensus on the definition and structure of subjective well-being. However, this concept is, in most cases, defined as an evaluation of one's life [4]. The mechanism of this evaluation is dual, involving a cognitive dimension (operationalized as "satisfaction with life as a whole") and an affective one (named also the hedonic level [5]), which is conceived as a combination of high positive and low negative affect.

The sources of subjective well-being are multiple. Most studies include in the conceptualization the socio-economic status, the biological heritage, and personality [6] [7], proposing a model in which sociological factors such as values, public mood and social norms are also included among sources of happiness. The extent to which these factors influence the evaluation of one's own life varies from one paradigm to another (e.g. the psychological approach focuses on personality factors), but also from one social group to another.

There is a common set of factors that affect people of all age groups' subjective well-being. For example, satisfaction of basic needs [8] is also a determinant of college students' happiness. However, there are specific factors which are closely related to their age, values, occupations and social statuses. These factors exert an often contradictory influence. For example, youth is a protective factor against the adversities of life. Thus, it positively influences subjective well-being (for a review of the research on age and SWB, see Clark & Oswald [9], for example). On the contrary, the low social status of the young, their comparatively bad living conditions, their uncertainty concerning the finding of a job, and their different values compared with adults generally lower the well-being of students. Additionally, they are exposed to a series of unhealthy behaviours that are often associated with lifestyles of the young. Smoking, drinking, substance consumption and abuse are among those factors that are associated with lower subjective well-being.

The weight of the influence of positive and negative influence of these factors varies from country to country. For example, Vaez, Kristenson & Laflamme [10] discovered in Sweden that students are unhappier than the rest of the young people, while Bălăţescu [11] found that Romanian university students have higher scores on the Personal Well-being Index than adults.

### **Pathways from sport to subjective well-being**

From the large amount of literature in the field, we can infer that sport activity contributes to social, emotional, psychological and physical well-being. Sport helps to develop physical shape, social competence, self-esteem [12] and stress-resilience [13], and is conducive to well-being (for a review of the literature see Bălăţescu & Kovács [1] and Lundqvist [14]). In this study, we will review the mediation of health and resilience between sport participation and subjective well-being.

A lot of researches call attention to the effects of sport on health as a mediator between sport and well-being. For example, according to Miller & Hoffmann [15] sport is associated with lower depressive symptoms, thus contributing to the improvement of students' mental well-being. Health and subjective well-being were found to be positively and significantly related [16]. On the contrary, depression is associated with premature mortality [17] and a lower level of happiness and satisfaction. Harrison & Narayan [18] found that students involved in sports have better body images and are less likely to suffer from emotional disorders. They also proved that there is a lower frequency of suicide in those doing sports. We can also find negative paths from sport to health among college students—physical activity was associated to positive psychological health in males, whereas exercise in females was related with both positive and negative psychological health [19].

Resilience is the mental hardness of a person to biological, mental and psychosocial developmental risks [20]. Consequently, we can assume that resilience can also be considered a protective factor of unhealthy behaviours to promote healthy choices and contribute the subjective well-being of individuals. From this point of view, resilience is an ability to bounce back from negative events by using positive emotions to cope [21]. Physical activity improves resilience to stress [22], and thus sport contributes to mental well-being through resilience as a mediator. Resilience also can be considered a type of positive emotion which is good for health. In addition, positive emotions contribute to psychological and physical well-being via more effective coping [23].

## **Sport infrastructure, sporting lifestyle and sport results: A comparison between Hungary and Romania**

The political and economic transformation after the regime change at the beginning of the 1990s affected all social subsystems in post-communist countries such as Romania and Hungary, including in sporting life. It was expected that sport in these countries would follow the Western path of modernization, and most social institutions would regain autonomy through the process of political democracy. The reality was different, as shown by the analysis of the situation in Hungary.

Throughout the transition period, Hungarian sport won a few battles, but lost the war, and neither a national sport strategy nor a modernized sport system have been founded. The trends in sport in the last two decades in Hungary are characterized by recentralization, paternalism and over-politicization [24]. After the political regime change, there was no particular change in the institutions of sport. The number of non-state-controlled institutions did not increase and the business sector did not make any major investments in the development of leisure and sport. In the meantime, people have lost interest in sport, which became too expensive for certain disadvantaged social stratas, completely excluding them from using sporting facilities [25].

The influence of this negative trend in the modernization of sport can be observed in the sporting habits of Hungarians. The economic and social capital of members of upper and middle-upper classes allows them to enjoy all means of sporting involvement when, where and how they want. On the other hand, the lower-middle class, the workers and the agricultural class (two-thirds of Hungarian society) have not enough money and training to do any sports regularly, being deprived of the most opportunities of physical activity [26]. The social exclusion from sport can be observed in all areas of school, university, leisure, elite sport and sport for people with disabilities. This places Hungary at the far end of the list of EU countries ranked by frequency of sport participation, with 71% non-participants and only 5% that do sport three times a week.

Romania's situation is very similar to that of Hungary. According to the Special Eurobarometer on Sport and Physical Activity, only 8% of Romanians regularly do sport, and 69% are never involved in physical activity. At the other end, in Sweden and Finland only 6-7% of inhabitants are not involved in sport. Hungary does much better than Romania in what concerns physical activity outside sport such as cycling and walking (41% compared to 19%). The most active in these kinds of activities are Denmark (85%), the Netherlands (84%), Sweden (84%) and Slovenia

(80%). An exceptionally low proportion of people in Romania (43%) and Hungary (49%) say they are motivated by health to do physical activity. Only 11% of respondents in Romania report that they exercise for fun, with similar outcomes in Hungary (12%). Ten percent of Romanians do sports for improving their fitness, 7% for physical performance, 14% for controlling weight, and 11% to spend time with friends. Thus, it seems that there is no incentive for Romanians to participate in sport. This also explains the findings that 41% of respondents from this country disagree with sport policy and statements about sport and physical activity (compared to 27% in Hungary), and relatively few people in Romania (28%) agree that the clubs in their area are sufficient (compared with 61% in Hungary) [27].

Compared with the rest of the population, university students have more opportunities for practicing sport because of their greater amount of free time and flexible schedules, and can therefore make decisions about entertainment and leisure activities [29]. On the other hand, as they are in relatively better social, economic and cultural positions than the general population in the same age category, most of them having a middle class family background [28] [29]. However, the availability of sporting facilities varies from one university to another. For example, in Hungary, 57% of students are satisfied and very satisfied with the possibilities of doing sport on campus, while in Romania this proportion is 51% [1]. This result depends on the local conditions and management of universities.

### **Determinants of sporting activity in Hungarian and Romanian students**

In a previous research, the co-author of this chapter aimed to present the students' leisure habits at the University of Debrecen, one of the most important universities in the cross-border region [30]. A particular emphasis was placed on the role of sport in the structure of time use, and also on how the socio-cultural factors influence the way students spend their leisure time. The focus of the analysis was on the places, the events visited and activities done by the students. A factor analysis issued the following free-time preferences: parties, high culture, social, fitness/wellness-oriented, consuming digital culture, being solitary, and physical activity. Based on the time preferences, three student groups were created: introverted, entertainment/consumption-oriented, and sporty/sociable group. Parental educational level (as cultural capital), the size of the locality from which students came from, the family financial situation, the monthly amount of funds available (as economic capital), and the

faculty at which they studied affected students' preference of leisure time activities, and thus which group they belonged to. Results show that sport and social activities are related to higher social status and thus assume greater economic and cultural capital [30].

Another research focused on the sporting habits of students at the University of Debrecen. We found that men do sports more than women. The financial status of the family as economic capital and the type of settlement have an effect on whether students do any sports. The rate of sport-doers increases with higher levels of parents' education and we found significant differences in the willingness for sports regarding mothers' qualification. All in all, the major factors determining social status have great effects on whether individuals do any sports, and as a consequence those from disadvantaged social backgrounds are at risk in this field [31].

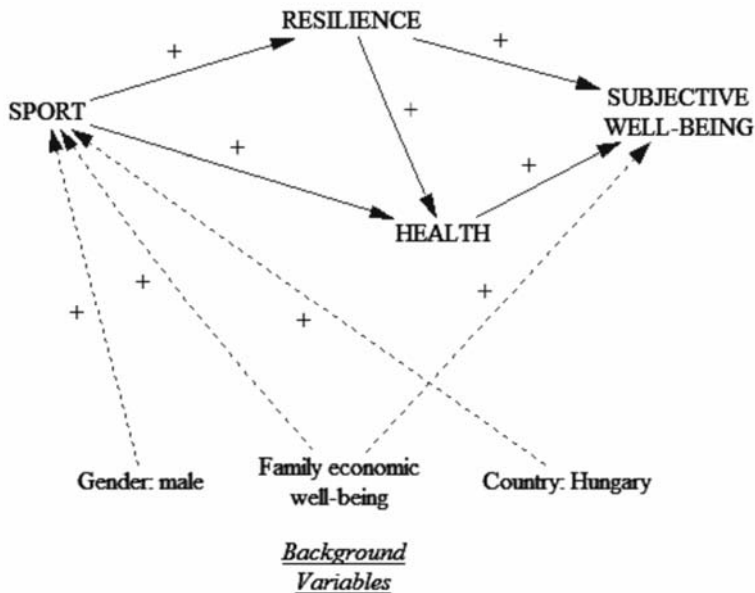
These results were confirmed by the previous analysis published with cross-border data collected in the HERD project [1]. The frequency of sport participation in recent weeks was measured by a single question with answers from 1 (never) to 6 (three times per week or more). Sport involvement was significantly higher among Hungarian students, those with higher educated parents, male students, and those whose financial situation compared to other families in the country being perceived as above average. Using a regression model to identify the independent influences of these variables on subjective well-being, we found that only country (Hungary), gender (male) and financial situation of the family are predictors of SWB.

### **A causal model of influence of sport activity on the subjective well-being of students**

On the basis of the above-mentioned findings we will build and test a path model with sport activity as cause, subjective well-being as affect and resilience and perception of health as mediators. Our previous findings [1] show that gender (male), family economic well-being, and country (Hungary) are the main predictors of sport activity in students. At the same time, we know from the literature that these variables also influence health status and subjective well-being. Thus, in the path model we chose for testing we will take these causal relationship measures as control variables. We represent these relationships in Fig. 13.1 below. The arrows show the supposed direction of causal relationship, as shown by the reviewed literature. Causal relationships from one of these control variables are represented by the punctuated line.



Fig. 13.1. A causal model of the relationship between sport activity and subjective well-being of students



It is important to note that correlational studies like ours cannot prove the direction of causality between the variables. We derived these relationships from the theory and, taking the existence and the shown direction of these relationships for granted, we will see if our model fits the existing data.

## Method

In order to test these relationships we used the data collected in 2012 within the research project “Higher Education for Social Cohesion—Cooperative Research and Development in a Cross-border area (HERD).” A representative sample of bachelor and master degree students integrated in regular full-time education within nine universities in the five counties at the Hungarian-Romanian-Ukrainian cross-border region was designed. Sampling was made by stratified cluster and stepwise methods in order to ensure representativeness. In this study we will use the data collected in Romania (n=1296) and Hungary (n=1323) comparatively.

**Table 13.1. Characteristics of the respondents by country**

		<b>Romania</b>	<b>Hungary</b>
Year of study (bachelor's students)	1	393	416
	2	358	76
	3	288	453
	4	92	108
Year of study (master's students)	1	88	164
	2	85	78
Gender	Male	37.20%	31.80%
	Female	62.80%	68.20%
The average age by course of study	Bachelor's	22	21.8
	Master's	26.5	24.3
Father's education in years (average)		12.7	12.7
Mother's education in years (average)		12.6	13.2
Residence when under 14 years of age	Urban	67.10%	71.40%
	Rural	32.90%	28.60%
Evaluation of family financial situation compared to other families in the country	Below average	12.90%	18.30%
	Average	64.30%	61.60%
	Above average	22.90%	20.20%
Student marital status	Not married, divorced or other situations	91.70%	98.90%
	Married	8.30%	1.10%

As we can see in Table 13.1, the sample contains lower numbers of students at the second grade of bachelor level in Hungary, and first grade at master's level in Romania. In both countries, one-third of respondents were male, and two-thirds female. The parents' education in years is almost similar. Overall, Romanian students' perception of their material status is higher than Hungarian students. It shows that 18.3% of students in Hungary said their financial situation is worse compared to other families in the country, with 6% higher than in Romania (12.9%). However, 22.9% of Romanian students perceive their financial situation as being above average for the country. In addition, a much higher proportion of students in Romania are married compared to those in Hungary. However, in both countries, the common strategy for this group is to the postponement of the wedding because of graduation.

The questionnaire was filled by students individually, during class time, under the supervision of an instructed operator. The data collection instrument included a series of measures of subjective well-being, sport activity, self-reported health, student's background variables, and also psychological variables such as resilience.

Life satisfaction ("how satisfied are you with your life in general?") and happiness ("how happy do you consider yourself to be?") were measured with simple scales from 1 to 4. Following a practice also used in studies which analysed data from the European Social Survey (Delaney & Keaney 2005) we used a summative scale of life satisfaction and happiness (Cronbach's  $\alpha = 0.57$ ).

In order to measure sport activity we asked respondents to recall how often they did intense sport activity for at least 45 minutes in recent months (outside the compulsory sport classes at the university), with data from 1 (never) to 6 (three times or more per week).

Resilience was measured with a scale with ten items (examples "I can adapt to the changes," "I am not demotivated by failure, I continue working"), with answers from 0 (not true at all) to 3 (totally true). The scale is one-dimensional (with a single factor explaining 49.1% of the variance of the scale) and was proved to have a very good reliability (Cronbach's  $\alpha = 0.88$ ).

Self-rated health was measured by a single yes-no question: "I feel healthy."

Finally, in the model we included three background variables:

- ☐ Gender: male (1-male, 0-female).
- ☐ How is the economic situation of your family compared with the rest of the families in the country? (1-poorest, 10-richest).
- ☐ Country: Hungary (1-yes, 0-no).

The strategy of analysis was to conduct several regression analyses in order to test the path model. First, we took sport activity as dependent and background variables as independent. Second, resilience was regressed against the background variables and sport activity. The third regression was with self-reported health as dependent variable and background variables, with sport and resilience as predictors. Finally, the subjective well-being was regressed against self-reported health, resilience, sport activity and the background variables.

## Results

The beta coefficients with significance for all the regressions are shown in Table 13.2. The first regression confirmed our previous results [1]—that male gender and economic well-being are determinants of sport involvements in students. Being a Hungarian student contributes to practicing sport more frequently, which is supported by our previous result [2] about higher satisfaction with sport facilities in Hungary.

**Table 13.2. Beta coefficients for the four regression models**

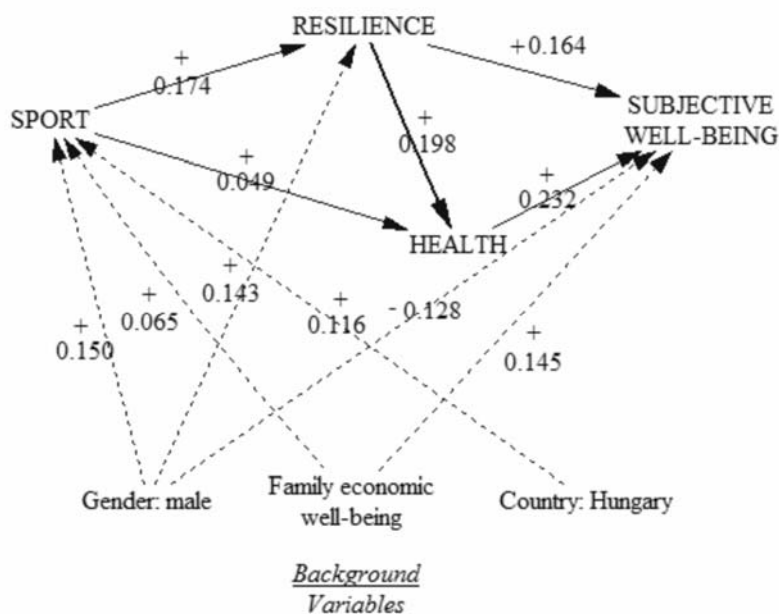
Regression model #	1	2	3	4
Dependent variable	Practicing intense sport activity for at least 45 minutes	Resilience	I feel healthy	Subjective well-being
Independent variables:				
Gender: male	0.150**	0.143**	-0.011	-0.128**
Family economic situation	0.065*	0.051*	0.103**	0.145**
Country: Hungary	0.116**	-0.082	0.050*	-0.001
Practicing intense sport activity for at least 45 minutes		0.174**	0.049*	0.028
I feel healthy				0.232**
Resilience			0.198**	0.164**

Note: Significance levels \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

The second regression with resilience as dependent variable suggests that our data fits the model in which sport involvement is causing an increase in resilience. Being male and also the perception of being in a better financial situation positively affect the level of resilience. Physical activity seems to be a part of young male culture, and this seems to be linked with their resistance to stress. On the other hand, higher socio-economic status is correlated with higher self-esteem [33] and may be associated with other factors that increase resilience. The most important result here is that practicing intense sport activity has the highest influence on resilience. This confirms our hypothesis based on the assumption that sport builds resistance to stress.

In the third step, health was regressed against the background variables and sport activity, highlighting the independent influence on sport on health status. As we expected, financial situation is associated with higher self-reported health. Studying in Hungary also correlates with health, although the influence is rather low. As predicted by the theory, sport contributes to a better subjective evaluation of health, which is an indicator of a better health state.

Fig. 13.2. Path diagram of the supposed causal relationship between sport and the subjective well-being of students



The final regression, in which subjective well-being was the dependent variable, confirmed our test of mediation. Sport has no independent influence on subjective well-being. Instead, it increases the feeling of being healthy and personal resilience, and by mediation of these factors contributes to the increase in subjective well-being for female students, students in better material statuses and those happier and more satisfied with their lives. These results support our previous research results about social, cultural and demographic factors of subjective well-being[1]. The highest positive influences were the self-reported health statuses and resilience. Those students who feel healthier and report they have a higher

ability to cope with stress and unexpected situations also have higher levels of subjective well-being. Fig. 13.2 synthetically represents these relationships, including the coefficients of the path analysis. Only significant relationships are shown. Punctuated lines show the causal relationships that originate in one of the background variables.

While there is no direct path from sport to subjective well-being, there are three other pathways. The most important is Resilience (0.028), followed by the mediation of Health (0.011) and then Resilience  $\times$  Health (0.007). The total effect (measured as the sum of these paths) is 0.046.

In addition to the relationships shown in Fig. 13.1, the present figures include the positive relationship between male gender and resilience, and the negative relationship between male gender and subjective well-being. Both relationships are suggested by our data.

## Discussion

Our results on socio-economic factors which affect participation in sport activities support Bourdieu's theory [34] on capitals and habits in the case of sport. According to him, the way of spending free time and the frequency, mode and form of sport participation depend on economic and cultural capitals, which are different depending on social class. On the other hand, these social classes have different tastes and habits which influence their relationship to sports. In our case too, men are more likely to do sports than women, which is in line with previous results and calls attention to the provision of sports programs and events, especially for women, in order to make sport more attractive for them.

Males and students in better financial situations have a higher resilience. This implies that men and students with higher economic statuses feel that they can solve problems more effectively, cope with stress and so on. The underlying reason can be the higher level of self-esteem of men, and sense of safety in the case of those with better material statuses.

Another result is that students who do sport regularly can adapt to changes in external conditions, which is in line with previous findings [22]. Through the sustained exercise required, sport can build resilience in students, and they can use this psychological benefit to improve their academic performance.

The subjective evaluation of health was found to be one of the most reliable predictors of objective health status and mortality [35] and should be taken into consideration when examining the determinants of subjective well-being. Furthermore, sport and level of resilience contribute to the

better perception of health. The higher level of women's happiness and satisfaction with life is in line with Kopp & Skrabski's [36] previous results in Hungarian study research. This shows that young women under forty are happier than men of this age. In Romania, there are no differences between the two groups [37]. For the whole population, in all the groups men have higher life satisfaction averages than women.

Overall, our model seems to fit the data well. We also found no direct influences of sport on subjective well-being, but only a mediated one through the increased levels of health and resilience, thus proving that these variables are mediators of the relationship.

## **Conclusions and Recommendations**

In this chapter we explored the mediators of the influence of sporting activity on subjective well-being within a sample of Hungarian ( $n=1296$ ) and Romanian ( $n=1323$ ) students in universities at the border between the two countries. We found that students in both countries display similar levels of subjective well-being but Hungarian students were on average more active in what concerns sport activity. Practicing intense sport depends on gender and the financial situation of both students and the country. On the basis of these results, we recommend for university sport management to organize more affordable sport programs and sport events, and to build sport facilities especially for female students. These sustained actions will not only activate more students, but also reduce the gender and socio-economic gap in the use of sport.

Our results also suggest that practicing sport has a positive influence on health and level of resilience. When controlling for gender, family economic well-being and country, sport practice has no independent influence on subjective well-being. Instead, it increases the feeling of being healthy and personal resilience, and by mediation of these factors contributes to the increase in subjective well-being.

The promotion of sport and physical activity at university level should take into account that these kinds of activities increase student's abilities to cope with stress and their determination for academic improvement. This implies improving the quality and quantity of sport facilities available to students. A full and rich campus life is not a luxury, but a must for a better educational process. Sport classes should also focus on teaching proper techniques for increasing resilience in students. In this way they can increase health and make students more satisfied with their lives in both countries that have such low scores on subjective well-being.

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## CHAPTER FOURTEEN

# INCREASING THE QUALITY OF LIFE BY COMBINING THE STATE LAW WITH THE RULES OF MORALITY AND ETHICS

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AND CRISTINA ANCA PĂIUȘESCU<sup>2</sup>

### **Abstract**

The inspiration for legal rules comes mainly from the rules of morality and ethics. An ideal combination of these three types of rules (moral, ethical, legal) increases the quality of people's lives and of Growth of Democracy.

In order to reflect a democracy, it is necessary for state laws to include tradition, morality and ethical rules. These are instinctual rules, all well-known and not disputed by anyone. Individual recipients of legal norms will adapt quickly and easily to rules in these areas. This will increase the quality of social order achieved not through coercion but by people's self conviction. The result is an increase in the quality of democracy of a state law that it is not imposed by force but through recognition; one which it is actually created by their own individuals. People can find their own rules in those enacted by the state.

Keywords: rules, law, moral, deontology, democracy.

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## Ethic and moral rules

Since ancient times, people have been interested in regulating their relations by rules that aim to protect each individual or certain parts of their community (family, tribe, race, people, nation, ethnic group, organization, etc.). Such rules must have certain features, without which their chance of imposition is unlikely:

- ☐ to define, for each and everyone, obligations, prohibitions, permissions
- ☐ to be recognized by all or at least a majority
- ☐ to provide sanctions for enforcing them on a community.

At the level of common sense, morality is often perceived as principles and rules that are designed to stem the “instinct of pleasure.” They say every thing pleasant is either illegal or immoral, and always denied [1]. The most common confusion is usually to identify morality with the rules on sexual conduct. In this respect, morality is: Puritanism, abstinence, sexual prohibitions, virtue understood as sexual virtue (fidelity or abstinence).

At the beginning of their use, the terms “ethics” and “morality” had certain similarities. They come from two different cultures, Ancient Greek and Roman, but their historical becoming has been in a constant process of influence. The term “ethics” is derived from Greek philosophy (gr. *Ethos* = abode, dwelling, habitation and gr. *Ethic* = character), while “moral” comes from Latin (Latin *mores-moralistic* = mos usually custom, habit). Even if the two terms were initially circulated with the same general meaning, modern and contemporary philosophy has separate meanings so that most ethicists consider ethics as a philosophical discipline that studies the moral; the moral signifies an object for ethics, a real phenomenon, collectively and individually, comprising values, principles and standards, assessments and relationships and events subject to specific public exigency and individual consciousness [2].

Adherence to this view was not unanimous, there being among philosophers a stronger affinity to Greek culture, while Roman-area philosophers preferred to interpret the moral science by the term “moral philosophy.” In contemporary philosophy, however, the interpretation of ethics as a science of morality became predominant.

Thus, ethics is the theory of the moral. An ethical approach is to reflect on general principles and to judge in the light of those principles what a person should do, including ourselves, in a particular situation.

## Law and morality

In analysing the relationship between law and morality, one has to start from the premise that the law regulates relationships between social entities (individuals, interest groups, institutions) in order to promote justice and protect their fundamental rights. The law balances the rights and duties in the relationship and properly distributes welfare between people. Therefore, the natural question is—is it moral to obey the law? Is moral law an option? Is the law moral? It is necessary that the law be moral? Is morality a criteria for the validity of the law? Does ethics and it's theories about morality operate in the space of the law? Does law express a social option? Law aims at the common good. Morality is a common good. Does the law meet this objective?

Sometimes, means do not lead to the goal for which they were designed. The force of morality is a self-imposed force by the community members. Public morality is the result of individual exercise of rationalizing the decision in order to optimize their personal benefit. The force of law is the force of rules imposed by authority delegated by the community; it is the force of a rule that became “an order.”

Law is the result of a collective exercise of rationalizing the decision to optimize public benefit. Morality operates in persuasive ways, while the law operates in authoritarian ways.

Even though, unlike morality, the law is concerned with the empirical goals of various legal actions, it is obliged to perform their hierarchy in accordance with the principles of practical reason, which involves, necessarily, its subordination towards morality.

As is well known, the relationship between law and morality is one of the fundamental themes of Neo-Kantian philosophy. Most Neo-Kantians (such as the famous law teacher Mircea Djuvara) have held similar views on the problem of axiological units of law and morality. However, we must always remember that they promoted the idea that there is a particular priority of ethics in relation to the judiciary, which is otherwise supported by Mircea Djuvara [3]. The same position is defined by Giorgiodel Vecchio who, looking at morality and law, says that the first concerns only internal actions, while the second investigates the outward manifestations: “Since moral principles represent exclusively internal regulative principles, based on their being legitimized as a series of personal decisions, one can speak of a certain autonomy of morality. Moral norms are autonomous, precisely because they can set their own position without depending, in this work, on something from outside” [4].

The state of law—as a political institution—is forced to assure the observance of each individual's rights and to contribute to their entering into practice; more precisely, the state has to create simple and efficient mechanisms directed toward a concrete achievement of the fundamental rights [5].

Based on the relationship between law instituted by the state and morality, we can see that social instincts are what differentiate the man from the animal—the fact that he was born with a range of behaviours and has instincts that place moral values and faith first. His instincts are those of justice and injustice, of beauty and ugliness, the instinct of faith (religion) moral instinct or ethics (*homo aeticus*). Therefore, the foundation of a state's law has to be a moral one and legal rules should reflect the unit of instinctual justice and morality of its own people. Otherwise, the right of a state is artificially worthless [3]. The recipients will comply with the laws only through coercion and not by conviction for the general good of its use. When something like this happens, can one talk about real democracy?

## Deontology

The etymology of deontology has largely concerned and preoccupied the authors of encyclopedic and specialized dictionaries. They aim to identify roots and word families formed around it, and in some cases, the exact meaning of the concept. In its essence, deontology is a word formed by composing two segments with distinct identity, first (deontic, deontic-, deonto-, deon-) directing thought to the idea of necessity, need, obligation, which is fitting, and the second (logos) directing to study the idea, science, speech. Thus, in a first approximation, we can say that modern dictionaries, both the Romanian as well as foreign ones, identify deontology as the science (study, speech) on requirements (debts). In the narrow sense, deontology is the set of rules which guide an organization, institution, or part of their profession through professional organizations such as court preparation, implementation and monitoring of the application of these rules [7].

PROFESSIONAL deontology is related to respect and supreme value and the ideal conduct in practicing certain professions; it is about immaterial value, a value that honours those that are dedicated by profession.

Some researchers have tried to summarize some of the professional values specific to certain professions (Airaksinen):

Occupation:	Value:
Lawyer	Justice
Doctor	nurse health
Educator	conduct
Psychologist	autonomy
Social worker	Welfare (assisting those in need)

### **The idea of “justice” and quality of life through democratization**

It is a known fact that morality is more efficient in producing justice. The fundamental concept of law is based on the idea that any act that is contrary to morals cannot produce legal effects and cannot be circumvented by law [3]. Whenever legislation can produce immorality it means that we are certainly confronting a “miscarriage of justice” or a “misinterpretation.”

In its essence, democracy has to represent the manifestation of “the common good.” This means the rule of law within respecting human rights where there is a separation of powers, fundamental rights, freedoms and equality of all individuals. However, all of that should be observed in a state by a set of laws, written or unwritten, enacted by power politics or recognized by it and transformed into legal rules.

Inspiration for legal rules comes mainly from moral and ethics rules. An ideal combination of these three types of rules (moral, ethical, legal) increases the quality of life and growth of democracy.

State law is not only a creation from its institutions for society, but it is formed especially from acquisition procedures established beyond state institutions. The law is also created by society and its members who are in compliance with moral, religious and traditional rules. These rules (moral and religious, etc.) are often observed and respected by the community more thoroughly than any other rule that would say otherwise, i.e. more than any state rule imposed by force of coercion of the state. Therefore, in a democratic state, the law enforced by the authorities has to be one that comes from the people themselves, and include their moral and emotional values in accordance with the general interest of the legal order for “the common good.”

Just as humans are different in their nature, so communities are different in the way they understand and create democratic values; all the democratic regimes are understood by each of their communities in accordance with the values underlying their own legal systems.



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## CHAPTER FIFTEEN

# PROMOTING THE QUALITY OF LIFE: CHALLENGES OF INNOVATIVE MODELS VERSUS PAYMENT POLICIES

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SIMONA MARIA STĂNESCU<sup>2</sup>  
AND MARIANA BĂLAN<sup>3</sup>

### Abstract

This chapter explores the context of being an entrepreneur in Romania from the perspective of social economy organisations and the entrepreneurship profile. The research hypothesis is—the entrepreneurship initiatives are supported within the current state of affairs in the legislative field in terms of methodology; data were collected through screening in-force legislation and institutional framework, quantitative and qualitative methods.

Keywords: Social economy, entrepreneurship.

### Introduction

Current labour market challenges are favourable to valuing the potential of entrepreneurship. The first part of the chapter takes an overview of the historical perspective of social economy organizations in

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Romania wherein entrepreneurship is analysed from a comparative perspective (obstacles and regulations when setting up a social enterprise), and attention is paid to their profile.

## **The Historical Perspective of Social Economy Organizations in Romania**

The development of social economy (SE) in Romania is officially attested since the nineteenth century. The agronomic and manufacturing society (The Scaieni Phalanstery) was one of the first SE organizations officially known in Romania in 1835. From a comparative perspective, mutual societies were the first type of SE organizations regulated in Romania (Project for a Savings and Loan Association in 1845) followed by co-operatives (Trade Code 1887) and associations and foundations (1921). In 1948, the disabled workers cooperatives were established. During the communist period more than 1,000 SE organisations were disbanded mainly due to an ideological perception of SE principles in comparison with communist values [1, p. 34].

Agricultural cooperatives were viewed by the communist regime as a “source to manipulate a fundamentally important resource: food” [2, p. 182]. As an institutional resource and an ideological alternative for peasants, cooperatives threatened “political and economic subordination through Stalinist agriculture cooperatives” [3, pp. 45-46]. Romanian agriculture confronted land fragmentation due to the collectivization process (starting in 1948-1949) and post-communist regulations (starting in 1998). In terms of human resources, from an entrepreneurship point of view, “the newly-emerged class of small-scale farmers—peasants—lacked almost any form of capital—economic, social, cultural or political” [2, p. 189]. As key actors in shaping the local agenda of local development, entrepreneurs, informal and formal leaders, and representatives of public administration were supposed to efficiently and complementarily interact with each other [4, pp.17-19]. On the other hand, formal leaders sometimes lacked the management knowledge and skills needed in their expected capacity “to mobilise community support to encourage entrepreneurship initiatives” [5, p. 100].

The forms of social economy currently recognised at the European level are: cooperatives, mutual societies, foundations, associations and social enterprises. The forms of social economy regulated in Romania are: non-profit organisations, non-profit organisations functioning as mutuals for employees or for pensioners, credit cooperatives, cooperatives of the first degree according with Law 1/2005 on Cooperation (relating to craftsmen, consumers, marketing, agricultural, housing, fishing, transport,

forestry and other forms of cooperatives). Other forms of SE in Romania are: authorized protected units, enterprises—micro enterprises, commercial companies, non-banking financial institutions, authorized self-employed persons, individual enterprises, family businesses, commonage structures [1, pp. 29-30, pp. 45-47], [6, pp. 35-52] and mutual aid associations. The social enterprise is a new form of entrepreneurship [7, p. 15].

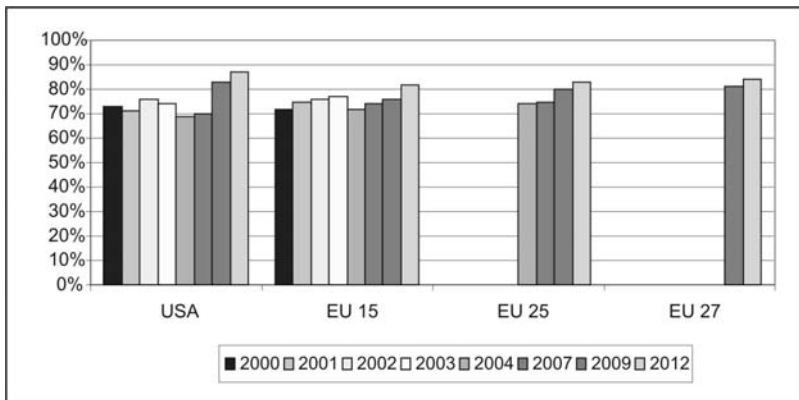
Similar to other post-communist countries, Romania experienced a negative perception in the population of key concepts of social economy (e.g. cooperatives, voluntary work) [1, p. 24] [6, p. 65]. This impact on the configuration of social economy as entrepreneurs could contribute to the “creation of new organizations (...) which occurs as a context-dependent, social and economic process” [8, p. 20].

## Entrepreneurship in Member States

According to the Eurobarometer data, the main obstacles in starting a business are: lack of financial support, complex administrative procedures, and lack of information on how to set up a business [9, pp. 8-9], [10, p. 15] [11, pp. 23-25] [12, pp. 44-47] [13, pp. 51-56] [14, pp. 89-90] [15, pp. 75-78] [16, pp. 77-85].

Lack of financial support is increasingly viewed as an obstacle in both the USA and the EU. Comparatively, 2004 registered lower values while 2012 represented the highest values. Entrepreneurs from twelve new member states perceived a higher portion of the lack of financial support in opening a business in comparison with EU 15.

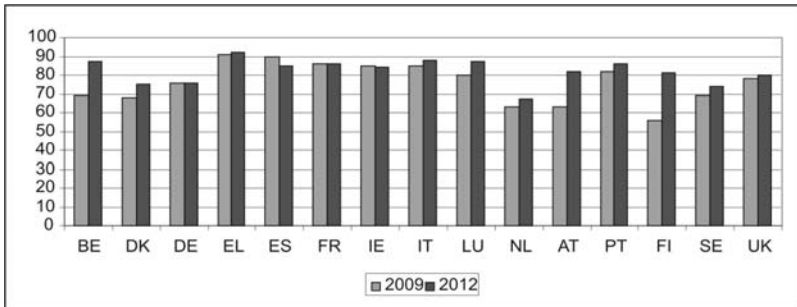
Fig. 15.1. It is difficult to start a business due to lack of financial support?



Source: authors' calculation based on Eurobarometer reports

Taking a closer look at the 15 “old” EU member states, Finland, Austria and the Netherlands are considered as the most friendly environments from the financial start-up support’s point of view. European Nordic countries are potentially more attractive for entrepreneurs than southern ones. In 2009 and 2012, the lack of financial support was perceived at the highest level in Greece while the Netherlands registered the lowest values.

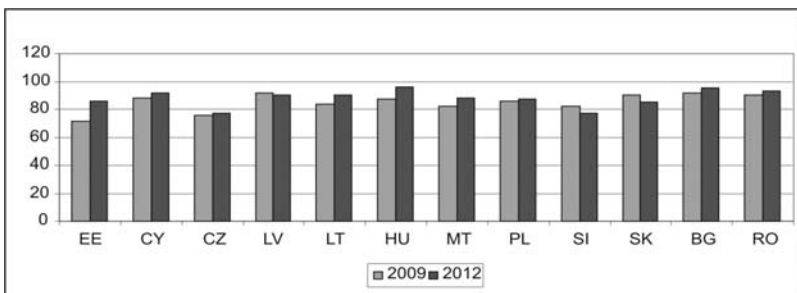
Fig. 15.2. It is difficult to start a business due to lack of financial support? (EU 15)



Source: authors’ calculation based on Eurobarometer reports

Values registered in twelve new member states showed higher values than the EU 15. The most friendly financial start-up environments were considered to be in Estonia (2009), the Czech Republic and Slovenia (2012). At the opposite end, Bulgaria registered the highest values in 2009 and 2012. Comparatively, perceptions of entrepreneurs in Romania show a rather unfavourable financial climate for start-up businesses. Values registered in Romania are only surpassed by Latvia and Bulgaria (2009), and Bulgaria and Hungary (2012).

Fig. 15.3. Is it difficult to start a business due to lack of financial support? (EU 12 new member states)



Source: authors’ calculation based on Eurobarometer reports

Other difficulties confronted in Romania by small and medium enterprises in 2012 were: decrees of domestic demand (61%), bureaucracy (53%), excessive taxation (52%), inflation (50%), corruption (42%), and excessive controls (41%) [17, p.16]. In Romania, as well as in the EU, the numbers of people willing to be employed increased while the number of people willing to be self-employed decreased. Still, values registered in Romania show a pro-entrepreneurship orientation. In 2012, the percentage of Romanians in favour of self-employed positions was higher (47%) than the EU average (37%). At the same time, 47% of Romanians preferred to be employed in comparison with 58% at the EU level. The reasons why Romanians preferred to be self-employed were: personal independence / self-fulfilment, freedom to choose place and time of working and better income prospects [16, pp.4-5].

Despite European interest towards promotion of social economy as innovatory employment, the alternative “appears to be a certain lack of clarity regarding the social economy concept and practice in Romanian legislation” [18, p. 57].

## **Profiles of Entrepreneurs**

Current literature witnesses the move from “Weber’s theory on the origin of the entrepreneurial spirit as a cultural account of individualism” to a sociological perspective [8, p. 41].

Entrepreneurship could be defined from two perspectives: “pre start-up activities if he/she has recently undertaken (over the previous twelve months) any concrete efforts, (such as the development of a business plan, the search for finance, etc.) aimed at starting a business without receiving any monetary reward for this activity,” and “those individuals who are owner or co-owner of a business that has been operating in the market for a period of no more than 24 months” [19, p. 5]. An entrepreneur is able to see an opportunity and fruitfully transform it into a business by creating new values [17, p. 21] [20, p. 174] [22, p. 4]. Other different approaches to entrepreneurship are: “the supply-side school focuses on the availability of suitable individuals to occupy entrepreneurial roles; the demand-side, on the number and nature of the entrepreneurial roles that need to be filled” [8, p. 20].

In Romanian literature, the concept of entrepreneurship is the subject of recent analysis and recognition [23, p. 54]. Current Romanian statistics continue to not show in-depth information on transition from school to labour market, especially in the profiles of jobs for young workers [24, p. 7].

Comparing the situation of peasant cooperation in Romania with Serbia and Bulgaria, Sljukic emphasises the key role played by human resources in agriculture:

the situation of agriculture co-operatives as one of the indicators of modernization of agriculture in Romania does not promise much ... The process of transformation of peasants into farmers reflects the development of co-operatives structures: due to specific class alliances, the emergences of a farming middle class has been prevented, or at best postponed ... having no farmers or agriculture co-operatives simply implies that there will be no modernization of agriculture, and, in the end, no modern society” [2, p. 202].

Sixty percent of people living in rural areas are working in agriculture, especially subsistence agriculture [25, p. 87]. In these conditions, investment in rural human capital alongside adopting strategic decisions on supporting and promoting agriculture cooperatives, private and public rural investments, public administration reinforcement, access to infrastructure, and technical assistance could support the sustainable development of rural areas, including improvement of life conditions [2, p. 203] [5, pp. 99, 101] [25, p. 87].

Social entrepreneurship is “a global phenomenon focuse[d] on social innovation and involvement of citizens towards searching and finding solutions for social problems” [20, p. 153].

Workers from social enterprises are strongly motivated to contribute to change by answering social needs and sharing social benefits with the members of communities [26, p. 135]. Taking into consideration the understating of a community as the “high probability of values unity between its members” [4, p. 30], an entrepreneur could play a key role in answering community’s needs. Social entrepreneurship could support the labour insertion of vulnerable groups [27, p. 94].

The profile of entrepreneurs from small and medium enterprises in Romania include, as the main socio-demographic characteristics: 35-45 years (36%), men (66%), married (77%) with children (70%). They have technical educational profiles (40%) as university and post-university graduates (60%). In terms of work experience, the biggest percentages are shared by the under five years old (27%) and those between 15-20 (26%). Young entrepreneurs are rare (4%). Only 2% graduated elementary school (eight classes). Entrepreneurs with more than twenty years of experience represent only 3% [21, pp. 21, 26].

## Romanian Regulations for Setting up a Social Enterprise

According to the main regulations for setting up a social enterprise in Romania, the establishment of associations and foundations implies a less bureaucratic procedure. The establishment of a credit cooperative implies submission of additional specific documents. From the activity point of view, cooperatives present a larger option to include various domains while mutual societies (especially for retired people) have strict delimitations [28, pp.119-120].

In terms of start-up human resources, two characteristics are envisaged: minimum age and physical capacity of judgement. For age the lowest limit is 14 in the case of association and foundations. The only restriction due to psychical capacity is mentioned in the case of credit cooperatives. In the case of associations and foundations, people under interdiction cannot become associated [29].

**Table 15.1. Regulations for social enterprises in Romania regarding domain of activity**

No.	Description	COOP	Credit COOP	Association	Foundations
1.	Any activity according with CAEN	x			
2.	Credit / Financial		x		
3.	Activity of general interest, a collective interest, or personal non patrimonial purposes of associated persons. No economic main activity. Secondary economic activities as financial support for main objective.			x	
4.	Activity of general interest, a collective interest. No economic main activity. Secondary economic activities as financial support for main objective.				x

Source: Current legislation [28, pp. 119, 120]

Establishment of a cooperative implies the smallest start-up social capital, and foundations the opposite.



**Table 15.2. Regulations for social enterprises in Romania regarding minimum number of start-up members**

No.	Description	COOP	Credit COOP	Association	Foundations
1.	Any person over 16 years	5			
2.	Any person with full capacity		1000		
3.	Any person over 14 years			3	3

Source: Current legislation, [28, p. 39, p. 62, p. 77, p. 93]

**Table 15.3. Regulations for social enterprises in Romania regarding social capital**

No.	Description	COOP	Credit COOP	Association	Foundations
1.	Minimum start-up capital	500 lei	5 milion euro		
2.	Minimum monthly subscription of members	10 lei			
3.	The equivalent of a minimum salary per economy			750 lei (2013)	
4.	The equivalent of 100 minimum salary per economy				75000 lei (2013)

Source: Current legislation, [28, pp. 120-121]

Cooperatives, credit cooperatives and associations have similar organisational structures. Management Council only function within foundations which exceptionally represent a form of SE at both European and national levels.

**Table 15.4. Regulations for social enterprises in Romania regarding organizational structure**

No.	Description	COOP	Credit COOP	Association	Foundations
1.	General Assembly	x	x	x	
2.	Management Council				x
3.	Administrative Board	x	x	x	
4.	President	x			
5.	Executive Director	x			
6.	Censors	x <sup>4</sup>		x <sup>5</sup>	x

Source Current legislation, [28, pp. 51-56; pp. 73-75; pp. 100-102; p. 109; p. 114 ]

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<sup>4</sup> The number of censors is 3.

<sup>5</sup> Commission of censors.

## Conclusions

SE organisations have existed in Romania since the nineteenth century. The entrepreneurship tradition was interrupted by the communist regime for ideological reasons. As an impact, after more than two decades of democracy, some Romanian SE related terms still have negative connotations (cooperative, voluntary work). From a comparative perspective, Romania is one of the countries where lack of financial support is strongly perceived as an obstacle. Perceptions of Romanian entrepreneurs and their profiles reflect a constant will to be self-employed rather than employed. The development of entrepreneurship initiatives through a national SE strategy would support innovatory answers to current labour challenges and the accomplishment of Romania's responsibility as a member state.

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## **PART III**

### **ASPECTS OF HAPPINESS AND QUALITY OF LIFE**

## CHAPTER SIXTEEN

# ELITIST OR INTEGRATIVE EDUCATIONAL SYSTEMS? OPINIONS AMONG STUDENTS FROM THE HUNGARY-ROMANIA CROSS-BORDER AREA

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### **Abstract**

Accessibility and massification of education systems and the effects of educational participation are highly researched issues among sociologists. The stratification found in educational systems is a problem that must be treated both in terms of educational policies and strategies developed at European level and in terms of the individuals directly involved in the educational process. This chapter turns to students' opinions about accessibility and the final purposes of educational participation. Using data from a survey conducted in a cross-border area, we identified the main characteristics of students who support the promotion of elitist educational systems and those who are oriented toward an integrative system. Our main results show that previous academic careers and also the future designs of students' academic paths are highly correlated with their value orientation regarding an elitist or integrative educational system.

**Keywords:** Educational inequalities, elite educational systems, integrative educational systems, academic careers.

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## Values and Social Inequality in Higher Education

Our analysis is part of a broader HERD financed study concerning the influence of higher education on social cohesion in the cross-border area between Bihor County (Romania) and Hajdu-Bihar County (Hungary). The problem of social cohesion is closely related to inequality, in our particular case academic inequality.

Our main goal in this study is to understand the influences of value orientations towards the education of the students regarding their integration in higher education. The underlying issue in this relation is academic inequality determined by the academic integration of students. We consider that value orientations towards education play an important role in educational stratification in higher education.

One of the main theses in the sociological literature concerning the relation between educational systems and social inequality is that higher education is the main social differentiator in modern, open societies, an important factor generating social inequality [1]. There are two main social mechanisms regarding higher education which contribute towards social inequality:

- (a) An external stratification mechanism, that contains aspects such as institutional prestige, which is associated with educational conditions and positioning on the labour market.
- (b) An internal stratification mechanism in academic organizations that is more related to the interaction between cultural capital and pedagogic communication [2]. This social mechanism generates the different positioning of student groups inside the academic institution in relation to their colleagues.

At the beginning, we have to define academic inequality that fits with our purpose and the value orientations involved. The concept of social inequality is difficult to define, mostly because of the ideological character of the concept. The materialistic view on inequality, endorsed by thinkers such as Nagel and Dworkin, is that equality means equal treatment and access to resources, and the associated social processes regarding the distribution of wealth are basically ideological in nature [3]. From this perspective we can draw two conclusions relevant for the present study: first, we have to understand the value orientations associated with the concept of equality, and, secondly, we have to adjust them, taking into account the ideological factor involved in social stratification.

The proportional model of inequality, instigated by Aristotle [4] and later developed by thinkers from the utilitarian school, considers that

individuals (and groups) have to receive from society an amount equal to their effort. The value system associated with this view is meritocracy, an ideology embraced by modern democracies and market economies. Regarding higher education, this value system encourages the distribution of educational rewards towards exceptionally talented or economically capable individuals. The closest educational model to this vision is the American higher educational system [5], which is formed by elite institutions, access to which is granted for the exceptionally talented and the wealthy only, and mediocre institutions which are more socially inclusive. This type of segregation between academic institutions developed after the “massification” of the higher educational system [6] [7], a process that evolved rapidly in Romania after 1989, similar to other eastern European countries such as Poland [8]. Generally, the academic institutions that were functioning before the “massification” process began were elite institutions and remained that way. In our sample we have three types of universities: two from Romania and one from Hungary. The University of Oradea, Romania is a public university that has privately founded places and is regarded as a less prestigious institution compared to older institutions that functioned before 1989, under the communist political regime. The other academic institution from Romania, which is part of our sample, is the Partium Christian University, a privately founded university of Hungarian language learning. Both institutions are considered to be “centred on education” and less selective compared to the elite institutions considered to be “centred on education and research.” The University of Debrecen, Hungary, is an elite institution with a great tradition, but the increase in the number of students that came along with “massification” may have altered some of the elite status of the institution.

The ideological model of inequality considers education to be a universal right affirmed by ideological statements such as the “Universal Declaration of Human Rights” [9], and considers the elitism contained by the meritocratic model an ideological instrument for the already favoured to maintain their privileges [1]. In the sociological literature concerning the subject there are some views that the massification of higher education did not change much in the relative positions of those favoured, compared with the more disadvantaged. The segregation of higher educational institutions into elite and mediocre ones and the changes determined to the labour market by the massification of higher education maintained and, in some cases, worsened the social position of disadvantaged groups [11]. This ideological model is associated with a socially inclusive value system that favours more equality in access to higher education and encourages the welfare aspects of the system.



In Romania, the dominant ideological model is the inclusive model that views the continuing of studies as a universal right and as a welfare question, partially explainable by the heritage of the communist welfare system. Of course, there are some groups in Romania that reject the welfare status of higher education and try to increase the selectivity of the system, an aspect underlined by the recently-adopted new law on education.

The second mechanism that generates inequality is internal to the academic institutions and is formed by the interactions between student social capital and pedagogic communication [2]. This mechanism creates an internal stratification of academic institutions and determines the access of the student to academic resources of leaning, research, recreational facilities or employment opportunities. This type of stratification is mainly determined by the difference between the student habitus and the institutional habitus which generates communicational difficulties, sometimes based on prejudice. Students from rural areas or ethnic minorities, such as the Roma, with a markedly different habitus from what is expected institutionally, have difficulties in academic integration.

Both inequality mechanisms in higher education are partially driven by the student's dominant value orientation towards education, which partially determines their selection of universities, faculties and specializations, and determines their integration path in higher education. The meritocratic value system implies an "elitist" attitude regarding higher education, a dominant value orientation which considers that only the most talented students can continue their studies at the university level or in the better universities. We expect that, corresponding to this view, higher education is associated by students with high intellectual performance, with research and with their specialization. The elitist attitude is associated with social status when the student expects a higher social status in line with their parents. There is another form of elitism associated with good educational results prior to access to universities and is not necessarily associated with parents' statuses. The opposite value orientation is an integrative attitude that favours social inclusion rather than elitist goals regarding educational performance. We assume that this type of student is less involved with their studies, less engaged in research activities and generally less integrated academically. Their main goal is to attain a diploma that elevates their status, at least symbolically, being more preoccupied by their welfare status during studies and the job alternatives after graduation that do not necessarily involve their specialization. They are more permissive towards educational standards and do not perceive

their participation in higher education as high level professionalization, but more as a delay in facing the job market.

## **Research Methodology**

### **Research Objectives**

Analyses presented in this chapter aim to achieve the following objectives:

- (a) presentation of students' profiles based on their orientation towards an elitist or an integrative educational system
- (b) description of students' previous academic paths according to their value orientation
- (c) investigation of students' academic integration and their value orientation.

Our approach is based on data obtained in a survey conducted within the project *HERD: Higher Education for Social Cohesion Cooperative Research and Development in a Cross-border Area* (HURO/0901/253/2.2.2.), a research project supported by the European Union European Regional Development Fund. Questionnaires were addressed to students from the universities in the Romania-Hungary cross-border area; data collection was organized between March and June 2012. The final sample consists of 2,619 cases—1,296 from Hungary and 1,323 from Romania. The sample is representative for students from all educational levels and study programs.

### **Data and Methods**

In this chapter we aimed to investigate issues related to the value orientations of students. Using the results obtained for a scale that refers to accessibility and finalities of educational systems, we computed two scores referring to students' orientation toward an elitist educational system and their orientation toward an integrative educational system.

Table 16.1 below presents the results obtained for each item of our scale, with mean values on a scale from 1 to 4, where 1 represents total disagreement and 4 represent total agreement:

**Table. 16.1. Mean values for items of scale regarding finalities and accessibility of educational systems**

<b>To what extent do you agree with the following statements about higher education</b>	<i>Mean values</i>
Today, most specializations and university programs are unnecessary	2.26
The most important criteria for choosing a specialization is the salary that can be obtained	2.49
Specializations whose graduates do not find jobs quickly should be closed	2.42
In university students should mainly learn things that they will use at the workplace	3.55
There should be an increase in the number of scholarships for poor students	3.26
All high school graduates should have a chance to finish college	2.90
These days it is too expensive to be a student	3.07
Teachers have exaggerated claims from their students	2.48
I like students that encourage the less gifted students to learn	3.38
The state should provide jobs for all university graduates	3.53
I like demanding teachers, as only well-prepared students pass their exams	2.48
A good student should read more books outside of courses to pass exams	2.85
Universities should train real intellectuals	2.99
Only the most talented high school graduates should be admitted to university	2.42

Initially, the scale consisted of 20 items, but reliability analyses showed relevance for 14 items. We conducted a factor analysis using the Principal Component extraction method and the Varimax with Kaiser Normalization rotation method. The analysis revealed three dimensions, with the following percentages of the variance explained: 17.63 for the first component, 15.33 for the second and 15.01 for the third. In our further analyses we used the first two factors, one referring to students' orientation toward an elitist educational system (only the most talented high school graduates should be admitted to university; Universities should train real intellectuals; A good student should read more books outside of courses to pass exams; I like demanding teachers, only well prepared students should pass their exams), and one referring to students' orientation toward an integrative educational system (the state should provide jobs for all university graduates; I like students that encourage the less gifted students; These days it is too expensive to be a student; All high

school graduates should have a chance to finish college; There should be an increase in the number of scholarships for poor students; Students should learn mainly things that they will use in the workplace).

Fig. 16.1. Distribution of Elitist educational system scores

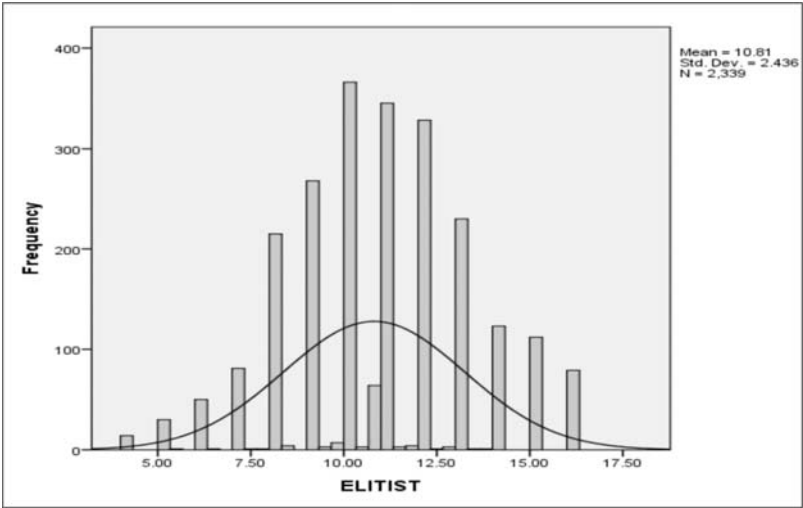
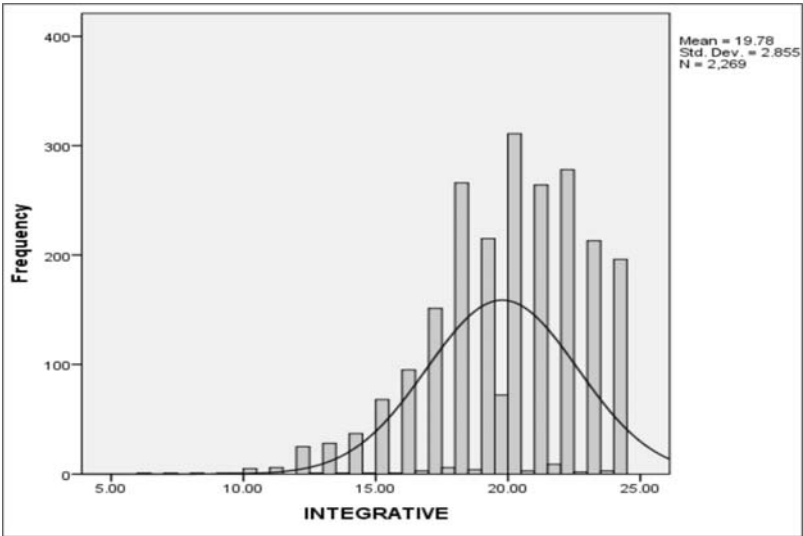


Fig. 16.2. Distribution of Integrative educational system scores



## **Working hypotheses**

Our analysis is guided by the following hypotheses:

- students who value an elitist educational system have a better previous academic path, according to their diplomas and awards
- gifted students, in terms of their socio-economic capital, are more oriented toward an elitist system
- students who appreciate an elitist system are better integrated in the academic field, achieve more and have better academic engagement scores.

## **Results and Discussions**

### **Characteristics of elitist/integrative students**

In the following we pursued the analysis of various characteristics of students in order to shape a profile of those who value an elitist educational system and for those who are oriented towards an integrated educational system.

The survey was addressed to students in the cross border area, and therefore we focused on capturing differences and similarities recorded between the two countries. Regarding our subject, analysis revealed significant differences between the two countries in the case of those students who value an integrative educational system. An open and accessible educational system is preferred by students at universities in Romania. The mean value of the integrative score is 19.91 in the case of the Romanian sample, compared to 19.64, the value obtained in Hungary (for  $t=-2.21$ ,  $p<.005$ ). Therefore, we assert that the socio-economic development of the country has an important role in shaping students' value orientations. Even though educational attainment is lower in Romania compared to values recorded at the European level, Romanian students sustain an open educational system that is addressed to a large number of individuals, seen as a mechanism that contributes to the achievement of an advantageous social position. In this case, the state should ensure access to education for all social categories, and moreover it should encourage the participation of disadvantaged categories through several procedures: lowering student fees, increasing the number of social scholarships, and increasing the number of free-of-charge places available. Our results are consistent with previous data suggesting that higher education institutions in Romania are improving the access of students from lower classes [13].

Values recorded for each university or college included in the sample are presented in Table 16.2 below. As we can see, there are no great differences between each educational institution, but we observe that the highest values for the elitist score are found in the case of the large, public universities (from Oradea and Debrecen). Also, we have to point out the fact that in the case of the integrative score the situation is different, and there are quite large differences between the two public universities. The higher value of the integrative score is found in the case of the University of Oradea, so while students from the University of Debrecen are rather elitist, students from the University of Oradea are both elitist and integrative.

**Table 16.2. Elitist/Integrative mean values recorded for each university/college**

Country	University	ELITIST score	INTEGRATIVE score
Hungary	University of Debrecen	10.86	19.57
	Nyiregyhaza College	10.29	20.18
	Debrecen Reformed College	10.40	20.05
	University of Oradea	10.91	20.13
Romania	Partium Christian University	10.85	19.51
	Emanuel University	10.55	20.05
	Babes Bolyai University branch in Satu Mare	10.69	19.79

Regarding the field of study in which students are enrolled, we can observe, in the case of the elitist scores, that there are high differences between arts and humanities and sports and physical education. Also in the case of integrative score, students from agricultural and environmental studies are more open to an integrative educational system than those from architecture and construction. These values can be explained according to different levels of prestige of study programs.

**Table 16.3. Elitist/Integrative scores mean values recorded for fields of study**

<b>Field of study</b>	<b>ELITIST score</b>	<b>INTEGRATIVE score</b>
Arts and humanities (history, philosophy, theology)	11.46	19.99
Health sciences (medicine, pharmacy)	10.99	19.92
Social sciences (sociology, political sciences, social work, psychology etc.)	10.24	19.89
Economy and business administration	10.63	19.33
Law and public administration	11.14	20.11
Natural sciences (biology, chemistry, mathematics, informatics, physics, geography)	10.59	19.66
Architecture and construction	11.31	19.24
Education and physical education	10.31	19.93
Agricultural and environmental studies	10.72	20.26
Engineering	10.43	19.76

As we can see in the figures below, there are significant differences between BA students and MA students in terms of their added value to the educational systems. Students who follow master programs appreciate an elitist system, and undergraduate students are oriented more toward an integrative system. Differences are significant for  $t=-3.05$ ,  $p<.005$  in the case of the elitist score, and  $t=2.09$ ,  $p<.005$  for the integrative score. In terms of the objectives underlying the Bologna process, the BA studies have greater accessibility, while the master programs imply more specialized, focused and deeper knowledge and skills acquired during BA training. In this context, master programs have a narrower and more elitist target audience.

Tests showed significant differences in the case of the elitist score for students who pay for tuition. Results suggest that those students who don't have to pay for their studies are more oriented toward an elitist educational system (the mean value for the elitist score is 10.91 for students who don't pay tuition, compared to 10.56 for those who do pay tuition, significant for  $t=3.08$ ,  $p<.005$ ). The free-of-charge positions in the university are mainly occupied by those students who have higher academic achievements, because rankings are usually made according to school results and the top

positions have no fees, so these top students value the education systems that promote elitist selection and transition to higher level criteria.

Fig. 16.3. Elitist score mean values recorded for BA and MA studies

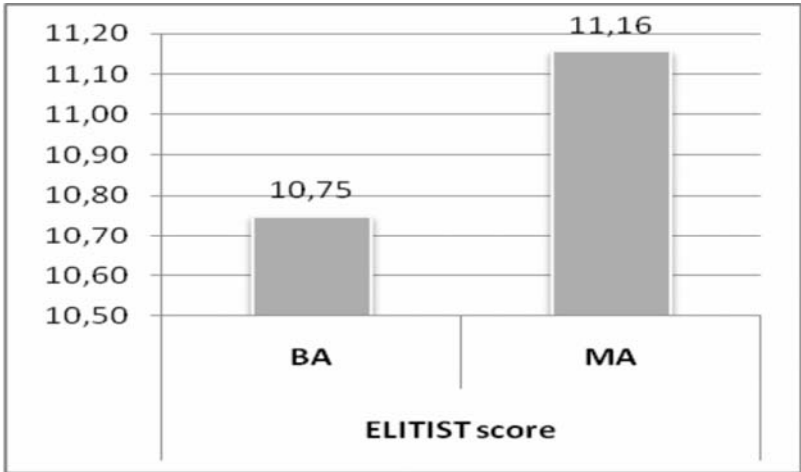
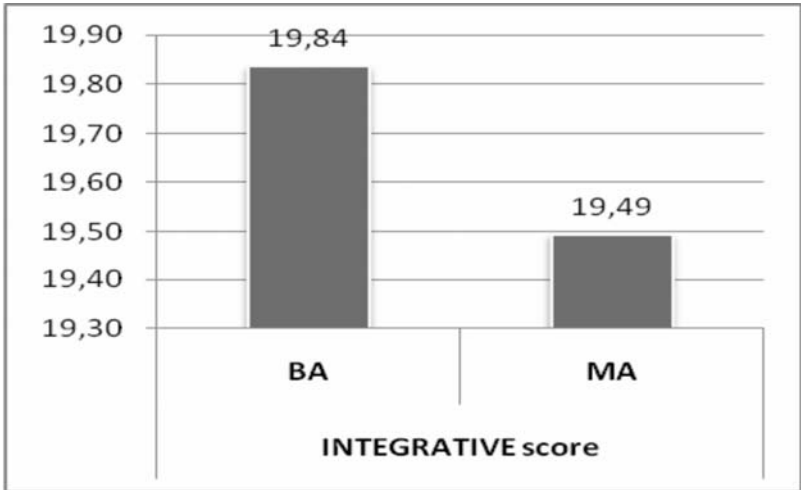


Fig. 16.4. Integrative scores mean values recorded for BA and MA studies



Consistent with the above statement, results also show differences in the cases of students who have scholarships. Considered the top students, members of this category are oriented towards an elitist educational



system (mean value for the elitist score is 11.31 for students with scholarships, compared with 10.59, the value recorded for students who don't have scholarships ( $t=-5.7$ ,  $p=.000$ ). Even though the relationship is not significant, we mention that in the case of the integrative score the value is lower in the case of students with scholarships. Therefore, results suggest that those students without scholarships, who are more numerous than those with scholarships, and free of charge students prefer a more integrative system that is addressed to a large number of young people.

Further, we present the results regarding some socio-demographic characteristics of students.

Gender differences are found in the case of the integrative score, which suggest that females are more oriented toward an integrative system (the mean value for females is 19.92, compared to 19.51 for males,  $t=-3.3$ ,  $p<.005$ ). Results can be read in terms of the differences in access to education between the two populations. A history of exclusion of women from education and implicitly from the labour market can explain the more permissive attitudes of women.

Regarding student age, the positive correlation coefficient obtained for the elitist score indicates that older students are more oriented toward an elitist system, while the negative coefficient obtained for the integrative score indicates that younger students prefer an accessible system. Results are consistent with our previous data regarding academic cycles, so students from master programs, and older students who have already received a diploma, prefer a more exclusivist, intellectual-oriented system.

**Table 16.4. Correlation between the elitist/integrative scores and student age**

<b>Students age</b> ( <i>Pearson Correlation coefficients for <math>p = .000</math></i> )	
ELITIST score	.074**
INTEGRATIVE score	-.091**

Regarding the educational capital of family of origin, analysis shows a significant relationship only in the case of fathers' years of schooling with the elitist score. The positive Pearson correlation coefficient (0.74) indicates that students from educated families appreciate elitist educational systems. The results support the thesis of social structure reproduction, where increased capital (material, educational, social) in the family shapes children's future designs for similar trajectories that can be achieved through an elitist system. The desire to secure their socially advantageous

positions is built according to the transmission of status culture, and therefore the value system has a fundamental role. We found similar results in the case of the household endowment as an indicator of socio-economic status of the family. We computed a score by summing positive responses on items that are found in the parent’s household (Cronbach alpha above .700). The results show that students who come from high socio-economic status families are oriented toward an elitist educational system, and those less gifted, in the sense of material capital, prefer a more integrative system:

**Table 16.5. Correlation between the elitist/integrative scores and household endowment score**

<b>Household endowment</b> <i>(Pearson Correlation coefficients for <math>p &lt; .005</math>)</i>	
ELITIST score	.063**
INTEGRATIVE score	-.079**

**Academic capital and value orientation**

We now turn to students’ previous academic paths. We consider that a successful academic past will encourage students to develop similar attitudes toward the educational system during their university studies, to engage in learning activities and to appreciate an academically demanding system. We used two indicators for students’ academic achievements: awards received during their 9-12 grade education and previous higher education diplomas received.

To compute the previous awards indicator we summed positive responses to the following items: awards for school achievements, awards for Olympics, awards for artistic and sport achievements. The positive correlation between this indicator and the elitist score (Pearson correlation coefficient = .061,  $p < .005$ ) sustains our previous statement, according to which successful students continue to have high standards during their higher education studies, valuing an elitist system.

We found similar results in the case of our second indicator. We summed the positive responses of students who acquired BA, MA or other continuous professional training diplomas in the past. The positive Pearson correlation coefficient (.125 for  $p = .000$ ) between this indicator and the elitist score suggests that students with longer academic paths, who already own academic capital, appreciate an elitist educational system more.

## **Academic integration and value orientation**

In our approach we also focused on students' current academic achievements in order to investigate the differences between top students and their peers in term of their value orientation.

For the measurement of academic engagement we used a summative scale. The scale had 4 answer items, from Never (1) to Very often (4). We conducted a factor analysis using the Principal Component extraction method and the Varimax with Kaiser Normalization rotation method. The analysis revealed four dimensions, with the following percentages of the variance explained: 19.8 for the first dimension, 19.2 for the second, 12.8 for the third and 11.7 for the last. The first dimension refers to the counselling part of the academic activities (I discussed my grades and homework with a teacher, I discussed my career plans with a teacher or counsellor, I discussed ideas about readings or classes with teachers outside class, I received written or verbal feedback), and the second refers to active class participation items (I raised questions or participated in discussions in courses and seminars, I did a presentation in class, We prepared two or more drafts of a paper before I finished it, I worked for a project or a paper that required integrating ideas and information from various sources). The last two components refer to collaboration with minority students and to the cohesion of the student group. In the present study we used the score on active class participation, which has a normal distribution, with a mean value of 12.1, standard deviation 3.28, and a score on mentoring (mean value 7.19, standard deviation 2.53). Both scores have good reliability (Cronbach alpha above .700).

Regarding academic performance, we analysed the results for a Yes-No scale. Questions referred to students' research interests, their academic awards, scholarship, language certificate, etc. We used factor analysis, selecting the Principal Component extraction method and the Varimax rotation method. Results showed three dimensions and in our analysis we used the first that explains 19.73% of the total variance. The score refers to student research performance (I have my own research theme that interests me, I attended a student/general scientific conference with a paper or a poster, I have published at least one scientific article). The Cronbach alpha of this scale is above .700.

Analyses revealed high positive correlation coefficients in the case of all three indicators used for the student's current academic situation. These results show that top students value an elitist system more, where the efforts to achieve outstanding results are appreciated and encouraged by limiting wide access to the benefits of the higher education system and higher education outcomes.

**Table 16.6. Correlations between Elitist/Integrative scores and academic engagement and achievement scores**

	ELITIST score (Pearson Correlation coefficients for $p=000$ )
Participative academic engagement	.194**
Mentoring academic engagement	.174**
Research academic performance	.182**

## Conclusion

From the perspective of the massification of education, the discussion about inequalities found in educational systems and about the inequalities produced is meaningful. Stratification found at all levels of education does not remain indifferent to the system of values of individuals placed at these levels. Although most educational policies focus on promoting equal educational opportunity and increased access to education for all individuals, these individuals themselves are agents for increasing or decreasing the appearance or reproduction of social inequalities.

The value orientation of students is shaped by their previous academic paths, but they are also found in how they design their current and future academic careers. Students from rich families in terms of their material, educational and social capitals, through the mechanism for transmission of status culture, are projecting successful academic careers, promoted in an elitist and rather selective system. Successful academic and professional careers are characteristic of top students, and these top students are considered the “elite.”

In our approach we outlined a profile of elitist students—those who value an elitist educational system. These students are top, free-of-charge students who have scholarships and have completed previous academic study programs, with high levels of academic engagement and great school achievements. They are the ones who appreciate the value of a less open system.

In the case of those students who appreciate an integrative educational system, these are students at the beginning of their academic career, young students, at the BA cycle, from poor families, tuition payers; those who, due to poor school outcomes, have low access to scholarships. These students see the educational system as an open one, a system able to

integrate most individuals, wherever they come from, providing better chances for all high school graduates.

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## CHAPTER SEVENTEEN

# THE ROLE OF PUBLIC AUTHORITIES IN THE CONSERVATION, MANAGEMENT AND EXPLOITATION OF CULTURAL HERITAGE IN THE REPUBLIC OF MOLDOVA

GHEORGHE GUȚU<sup>1</sup>

### **Abstract**

The cultural heritage of a country includes all traces of human activity discovered in the environment. They are irreplaceable sources of information about people's lives, occupations in different eras, artistic development and technical skills over time. Cultural heritage is a fragile and limited resource. It is threatened with deterioration or loss not only because of time but also because of the economic and political changes in recent years in Moldova.

A structured and coherent activity of the state authorities and a protectionist intervention of the civil society are required for an effective management of cultural heritage. Therefore, the central public administration and local authorities have an important role in the conservation, management and exploitation of the cultural heritage of the Republic of Moldova, and its perpetuation and unity depend on their actions.

**Keywords:** Heritage, culture, administration, management, exploitation, conservation.

For the effective management of cultural heritage a structured and coherent activity of state authorities and the protectionist intervention of civil society are required. For this reason, both public authorities as well as

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civil society have an important role in the conservation, management and exploitation of cultural heritage in the Republic of Moldova, and its unity and perpetuation depend on their actions.

The Parliament of Moldova has adopted laws in the sphere of culture and cultural heritage whose projects are elaborated by the Ministry of Culture in collaboration with the Parliamentary Commission for Culture, Science, Education and Mass-media. Finally, the Parliament approves the budget for culture, including resources allocated for the administration of cultural heritage, which went through the following decision levels: the proposals of the institutions of cultural heritage subordinated by the Ministry; the elaboration of the project by the Ministry of Culture; inter-ministerial coordination and their presentation to the government, where the project is included in the national budget and presented to the Parliament. The most important cultural activities require coordination with the Presidential advisory structures, and sometimes with the President personally.

In the Autumn of 2010, after repeated parliamentary elections and a political crisis, a coalition government was re-established after the July 2009 elections. The new government has submitted The Program Activity "European Integration: Freedom, Democracy, Welfare" that ensures the framework for government policy of the Republic of Moldova for the 2011-2014 period, and in which a government goal in the sphere of cultural heritage is traced: promoting the national cultural values as a component part of European cultural heritage; carrying concrete actions, including the protection and integration of the national cultural heritage into the European cultural values by providing a strategic vision on the development of culture for a medium term; the insurance of the rehabilitation and maintenance of the historical and cultural objectives based on public-private partnerships and the digitization of the cultural heritage of the Republic of Moldova; developing the legal framework relating to the protection, conservation and enhancement of monuments of culture, history and archaeology, as well as encouraging the active involvement of individuals and businesses in the preservation and development of national cultural heritage; the elaboration of a unique strategy for the development of the culture and protection of the national cultural heritage, which will include a program of restoration and capitalization of the monuments of culture and history, supporting the cultural establishments and infrastructure rehabilitation connected to the economic, social, educational and urban development programs; improving the management capacities of national cultural heritage by creating adequate management; preservation and use of cultural resources

inclusively by providing a framework for effective collaboration between public institutions, cultural organizations, NGOs and local government for promoting, preserving, presenting and studying cultural heritage [1].

We consider the fact of acknowledging the importance of cultural heritage and the necessity of taking measures to manage it as positive factors, but we believe that, taking into account the deplorable state of the cultural heritage of the Republic of Moldova, these actions are insufficient to overcome the shortcomings in the domain, which is why the governmental programs and policies should pay more attention in terms of removing the shortcomings of the culture in general, and especially of the cultural heritage in particular.

The policy promoted by the government in this area is implemented through the specialized central public administration institution, the Ministry of Culture, which promotes the state policy in the field of culture and art. The following are the functions of the ministry aimed directly at the national cultural heritage: ensuring the conditions for the protection and conservation of national cultural heritage, restoration of architectural ensembles, monuments and historical sites, and investigation and exploitation of archaeological monuments; establishing legal norms and methodologies concerning the export and import of cultural values and their authorization; revitalizing and consolidating the specific local customs and traditions, encouraging the revival and development of traditional handicraft industries; monitoring the implementation of international treaties and intergovernmental agreements in the field of culture (and cultural heritage respectively) [2].

We will also refer to the Activity Plan of the Ministry for 2011, which we have analyzed and noticed that for the respective year a series of important actions related to cultural heritage were proposed which consisted of elaboration of the national strategy in the field of cultural heritage, and which we consider to be of great value because if this strategy is finalized and implemented it will give high priority to the correct management of cultural resources, including the museum collections, archives, sites and landscapes, and will draw attention to administration and use of cultural heritage in a sustainable and balanced manner regarding the patrimonial inheritance intended for the future generation, and also the elaboration of the state program concerning the safeguarding of cultural heritage, which will establish concrete measures of protection in the field [3].

Among other planned actions, also important are the development and the approval of the digitization of the national cultural heritage and the creation of databases for e-heritage and e-culture, as well as the



development and approval of the state program regarding the promotion of material and immaterial cultural heritage of the Republic of Moldova in the UNESCO World Heritage List etc. [4].

These actions are some exceedingly necessary initiatives in this area for Moldova and we tend to be very optimistic that they will be realized in the near future.

Within the ministry are such activates as the Cultural Heritage and Visual Arts Directorate, which directly operates in this area and is aimed at the organization and implementation of the cultural strategies and policies related to the protection of mobile and immobile national cultural heritage and visual arts, the support and development of cultural heritage, perfecting the legislative framework for these areas and their harmonization with the *acquis communautaire*, and the promotion of cultural-historical values both nationally and internationally. The Cultural Heritage and Visual Arts Directorate also coordinates the evidence, conservation, endorsement and enhancement of cultural heritage in Moldova, manages the archives and registries which refer to the protection of monuments, organizes the impact study of urban transformations and spatial territory on the monuments of archaeology, and supervises the archaeological excavations. The specialists from the directorate offer various advisory and consultancy services relating to cultural heritage issues for managers from central and local public administration authorities, and for professionals, researchers, students, etc.

The Inspection Restoration of Monuments Agency is another institution subordinated to the Ministry of Culture, specializing in the protection of immovable cultural heritage. The agency was constituted on the basis of Government Decision 1114 from September 2006 [5] and operates in accordance with current legislation and its own governing rules. The basic functions of the Inspection and Restoration of Monuments Agency are the monitoring of the process of application of the national legislation, conventions and recommendations of UNESCO and the Council of Europe regarding the protection, conservation and exploitation of historical monuments; controlling the activities related to the safeguarding and exploitation of immobile cultural heritage; and establishing the priority directions in this field, etc. [6].

We observe the existence of some central structures in the field of efficient administration of the national cultural heritage which are empowered with legal levers of action, assuming the responsibility of maintaining the integrity of the cultural heritage of the Republic of Moldova.

Regarding the attributions of local public administration authorities in the field of management and enhancement of cultural heritage, we refer to Art. 14 from the Law regarding local public administration, which provides that: “the local council administrates the possessions of the public and private domain of the village (commune), town (city)” [7]. Concluding that cultural heritage is a part of the public domain both in the state and administrative-territorial units, we deduce that the local public administration authorities administrate the local as well as national cultural heritages if they are within the respective unit and if they are included in the register of monuments protected by the state (or other registers of national value). Also, with reference to the attributions of local public administration authorities we refer to, art. 9, letter. (F) of the Law concerning environmental protection specifies that the local authorities declare the natural monuments of ecological and landscape interest of the district and municipality as protected areas. Furthermore, in art. 46, letter. (E) it is stipulated that the local authorities, in cooperation with environmental authorities, are obliged “to identify” aquatic areas and wetlands with representative biocenoses of some endemic species which are rare or endangered, autochthonous or migratory [8] in order that they be declared as protected. We see that the regulations from this law concern only the landscapes as components of the national cultural heritage.

We mention that the local authorities have the task of organizing the protection of the monuments alongside other tasks, such as:

- (1) drawing up a register of monuments of local importance
- (2) drawing up programs concerning the protection, conservation and restoration of monuments of local importance as well as the function of these programs
- (3) awarding non-refundable grants in the field from the local budgets [9].

In the same context we emphasize, as a generalization, the key role played by the central and local public administration authorities in the field, which consists in ensuring favourable conditions of cultural creation and protecting the cultural heritage of Moldova, having as a main objective the constant improvement of the legislative, institutional and financial framework of the cultural sector.

In this study we also want to refer to the importance of civil society in the management and exploitation of national cultural heritage which, through the actions carried out, obtain important achievements in this field. For a start we refer to the Cultural Heritage Institute of the Academy of Sciences of the Republic of Moldova, which is a public institution of

national importance, specialized in the exploitation of cultural heritage and its components. The institute has, as a priority, the safeguarding of the cultural heritage, highlighting its expertise by drawing up viable strategies allowing the government to develop a coherent legal framework for the protection (conservation) of national cultural heritage. The institute also manages the projects intended for research and the execution of consolidation works, such as restoration and valorization of historical monuments as well as promoting national traditions and customs (Intangible Cultural Heritage).

During 2008-2010, the Cultural Heritage Institute, together with the Institute of Philology, also of the Academy of Sciences, on the one hand, and the Institute of Ethnography and Folklore "Constantin Brăiloiu" of the Romanian Academy on the other, participated in an inter-academic experience regarding the research project "Modernization processes of intangible cultural heritage from Romania and Republic of Moldova—The folklore phenomenon and the traditional musical and literary creation." This proposed the study of processes of conservation, revitalization and exploitation of the popular traditions in the context of economic and cultural modernization and globalization from the crossroads of the nineteenth and twentieth centuries, documenting and analyzing the elements of intangible heritage in the process of the modern urbanized society. The research group, consisting of eight specialists (four from each group), has accumulated a considerable volume of ethnological, musical and literary materials in audio and video formats. This demarche represents an initial attempt of totalisation of data, materials and field observations into the riverbed of new visions about tradition, innovation and modernity [10].

We consider these achievements to be important, but we believe that the work of the Institute is, however, more stagnant than active, and investigations carried out do not include the entire field of cultural heritage, but are confined only to some aspects of it, and is the reason why we opt for the diversification and intensification of the research activities of the public institution for which it was created. The democratization of the society has led to the strengthening of civil society and to the appearance of some non-governmental organizations that have a particular concern related to the cultural heritage, but most often the state authorities take no account of their existence and ability to develop common programs of activity, and the isolated actions of these NGOs do not reach the expected results. For this reason, the decision makers often manifest a profound conservatism towards the changes initiated by the associative sector structures. Consequently, we find the absence of civil society in

decision-making processes, which does nothing but compromise the democratic reforms in the cultural field [11].

Nevertheless, following the researches we have discovered a number of NGOs which have an important role in the exploitation of cultural heritage of the Republic of Moldova [12]. These include the National Association of Young Historians, which was founded and activated on March 20, 1997 and which is an organization active throughout the territory of Moldova. The Mission of the Association is to promote the national and international collaboration of the young generation in order to stimulate research activities and to protect the national cultural heritage by encouraging the exchange of ideas and educating young people in the spirit of responsibility towards the cultural heritage of humanity for its protection and exploitation.

Among the most important achievements of the association we emphasize the cultural heritage protection project "The policy of protection of the archaeological heritage in Republic of Moldova: reality and necessity." Through this project was initiated the promotion of effective policies for the protection of archaeological heritage. Within this project we managed the publication of two papers in the field: "The legal protection of the Archaeological Heritage. Gathering of normative acts and international conventions" (Chisinau 2010) and offered assistance to the publication "The Black Book of Chisinau Cultural Heritage" (Ibid.). From the analysis we concluded that the National Association of Young Historians is the most active NGO in Moldova at the moment, and has developed several actions and achievements in the protection of immovable cultural heritage.

Among other NGOs we note "OBERLIHT" and AO "Vatra-Budești," which are dedicated to promoting the movable and immaterial cultural heritage through the promotion of art, customs and traditional handicrafts, as well as the Ecological and Cultural Association PRO Olișcani, oriented on the protection of cultural heritage landscape [13].

Referring to the exploitation of Moldovan cultural heritage, we reference the Moldovan Diaspora, which is the promoter of culture and Moldova's image abroad. The 2011 year was declared "The year of cultural heritage of the people of CIS countries," and was a good reason for our diaspora associations, established historically in these countries, to organize cultural events that speak about their home. From the multitude of Moldovan diaspora associations, promoters of our mobile and immaterial heritage, we note: The Cultural Association "Bessarabia," Torino; Association "Moldova Canada Link," Ontario; the Association MoldoElenă "Orpheus," Athens; the Association of Young Moldovans, Athens; etc.

We highlight the important role of the Moldovan Diaspora in promoting the national image as well as the traditions and customs which are important constituent parts of our cultural heritage, and we hope that the activities of these associations will lead to protection, maintenance and development of our cultural values.

Regarding the national aspect we refer to the lack of transparency from the state institutions, which leads to gaps in public information and determines the main cause of the low interest of the population towards the processes taking place in the field of cultural heritage. The population does not perceive its importance and value because it is not educated or informed enough. We ascertain that there is no special program at the state level for the dissemination of the undeniable value of national cultural heritage for the Republic of Moldova. In the list of problems we also add the low interest of the mass-media towards the cultural heritage of the country, although in recent times, due to the efforts of the Ministry of Culture and The Inspection and Restoration of Monuments Agency, this interest has increased in relation to issues regarding the architectural heritage from the historical centre of the Chisinau municipality. What about the cultural heritage from other districts and municipalities? In this regard, we mention the need to increase the mass-media interest and its orientation throughout the national cultural heritage, proving its own initiative upon the referral of the authorities in the field.

In conclusion, we affirm that the protection of heritage is the obligation of the whole society (public administration authorities, NGOs, citizens, and so on). Each citizen should be aware of the importance of historical heritage and the necessity of protecting it for the present and future generations. The efficiency and success of policies on the conservation, management and exploitation of national cultural heritage depends on the attitude, responsibility and partnership between decision-makers, civil society and the citizens.

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## CHAPTER EIGHTEEN

# THE QUALITY OF LIFE IN HOSPITAL: IMPACTS ON HAPPINESS: CASE STUDY: CLINIC OF ANAESTHESIA, INTENSIVE CARE UNIT

ELENA COPACIU<sup>1</sup>  
AND ELENA SANDU<sup>2</sup>

### **Abstract**

The pursuit of happiness has special connotations when the human being becomes a patient. Changing the social environment (from the family environment to the hospital) and the relationships with it, in a state of physical, mental and social vulnerability, reveals different sources of sustainability of happiness. These sources of sustainability originate from the person's individuality (distinct personality traits) and from the external environment (the evolution, prognosis and type of the disease, the perception of the family system or community of origin with regards to the disease and behaviour, role of the patient, the quality and intensity of the patient's moral support from the medical staff and his social support network). With so many different origins, the sources have formed complex interrelations, having an impact on the patient's self-described

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and manifested feeling of happiness in three directions: stimulation, inhibition, idealization. Our analysis investigates from a sociological and psychosocial perspective the feeling of happiness found in the dynamics of some critical categories of patients admitted to ICU, concerning multiple injuries by car accident, respiratory diseases, etc.

Keywords: Patient, vulnerability, the feeling of “happiness,” the condition of “happiness”, social support.

### **From Healthy Individuals to the Role of Patient**

“He who has a why to live for can bear almost *anything*.” We know of no better presentation than that of Nietzsche for a scene of social life where the particular and the specific blend at the confluence of sociology, psychology and anthropology: the social relationships between the actants in the medical field, the physician and the patient. In this distinct field, human emotions are expressive and manifest, and have a specific behaviour and dynamics at the level of their components, both for simple as well as complex emotions (feelings). Contextually, we can recognise elements of interpersonal communication, social relationships, roles and statuses which engage an interpersonal emotionality, defined by approaches that have become classical (positivist orientation, personal interpretation of emotions, phenomenological perspective—the ability to produce and interpret emotions, phenomenological interpretation—the cultural and historical characteristic of the social building of emotions, etc.). Also, placing the person in a position of physiological vulnerability, i.e. in a situation of uncertainty with regards to basal personal security, acting so primitively in the collective unconsciousness, can generate fast emotional transgressions, true mutations in the characteristics of the emotions experienced by a human being. Internal factors (biopsychic adaptability), the ability to redefine in a value-positive way the traumatic life events described by Frankl [1], the innate tendency towards self-realization of personality, in the words of Rogers [2], and external factors (interactions and social relationships with different social actors, the need for belonging and socialization) shape the building, evolution or dissolution of emotions in human representations. Thus, even in the proximity of physical suffering and threat to life, the feeling and state of happiness can be re-built on bases other than the physiological ones, and only where the person is left with or is offered enough freedom and moral autonomy.



The characteristics of the patient role derive from the definition of the health and illness concepts with reference to the human being as a bio-psycho-social entity. The patient may be admitted to a hospital unit or recovery institution for chronic diseases, or may be the beneficiary of primary health care services. The social reality of the hospitals becomes a trigger for the social behaviours implied by this specific role, and once the person becomes a patient of a medical institution, the role behaviours adopted are the visible level of socialization or “primary adaptation,” according to Goffman’s research [3], consistent with the social and institutional norms. The in-hospital social mechanisms will adjust the relationships between the medical staff and patient simultaneously with the development of the emotional and affective processes within the individuality of each of these social actors.

Taking into account the definition of the medical field on health, this, although submitted to a broad conceptual approach, is accepted by the pathologist as a state of integrity, by the clinician as a lack of symptoms and by the patient as a state of “*bien-être*” (meaning a state of physical and mental well-being), according to Athanasiu [4]. The functioning of a person with good health involves the experience of a wide range of feelings, such as sadness, anger, fury, fear, disappointment, satisfaction, joy and happiness. In everyday life, the more a person is mentally healthy, the closer they are to being a self-accomplished personality, and therefore closer to more positive emotions.

The concept through which Maslow described “mental health” is defined by a vast complex of features: realistic orientation in life; acceptance of self, of others and of the world around them as they are; autonomy and independence; the focus on issues and not on subjective emotions; the attitude of detachment and the need for privacy; autonomy and independence; the flexible appreciation of people and things, without stereotyping; the existence of deep intimate emotional relationships with great emotional content practiced with a few people, and the existence of some superficial ones with a large number of people; identifying with humanity and the existence of some strong social interests; opposition to social conformity, etc. We can draw the conclusion that, as the individuals meet more of these goals of their development, the higher their emotional quality and the more positive their affective sign will be, happiness being an easily accessible experience for a balanced, harmonious, psychologically developed and socially integrated person [5].

On the other hand, from the social view of Parsons, health, as the condition of the body which allows it to function properly, is described as the optimal ability of an individual to effectively perform the roles and tasks for which they were socialized [6].

## **Specific Functional, Medical and Psychosocial Factors of the Intensive Care Unit Environment**

Given the characteristics mobilized by the human personality to experience positive emotions and the feeling of happiness, as well as social conditioning derived from socialization (for healthy functioning), we introduce the factors specific to the hospital environment which the personality interacts with, along with the patient's admission and their taking of the patient role. To separate ourselves from the many studies which focus on emotions and social behaviours of certain categories of patients from different medical specialities, we target a medical branch less investigated in relation to the psychosocial. In this in-hospital environment, both medical staff and the admitted patients record a psychosocial dynamic which is highly mobile and sensitive, on the axis of "adapted individual" to "jovial robot" [7].

As a case study, we selected factors which are specific to an emergency department—the Intensive Care Unit (ICU), Intensive Care being that speciality of medicine that treats patients in critical conditions, and the medical department where patients are admitted with altered vital functions or damaged organs which put their lives at risk, with some specific aspects.

Some characteristics of the specific functional and organizational investigations, and therapeutic, invasive, potentially painful medical interventions, mechanical support of vital functions, etc. are:

- An environment characterized by noise and quasi-permanent illumination (monitoring, and frequent and thorough investigations carried out on patients for therapeutic and diagnostic purposes which need constant visibility and quality)
- communication time with patients reduced by functional "architecture" (medical staff of different specialties that simultaneously corroborate the diagnostic data offered by numerous complex medical devices at the bedside)
- permanent and high turnover of number of cases (post-operative patients, deaths, in-hospital transfers)
- specific mobilization of the patient in bed—in a team, under medical supervision, restrictive for the patient's autonomy and long-term immobilization, with therapy required.

The particular psycho-somatic condition consists of:

- factors which are specific to the hemodynamic instability: impaired consciousness/ high level of anxiety/ important mental stress

- factors of physical contention: prolonged immobilization of the patient in the dorsal position and/or by required physical contention
- required reduction of the social support (the visit of the caregivers to the patient's bedside) to ensure optimal aseptic and antiseptic measures.

The functional limitation of the patient (somatic and biological) consists of:

- patients with impaired or modified consciousness
- drastic reduction of the communication ability in post-traumatic status, serious medical conditions or due to invasive medical manoeuvres, limiting communication by the patient's inability to speak
- immobility of the extremities (edema, trauma, neurological etiology), limiting communication through the patient's inability to write.

Functional limitation of the patient (psychosomatic)—high frequency of some psychopathological conditions: cognitive deficits in organic context; reactive disorders of affectivity (panic attacks, PTSD, depression); psychotic episodes (ICU psychosis); anxious reactive dependence to intensive medical care.

## **Mental health consequences**

These social and functional factors of the medical institution generate significant psychological stress and, as can be inferred, can reverse the socialization process, induce behavioural deviance or, under certain conditions, based on biological, medical, situational factors and on the patient's vulnerability, can have the potential to induce behavioural, psychopathological or psychiatric disorders.

### **An indicator of the quality of life and the ability to experience positive emotions is mental health**

According to an exhaustive meta-analysis [8], which took into account studies from the U.S., Great Britain and several European countries, the traumatic effects of disease and the ICU environment are extremely harmful to the quality of mental life, such as: 80% delirium, cognitive

disabilities 70% at discharge, 45% after 1 year, depression 20-25% at discharge, 26-33% at six months (a study in 13 ICU), 58% at two years, 37% still taking antidepressant medication two years after discharge, 23-41% anxiety, having, as generative mechanisms, organ dysfunction, medication, pain, sleep deprivation, ICU specific medical treatment, activation of stress through the hypothalamic-pituitary axis, dysfunction by brain damage, etc., but especially post-traumatic stress disorder.

### **The role of autonomy and culture in experiencing well-being and happiness**

This picture of the socio-functional dynamics that regulate the medical activity of the emergency department has an impact on the patient's ability to experience positive emotions, associated with well-being and happiness after health improvement. According to Durkheim: "... happiness coincides with the state of health ... Or health consists in an average activity. It implies, indeed, a harmonious development of all functions, and the functions cannot develop harmoniously unless they moderate each other, i.e. to mutually contain themselves hither certain limits beyond which disease begins and pleasure ends"[9].

Such conditions of average activity in a hospital environment, where the functional anatomy of the individual is dramatically reduced, are experienced and reported by the patient as an intolerable state of degradation [3] with moral valences, resulting in the sudden cessation of a patient's series of roles, no longer having the physical ability and—sometimes due to the cognitive elements being medically altered, or the poor, conflicting social relationships with institutional actors—the moral availability to fulfil these roles. At the identity level of the patient a dismantling of the models learned in the process of socialization occurs, a label or a stigma (of physical disability) is adopted and accepted and deviant behaviours occur, such as: victimization, self or hetero-aggressiveness, social isolation, alteration of cooperation, etc. Also, gratification and pleasure achieved by the individual from the exercise of certain personal roles disappears, which decreases the possibility of experiencing some positive feelings; the patient remains focused on the elements of their medical reality, such as pain, discomfort, etc. In addition, the social status before hospitalization, and the relationships in which the patients function negatively or positively, mark their good psychological and physical condition, the feeling of "being in control," happy, optimistic [10], etc.

We notice latency and a resistance to the direct, explicit verbal expression of the positive feelings and emotions of joy and emotional comfort predominantly in patients who have experienced longer periods of hospitalization and critical periods of risk. In the interview and anamnesis made during medical visits or psychological evaluations, the self-described condition of the patient (as the highest quality value of personal status), was formulated as: “I feel (very) good,” without a positive affective tone.

Different reactions to expressing mood, comfort or discomfort are due to different typologies of patients, as according to Beckmann, “shy patients” who seek protection and compassion minimize the emerging well-being with the improvement of health, and the “over healthy patients” who refuse to accept the disease and consult their doctor, “knowing” that their treatment is not “efficient,” tend to refuse to develop their emotional status or adopt ironic behaviours of interactional conflict. In this adaptive context (patients who seek protection and patients who reject help), social representations of the patient condition paradoxically reduce anxiety while maintaining a sense of psychological identity and comfort through knowledge, guidance and explanatory functions of the representations [11].

Beyond the persistent post-traumatic anxiety, we forward the hypothesis of social and cultural customs related to the sick role and the range of affects (emotions) socially “allowed.” We recall a statement of a patient who, six years ago, sharing her personal experience (she received treatment both in France and in Romania), told us: “In France I wanted to shout on the street ‘I have cancer!’ because it was something normal and I could openly talk to everyone; here I feel ashamed, I must hide from people” (referring to the people in her own family and the community in which she lived). We can say that the cultural validation and acceptance of the status and sense of happiness—their association or dissociation with the sick role—depend on the cultural customs and the living conditions of the community of origin. Lack of resources, socio-cultural deprivation, and poverty-generating factors of a society (structural, global, derived or of a poor social policy) lower the expectations and the activism of the person, increase their tendency to addiction [12], and cause confusion in the system of representation and recognition of the psychological well-being, even when the person still has a functional anatomy.

### **Functionality of status and role in psychosomatic trauma**

A significant element of the ICU hospital environment that seriously interferes with the positive emotions of the patient is the invasive,

traumatic potential of the necessary medical procedures. At the cognitive and affective level they are experienced as a repetitive trauma and are subsequently represented as physical aggression, although the patient initially manages to integrate them in their system of representation as cures intended to restore health. According to A. Kardiner, physical trauma generates a series of “indices of suffering”: narrowing of the Ego (of the field of consciousness), depletion of inner resources or energy poverty, and mental disorganization (dismantling, dissociation)[13]. In this regard, ICU patients show a narrowing of the field of consciousness only to the immediate sensations, with poverty of the plenary manifestation of personality culminating in deviant behaviours and psychotic reactions. The cause can be explained by the concept of “cumulative trauma” (M. Khan), events and suffering that, taken individually, are sub-traumatic (immobilization, vein and arterial punctures, monitoring, mechanical ventilation, etc.), meaning that they remain below the trauma level in the narrow sense and come together in a configuration that, in its whole meaning, is “traumatic.” Thus, when individual conscience wants to restore the defence barrier against excitation, instead of focusing on social support, since medical personnel helping behaviour is centred on procedural medical treatments, there appears only another pain, caused by another medical procedure. In the long term (ICU hospitalization is a long, rapid and permanent succession of procedures), it manages to “make the Ego’s self-defence functions collapse” [13]. Winnicott offers us an explanation for the immobilization effect [13], the stop of the autonomy upon the ICU patient’s psyche, through similarity with the child in the Winnicottian theory, a means by which the subject builds a false self. The patients subordinate themselves to the outside world’s requirements (they are always subjects to medical procedures and their ineffable social realities). There is no alternative option as there is a life-threatening danger. Therefore, the patients feel a sense of alienation and inner emptiness, and the feeling that they are not really present in their actions. The dismantling of their status and role functioning are passive social relationships (compared to the activism role of medical personnel); social relationships, being necessarily submissive and specific to the sick role, cause the narrowing of the field of positive experiences. All these cause long-term damages to perception and assumption of the existence of well-being and the feelings of psychological well-being, happiness or joy (related to the replaying of the ability of physical mobilization, or regaining the verbal communication ability, related to the positive progress of the disease or the imminent discharge and health recovery).

## **Research and Intervention Measures**

Studies have gained momentum in Romania after 1995 and focus on evaluating the measurement of stress and anxiety levels, satisfaction level, the incidence of exogenous and organic psychopathological reactive disorders, stress factors of the medical physical environment, doctor-patient communication, and the description of role and status characteristics of the category of participants in the medical procedure (patients and healthcare staff).

The level and type of positive emotions experienced by a hospitalized patient in such a medical department (and not after transfer to another clinic or after discharge) would require a differentiated approach, tailored to the biological condition of the patient and the functionality of the medical department. In assessing ICU patients, the methods and techniques that require verbalization or mobilization, in order to fill the questionnaires to investigate the emotional component (self-described emotional states), could meet a limit of bodily functioning. We believe that the limits of such a study could be overcome by orienting research towards establishing and measuring some behavioural indicators and systematic observations (observed emotional states, described in terms of body and interactional expressiveness). In these conditions, interventional measures could benefit from systematization and standardization—the objective being to clarify emotions—to increase the psychological well-being of the patient, to facilitate the perception of the state of happiness, and to create a positive perception of the patient's social functioning.

At interventional level, optimizing the relationship between the two social actors (the doctor-patient relationship) pursues the objective of reconstruction of a positive emotional state, reliving the feeling of happiness by changing the quality of communication, changing the dynamics of the communication process and by customizing the communication relationship to the type of patient with whom the medical personnel communicates (empathy and human warmth, as substitutes for the loving personal relationships of the patient prior to hospitalization, are sources of resilience to physical and moral suffering [1]).

### **Informational and emotional support-facilitator of positive emotions**

Changing the quality of communication with the patient concerns the presentation (from transmitter-doctor to receiver-patient) of the medical information about the disease and the medical procedures, so that the

perceptions that come from the immediate situation, interpreted through personal experience from the past, are not the only framework in which the patient understands and classifies their emotions and feelings. Due to the psychosocial legality through which the individual extracts—from the cognitive elements already available—the name and the meaning of any state (physiological, emotional, etc.), we consider that an available and adequate cognitive explanation can re-construct the meaning and the name of the states (bodily, emotional) experienced by the patient.

The assumption that emotions are socially constructed means that they can be controlled and changed by individuals. In the absence of an adequate informational support from the medical team, the cognitive uncertainty makes the decider (the patients who “decide” they have a psychological or physical well-being state only if the evolution of disease is favourable, otherwise suppressing the agreeable states) reach a point where they have to assign subjective probabilities of a negative emotional type to their state. In the absence of communication and information, anxiety is generated by the perception of an external factor, i.e. the ICU environment or the disease as threatening through the individual’s ability to cope with it (“controllability” [14]).

Or, in the presence of a quasi-permanent lack of autonomy of the patient during ICU hospitalization, the informational support provided by the patient’s relationship with experts in health (medical personnel) increases the perception of a certain degree of controllability and creates the premise of a state of psychological well-being or happiness, if the “news” (medical message) is optimistic.

### **From “instrumentalisation” of the body to cooperation in the doctor-patient relationship**

Changing the dynamics of the communication process with the patient, as an intervention to change the representations of the condition and social role, starts from the pattern of relationship related to the organic symptoms of the patient. The instrumentalized vision of the body (which has become a “building of knowledge and action”) is felt by the patients to the detriment of their being a person, and in their own identity [15]; this passivity makes them incapable of social relationships based on agreeable states, or in which restoring the natural physical autonomy induces feelings of happiness.

The appropriate recommendation is to move from the relationship activity of (doctor) passivity (patient) that can be found (not only) in the case of serious illness, comas and anesthesia, etc. to a leading-cooperation relationship.



In fact, super-industrialization raises a serious problem for the whole society, especially where one of the social actors operates with technology, and their relationship partner is object and beneficiary of the action to be assessed (monitored) with that technology. The current trend is to “objectivate” the patient, the physician “addressing” the medical devices because they provide fine information of clinical depth, in real-time and of use, while the patients possibly record (their self-described state) their personal bias and other factors which may delay the medical act. The patient of the ICU is essentially the direct beneficiary of the most advanced medical technologies due to their physiological vulnerability and the scientific community’s need of medical equipment depending on the seriousness of the medical cases. We reiterate here the idea that “progress is not a law proportional with the health law and with the agreeable states” [16].

The effect of this type of interaction, which takes the patient out of the role of the direct communication partner of the physician, along with their exit from other social roles due to illness, is that of an exit from social normality, and from “... the same manner of being happy which is common to all,” according to Durkheim [9]. And if “... that which becomes significant ... in the plan and on the scale of the community, of the social group, is not the variation of the individual happiness, but that of the average happiness, which means that way of being happy which is common to the vast majority of the members of a society” [16], then we understand why the direct, immediate communication of the physician with the patient maintains the patient’s “average happiness,” even under physiological vulnerability.

## Instead of Conclusions

Resuming the ideas of the authors mentioned above, the state of happiness may regress when the “social man” is vulnerable; this type of “general or average happiness,” in the meaning of the social normality indicator, is the visible part of a profoundly humane phenomenon—“the state of sociability” [16].

The regress of the social man is, therefore, a source for *unhappiness*. We have, thus, the measure of the importance of maintaining the patient’s autonomy and roles. Only under these conditions (the restoration of the “average state of happiness”) will the patient be able to give another meaning to the situation and to build positive emotions which reside in the implicit increase of life quality, independently and beyond the medical prognosis and evolution.

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## CHAPTER NINETEEN

# THE FAILED PROMISE OF SOLIDARITY: VULNERABLE INDIVIDUALS AND SOCIAL ECONOMY ENTERPRISES IN ROMANIA

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### Abstract

The social economy has increased its visibility during the last few decades. In European countries, the number of workers in the social economy sector has increased constantly, thus giving hope that the failures of the market and the state in integrating vulnerable individuals would be compensated by social economy enterprises. Many European Social Fund co-financed projects implemented in Romania over recent years include activities of promoting social entrepreneurship with a special focus on vulnerable groups. Social entrepreneurship is one of the key elements of the social economy, understood as a work option for anyone willing to assume the internationally recognised principles of social economy. Without reducing the social economy exclusively to the labour insertion of vulnerable groups, entrepreneurship is analysed in connection to vulnerable groups' issues from two perspectives: the demand and supply

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for labour. The analysis focuses on the extent to which social entrepreneurship has a positive impact on the employment prospects of vulnerable people. The findings are not encouraging as the analysis reveals a very limited capacity and in some cases even limited willingness of social economy enterprises regarding integrating vulnerable individuals.

Keywords: social entrepreneurship, quality of life, vulnerable groups.

## Introduction

It is widely accepted in Europe today that “the social economy has its own ethos and rationale; a strong ethic of care linked to principles of social inclusion, community or environmental care and social solidarity” [1, p.30]. While recognizing the importance of this sector, the European Social Fund has devoted resources for supporting the social economy in the new Eastern European member states, including Romania. This support has taken the specific forms of development projects for the social economy, including research, awareness and information campaigns, the establishment of social economy (resource) centres, setting up social enterprises and, last but not least, offering training for entrepreneurs and vulnerable groups as well as for representatives of public administration. While it is still too early to assess the effectiveness of these programs and projects, most of which were implemented in 2009, it is worth inquiring to what extent the current social economy enterprises in Romania promote the social inclusion of vulnerable groups. In other words, to what extent can one find the “solidarity bond” [2, pp. 20-38] between vulnerable individuals on the one hand and the social economy organizations on the other which would ostensibly represent a safe haven for those neglected by the state and the market?

Asking this question in the Romanian context, which is characterized by an incomplete market economy with a relatively weak welfare state, one has to take into account the less-than-glamorous picture of the social economy more typical of developing countries. Amin writes that:

In most countries, the social economy languishes in obscurity, unsupported by the state, blending into the informal economy, frequently dependent on motivated individuals and third sector organisations, barely able to survive; neither partner nor alternative to the mainstream. If the term is used, it is to illuminate signs of life in desperate circumstances ... rather than a staging-post of post-capitalist hope [1, p.33].

Against this background, this chapter explores the main obstacles and opportunities in promoting the labour market integration of vulnerable

groups within social economy enterprises in Romania. Three specific propositions can be formulated. First, current practices do not support the development of insertion enterprises in Romania. The second proposition is that social economy enterprises aim to work *for* vulnerable individuals and groups rather than working *with* them. The third proposition is that the openness of social economy enterprises towards the inclusion of vulnerable groups is rather low. Within this article we will provide evidence for the three propositions outlined above, and the explanation for the observed patterns will be the task of future research.

The article is structured as follows—after the data and methods section, we discuss the labour integration of vulnerable groups as a programmatic intention of the social economy, the status of the vulnerable person within social economy enterprises in two development regions of Romania, the arguments offered in favour of working or not working with vulnerable individuals from the point of view of the managers of social economy enterprises, the job search strategies of vulnerable persons and the main reasons for job loss and the use of financial support for employing vulnerable individuals. The concluding section includes recommendations on supporting the labour inclusion of vulnerable groups.

## Data Sources and Methods

From the methodological point of view, the chapter is based on secondary analyses of qualitative and quantitative data gathered at the European, national and regional levels, as part of two projects co-financed through the European Social Fund [3] [4] [5]. The research project “INTEGRAT—Resources for socially excluded Women and Roma groups” gathered qualitative and quantitative data in 2011 from organizations that supply social economy services in two development regions of Romania, namely Bucharest Ilfov and South East. The three types of enterprises for which data were collected include mutual aid organisations (228 cases), cooperative societies (235 cases) and non-governmental organizations (229 cases).

As no random selection procedure was used, the sample obtained is a convenience sample. However, an effort was made to collect data from all available enterprises which were willing to provide information to the interviewers. In each enterprise, three different research instruments were applied: a questionnaire on the structure and history of each enterprise, a second questionnaire to collect the views and experiences of the managers of these enterprises, and a third questionnaire which was applied to two different employees of these organizations. The qualitative data gathered

as part of the Integrat research project were based on qualitative interviews and focus group discussions. A total of 69 case studies were carried out in the two development regions: BucharestIlfov and South East. The detailed information provided by these case studies helped to contextualize the quantitative data.

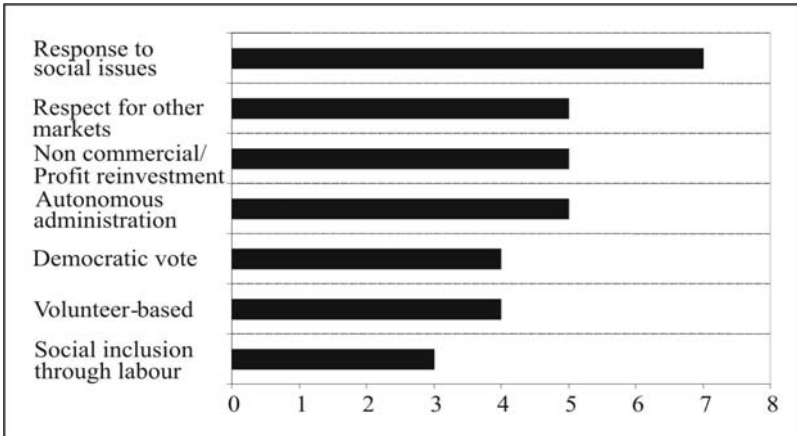
## **The Labour Integration of Vulnerable Groups and the Social Economy**

When referring to the social economy, one can notice a common tendency to reduce the whole meaning of the term to the employment of vulnerable people. The starting point in understanding the broader meaning of the social economy is to admit that it represents another way to conduct business in accordance with internationally recognized principles accepted long ago and more recently written down in the French Social Economy Charter (1985) and the Charter of Social Economy Principles (2002). The social economy promotes the work integration of the individuals traditionally excluded from the labour market, but it cannot be reduced only to this.

According to Defourny, Favreau & Laville (2001), the renewal of the social economy is based on the withdrawal of the welfare state in many areas, and the loss of millions of jobs leads to the emergence of new demands for protection for more and more people who were previously covered by welfare policies. The authors argue that “at the end of the 20th century the new social economy is a reaction against the inability of either the market or the State to provide full employment as they had been able to during the period of expansion” [6, p. 24].

Social economy principles and values were reflected in the Chart of Social Economy (1985), and the Chart of Social Economy Principles (2002). A research project focussing on nine European member and non-member states emphasised the relevance of national frameworks for promoting the social economy (SE) by looking at the political environment, financial mechanisms, and monitoring and assessment systems for the activity of SE entities. The analysis of national legislative frameworks through the SE principles concluded that concern for societies’ social problems—especially social integration and solidarity—is the main political perception of SE (Fig. 19.1). Other principles are: respect for other markets, non-commercial/profit reinvestment, autonomous administration, democratic voting, volunteering, and social inclusion through labour [3, pp. 73-74].

Fig. 19.1. SE principles reflected in national regulations of Austria, Germany, Luxembourg, Ireland, UK, Belgium, France, Italy and Spain



Source: Database of the research on SE trends in Europe [3, pp. 73-75]

The SWOT analysis of SE forms in the above-mentioned nine European countries identified the role played by vulnerable groups in running daily businesses. Managers perceived the employment of vulnerable groups as a strong point with a direct impact on the management of human resources for the supply of products and services and the support/inclusion of socially excluded individuals. In contrast, other managers saw the role played by vulnerable groups as the second most important weakness (types of beneficiaries) and among the common threats for SE enterprises, due to the low professional quality of employees but also due to the lack of employment opportunities for the beneficiaries [3, pp. 9, 149-152].

The management of human resources was mentioned as the first strong point in SE organisations in the sense of know-how of personnel, their involvement and motivation, quality of board management, and a democratic/participative decision process. The constant involvement of both staff and volunteers is a key element in the proper functioning of SE enterprises, especially given the low level of salaries. Community support is most likely justified by the social purpose and desired impact of SE enterprises. The supply of products and services as a strong point is based on the capacity to respond to real community problems not, or insufficiently, addressed by any other means, which is a key element for the social economy. A representative of a Romanian SE enterprise states, for example, that his organization occupies a: “unique position on the market, we are the only ones in the city doing this.” The support/inclusion

of vulnerable groups refers to the economic integration of disadvantaged people, which can take different forms. In the words of SE representatives, the inclusion of vulnerable individuals can be seen as a “fight against insecurity at work,” the “employment of long term unemployed [and] taking care of their skills” or the “acquirement of professional skills.” Some interviewed organisations assumed a social mission focus on the development of SE enterprises [3, pp. 148-152].

The employment of vulnerable people was perceived as the second top weakness (30%), after financial issues. The reasons are the low qualification of employees, their low efficiency, the high turnover of staff, the difficulty of maintaining a competitive edge in comparison with the free-market, non-SE enterprises and the difficulty of including vulnerable people. The low level of professional qualification is a challenge when first assessing the initial professional competence of an employee (most commonly the level is low) in order to design the appropriate training programme, and when monitoring progress during the insertion training. The costs involved are considered high and the learning process slow due to the vulnerability aspects, especially for job candidates with mental and physical deficiencies. Training was considered inefficient in the cases in which vulnerable employees confront new situations and non-repetitive tasks. Other related problems are health problems, including “alcohol abuse, debts, and difficult family situations,” and low attention paid to the products made for selling [3, pp. 155-156].

As the social economy became a policy priority in the EU and Romania due to its connection to social problems and its capacity to offer jobs, there is a strong tendency to reduce SE only to the issue of labour integration of the individuals traditionally confronting long-term problems in finding a job. Vulnerable people on the labour market can be characterized based on several criteria (see Table 19.1).

**Table 19.1. Categories of vulnerable people in the Bucharest Ilfov and South East development regions of Romania**

No Employment	Underemployed	Inactivity
Long-term unemployed ( $\geq 1$ year)	Daily workers Part time employees Employees without contract “on black market”	Retired in advance or due to medical reasons
Not registered as unemployed		Houseworkers

Sources: Database of the offer and demand of social economy services in two development regions of Romania [7, p. 146]



The income in the case of homeworkers, long-term unemployed, and especially for individuals engaged in subsistence agriculture is not enough for daily life in the two development regions. A decent life standard is experienced by people who are retired in advance or for medical reasons (15.3% in the Bucharest Ilfov development region, 7.9% in the South East and 3.5% at the national level). Similar positive assessments are the case for Bucharest Ilfov homeworkers who declare that their monthly income covers their minimum needs [7, pp. 147,151]. The sources of vulnerability in the case of underemployed people are: low income, low social security coverage, low social status and low working capacity [7, p.152].

The profile of poor workers in Romania could be characterized as linked mainly to rural areas, affecting men more than women, living in families with at least three children, having a low education level, and having poor work experience (mainly less than three years). Such poor workers are also frequently engaged in agriculture or as day labourers [8, pp. 128-129].

### **Vulnerable Individuals as Members of Social Economy Enterprises**

Less than one quarter of the employees of SE enterprises that were interviewed declared themselves as being disabled (15%), receiving the minimum income guarantee (5%), a single parent (3%), being youngsters leaving the child protection system (2%), or as being part of the Roma population.

When asked about the benefits of being employees in SE enterprises, almost one third of vulnerable individuals answered that the main advantage is to have a job. Other advantages mentioned are the income, professional satisfaction, stability, socialization, social integration, and the status of being tax free. Other categories of vulnerable people are peasants: "The disadvantaged groups are the peasants, in general. I work in a rural area but the peasants work and they are not paid [well], because agricultural products are sold on the market at very small prices" (interview, manager, consumer cooperative).

There are noteworthy differences, both across development regions and types of SE enterprises, in terms of their degree of inclusion of vulnerable persons. The differences between the two development regions are smallest for non-governmental organizations for all the categories included in Table 19.2, with one striking exception. This exception refers to Roma people, who are employed by one fifth of Bucharest Ilfov NGOs but only 2% of NGOs from the South-East development region (a tenfold

difference!). For mutual aid organizations and cooperative societies, a significantly higher proportion of enterprises from Bucharest Ilfov employ vulnerable individuals than those from the South-East development region. There are also some striking exceptions which indicate groups that are virtually excluded from all types of SE enterprises in the two development regions of Romania. Former detainees are not employed by any mutual aid organizations and cooperative societies in the two regions and only 1% of NGOs employ them. Young people exiting the child protection system cannot be found among the employees of mutual aid organisations in either development region and the same is true for the cooperative societies from Bucharest Ilfov. On the other hand, 2% of cooperatives from the South-East region employ such young people. The cooperative societies from both development regions appear to shy away from former recipients of minimum guaranteed income. This is also suggested by the limited interest of cooperative societies in hiring vulnerable individuals, even at an unspecified future date [9, pp. 175-176].

### **Working or not Working with Vulnerable Individuals**

Belonging to a vulnerable group is not always a visible status, which represents one of the main difficulties in assessing the state of affairs in SE enterprises. At the same time, vulnerability is perceived differently in the eyes of various stakeholders. While being disabled or a Roma are more visible, belonging to a single parent family, being a youngster exiting the child protection system or being a beneficiary of minimum income guarantee are also rather invisible. However, once the source of vulnerability is recognized, the vulnerable person can become stigmatized. For example, being a single parent could be perceived as indicating a lower availability for working extra hours.

According to the answers of managers of social economy entities, among their employees are people with disabilities (27%), beneficiaries of minimum income guarantee (16%), single parents (14%), youngsters exiting the child protection system (6%) and Roma people (6%). Other vulnerable groups are formerly unemployed and retired people.

Looking closer at the types of jobs occupied by vulnerable groups within the social economy enterprises, four categories were identified: upper and middle management, regular workers (i.e. directly involved in production), auxiliary personnel (e.g. cleaning, guardians etc.), and other jobs (see Table 19.3). Regardless of the categories of vulnerability, people are employed mainly as regular workers. The second type of jobs is auxiliary personnel, except people with disabilities who occupy top and

upper management positions. Comparing the five categories of vulnerable groups, Roma are the ones occupying the fewest management positions. Surprisingly, perhaps, the largest number of managers can be found among the young people, followed by disabled individuals.

**Table 19.2. Vulnerable employees in the three types of SE enterprises in the Bucharest Ilfov and South-East development regions of Romania**

Categories of vulnerable individuals	Social economy enterprises					
	Non-governmental organizations		Mutual aid organisations		Cooperative societies	
	Bucharest Ilfov	South-East	Bucharest Ilfov	South-East	Bucharest Ilfov	South-East
	Col %	Col %	Col %	Col %	Col %	Col %
Individuals with disabilities	20%	19%	8%	0%	8%	7%
Former beneficiaries of minimum income guaranteed	5%	6%	8%	0%	0%	1%
Former detainees	1%	1%	0%	0%	0%	0%
Young people exiting the child protection system	11%	14%	0%	0%	0%	2%
Roma ethnicity	20%	2%	10%	1%	5%	2%
Total (N)	127	102	49	179	39	196

Source: "Integrat" project database (2011) [4] [5]

The managers of social economy entities declared having a good and very good collaboration with all vulnerable groups, especially with single parents. In turn, employees within SE enterprises say that they collaborate well with their colleagues from vulnerable groups, especially single parents and people with disabilities.

From the point of view of employees in SE enterprises, most of those interviewed have colleagues among people with disabilities, single parents, beneficiaries of minimum income guarantee, Roma people and youngsters exiting the child protection system. On the other hand, three quarters of SE managers do not have a policy focussing on promoting the

labour insertion of vulnerable groups. The measures promoted by the remaining 23% of interviewed SE enterprises are the following: facilitating employment, vocational training, information and counselling, adapted working environments for disabled people, social integration, free transport, and working from home.

**Table 19.3. Categories of vulnerable individuals occupying different positions in SE enterprises (absolute values)**

	Management (upper/middle)	Regular workers	Auxiliary	Other
Roma	5	57	33	14
Disabled	27	69	14	13
Young	39	16	17	17
Single parent families	8	60	24	12
Minimum guaranteed income beneficiaries	10	72	23	8

Source: “Integrat” project database (2011) [4] [5]

According to the employees of SE enterprises, the main measures for promoting the employment of vulnerable groups are: openness of SE enterprises to offering jobs to vulnerable groups, the existence of special social services and vocational counselling for people with disabilities, support for obtaining a job, and the possibility to offer flexible working conditions for vulnerable individuals.

Approximately one third of the SE employees interviewed are aware of the measures promoted by their enterprises in support of the employment of vulnerable groups. However, 42% do not know about such measures in their SE enterprises. When promoted, the main measures are: openness toward employment of vulnerable individuals, adapted counselling, support in obtaining a job for vulnerable people, and flexible working conditions.

However, there are also specific limitations facing vulnerable persons in SE enterprises in the two development regions. In the case of employing vulnerable individuals in SE organisations, managers as well as regular employees within SE enterprises would rather not hire Roma people and the disabled. At the opposite end, the best vulnerable candidate is a single parent.

SE employees strongly support the labour insertion of single parents and the beneficiaries of minimum income guarantee. At the same time, however, they do not support Roma people and people with disabilities.

The low employment chances or outright rejection of Roma candidates is emphasized by other recent research [4, p. 130] [7, pp. 139-140]. The lack of knowledge regarding the labour potential of vulnerable groups represents the main obstacle in hiring them.

Even if some managers are open to employing vulnerable people, their assessment is heavily influenced by stereotypes and consequently the job offer is not attractive in terms of job position and money. For example, one manager of a consumer cooperative explains her experience and expectations with regard to vulnerable employees: “we have selling persons and managers. He/she could clean, sweep the floor, that is all” (interview, manager, consumer cooperative).

### **Job Search Strategies of Vulnerable Individuals and the Reasons for Job Loss**

Vulnerable people on the labour market did look for jobs during the year when the research was carried out (2011). Those registered as unemployed tended to be more active due to the eligibility criteria for receiving unemployment benefits. In order to receive these benefits, the registered unemployed need to prove that they are active job seekers [7, p. 141]. This condition does not apply to unregistered unemployed people. The low involvement in job searching reduces the chances of the long-term unregistered unemployed finding a job and a secure source of income.

Despite this widespread apathetic behaviour, the job search strategies, which some unemployed people nevertheless pursue, are a key element with a direct impact on finding a job. A comparative research at the national level and in the two development regions of Romania show a common trend between the three samples. When looking for jobs, vulnerable people go directly to prospective employers, use press advertising, or ask their relatives or friends. They also use the internet, the services offered by the National or County Employment Agencies, or the services offered by human resource companies or NGOs [10, p. 100].

When analysing the employment programs provided by the National Agency for Employment (NAE), it appears that Roma people confront some specific problems. The jobs offered through *caravana romilor*, which is an itinerant employment promotion program, are largely not suitable for them. In some cases, the courses do not correspond to the education level of the Roma and their skills. Furthermore, the qualifications for NAE courses are not recognized due to the lack of collaboration and agreement between the Ministry of Education and the

Ministry of Labour, Family, Social Protection and Elderly. There is also the lack of financial compensation offered to candidates during the courses [3, p. 94].

Vulnerable individuals confront not only difficulties in accessing employment opportunities, but they also have to face the problem of job loss. Of the interviewed people with disabilities, 44% were employed with an average of fifteen years labour experience. The time elapsed from the latest job is, on average, nine years.

The main reason for losing their jobs is the reorganization of staff. Other reasons are: the health condition of vulnerable employees (which include people with disabilities and minimum guaranteed income beneficiaries), taking care of children (single parent families), personal reasons (Roma families) and resignation due to low salary levels (youngsters leaving the child protection system) [10, p. 138].

When referring to the two development regions in Romania (Bucharest Ilfov and South East) in comparison to the national pattern, the main reasons for losing a job are: collective layoffs with compensatory payments, the cessation of work (either as resignation or agreement between employer and employees), individual dismissals, layoffs, salary not paid/informal work/no renewal of contracts, health, end of labour contract, taking care of children [10, p. 146]. The other reasons for losing a job are health-related (for house workers or early retirees), taking care of families (for homeworkers) or low working capacity (for early retirees) [3, p. 104].

The previous jobs either required a minimum level of qualification (qualified worker, workers in services and trade) or no qualification at all (unqualified workers). The latter can severely affect future employment prospects, as the lack of qualification exposes the vulnerable individuals to the lowest-paying and most precarious employment opportunities (Ibid.).

Some vulnerable individuals also had no previous work experience. The reasons for never working are the low acceptance by employers due to their condition, health, inability to find a job and low working capacity.

### **The Use of Financial Support for Employing Vulnerable Individuals**

When available, the financial support offered by the state is perceived by managers of SE enterprises as a threat as well as a strength, mainly due to the obligation to ensure the job for a certain period of time within the current economic context. One manager of a consumer cooperative explains that: "If you employ for at least 3 years ... I cannot fire one of the

employees over the next 3 years while I am obliged to keep the vulnerable person.” The recommendation of managers is to change the legislation to a softer approach with regard to the minimum compulsory years for keeping a job for a vulnerable person when accessing a financial support from the state budget.

The analysis of the Romanian European Social Fund co-financed projects focused on setting up social enterprises and creating jobs for vulnerable people who demonstrate a low capacity to develop entrepreneurship activities [11, p. 96] Taking into account the specific characteristics of vulnerable people trying to enter the labour market, the:

development of social entrepreneurship in Romania is [viewed] as a necessity. The role of this type of social intervention does not consist exclusively in solving and diminishing the structural dysfunctions of the labour market, but also in the powerful message towards society and the economic sector regarding the potential of groups, which are disadvantaged on the labour market, and it contributes to overcome various stereotypes of both employees, candidates seeking a job and employers [11, p. 97].

## **Conclusions and Recommendations for Supporting the Labour Inclusion of Vulnerable Groups**

The analysis above has indicated that while the social economy enterprises in the two development regions of Romania are not unaware of the role of the social economy to foster the inclusion of vulnerable individuals and to promote social solidarity, the latter's access to SE enterprises is fairly limited. This suggests that current practices do not support the development of insertion enterprises in Romania. Furthermore, while some managers see the employment of vulnerable persons in a positive light, most do not have a policy for fostering the employment of such persons. As a result, social economy enterprises, especially non-governmental organizations, aim to work for vulnerable individuals and groups by ostensibly representing their interests, rather than working with them. As the case of using financial support for employing vulnerable individuals indicates, employers prefer a more flexible approach in hiring and firing employees rather than being compelled to include vulnerable persons on the labour market at all costs. The openness of social economy enterprises towards the inclusion of vulnerable groups is thus rather low.

In terms of recommendations, some suggestions can be outlined here. In the case of the Roma population, the development of social services in the community (e.g. maternal assistants in Roma communities) would

reduce the number of children in the child protection system and absorb those leaving this system after the age of eighteen. The establishment of central and local coordination structures in the field of social economy could closely work at the local level with SE organizations in identifying the labour demand and advocate the labour inclusion of vulnerable candidates. A better focus of a training program could maximize the recent legislative development (e.g. seasonal workers) [10, pp. 125].

Other recommendations for improving the employment of vulnerable groups concern the “regulation of public-private partnership ... public acquisition by clarifying aspects supporting the access to resources for vulnerable groups, and... unemployment benefits” [10, pp. 128-129].

Access of vulnerable groups to the labour market could be supported by a better understanding of opportunities and constraints of such alternative and innovatory employment options. The assessment of work capacity of vulnerable groups within the concurrent market is a first step of mutual efforts towards a better quality of life for all.

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## CHAPTER TWENTY

# FROM A VICTIM OF DOMESTIC VIOLENCE TO A SOCIALLY INDEPENDENT LIFE THROUGH DEVELOPING OPTIMAL PERSONALITY: A CASE STUDY

MARIA CONSTANTINESCU<sup>1</sup>  
AND CORNEL CONSTANTINESCU<sup>2</sup>

### **Abstract**

This case study presents the assisting process of a young woman—S.M.—a victim of domestic violence with three young children from two marriages, benefitting (herself and the third child) the services provided by a team of specialists (social worker, psychologist, physician) in an emergency centre.

The intervention focused on providing medical services, child care, counselling for assuming their identities and psychological balance, especially in the emotional plan of the victim to become adaptable, both socially and professionally.

The evolution of the beneficiary is surprising, and the young girl has exceeded fears and a dependency status on social care services by developing confidence and self-esteem, reaching responsibility to be a good mother for her baby with a social life and professional autonomy.

**Keywords:** domestic violence, intervention, counselling, self-esteem, victim.

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## **Data about Beneficiary**

*Name and surname:* S.M.

*Age:* 29

*Religion:* Orthodox Christian

*Home:* rural environment

*Education level:* graduated 8 classes, then dropped out of school

*Marital status:* married twice, once legally and the second time in concubinage, and now has the third child in care; left the first husband because of domestic violence and had to leave her lover because of continued violence from the first husband

*Children:* two from the first marriage and one from the cohabiting relationship

*Occupation:* without occupation

*Income:* without income.

## **Problem History:**

### **The Context in which the Victim Came to the Emergency Centre Reception of Family Violence Victims**

S.M. was raised by her maternal grandparents because her father died and her mother went to work abroad. She has a sister who went overseas with their mother, who she keeps in touch with, and apparently did not have a good relationship with the mother, refusing to talk about it.

In 2002, S.M. was married to S.A. (aged 35), living together at the latter's residence. From the marriage with S.A. came two children: S.C.I., male, born in 2002, and S.E.M., female, born in 2004. Soon, relations between the two deteriorated, S.A. causing frequent scandals, beating and hurting his wife. Because she could not suffer this situation, in 2009 S.M. left the marital home to find refuge in various relatives, who agreed to host her for short periods. After the separation from her husband, the two children remained in the care of the father, and he has forbidden her to see them.

“Social and family vulnerabilities interact with the situational stressors, individual and family resources and with the socio-cultural context that may give rise to acts of violence” [1]. The concept of vulnerability has been subjected to some critique because of the danger of “victim-blame” and of

ignoring the structural factors that may impact upon the child and family. “The term vulnerable to describe the situation where a child is at elevated risk of compromised development because of either innate characteristics or because of the impact of adverse factors. When assessing a child’s developmental trajectory it is vital that the practitioner identifies potential vulnerabilities so that they can ensure that protective factors are put in place at the level of individual, family and/or wider community” [2].

So, the victim S.M., being in a situation of vulnerability generated by a lack of housing, material and financial resources, and family support, in 2009 started a cohabiting relationship with M.D. from the same locality. In 2011, during the cohabitation relationship, S.M. gave birth to her third child, which was passed in the name of husband, S.A., because they were not divorced, the legal presumption being that the “child born during marriage has as the father the mother’s husband” (her husband has not initiated action for denial of paternity and for the lover to recognize his paternity). This situation infuriated S.A., and he began to threaten S.M., her lover M.D. and his family, culminating with physical aggression to the concubine parents, on December 10, 2011. Following these altercations it was necessary for police intervention and emergency medical services for the parents of the lover.

Under these conditions, S.M. was forced to leave her lover’s home with her child and she presented herself at the Emergency Centre Reception of Family Violence Victims, Arges County, asking for help for her and the baby.

### **Initial Assessment: Identification and Analysis of Problems Starting the Case**

In the process of assisting families and children, and particularly victims of domestic violence, assessing the situation, and an in depth knowledge system which includes client, diagnosis and comparison with other similar situations, are professional tasks that must precede intervention, respectively the introduction to some effective changes. “‘Practical’ evaluation and intervention are two complementary components of the aid delivery process, each with specific purposes, but both are ultimately aimed at ensuring the biological and psychological needs of the client” [3]. Assessment should be done in such a way that it does not worsen the client through a police type investigation but, on the contrary, improves the therapeutic aspects of its order, which acquires trust in the social worker, leading to the discovery and mobilization of their own resources. Assessment consists of the potentialities of the client’s affective, intellectual and physical capabilities available for them to form

the basis of changes in the client system. These capabilities form the internal resources of the client.

According to these principles, the social worker responsible for the case conducted the initial assessment of the socio-familial situation for S.M. and her child S.A.N., subsequent to her presentation to Emergency Centre Reception of Family Violence Victims, identifying these problems and needs:

- S.M. is a victim of domestic violence (physical aggression, verbal insults, insults, etc.) and asked for protection of herself and her child at the centre for victims of family violence
- The child S.A.N. has no medical benefit, is not enrolled at a family doctor and is not vaccinated
- The minor S.A.N. did not receive state allowance for children (the necessary steps have not been taken)
- S.M. did not accept the idea of reconciliation with her husband, but the legal status and the legal status for her children are unresolved
- S.M. does not have a home, work, a source of income, does not receive support from her extended family, and there is a risk of separation for the child (S.A.N)
- The moral landmarks and key values of S.M. are deformed due to the lack of adequate education from the family of origin
- S.M. is emotionally affected as a result of traumatic experiences, inclined to sadness, sometimes anger, fear, anxiety, shame, lack of self-confidence, low self-esteem, or in other words has a bad self-image
- S.M. has a low education level (8 classes), that makes it difficult to find a job.

Given the emergency situation, needs and problems identified, the social worker responsible for the case, proposed the admission of S.M. with the child S.A.N. to the Emergency Centre Reception of Family Violence Victims, being made in December 2011 by order of the General Director of DGASPC for a maximum of 60 days.

### **Elaboration of the Intervention Plan**

In assisting this case of violence I used several types of intervention, from direct intervention to indirect intervention, and provided information and references. Intervention began with experiencing problems with the greatest potential for change.

In the intervention I used the general method of social assistance (systemic perspective and focus on the task), and other methods depending on the specific problems identified. The general method of social assistance in the evaluation aims to assess the problem, the client system environment, and then plans the intervention. The method based on task was the most used in the intervention in this case and was applied for the following problems: lack of family support, lack of resources, the husband's aggressive behaviour, etc.

"The individualized protection plan (IPP) is a tool for service planning and protection measures for victims, it was decided to provide a form of protection" [4].

Based on the needs and issues identified by the centre responsible for the case, a social worker develops the plan, in consultation with the beneficiary and with the support of the multidisciplinary team, taking into account the following areas of action and interventions:

- Psychological status-counselling—as a way to increase self-esteem and confidence
- Health Status—enrolling the child to the family doctor and vaccination, monitoring the health of the couple
- Legal status—legal advice on steps to obtain divorce and child custody for raising and education
- Employment situation—facilitating relationships with the County Employment Agency (CEA) for finding a job
- The relationship with the natural family—facilitating a relationship with her sister.

Services were provided under the contract for the provision of social services.

Detailed evaluation information was requested from local governments. At the end of the residency period in the Centre for Family Violence Victims, because S.M. could not be integrated or reintegrated into a socio-professional family to prevent separation of the child from the mother, the social worker responsible for the case proposed admission of the mother and child to the maternal centre, being made in January 2012 by order of the Director General of DGASPC for a period of one year.

## **Implementation of Intervention Plan**

After admission to the Maternity Centre, based on needs identified from achieving detailed assessment, the social worker responsible for the

case, along with specialists (a psychologist, a medic, etc.), provided services and interventions embodied in activities to meet the proposed objectives. To implement this intervention program the Residency Contract was completed. The intervention itself is the implementation of the developed plan (IPP), being different from case to case, and “personalized intervention is done according to the situation of the beneficiary and the specific characteristics of existing social services” [4].

The intervention that proposed the professionals from the MaternityCentre had the following objectives:

- ☐ supporting the mother to develop a secure attachment in the mother-child couple: “securely attached children were able to rely on their mother’s behavior which was positive, sensitive and encouraging of close physical contact” [2], to prevent child abandonment and separation from the mother
- ☐ develop childcare skills
- ☐ develop confidence and self-esteem of the beneficiary
- ☐ support for further study and for finding a job.

During the internment, the mother-child couple received: hosting, shelter (a separate room where they were assured privacy), financial and material support (food, clothing, personal hygiene materials, and expenses for personal needs: 28 Ron/ month for mother and 28 Ron/ month for child).

In addition, the following objectives were developed in activities:

- ☐ Parental education (transmission of knowledge related to the needs of the child, strengthening the mother-child emotional bond, development of skills, education and childcare and acting as a parent), and non-formal/informal education (communication activities and behaviour in relation to the child, the formation of positive moral traits, learning specific techniques that can help the mother and influence positive child behaviour, awareness of own verbal and nonverbal style, and child enrolment in kindergarten). All this makes up the area of parental competence and “the purpose for parental activities is to facilitate the optimal development of children in a safe environment, these activities having several dimensions: (a) care, (b) control, (c) development” [5].
- ☐ Medical assistance (health surveillance for the mother-child couple by doctors and nurses from the centre, free healthcare).
- ☐ Psychological counselling to assume their identities, control emotions and conflict management, establishing emotional

balance, increase in self-esteem and counselling the beneficiaries to develop independent living skills.

Counselling was used as a type of intervention addressed to a relatively normal person in difficulty, who was helped to realize availabilities and use them to solve problems faced to live a psychologically comfortable life. Advisory work has facilitated “the victim [in] realistic self-knowledge, self-acceptance and to optimally utilize their resources and availability” [6].

Through counselling activities focused on psychological support in adapting to the new situation, the new environment establishes a therapeutic relationship characterized by empathy, congruence, unconditional acceptance, respect and collaboration. We also aimed to identify client expectations of counselling and counsellor and their familiarity with advice and strategies. Throughout the counselling process, we insisted on motivating clients to take an active role in changing their personal lives and increase self-confidence to be able to act in an appropriate manner in important situations, to cope with life events and challenges, to choose and make decisions based on their own skills and psychophysical attributes, considering that an effective personal/professional life is closely related to the degree of happiness, contentment and self-esteem: “Self-esteem level strongly affects performance in all activities, so people with high self-assessment are highly reliable, are mobilizing more and manage better, but when it is negative it causes many troubles and sufferings that come to disrupt our lives” [7].

During counselling the client was involved in identifying problems in their approach to using resources and their environment to facilitate change: “The fundamental idea in advising the client, the victim of domestic violence, was to reach optimal functioning of individual personality on a solid support and positive motivation to give her a state of satisfaction, of psychological well-being, an essential element of personal development and social integration for the customer of social care. The level of personal satisfaction felt is the main objective of social services” [8]. Social services spend huge material resources on customers needing social problem-solving skills, and if the goals are not met then this work is in vain, for the lack of satisfaction is an indicator of inefficiency but, more than that, it perpetuates, perhaps even amplifies, this perspective.

To all this are added judicial consulting—advising and supporting the beneficiary to obtain state allowance for children, accompanying the beneficiary to CEA for professional orientation and finding a job, advising and supporting the beneficiary in order to change the ID (expired), legal advice for new approaches in obtaining divorce and child custody for



raising and education, and support to restore the relationship with the two children left in the care of her husband.

In these cases, the social worker acted as lawyer/attorney on behalf of clients represented in certain situations and it helped her to act in her interest to get help/resources from different institutions, organizations and people.

The social worker took the role of mobilizing the community and acting to support the beneficiary to obtain a home, find child day-care services, ensure the exercise of religion, and facilitate relationships with the family of origin. By their actions they have created cooperation between the municipality, the church and the General Directorate of Social Assistance and Child Protection.

### **Results obtained after intervention**

- Psychological Rehabilitation of the beneficiary (psychological balance, adaptable personality, confidence and self-esteem, autonomy)
- Learning and assuming parenting skills
- Changing the ID of the beneficiary
- Recording the child's GP and applying a vaccination schedule
- Obtaining state allowance for children and opening a bank account to transfer it
- Finding a job, workplace training and obtaining a certificate of wiring assembler
- Registering the child with a day-care centre, ensuring child care when the mother is at work
- Orthodox baptism of the child (the godmother was the social worker from the Maternal Center)
- Obtaining the divorce and child custody for raising and education
- Finding a home for rent
- Acquisition of autonomy and increased self-esteem.

On the beneficiary demand, the residency contract ceased in October 2012, allowing the child to remain with their mother and her socio-professional integration.

### **Monitoring the Case Post-Intervention**

S.M. and her child were discharged from the maternity centre in January 2013. The case was monitored post-service over a period of three

months, noticing strengthening socio-professional integration and the increasing autonomy of the beneficiary. The mother-child couple were quickly accommodated in a rented house, and S. M. was integrated socio-professionally and is showing interest and seriousness at work. At work she is quietly confident that the child is well cared for and protected in the day centre where they are enrolled. All this gave her a positive mental state of satisfaction. So, for our beneficiary the need of happiness is actually a need of psychological balance, balanced personal structure, and adaptable personality proved by taking responsibility for having an independent social life outside of social assistance services.

## **Conclusions**

Professionals considered this case a successful one, obtaining the client's psychological balance, gaining autonomy and socio-professional reintegration of the mother-child couple. Targets for intervention were achieved and overall problems were solved correctly. The adults were praised as being: "honest, thoughtful, empathetic, kind and imaginative in trying to make difficult and humiliating situations easier for children" [9].

The social worker was involved as a true professional, working with the team, but was not a "god" who diagnosed and treated social dysfunction; rather, they constantly watched the strengthening client empowerment for attaining self-confidence to face current and future problems.

"It is each social worker's responsibility to do whatever they can to make current systems in children's services work in children's best interests, to know how to seek the support they need to do this and to be fully informed and confident about how to proactively protect children" [10], and any victim.

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# CHAPTER TWENTY-ONE

## SINGLE PARENT FAMILIES AND QUALITY OF LIFE

### LUMINIȚA IONESCU<sup>1</sup>

#### **Abstract**

The status of the single parent family presumes that its members are exposed to several risks that may create economic, psychological and relational imbalances. The structural deficiency of such a family involves a single parental role, which induces difficulties in function accomplishment and creates a high risk of exposure to extreme poverty, marginalization and social exclusion.

This chapter aims to show part of the risks which such a type of family runs.

**Keywords:** family, single parent family, income, communication, education, values.

The single parent family is formed by a single adult who raises and educates one or more children. The difficulties of adapting to the status of marriage of one or both partners eventually leads to their temporary or permanent separation, and to divorce. “The dissolution of the family through divorce is a complex psychosocial phenomenon, which represents the final form of breaking up the married life, changing the life of the partners and of their off spring” [1]. Single parent families have existed since ancient times and are supposedly caused by the involution of the family relations of love, the emotional-affective relations, authority within the family, and economic, cultural and religious relations.

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Many times, the expectations of the new nuclear family members are not those desired. The social media of origin of the two partners, their background education, and their school and professional education may generate reasons for discontent if disagreements appear between them. The relations that appear and develop in the family lead to the stability of the family type. "The relations between spouses are not static: they evolve permanently under the influence of internal and external factors. Their dynamics may lead either to maintaining or even increasing the satisfaction, or to decreasing it, towards family tensions and conflicts which, under particular conditions, may terminate the family through divorce" [2].

"The concept of the single parent family is no longer seen presently as a deviation of the family, but it is considered as an alternative to the classical, traditional pattern. Thus, the scientific terminology shows in a way the marginalization of the phenomenon, because this family behaviour is increasingly met in the present societies" [3].

The increased rate of divorce is just one dimension of the transformations affecting the nuclear family and it can only be understood within the whole picture of transformations. In the countries where the family underwent the most profound transformations (regarding the attitude towards marriage, nuptial behaviour, fertility, and the situation of the woman within the family and society), the divorce rate is very high [4]. Families in which one of the spouses (husband or wife) has died, or when one of the members left the family for good, are also single parent families, just like the persons who adopted a child or who raise children from outside the family. The single parent families may have a temporary or permanent status. Those having a temporary status occur, for instance, when a divorced man/woman remarries, when a widower remarries, when the separated spouses rejoin, or when young people living together get married when a child appears. The permanent single parent families are those which don't change their status, such as the divorced or the widows who don't remarry, women separated from their husbands who don't get back together, and the single parent with an illegitimate child.

Depending on the economic, social and politic context, the single parent family is confronted with several factors that may generate adverse influences or premises in relation to the economic and relational psychological equilibrium of the family members. Paul Bohannon mentions six dimensions of the divorce "experience" [5]: the emotional dimension that refers to the deterioration of relations between the partners and their involvement in affective relations; the legal dimension which involves a final ruling concerning the divorce; the economic dimension

aiming for the division of property between partners, the sharing of the common property and determination of the alimony; the custodial dimension which entrusts minors to one of the parents and which sets the rights and responsibilities of the other parent; the community dimensions which involves sharing the community of friends and the withdrawal or isolation from the kinship community of the former spouse; and the psychic dimension regarding the acquiring of psychic autonomy from the former partner. In contemporary society, divorce may be seen as a solution encouraging the start for a better life, not necessarily a failure (Ibid.). The psychological effects on the two partners depend very much on whether there are children or not, on the “affective investments in marriage, on who started the divorce ... on the density of the kin and friends network of each partners” [6]. The process of family dissolution affects the man and the woman differently. If there are children in the family and they are entrusted to the mother, which happens most often, and if neither of the former spouses remarry, the psychological costs are higher for the men, while the financial, material costs are higher for the women. The men who have some moral feeling suffer from not being near their children and worry about the possible appearance of a stepfather. The single mother having children is (sometimes) in an extremely difficult financial situation compared to normal families, women of similar age that are not married, or women who are married but don't have children. This economic decay is due to the fact that the mother has to take care of the raising and educating of the children, assuming the role of the husband who left the family; because she is supporting the needs of the children and the household she has no time for additional income-generating activities. The consequences of divorce also affect the children.

In traditional societies there is a trend of stigmatizing the child whose parents are separated. Psychological effects appear regarding the identification of the gender role and the formation of attitudes towards the family and work. If the child entrusted to the mother is a boy a phenomenon of maternal overprotection may appear. If, after the divorce, the child keeps in touch with the other parent (father), the differences in the psycho-behavioural profile are not significant compared to the normal (two parent) family. The interaction between the child and the father must compulsorily be positive. The studies have shown that the self-esteem of the child is affected adversely when witnessing family conflicts than in children from single parent families. The negative impact of the family dissolution depends mainly on the level of conflict in the former family, on the mental health of the spouses, on the size of the social network of the present family and on the age of the child at the time of the divorce [7].

The age of the child is extremely important and is directly proportional with the value of the parent for the child at that moment. Pre-teens tend to blame their parents—the father for leaving the family and the mother because she made the father go away. Self-blaming sometimes appears when the children consider that they are the cause for everything, that they did not behave well and listen to their parents. “In terms of feelings and cognition, for many children the divorce is liberation. However, for most of them—even when from the outside it seems to be for the benefit of the child—the reality of the divorce is sad and it affects the soul and mind of the people for the rest of their life” [8].

Risk factors appear in the single parent family that may affect its functions. The assumption of all family functions by a single parent, both the maternal and paternal role, may entail time crisis. In most situations, the maternal grandparents come to the aid of the single parent families to help the mother raise and educate the children. The economic function is affected by a lack of money for a decent standard of living. Some divorced parents are overwhelmed “emotionally and financially” and sometimes become depressed, while others desperately seek a new partner, which is why they are less and less available for their children and cannot meet their expectations [9]. Likewise, the function of socialization is affected because the mother is permanently busy with her maternal and paternal roles and with the household responsibilities, and thus has less time to express love and affection towards her children, and less time for warm and natural socialization within the family to integrate the children within the society [10].

When the single parent has several children to raise this “changes the manner of relation with the child and sometimes the parental roles are shared with the first born” [11]. When the single parent is the father, he “doesn’t involve himself in the domestic chores, most of them being done by the children, particularly by the elder daughter who assumes the tasks and responsibilities of the household, or by people from outside the family” [12]. The single parent assumes all family responsibilities but becomes unavailable for the needs of the children. A lack of communication appears, the children close themselves off and frustrations rush in. The parent no longer has the time to show the children his/her love for them, can no longer survey them efficiently or provide the protection and feeling of safety they need. If verbal or physical aggressiveness existed in the single parent family and the parent who lives with the children doesn’t spend enough time familiarizing them with love, warmth and peace, the children remain traumatized and may be affected by psychological and relation problems, forming “wrong patterns” regarding family life.

Most psycho-sociologists conclude that a single parent family is better than a family with dissensions and problems. While it was considered that the families with problems should remain together for the sake of the children, the present idea is that it is better for the children if the parents separate instead of submitting them to permanent conflict [13]. Younger children are most affected by the dissolution of the family, changing their behaviour and becoming disobedient and less loving. They are often sad, with feelings of frustration and are confused and anxious, wanting to get in touch with the absent parent [14].

Because of the absence of a parent, the children come into contact with the hardships of life and sometimes mature earlier and assume some concerns and responsibilities which “steal away” the right to a peaceful childhood. The number of single parent families has increased, which means that an increased number of women have the status of single mother.

A high risk factor that appears in single parent families is school dropout. The lack of income needed to buy school supplies and the inability to cope with the requirements make some children give up formal education and start working or do other things. If the single parent is not assisted by the social network (extended family, friends, neighbours, community), it is very hard to cope with all family requirements alone.

The vulnerability of the single parent family may also be associated with the socio-professional status of the single parent. “The risk factors come mainly from the professional situation of the single parent which determines not only the value of the income and its vulnerability on the labour market in terms of frailty, dependency, psychological wearing etc.” [15]. In order to cope with the challenges, single parents need additional efforts and strategies of adaptation. For instance, the results of a study by Olson & Haines (1993) on single parents identified seven actions which allowed them to be considered “good” and “successful parents.” These parents accepted the responsibilities and challenges arising from their families and transformed their parenting quality, applying non-punitive discipline, communicating freely with all family members, observing the individuality of each, and acknowledging the need for self-development and maintaining rituals and traditions [16]. The study by Richards & Schmiede (1993) revealed an outstanding resemblance in the identification of the following strengths: quality of being a parent through patience and support for the children; capacity of leading the family through good organisation and the capacity to coordinate the program; communication by inoculation of the sense of honesty and justice and by the clear transmission of ideas towards family and friends; development of their



own personality through the existence of the feeling of success, despite doubts, and keeping a positive attitude (Ibid.). The results of these studies prove that the school, professional and life successes of the child from a single parent family are directly conditioned by the cultural level of the family, by the direct involvement of the parent in rearing and educating the child and in forming their future. "All researches," writes Agnes Pitrou, "converge towards this research: the 'risk' for the child, which appears to be inherent in the case of the single parent families, cannot be correctly interpreted without making reference to the manner of social insertion of the parent in charge of the child's rearing" [17]. The American psychologist Kurt Lewin developed codes for the elements which determine the different types of positive educational climate, which should be taken into consideration by any family. Where it is the case, the families must be helped to meet such demands which the author considers true, being "commandments of the exemplary parents." These are: providing a feeling of security to the child, demonstrating that they are loved and wanted; avoiding threats and fear of punishment; teaching independence from an early age and teaching the child to assume responsibilities; keeping calm in front of the manifestation of a child's instincts; avoiding conflict; never making the child feel inferior; respecting the child's feelings even if they do not fit with the personal norms; treating the difficulties of the child without considering him/her abnormal; favouring development and progress more than perfection [18].

Because of the massive increase of the unemployment rate, due to the lack of jobs the single parents from Romania are very likely to migrate and work abroad in order to make money and raise their children. During the period of parental absence, the "luckier" children are supervised by the grandparents, while the others are left alone at home, such as in the case of older children. These children thus have to completely assume the parental responsibilities and this simply suppresses their childhood. Worrying about "tomorrow" appears, as well as a fear of being unable to cope without the protection and assistance of the parent. Such children become vulnerable, afraid and nervous with people around them and desire the presence of the "lost" parent.

The children cannot be burdened with the responsibilities of the parent. Even when the children are supervised by the grandparents risks can appear because the grandparents are old, have health problems and fail to supervise them closely; they are no longer updated on school requirements and with the needs of the children because society has evolved and they cannot control the development of the children.

The case of the permanent single parent family being seen as a positive alternative to a failed marriage may help its members balance psychosocially and behaviourally. The members of this type of family, taken as open systems, cope with hardships using defence mechanisms that are specific to their formal and informal levels with the purpose to “avoid and annihilate” destructive forces, to acquire inner peace and to get rid of any inner tension [19].

The literature shows that the loss of the life partner is a phenomenon which is accompanied by social risks both for the single parent and the child. Divorce may decrease the standard of living and the family can rapidly reach a state of marginalization or even social exclusion in the absence of support from the enlarged family or community. The functions of the enlarged family may provide support and equilibrium for the single parent family. However, this support must never excludethe role of the state as the social protector of this type of family. The worrying increase of the rate of single parent families within the current societies must be corroborated with adequate policies of social protection of the family to decrease the poverty rate and ensure the equal opportunity of society members to education, subsistence means and jobs, etc. The single parent family requires responsibility to be assumed at every decision-making level, the permanent investigation of the conditions of life and work of the parents, and the permanent awareness from the public and the economic and business media of the main political actors that have influence in each of these social contexts.

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## CHAPTER TWENTY-TWO

# PARENTAL VOICES OF CHILDREN DIAGNOSED WITH LIFE-LIMITING DISEASES IN ROMANIA

ESTERA CIOBANU<sup>1</sup> AND SALOMEA POPOVICIU<sup>2</sup>

### Abstract

Very little research has been carried out on the experiences of families with hospice or palliative care in Romania. Moreover, no Romanian research has been initiated in regard to pediatric palliative care. In this exploratory study, thirty parents whose children were diagnosed with life-limiting diseases were interviewed. Interview data analysis reveals the following three major categories: coping strategies, palliative care impact, and division of household activities. This study adds to the depth of our understanding of the specific experiences of Romanian parents of children diagnosed with life-limiting diseases, while providing some lessons that apply to a broader hospice and palliative care audience.

Keywords: children with life-limiting diseases, coping strategies, pediatric palliative care, parental division of housework, parental experiences.

### Introduction

The World Health Organization defines pediatric palliative care as a system and philosophy of care that focuses on providing physical, emotional, psychosocial and spiritual comfort to children and their families when a child has been diagnosed with a life-limiting illness. Ultimately, pediatric palliative care aims to add quality to a child's life, as opposed to solely adding days, months or years to it. Unfortunately, as a child's health deteriorates, their family may need to consider palliative

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care, which involves a gradual transition from a posture of aggressive curative intent to a state where the family embraces the possibility of death and hopes for other things of importance, such as peace, understanding, pain control, enriching relationships and a meaningful death [1]. Whereas there is a growing interest in research on parents' experiences, needs of, satisfaction with and the challenges faced by palliative care [2] [3] [4] [5] [6] [7] [8] in Romanian research remains scarce. For instance, the appropriate legislative environment for hospice and palliative care in Romania was only created in 2003. Shortly after, the existing research focused on retrospective evaluations of palliative or hospice care from the perspective of professionals directly involved in the care process [9] [10]. Only one study, to the authors' knowledge, has explored patients' or their families' perspectives on end of life care by focusing on communication barriers[11]. Moreover, no study has been initiated on children's hospice or palliative care in Romania. The current study does not aim to fill this research gap, but rather to contribute to the knowledge that is slowly developing in Romania in this important field.

## **Context of research**

After the Revolution in 1989, Romania inherited a centralized, exclusively public medical service under the authority of the Ministry of Health. Medical care, as in most Eastern-European countries, was mostly hospital-based and characterized by unequal access to health care facilities, over-bedding, and a lack of outpatient health care services. The quality of services and health-care equipment has generally been poor because of the lack of money available [12]. For example, in 2004 Romania had the lowest health care budget compared to European Union states at four times lower than average [13]. Thus, terminally ill patients that stayed in hospitals lacked proper care and attention, and those that were taken home were lacking specialized end-of-life home care.

In recent decades, various services such as hospice and palliative care, have been developed in the nongovernmental sector, mostly with the help of foreign funding programs [14] [15] [16]. Hospital palliative care services were mentioned for the first time in 2001 in the National Strategy for Health Care Reform, and in 2003 patients obtained the right to specialized homecare. Today, the Ministry of Health allows independent persons or organizations to provide palliative and hospice care at home. Although there are visible signs of progress, the development of Romanian palliative and hospice care remains patchy, uncoordinated and poorly integrated within wider systems of health-care and social delivery.

Whereas the need for palliative care is significant, the number of people receiving or requesting such care is still limited because of lack of accessibility, reduced resources and little public knowledge about this type of care [10] [17]. In Romania, little effort has been made to evaluate whether the palliative services provided have actually met the needs of those concerned [18]. Also, no Romanian research has been initiated to explore the experiences of parents of children diagnosed with life-limiting conditions.

## **Study objective and research questions**

As part of a larger study on the impact of palliative care on families in a context of poverty, the specific aim of this chapter is to learn more about the experiences of parents when children are diagnosed with life-limiting diseases in Romania in the hope of assisting service providers in constructing and augmenting pediatric palliative care programs that better accommodate the needs of families. Through the lenses of phenomenology, which aims to describe the meaning and significance of experiences [19], the personal narratives of thirty parents were interpreted in order to discern their specific needs, explanations and insights within the context of pediatric palliative care. The qualitative approach of phenomenology is underpinned by the philosophy of Heidegger (1962) and Gadamer (1989) and allows for a meaningful exploration of a phenomenon from the perspective of “lived experiences” [20] [21]. The following research questions guided the study: (a) How do Romanian parents describe their experiences after a child has been diagnosed with a life-limiting disease? (b) What are Romanian parents’ perceptions of the impact of palliative care? (c) What are the differences in contributions to family and household activities by fathers and mothers when a child has been diagnosed with a life-limiting disease?

## **Method**

### **Procedures**

One hospice that has a pediatric team working in close collaboration with the oncology hospital unit, providing support to families from diagnosis, was contacted to request assistance with this project. This hospice does not have an in-patient unit and the patients are regularly visited in the hospital, with follow-up visitations at home being planned as required. In some cases, palliative care is provided at home until the death

of the child. The case manager, also an author of this paper, solicited parents of current or former pediatric palliative care patients to participate in the project. Semi-structured interviews were conducted using open-ended questions to elicit views about (a) how the family was managing the illness situation, (b) the quality of the child's palliative care, and (c) division of household activities. Examples of questions were: "What are the greatest challenges you face in your everyday life to take care of the child?" "How do you handle such situations?" "How is your life different now from how it used to be?" "How do you see the family's life in the future?" "How do you and your partner divide various family and household activities between yourselves?" "How did you incorporate palliative care into your routine family life?"

Interviews were tape-recorded and the data transcribed verbatim. Directly after each interview, the interviewers' reactions and observations, both descriptive and reflective, were audio-taped and later integrated into field notes. The interviews lasted between 18 and 91 minutes and were held in the family's home at a time convenient to them. Interviewing families with children in palliative care can be challenging, and it goes without saying that these parents were undergoing a period of considerable stress. Thus, it was considered highly important to reassure them—when they signed the consent form and then in the course of the interview—that they could choose to withdraw from the study at any time. Also, special care was taken in planning the interviews with parents of deceased children to avoid sensitive dates such as the deceased child's birthday, holidays or other such events. Written consent was obtained from all participants and approval for conducting this research was given by the ethics committee of Emanuel University of Oradea.

It was deemed important by the research team that the parents perceive the interviewer as a knowledgeable and caring individual, someone who would respect their privacy and take active measures to protect them from further pain on the basis of their study participation. Consequently, the interviewer was the case manager who established trusting relations with the participants prior to the study. All those who participated reported that it was a worthwhile experience.

### **Study design and qualitative data analysis**

The approach of the study was exploratory and qualitative. Parents were identified and solicited by the case manager to participate in research, and interviewing ceased upon saturation (i.e. when new information was no longer introduced in response to the interview

questions) [22]. Although the findings of quantitative research cannot be generalized, its strength is its focus on the specific context and people, and on personal narratives. The goal is to stay close to the surface of data while capturing elements of experience. The scientific value is given by the researcher's ability to achieve that goal. As a result the descriptions depend on the perceptions, inclinations, sensitivities and sensibilities of the describer [3].

In this study, personal narrative was used in order to understand the experiences of parents of a child diagnosed with a life-limiting disease. Researchers and methodologists note a growing acceptance of postmodern research methods, and the importance of listening and telling stories through narrative interviews as a means of understanding experience and producing knowledge [23] [24]. For the present purposes, the concept of "family" is broadly defined as "the individuals who care for the child diagnosed with a life-limiting disease." The term "parent" is inclusive of biological, adoptive, foster, single and legal tutors. It is noteworthy that in Romania extended family members often participate in parenting roles.

Interviews were analyzed for thematic content analysis by hand. Each transcript was read between four and six times and coded independently by two of the authors. Interview transcripts, interviewer's field-notes and other entries from the field journal were triangulated in order to identify themes, confirm inconsistencies, salient issues and patterns. Participants' narratives were analyzed by a line-by-line process, and scrutinized for inconsistencies, contradictions and omissions. Independent coding allowed for the isolation of subcategories and the reintegration of data by focusing on relations between categories [25]. For example, if the parents' narratives about their experiences were divergent with markers from the literature, a revision of the major categories was made. In the following results section, quotations from the interviews are used to illustrate the themes identified as characterizing families' experiences. All quotations are translated from Romanian to English by one of the authors.

## **Results**

### **Sample characteristics**

The convenience sample was mainly white females (90%) with a mean age of 32.9 (range 24-47). Three parents (10%) were white males (age 28-52 years). Twenty-five parents were married, or living as married, and five were single, separated or divorced. Most parents reported low incomes per household/month in the range of 583-3,825 Ron (approx. \$180-\$1,177),



with a mean of 1,363 Ron (approx. \$420). Four parents (13%) reported that they had no education, eight (27%) graduated primary school, five (17%) had some form of vocational training, ten (33%) graduated high-school, two (7%) graduated college and one (3%) had a Masters' degree. The parents had between one and twelve children (mean 2.6). The children diagnosed with life-limiting conditions had a mean age of 8.23 (range 2-18 years). In five cases, the interviews were taken after the death of the child, thus providing a retrospective viewpoint. Children were diagnosed with the following life-limiting diseases: acute lymphoblastic leukemia ( $n = 7$ ), acute myeloid leukemia ( $n = 1$ ), bulky pelvic tumour with lumbosacral spinal canal invasion ( $n = 1$ ), common variable immunodeficiency ( $n = 1$ ), Duchenne muscular dystrophy ( $n = 1$ ), Edwards syndrome ( $n = 1$ ), epidermolysis bullosa ( $n = 2$ ), Ewing's sarcoma ( $n = 1$ ), Hodgkin's lymphoma ( $n = 1$ ), medulloblastoma ( $n = 2$ ), non-Hodgkin's lymphoma ( $n = 2$ ), posterior fossa tumour ( $n = 2$ ), Werdnig-Hoffman disease ( $n = 1$ ). Six children were diagnosed with two or more types of the above-mentioned diseases.

Interview data analysis resulted in three major categories regarding the experiences of parents after their children were diagnosed with life-limiting diseases: coping strategies, palliative care impact and division of household activities.

### **Coping strategies**

At the beginning of their experience with pediatric palliative care, most parents found it very difficult to manage the demands of the illness and felt overwhelmed by the situation. However, strategies slowly emerged to help parents cope with the stress and high demands of caring for their children. Six coping strategies were discussed: (a) focus on religious beliefs, (b) joining activist or support groups, (c) avoidance or escaping, (d) positive thinking or optimism, (e) gathering information, (f) reframing.

The most common coping strategy parents mentioned was a focus on religious beliefs. For example, the mother of a six-year-old patient found hope in her belief that "God helps me and he is close to us, and he sends his angels to protect [name of patient]." Another parent also remarked: "The prognosis is bleak, but my hope is in God. Everything will be ok. I know that prayer overcomes all and everything. I know that the power of God and prayer will make it right again. I even told the people from the hospital—I go to the hospital a lot—that where science ends, God begins (mother of a ten-year-old patient)."

However, not all parents found comfort in religion. Some perceived the disease as a punishment from God:

People look with suspicion on the parents of a sick child. They look at you like you did something wrong and now this is your “reward” ... like you are a person that has done something so bad that deserved God’s punishing. This is the best way to put it: punishment! After I gave birth to her, my sister in law said: “Who knows what you did?! See what happens when you don’t go to Confession before giving birth?” (mother of a twelve-year-old patient).

Even if religion remained one of the most-quoted coping strategies, some parents found more secular ways of dealing with an uncertain situation, such as joining various activist or support groups. One mother shared her experience as follows:

There is also hope. I cannot say that I’ve abandoned hope. I still hope for some good ... at least, for better pain control. I have participated in the first congress on this illness in our country. We have slowly begun to organize ... this made me feel more secure and less anxious. I have heard of progress being made abroad, and I am more hopeful that one day, these kids may grow to be adults, and then, maybe we can even hope for a cure (mother of a thirteen-year-old patient).

A few parents described the benefits of meeting other families that faced similar problems: “I felt more courageous around other moms. We lift each other up.” (Mother of a five-year-old patient). Overall, the majority of reports revealed positive social interactions with other families that faced similar problems or with the palliative care staff, and more distant—or sometimes even negative social interactions—with the neighbours or friends that did not have a proper understanding of the children’s diseases, or that were perceived as taking too much of the precious time that the parents had. For instance the mother of a four-year-old patient said:

Since my daughter’s problems, I find it hard to socialize or have people visit for hours at a time. I just don’t feel the need for all that commotion anymore. I can say that I’m not in the mood for socializing, I’m no longer willing to try, and I no longer like it or need it. I don’t feel like seeing anyone, or take the time to set the table or cook ... Anyway my house is upside down ... I don’t want people to see the mess in my house.

Avoidance or escaping was another common coping strategy. This included not wanting to acknowledge the terminal nature of the illness,

wanting to leave the situation, or not wanting to think about the child's diagnosis. Others, realizing the gravity of the diagnosis, coped by trying to maintain a present orientation by living in the moment and taking a one-day-at-a-time approach. One such parent, a father of a two-year-old patient notes: "I couldn't even imagine life without her! ... She is a perfect innocent soul in a sick body. We hope today and we will not think about tomorrow."

Positive thinking or optimism was also described as a coping strategy by parents. Some described how they continued to hold on to the hope that some miraculous cure might be discovered that would change the progression of the disease. Others maintained a positive outlook on life and continued to make plans for the future, refusing to define the situation as tragic and expecting that the child would still have a long life:

We put more emphasis on school. We tried to help her integrate into a regular school. I believe that if she wasn't in a normal school, psychologically she would be doing much worse. However, we encouraged her as much as we could .... We hope ... she hopes that she'll finish high-school and then go to law school ... she wants to become a judge. She asked me if I'll go with her, and I told her that I'll follow her wherever she decides to go (mother of a fifteen-year-old patient).

When there was mutuality between the parents' perceptions there was no added tension in the family. However, some parents noted that, at times, mutuality fluctuated, with one parent recognizing the terminal nature of the condition, whereas the other tried to evade the effects of the progressing illness and behaved as if little had changed. When parents disagreed on how to manage the child's illness, conflict arose between them, adding to the difficultness of managing the situation effectively. A less frequent coping behaviour was gathering information to help understand the child's diagnosis and medical treatment. Parents sought information mostly on Web pages or from other families they met in the hospital. Although most parents remarked that they would have liked to receive more information from the medical staff, they felt that it was better to stay away from bad news, and thus turned to an avoidance coping strategy:

I panic about everything, I am aware ... I read a few times on the Internet ... but I vowed never to read about her disease again, because three days and nights I cried non-stop. There is no point to it! What for? It's better not to know (mother of a twelve-year-old patient).

Another coping strategy was reframing. Some examples of reframing the situation include: becoming closer as a family, seeing family conflict

in light of a shared experience of stress, personal growth or the opportunity of making the best of the situation. One mother explained:

We are more trusting ... Whenever you hope, eventually you find an open door ... I think that in our case, the problems we have are so “out there,” but for others the problems are still there, but not as obvious. Everyone has problems. I talked about these things with [child’s name]. She asked me: “Why is it that some people have money, a car, are healthy and own a three room apartment?” She also asked me, “Why does God punish us?!” I told her that because of her, God has brought us together in a special way, and that without her our lives would not be so fulfilled. We had no choice but to stay strong and close together. That’s how we help each other (mother of a fifteen-year-old).

In addition, the father of a five-year-old remarked: “So much has changed and you see the world in a new light. You stop judging people.”

### **Palliative care impact**

Reports emphasize parental satisfaction with the homecare received through the hospice program. When discussing palliative care impact, three themes emerged: (a) symptom and pain control, (b) emotional support, (c) need of financial help.

Parents described how palliative care services become an important part of the family’s routine whenever they were unable to control their child’s symptoms: “Every time something hurt her, she would say, ‘Mom, call Ms [nurse’s name]!’ She knew that if Ms [nurse’s name] came, she would help with the pain” (mother of a deceased patient). Even if the desire to diminish the child’s physical suffering was seen as an important goal of palliative care services, most parents perceived that one of the greatest benefits was having “someone to talk to.” Parents described enjoying the opportunities for “honest conversation,” something they found it difficult to have with family, friends or neighbours: “That mattered a lot ... someone to talk nicely to you, to feel that they care ... It was important to know that I could call anytime” (mother of a deceased patient). Most of the parents in this study were poor and the extra financial challenges because of the child’s illness left them with no money for rent, food, clothing, transportation, medicine, diapers or firewood for the winter. Some parents lived in shanty towns and for many there was not enough money to cover even the necessities. Whilst some parents reported feeling embarrassment in asking for food or hospital transportation money, all agreed that financial assistance was vital. A mother shared her

harrowing experience when her family ran out of firewood in the middle of the winter:

I couldn't afford firewood, and last winter it was very difficult for me to have to keep the boy in the cold. I'm so glad you helped with firewood ... Sometimes, however, I am embarrassed to tell you that I have no money for transportation or food (mother of a seven-year-old patient).

For these parents, the financial help received from the palliative care services was of utmost importance:

I find it very helpful that I receive food, diapers, medicine, cleaning products, clothes for my little one, and advice on how to care for him. It is a great help for me to have someone look after our basic needs (mother of a two-year-old patient).

Some parents mentioned that without the financial help received through pediatric palliative care, they would have faced an extreme choice between institutionalizing their ill children and keeping them at home, at risk of dying in inadequate conditions. Moreover, some gave accounts of parents that abandoned their children in the hospital over the winter or for longer periods on the basis of a lack of financial resources: "I've heard of families where the father says: 'Just abandon him in the hospital!' ... I know parents that had to give up their children like that!" (mother of a twelve-year-old patient).

### **Division of household activities**

Regarding the division of household activities two themes were identified: (a) career precedence and (b) contributions to family and household. Career precedence was reflected in accounts describing who was expected to renounce their employment in favour of family and household activities after the child was diagnosed with a life-limiting condition. The parents in the study described whose career took precedence in one of three ways: the husband's, the wife's, or equal. The results suggest that many parents took a traditional attitude toward career precedence for reasons such as the view that the woman's primary role is that of a mother (the husband being "breadwinner"), the husband's should achieve a higher salary, and the needs of the husband's ego (i.e. providing security for his family or need for a higher status met by having the dominant career): "I quit my job because only a mother knows how to take care of a sick child ... Also, I quit because a man can always earn more money than a woman" (mother of a two-year-old patient). In a few cases,

the wife's employment took precedence. For these couples the most important factor that seemed to play a role in the decision was the salary and/or job stability: "My husband worked at a private firm, and so, when it came down to it, I preferred that he quit. I work for the state, and my job is more stable" (mother of a four-year-old patient). However, for one father the reasons for quitting his job included the desire to spend more time with his two-year-old daughter and "do the right thing." For some of the parents employment had equal precedence, which in this study meant that they were either both employed or unemployed. Regardless of employment, the majority of the mothers in this study reported doing most of the housework activities:

I sweep the floors, I do the laundry, when I have time ... but it's got to be me. My eldest daughter [the patient] helps me sometimes. She cleans the house just like me! She's great at it! Maybe if we lived in an apartment building, I would allow him [the husband] to help. But we live in the country ... His job is to get firewood, to plough, gather the corn ... stuff like that. But he better stay out of the kitchen! (mother of a twelve-year-old patient).

Fathers' contributions ranged from no support, to doing a small part, to sharing housework relatively equally. Only a few engaged in the majority of family and household activities. Often the fathers were described as helping only if their wives told them to:

He helps me if I tell him to. But I have to constantly tell him ... It doesn't occur to him that he needs to do chores. I have to specifically point it out to him. I often tell him: "Why should I worry about everything if you don't?" (mother of a two-year-old patient).

Some fathers were completely uninvolved. In such cases, the mothers reported receiving help from other family members such as an older child, or the grandparents. No parent reported making use of childcare or household services.

I have no support from my husband. He doesn't help me with the sick child, or the house. I do everything around here. My mother-in-law helps with grocery shopping because I cannot leave the house ... I stay with him the whole time. My husband's not involved. He works the field, takes care of the farm animals. When he's home, he does nothing. I have to do everything (mother of a two-year-old patient).

My dad stayed with them [the other children] while I was in the hospital with this child. Dad used to encourage me, ask me how I'm doing. He kept

telling me not to worry, that everything will work out just fine. He cut the firewood for us, fixed the fire, food, helped with homework, did the shopping ... (mother of a five-year-old patient).

Sometimes, the fathers had a negative and disruptive influence on the family.

... he was a drunk. When [child's name] was really sick, I divorced him ... His co-workers heard that he had a sick child that had to go to Bucharest for treatment... We had no money, and my dad got a loan from the bank. So, his colleagues had a fundraising event and raised almost all the money we needed for [child's name] ... He didn't tell anyone about this, drank all that money ... spent it all, didn't even have enough left to buy a pair of socks for the children. I didn't know about this at the time, and so I took the money from the bank ... [When I found out] it hit me hard ... Then, he came home drunk ... he threatened me and [child's name] ... he said I should abandon the sick child [in the hospital] ... I was so afraid, I couldn't sleep, and so ... one day I felt courageous and told him to get out for good! ...He wasn't worth it ... (mother of a twelve-year-old patient).

This year we divorced. He just doesn't get it. I'm sorry, but he's found new girlfriends. I was in the hospital and he would complain that he gets lonely. I was watching my son cry in pain and he ... I couldn't understand him. I honestly don't think he is sane ... he is forty-three years old ... (mother of a three-year-old patient).

Others had an active and supportive role, coordinating and initiating most household and family related activities: "I do mostly everything ... it's mostly me. I've stayed with him during treatment, because his mother is busy at work" (father of a seventeen-year-old patient). Most fathers that initiated and managed the majority of family and household activities also carried the emotional burden or psychological responsibility for making sure that all family members were taken care of, including their wives and ill children.

## Discussion

This study employed qualitative analysis to explore the experiences of parents when children were diagnosed with life-limiting diseases in Romania. Three major categories were found: coping strategies, palliative care impact, and division of household activities. Consistent with previous qualitative studies on parents' experiences with a child's diagnosis of a life-limiting disease [3] [26] [27] [28], parents discussed their coping strategies as a key component of their response. In accord with the study

of Johns et al. (2009)—a study that looked at the role of culture on the coping themes of Latina and European American mothers of children with cancer—the parents included in this research reported similar coping strategies including: present orientation, reframing, avoidance, positive thinking, gathering information, support groups and religious beliefs. What is different is that Romanian parents seem more likely to cope by focusing on their religious beliefs and less by gathering information about the diagnosis and prognosis of the disease. This finding can be explained by looking at the Romanian cultural context.

Firstly, at the risk of oversimplifying, in Romania prior to 1989 the Communist ideologues and bureaucrats, in their desire for expedient social secularization, succeeded in expelling religion from the public sphere but not the private sphere. Consequently, since this public secularization was not accompanied by social modernization (Romania remained one of the least developed countries in Eastern Europe) after the fall of Ceausescu's regime in 1989, private religious behaviours and rituals invaded the public sphere [29]. Today, Romania is a nation that is deeply rooted in the Orthodox tradition. In this context, the majority of Romanians are religious people that participate in collective religious behaviours and rituals. For example, some polls note that up to 91% of Romanians are religious and as many as 96% believe in God, with less than 1% openly declaring themselves "atheist" [30]. In addition, by using measures of church attendance and frequency of prayers, research shows that Romania ranks near very religious countries like Ireland, the United States, Uganda, the Philippines and Iran [31].

Facing the disease of a child that magnifies the fragility of existence can lead parents to question the purpose of life. Religion and spirituality can provide Romanian parents with the opportunity to develop a personal symbolic visualization of a higher power. This manifestation of spirituality has the potential to help them look beyond their immediate circumstances and find optimism and courage in dealing with the painful emotions that often accompany their child's disease. However, religious beliefs may for some take the form of anger towards God, or they may view the disease as a form of punishment [32]. For example, Koenig & Larson found that religious beliefs centring on compassion, caring, hope, forgiveness and transcendent meaning provided people with an optimistic worldview and a better perception of well-being in the midst of illness symptoms [33]. Thus, when religious views begin to hinder the ability to cope, parents may need assistance in order to challenge or redirect their reasoning. Other times, parents and patients may need sensitive and non-indoctrinating spiritual or religious guidance in order to find ways to enhance spiritual balance and improve their overall quality of life [34].



Secondly, parents may avoid gathering information about the disease because, on one hand, talk about death in Romania is taboo [11] [9] [10], and on the other the health care system functions as an authoritarian institution with a patronizing attitude that discourages families from actively seeking information about the diagnosis, prognosis and medical treatment while encouraging compliance with medical decisions. This finding is supported by research in other middle-income countries with a high level of religious affiliation, such as Brazil [3]. Bousso et al. observe that medicine in Brazil has no tradition of respect for patient autonomy, and end-of-life decisions are ultimately made by the medical team in charge, based on the concept of beneficence and influenced by the cultural and moral values of each individual team of health care professionals (p. 93). In Brazil, like in Romania, families are not welcomed to participate in the decision-making process regarding their children's care. It is thus possible that power relations are produced through hegemonic discourses that place the decision-making privileges with the medical staff as opposed to the family. Another possibility is that in Romania the mix between the mystical and superstitious Orthodox religious landscape and the paternalistic health care system leads to a fatalistic approach to disease, where family participation in decisions about disease, treatment and care options remains at best negligible. This is an important area in need of future research.

The impact of pediatric palliative care on families in Romania is similar to other findings in the literature [35] [36] [37] [38] [39]. Research consistently shows that families welcome the psychosocial assistance provided by palliative care, and are mostly happy with what is considered a somewhat competent and specialized approach to pain and symptom control. In addition, the focus on the improvement of the quality of life is embraced by parents. One salient problem in Romania is the high cost of medical care for families. In spite of the fact that Romania has a universal health care system, a big issue remains the level of out-of-pocket spending. Many hospitals lack basic supplies, and although the equipment is available, certain procedures cannot be done until the family or patient provide the supplies themselves, pushing them further into poverty. One unfortunate and high-cost consequence is the institutionalization of children with life-limiting or chronic diseases (National Authority for the Protection of Children's Rights [NAPCR]) [40]. This is a big problem in Romania that requires constant and more thorough attention from health care and social policymakers.

The multiplicity of families and family life in Romania makes it difficult to talk in global terms about family management styles and division of housework. However, there are certain cultural beliefs related to family roles that are also reflected in the accounts presented in this

chapter. In Romania, the mother is usually the caregiver of the family regardless of situations of illness or health. Sometimes, there may be parental mutuality, but the lack of symmetry between division of housework activities is a cultural characteristic. The mothers are expected to cope with the situation of having a child in pediatric palliative care more than other family members, putting them at risk of higher stress and caregiver anxiety [41]. Most mothers end up giving up their jobs and caring full-time for their ill child.

The level of responsibility of mothers of children diagnosed with chronic or life-limiting diseases has been studied in different cultures [3] [6] [8] [38] [42] [43]. As Bousso et al. note, the need for partnership between parents, other family members, the health care team and other sources of social support is evident in the context of life-limiting diseases, and in its absence many mothers may end up taking full responsibility for housework and care giving [3, p. 113]. As a result, they may end up feeling overwhelmed, alone and unable to adequately care for their child [41]. The asymmetry in division of housework activities found in this study suggests that hospice and palliative care staff should explore ways to encourage more fathers to be involved in family and household activities and engage them in the palliative care process.

## **Limitations**

This study is not without limitations. For example, the interviewer was the case manager for the patients and their families. One advantage was that the parents were familiar with the interviewer and were more likely to talk about delicate topics with ease. The disadvantage was that the interviewer might have unconsciously influenced their perceptions of care. Another limitation is that in interpreting this study it must be remembered that the results reflect only the opinions and experiences of those parents that participated. Also, the convenience sample could have created a bias in the results, because the parents most satisfied with the palliative care might have been those most willing to participate. However, in spite of these limitations, by exploring the unique perspectives and experiences of parents this study adds to the depth of our understanding of their specific needs and points to practical ways of addressing them.

## **Conclusion**

The aim of this research was to explore, for the first time in Romania, the experiences of parents of children diagnosed with life-limiting diseases. Interview data analysis resulted in the following three major

categories regarding the experiences of parents after their children were diagnosed with life-limiting diseases: coping strategies, palliative care impact, and division of household activities. The findings show that, in Romania, most parents cope by turning to their religious beliefs. Other coping strategies found were joining activist or support groups, avoidance or escaping, positive thinking or optimism, gathering information and reframing. Parents also remarked on satisfaction with the pediatric palliative care received, mentioning the benefits of symptom and pain control, emotional support and financial help. Lastly, parents talked about managing housework activities. This research shows that most participants took a traditional attitude toward career precedence and division of housework. The woman's primary role was seen as that of a mother and the husband's as a "breadwinner." The high level of responsibility placed on a woman's shoulders in a context of palliative care points to the need for improving cooperation between all family members, and to the importance of finding other sources of support (i.e. free childcare services for siblings, respite time for mothers, etc.). While not without limitations, the hope is that this study will provide insights that help service providers in constructing and augmenting pediatric palliative care programs that better accommodate the diverse needs of families.

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## **PART IV**

### **THE QUALITY OF LIFE WITHIN THE SOCIAL-ECONOMIC AND POLITICAL CONTEXT**

## CHAPTER TWENTY-THREE

# THE RELATIONSHIP BETWEEN SOCIAL WELFARE AND HAPPINESS IN THE KNOWLEDGE-BASED ECONOMY

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### **Abstract**

The knowledge-based economy has generated major shifts in economic and social life resulting in changes, at least in terms of defining both welfare and happiness, but also in terms of approaches to the relationship between the two concepts. Social welfare is influenced by economic fluctuations, demographic change and reorganization resulting from the rapid change of paradigms. Meanwhile, it is known that happiness is a difficult concept to define, due to its subjective nature. In the literature all concept definitions capture social relationships as a basic component. As such, the approach of social welfare happiness from its relational perspective is, in the knowledge-based economy, the foundation for understanding the matching elements and metrics to identify the two phenomena.

Keywords: Relationships, communication, happiness, welfare.

### **Introduction**

The knowledge-based society is characterized by a very dynamic development through revolutionary advances in all areas of activity and

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changes in science and technology, all of which decisively influence all sectors of society, forms and methods of management entities, and especially human life.

Thus, in the era of the internet and e-business, the knowledge-based economy has produced fundamental changes in the socio-economic structures, creating new models of organization and economic activity. It is known that the knowledge-based economy is one where communication technology creates global competition, where the rapid change is a constant, where innovation is more important than mass production—in which the investor buys new concepts or new ways to create—and that the prosperity of companies arises from innovation and not optimization [3]. Therefore, the major changes regarding the paradigms of the organization, management and labour generated by the knowledge-based economy cause new challenges in defining and understanding happiness and well-being. Thus, we can say that a flexible work organization can contribute to higher levels of job satisfaction or to a better mood, which can also mean a state of happiness. In addition, efficient management can contribute to the development of a creative way of thinking, to increase the receptivity to new ideas and to develop certain skills, which means, ultimately, intellectual wealth.

As such, in the context of the knowledge economy and a difficult economic climate, the success of all entities is assured by obtaining welfare and happiness. In fact, all people want to be successful and to live a full and happy life, although many do not believe they can have it all. All their lives, people are trying to achieve success, happiness and welfare, while the most happy and fulfilled people are those who have the manifestation of their qualities and skills as everyday purposes in life, and who do not wait for situations and better conditions to become prosperous and happy.

The study conducted was based on interviews with various entities in different industries and higher education in order to reveal how they perceive and report their existence to the two concepts: social welfare and happiness.

The literature reveals many definitions and theories on the concept of social welfare. As such, for example, by referring to its size, social welfare was defined in terms of individual welfare, physicality, spiritual wealth, material wealth, intellectual wealth, and so on. Obviously, the literature highlights other similar concepts such as quality of life, social welfare, good conditions, happiness, general life satisfaction, subjective well-being, perceived quality of life, and so on.

The purpose of the undertaken scientific endeavour was to demonstrate the importance and the need to address social welfare and happiness from

the relational perspective, revealed (primarily) by the formulation of problems that need to be solved urgently. In fact, in the context of the global crisis and the knowledge-based economy (economic networks) where the individual, as a carrier of culture and knowledge, being creative and innovative, is dynamically interconnected, creating superior constructions (networks) that auto-generate themselves, welfare and happiness must be addressed and measured from the perspective of social relations.

### **Considerations Regarding the Relationship between Social Welfare and Happiness**

In order to approach the relationship between welfare and happiness, these concepts must be clarified. It can be said that the notion of social welfare is synonymous with the level of satisfaction or utility enjoyed by the members of society. Therefore, welfare includes a variety of objective and subjective factors. Thus, it is considered that the level of welfare is measured by an indicator called standard of living, which represents the amount of goods and services consumed by an individual or a family. Therefore, the basic component of social welfare is the material component. According to some specialists, material wealth is a function of income (basic activity and other income such as dividends, rent, interest) minus expenses.

However, it suggests that experiencing good conditions is a philosophy of life and not just the accumulation of material wealth. As such, individual welfare does not necessarily refer to the assets held, but to human potential, respectively the necessary knowledge to progress towards achieving proposed objectives, the ability to plan and act (to be an entrepreneur) and the ability to develop social relationships. In other words, psychological comfort is an indicator of well-being (mental). It can be considered that welfare has the following dimensions: physical, emotional, spiritual, intellectual, social, environmental and material. Thus, one can speak of physical, spiritual welfare, welfare rights, spiritual welfare, and general material wealth.

Every person has an innate desire to succeed in life, and the condition of obtaining welfare and happiness is not given by the heredity, upper level of IQ, the level of education or by the level of welfare of the family, because there are too many people that are happy and living “in good conditions” who did not have any of these advantages [4].

With regard to happiness, according to some authors this implies purpose, social relations, social status, level of physical health and well-

being, and so on. Therefore, according to these meanings, material wealth is a common component of both welfare and happiness. However, happiness cannot be limited to goods and to holding a certain position in society. More than that, happiness is a state which occurs at some point (a peak experience) in certain moments of the life of an individual [1]. As such, can happiness be measurable? Researchers have found that there can be a set degree of happiness or contentment both individually or nationally. Obviously, over time there have been some coordinates which can determine the degree of individual happiness, regardless of the economic development of the country in which individuals live, such as: family, health, age, income (sure and efficient) relational stability, professional life, emotional life, and so on.

But happiness is a subjective, relative concept always in relation to the realities in which every entity exists and is positioned. This is because people structure their life strategies depending on how they perceive or integrate certain situations, happenings and events. On the other hand, the position of the individual within the society, the family or within the social and membership group is important for their physical, mental and social well-being. Factors that disturb happiness (poverty, corruption, abuse, obesity and so on) are taken into consideration only if they are part of the reality accepted by each individual separately. The accepted reality is primarily that perceived by each individual, according to their education, beliefs, values and concepts about life, people, environment and other things. Thus, if an individual does not see themselves as poor and with poor health, but happy because of the way they perceive reality, while others label them poor and sick, then is that person in a good condition? In other words, are there uniform criteria to quantify happiness, regardless of economic and social development, traditions, religion, mentality, age and sex. At first sight, it would seem that there are, being generated by the nature of human potential. This is because happiness is a state generated by a variety of events, feelings, emotions and so on, designed by each individual separately. The definition of happiness is not given by good health or an ideal age but by good relations. Happiness does not consist of reaching certain goals—a successful marriage, a good job, a family, a car, a house, and so on—but refers to what the individual makes on their journey towards achieving goals and expectations, the attitude adopted to themselves, to other people, to life, community and society in general.

That is why people who are happy and are in a “good condition” seek favourable circumstances for the recovery and development of their potential, and if they do not find them they create them. In other words, individual happiness depends on what each individual makes day by day,

hour by hour. Happiness is in each of us. More than that, the ones that learn “to put in a relation elements that normally do not have much in common” are able to develop relationships and build their “favourable world,” ensuring social welfare and the happiness of achieving goals in life.

Regardless of the approach perspectives, happiness is a mental state caused by certain positive feelings (satisfaction, happiness, pleasure) that we have in relation to nature, people, our jobs, our objectives, our relationships, the community, the state, and society as a whole. That is why happiness is a state that is impossible to quantify, though many researchers in different fields have tried to measure it, as in the test called the Oxford Happiness Questionnaire.

Also, happiness can be addressed at individual, organizational, national and local levels. A Forbes study ranks the most fortunate countries, placing Romania and Bulgaria at 48 and 58 respectively. Obviously, being the happiest countries in Northern Europe, the UK ranked 13, Germany 15, France 18, Spain 23, Italy 30 and the U.S. 10. In the United Kingdom, “national happiness” is a major indicator of progress. A national survey regarding happiness, which took into account personal relationships, material wealth, education, health, community, leisure, mental well-being, arts and culture, relations with neighbours, government / public administration, labour and the environment reveals that 39.1% of Romanians are happy [5]. The survey measures happiness as an indicator composite index that is based on the assessment of general life satisfaction, happiness and assessing the Central Self-Anchoring Scale. The findings reveal five types:

**Indigent** represents 20.3% of the population (mostly alone / without a partner, single / divorced / separated / widowed) with an income under 300 euro, with poor health and a lack of meaning in life. Household size is less than three persons, most with only one. These are generally the employed and housewives, with a high probability of delaying payments to creditors, spending the extra money (if any) on material goods. They work hard to survive, and often feel alone and unhappy because of the lack of social interaction and professional achievements. They don’t trust themselves and don’t have the energy to overcome their condition.

**Searching the path.** In this category falls 20.3% of the population, predominantly female, with an income below 300 euro, alone and without a job (or a job needed). Given their poor professional and financial situations, individuals in this category feel unhappy. However, they have inclinations to socialize, and for educational activities, arts and culture, which contribute to a slight improvement of the state of unhappiness.

**The family man.** This is the category which represents 17.4% of the population studied, aged between 35 and 44 years, being mostly married, with two or more children, in good health, and with effective social relations. The category is predominantly female, and they are geared towards creating a healthy and balanced family, being either on maternity leave or on a career break due to the economic crisis. With an income below 300 euro and without many professional accomplishments, the people in this category are satisfied with their plan.

**Careerist.** This category accounts for 13.7% of the population studied, and is predominantly male. Aged between 35 and 44 years, career people have a certain status, prestige and identity, accept environmental challenges, but also present a certain amount of pessimism generated by the conditions in which they occur. With many opportunities provided by the cities in which they live, they are relatively unhappy because they can't improve their own lives.

**Fulfilled and balanced.** With a percentage of 32.6% of the population studied, individuals in this category are often from small towns, have children and are from a larger than average family. These are employees, with revenues of more than 450 euro and, as such, material, moral and family recognition. Individuals in this last category are balanced, building themselves a reality based on their confidence given to the environment in which they operate, and are confident in the family, the community (neighbours), and society as a whole.

An analysis of the undertaken survey reveals the importance of social relations for ensuring welfare and happiness. It is worth noting that those who are “fulfilled and balanced” or “family men” and “searching the path” are constant in the development of effective social relations. Instead, the “indigent” and “careerists” are not paying attention to social relations caused by the lack of time, being forced to work hard to survive or to advance their careers, or by other motives.

Approached at the national level, the happiness of the population should be the desideratum of all governments, and the measures necessary to ensure the happiness of the citizens should be geared towards improving living conditions, ensuring political stability and socio-economic development, and improving health, but also safeguarding jobs at a certain level of income necessary for survival.

## **The Approach of Social Welfare and Happiness from the Relational Perspective**

The basic idea in the analysis of welfare and happiness from the relational perspective has been revealed from several viewpoints. First, the

analysis of various definitions of social welfare and happiness led to the idea that the two concepts are interrelated. Thus, social welfare refers to the contribution of the individual within the community and how each person builds, grows and develops social networks. The essence of social welfare is how existing relationships are satisfactory in the presence of trusted friends, and how individuals are active in the community in which they developed their communication skills. On the other hand, happiness is the opposite of loneliness, which means that the basis for a happy existence is the relations managed by each entity.

No one has absolute criteria to judge another existence. Therefore, happiness is subjective. Each individual reports and understands themselves differently to others. The person is an autonomous, rational individual subject who transforms their practical cognitive and axiological reality in the correlative object of the human subject. In individualistic visions, the person is fighting for release from the constraints of society [2]. Man creates a reality which is detached from the immediate reality, and therefore some people declare their happiness, although, at first sight, it is not clear why they are in such a state.

Obviously, as already stated, happiness is not only subjective but is also relative to a specific space, time, relationship, context and mood. The relativity of wellness demands some judgements regarding prohibition when it is about entities other than the observer. In this context, can we say whether a person is happy or not? Of course, in so far as it makes a judgment on the double happiness component of an entity—of the subject or of the others. As such, it is necessary to use a theoretical model explaining the social welfare-happiness ratio analysis, based on the elements of congruence between the two concepts—material wealth and social relations. This model can be developed on several levels: individual, organizational, national and local. Variables considered are the degree of economic development, education, social structure, system of values, perspectives, social system, working and living conditions, age, health status, and social relationships (communication). Thus, respondents agreed that good health is synonymous with individuals that resonate both a high social welfare and a certain state of happiness, at certain times of life.

In the literature, according to research conducted by different specialists, age is a factor correlated with health, welfare and happiness, all of which influence people. The answers of respondents reveal that age has a greater impact on social welfare, but almost negligible implications on happiness. This is because respondents believe that they were happy in childhood or adolescence rather than today. Regarding age relationship and social welfare, it is noted that respondents agreeing that the material

and social welfare in the knowledge economy can also be achieved by the young, not only by the elderly, and that it is not directly proportional

Also, in a profitable developed country a greater social welfare is expected, obtained at a higher level than in developing countries and within entities that survive only. However, it is possible that individuals within those countries or entities know happy moments because of the essence of human capital, philosophy of life, the meaning of existence, and the way of relating to the past or the future.

Regarding educational level, it is essential for the development of human capital, being one of the determinants of social structure and the social systems of the entities. According to all respondents (people with higher education), social welfare can be achieved more easily by educated people, but that does not mean that individuals with secondary education or no education cannot achieve a certain welfare. The fact is that educated people have higher expectations, develop their communication skills easily and efficiently, and with more perspective. Educated individuals may get better-paid jobs which contribute to increased revenue and ensuring certain welfare, thus increasing satisfaction and happy moments.

But for all respondents, both welfare and happiness can be achieved through social relationships developed within groups, entities and communities because of their potential recovery. Health, education, age, intelligence, family, community, society, etc. are important factors in ensuring social welfare and some happy moments, but not sufficient conditions for the welfare and happiness of individuals.

The proposed model for analysis of welfare and happiness can be subjected to an action analysis, a functional-structural analysis and a relational analysis. Thus, an analysis of the two concepts focuses on research actions and decisions of individuals regarding welfare and happiness, while the functional-structural analysis reveals the way in which the respective actions, activities and decisions are implemented, which shows by default the quality and effectiveness developed by each entity relation, seeking happiness and welfare. Also, the functional-structural analysis takes into account the interactions between individuals and integration with existing social structures, as well as new ones created by forces that occur as a result of interdependencies and regularities, and as a result of the relationships of functional complexes and functional entities. Social structure can therefore be understood as a set of social relations. However, functionalist-structural analysis has several limitations, namely: the reduction of synchronous aspects of group analysis, entities, communities and the social order, circumventing the need to study the contradictions and measures to overcome them.

It is true that, in life, well-being is caused by how each individual makes their choice, because every situation is actually a choice. Each individual, in

part, decides how to react to events, situations, circumstances and events, by which each individual decides how they affect the environment, institutions, communities and other people's moods. In fact, each individual chooses to be sad, depressed or stressed, affecting the economic situation, government policy, community, etc. or, conversely, cheerful and "happy," or to have a certain attitude, reflecting their inner state.

But more than that, it is clear that it is not attitude alone that counts, although it is very important to achieving a good feeling, but also how each individual is manifested in the family, community and society in general.

Therefore, it seems necessary to address the two concepts in a relational perspective. Such an approach provides the opportunity to identify and characterize at least two concepts from the human potential, namely the social relations generated by each entity separately. Obviously, the social relationship is a relationship of influence. As such, any entity, by its very existence, activities or actions, influences the acts or psychological state of other entities. Such influence may be of different intensity, depending on the level of social relations, and within each level on two or more factors.

In the literature, there are different formulas for calculating welfare and happiness. Some of these formulas aim at assets other than the human potential. Thus, one can obtain the welfare state whether the individual has the necessary knowledge to become, for example, a successful entrepreneur, considering their business planning skills and determination.

There is also an approach to happiness from the perspective of social welfare, taking into account individual purpose in life, social relations, health and level of physical well-being. However, according to respondents, happiness is a mental state, in relation to a certain reality perceived within a particular context, relating to certain circumstances, events, happenings, material wealth, mental state, environmental factors, physical state, intellectual capabilities, educational level, religion, ethical and moral expectations, hopes, beliefs and attitudes.

Thus we can say that  $F$  (happiness) =  $E$  (essence of life—the meaning of own existence) +  $R_p$  (perceived reality) \*  $f$  (education, religion, ethics and morality, expectations, hope, beliefs, attitudes and physical, mental, intellectual and material well-being) +  $R_s$  (social relations).

## Conclusions

Currently, at first glance, we might say that the knowledge economy, generating significant changes in all spheres of activity, offers new approaches to various concepts that operate in theory and practice. In fact, paying attention to specific aspects of these approaches reveals the



characteristics of the knowledge economy. Thus, the knowledge economy is a network economy with superior construction, the new characteristics caused by the interconnection of entities hitherto isolated. As such, the consideration of social relations is fundamental in the analysis of social welfare, and happiness is an inevitable step in the context of the knowledge economy.

The idea is that wealth and happiness are available to all entities depending on whether they choose to be in a “good condition” and happy, or choose to develop effective relationships to capitalize and develop their potential, because any talent and ability not used and valued tends to diminish.

This study provides a broad framework for action and a practical scientific approach to analyzing relational happiness and welfare, imposing at least the following lines of research: analysis of the implications of the economic crisis on major changes ensuring social and individual happiness, identifying mathematical calculations of welfare and happiness, and in the relational perspective identifying the basic conditions for achieving wealth and happiness.

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## CHAPTER TWENTY-FOUR

# REFLECTIONS ON THE SOCIO-ECONOMIC DEVELOPMENT OF ROMANIA AS A RESULT OF INTEGRATION INTO THE EUROPEAN UNION

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### Abstract

Integration into the European Union on January 1, 2007 brought the promise of normalcy and well-being. Most Romanians looked to the future with optimism and waited, above all, for the improvement of living conditions and reduction in the gap that separates them from the other European Union countries. Why should Romania continue structural reforms? Our country needs a coherent strategy for economic and social development. It is also important to maintain a steady pace of growth and a high level of competitiveness and productivity. Combating corruption, reducing bureaucracy, and opening the labour market and the financial sector are just some of the objectives of Romania. As a European Union member, Romania has significant financial help from the European institutions. Community funds are intended to improve the economic and social environment and thus differences between Romania and other European countries are mitigated.

Keywords: Economic development, social development, European integration, community funds.

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## **Introduction**

Enlargement is one of the most important instruments of European Union policy because, as recent events have demonstrated, one of the main reasons behind the transformation of Central and Eastern European countries in the modern state and functioning democracy was the wish to join the Union. Enlargement is a carefully managed process which helps countries to develop and promote peace, stability, prosperity, democracy, human rights, the primacy of the rule of law and market economy throughout Europe [1].

### **Effects of Romania's European Union Integration on the Market of Agricultural Products**

Sticking to the great Romanian market economic system of Western Europe caused major changes in the local production apparatus. National markets merge with the West in an increasingly dynamic and competitive way, where trade barriers disappear, allowing for the provision of goods and services for the free movement of goods and, in part, to factors of production. These profound changes on the national economy inevitably reach the sensitive domestic sector, namely the production and marketing of agricultural products. After more than a decade and a half, structural seizures caused by the change of ownership status mean that Romania's agricultural sector is experiencing more major challenges from the convergence of national markets [2].

Integration effects on production and marketing of agricultural products will be analyzed in terms of free-trade concepts on the convergence of local markets. These theories, grounded in the classical period of economics, emphasize productivity gains by eliminating barriers between national economies, reducing unit costs occasioned by the effect of large-scale production, labour productivity benefits derived from deepening, and so on.

The brunt of the national economic system integration process in the large Western market will be felt by local producers and consumers of agricultural products in terms of two broad categories of effects.

The first concerns the short-term effects. Conditions and standards of membership of the European structures will produce large adjustments in the domestic production of raw or processed agricultural products. Raising trade barriers between the two economic zones will allow for the free movement of goods created by this sector. On the Romanian market for agricultural products similar goods from countries more advanced in this

regard will be marketed. This first issue is technological advances, as more sophisticated knowledge and experience in a competitive environment give clear advantages to foreign sellers. The economic integration of Romanian agriculture involved major sacrifices, particularly for local farmers. Changing quality standards concerning sanitation and environmental protection means that Romanian farmers now have to pass many exams. From the perspective of producers in agriculture, the short-term effects are rather negative, and the adjustment process to the new situation imposes unbearable costs for them.

Analyzed from a consumer perspective this is different. Domestic input without artificial costs of agricultural products from anywhere in the European Union have improved the standard of living when they buy such goods. The movement of agricultural goods offered from competitive areas (with relatively low prices) to the less competitive (with comparatively higher prices) has decreased domestic prices, leaving budget additions.

The second largest category of local effects of the converging markets of agricultural products refers to the time period. Positive effects are *par excellence* movements of capital and labour that will improve the use of scarce resources in both areas separated by time, integration being through smooth circulation of agricultural products and production factors. In the long term, the citizen cannot be expected to operate a better agricultural market if the state interferes with all sorts of measures that strangle competition, reduce the efficiency of supply-demand mechanisms, and encourage a lack of productivity. Subsidizing agricultural production, ensuring minimum prices to farmers, and controlling areas planted with different crops are just a few ways in which administrative decisions undermine the effectiveness of market forces. Gathering taxpayers' money and transferring it to farmers to ensure their income does not promote agricultural market efficiency and consumer welfare in the long term. European agricultural market expansion, through joining the eastern continent, will not produce positive effects if the free forces of supply and demand support inhibition barriers.

Thus, the role of the European market cannot be achieved simply by joining the agricultural sector components of European Union countries; it also needs simultaneous reforms whose requirement should be phased in in the field, and the seemingly beneficial intervention of the central states governments.

The current arguments lead us to conclude that the integration of Romanian agriculture in the large Western European market will bring both benefits and costs. The benefits will be present in the medium and

long term, such as the gains derived from cooperation on a larger scale, the increased competition, Western standards of quality production and marketing of goods supplied by farms, and will be felt especially by consumers. The net benefits of enlargement in the undisputed European market for agricultural products will become clear as the European government liberalizes this area and it is increasingly subject to more interventions.

## **Trade Effects of Romania's European Union Integration**

This chapter analyses the impacts that the Economic and Monetary Union has had in Europe, focusing on the income distribution, economic growth, employment, trade, foreign direct investments and tax systems [3].

It should be realized that the time of integration, January 1, 2007, not only meant a macroeconomic effort but also an individual effort to adapt to the single market, implying high competition, product standardization, quality and environmental management, food hygiene, information security, certification, registration and protection of trademarks on foreign markets, land and equipment testing and calibration laboratories, and so on.

All steps taken by Romania in external economic relations show that it pays special attention to policy issues related to commercial relations with the European Union, including the opportunities for access to these markets, improving preferential access to the European Union market of Romanian products, especially agricultural ones, in accordance with the European Agreement. In this respect, Romania needs to gradually adjust to the needs of the European Single Market.

For Romania, the main economic benefits of enlargement are:

- Access to a market—after the enlargement of May 2004 it reached more than 450 million consumers and after Romania and Bulgaria joined on January 2007 I reached 480 million
- An extensive and competitive Single Market, which will benefit both companies and consumers
- Applying the four freedoms of movement that will cause an increase in competition on the Romanian market
- Rising foreign investment, given the advantage of belonging to an area without internal frontiers, and the Community Single Market
- Increased specialization and fostering competition
- A greater degree of openness to other countries derived from the assumption of the European Union Customs Tariff, whose level of

protection is generally lower than that practiced in Romania concerning industrial products and for Agriculture

- Expanding the number of countries with which Romania has preferential trade relations by taking full community legislation on foreign economic relations aimed at a larger number of countries with which the European Union has free trade agreements, such as the ACP countries, the Republic of Tunisia, the Moroccan Arab Republic, and the Arab Republic of Egypt
- Agricultural productivity growth, through which the stimulation of medium and large farms has better access to the European Union market, slowing the migration of labour from agriculture to industry
- Decrease in the intensity of the phenomenon of economic corruption (often criticized by the European Union institutions).

The abolition of customs duties is differentially impacted by categories of products imported. If the suppression of industrial product import duties was made gradually, according to the Association Agreement to the European Union, ending in January 2002, the effects upon accession were small in scale. In 1999, Romania had an average tariff for products manufactured of over 30% compared to other states, and they aspired to European Union membership (like the Czech Republic, Hungary and Poland) and to the practice of the European Union.

Suppression duties were felt more strongly in a number of products for which protection was maintained until accession (animal industrial goods, tyres, textiles and clothing, footwear, tractors, cars and so on). Also, from January 1, 2002 Romania removed customs taxes and relations with EFTA countries (Switzerland, Norway, Liechtenstein, and Iceland) and with CEFTA countries (then Hungary, Poland, Czech Republic, Slovakia, Slovenia, Bulgaria and Turkey).

The duty to suppress food products was felt more powerfully because, due to the sensitivity of this sector, high customs remained protected from accession. The disappearance of these fees will increase competition on the Romanian market for agricultural products, especially since they joined the European Union and other countries in Central and Eastern Europe in the potential field (Hungary, Poland, Bulgaria).

All Romanian advantages are offset by their use, but are incomplete. Determinants of multiple roots, from general issues related to the specific knowledge of the European Union market and its trends of development and reaching the shortcomings of foreign trade activities of firms, are related to insufficient staff training and experience with foreign trade companies, and weakness in management and marketing activities.

Consequently, Romanian export supply is insufficient in relation to the requirements of the internal European Union market and less competitive as long as many of the Romanian products exported record high production costs and are not covered by specific standards of quality, presentation, packaging, labelling and environmental factors. In addition, the products still fail to penetrate the markets of the member states from a lack of continuity of supply and provision of after-sales service. A cause of this situation is the poor economic concern for the rigorous, discipline-seeking contractual and trading partners.

### **Costs and Benefits of Integration into the European Union**

The European Union is one of the most important political and economic actors on the international scene. In international relations, its activities are extremely diverse, from humanitarian actions (the Union is the largest donor of humanitarian and development aid in the world) to peacekeeping actions (two fifths of UN peacekeeping operations are made through European Union support.).

From an economic perspective, the European Union is the largest single market in the world (greater than the U.S. and Japan combined), and is the most important actor in world trade (the largest exporter, the largest importer of services and the hottest market for 130 countries, making up almost 70% of the world) [4].

One of the most important benefits of Romania's European Union integration is equal access to employment opportunities in all countries, as granted to all European Union citizens; in other words, any European Union citizen can work without a permit in any state in the Union, under the same conditions as nationals of that state.

For all the countries that joined the European Union before Romania a transition period lasting between two and seven years after accession was established. This transition period can be claimed only by certain states and in certain areas where it is considered that the labour market could be threatened by workers from the new member states.

In negotiations on the free movement of people, Romania has supported this transition period, requiring a reciprocity clause.

Entrepreneurs, craftsmen and practitioners of liberal professions (lawyers, doctors, artists, etc.) can work freely in the European Union. This right to equal access to the labour market is possible due to the recognition of all citizens as citizens of member countries of the Union.

Citizenship of the Union is the same for all inhabitants of the Member States, regardless of accession date, size or state economic development and does not replace but complements national citizenship of the state.

One major benefit of European citizenship is the consular and diplomatic protection from another member state. In addition, Romanian citizens have the right to travel and settle in any European Union member state.

All these things mean the equal rights of citizens, who are represented in all institutions. Like other countries, Romania is represented in the European Commission, the Council, the European Parliament and other European institutions.

The European Union is a major social project for the preservation of diversity (cultural, racial, ethnic, religious, etc.), and regional and national identities are founding principles. Of course, there is a process of building a European identity, but it should work like a protective umbrella for national identity.

From this point of view, Romania is equal to all other countries in:

- ☐ Having representatives in the European institutions
- ☐ Important documents being translated into Romanian, which became one of the European Union's official languages.

Romania has remained a democracy because the Union is composed of such states. As a result, it still owns representative institutions such as national president, parliament, government and the constitution. In some areas, such as foreign trade, member states decided to allow the European Commission to represent their interests, which enables the acquisition of large political and economic influences.

By the time of accession, Romania had received significant financial support. The Copenhagen European Council decided to increase financial support for Romania from 2004. Pre-accession funds grew annually until 2006 when they reached one billion euros and Romania became the recipient of the largest amount ever offered by the European Union to fund a state.

To address this substantial increase in funding received, Romania was forced to adjust capacity to manage funds so that they can be fully utilized with maximum efficiency and impact.

Upon accession, a priority sector was agriculture, which was supported to some extent to be financially sustainable for some financial developments, providing decent incomes for rural residents while protecting the environment. Funds oriented to agriculture, received by Romania in 2007-2009, amounted to approximately 4.7 billion euros [5].



As business conditions improve, Romania has started to become an attractive target for foreign investment, and this will further contribute to its functional market economy status. Attracting greater foreign investment will ensure fast and direct access to efficient, modern technologies and new market segments.

Civil society must inform the population about the real costs and integration mechanisms. There are three clear benefits of integration: (1) security (economic, strategic, resources); (2) prosperity (simply selecting to participate in this framework); (3) achieving a higher standard of civilization. No member state has experienced losses after integration.

Membership costs are essentially efforts that Romania should make in the complex process of modernization of society in any case, and are normal because their values are much greater benefits.

The key word is competitiveness as, globally, Europe has trouble competing with the United States and Japan. In fact, costs are investments for the better preparation of joining the European Union. Not to be confused with cost (investment) and damage, costs help faster integration.

The European Union accession process modernization effort is supported by the European Union, not only through pre-accession funds and the subsequent structural and cohesion efforts, but also by the experience of successful economic and social patterns of the member states.

Comparing Romania's contribution to the European Union budget amounts, it is obvious that it is a net beneficiary. For this, it is important that Romania provides an absorption rate close to 100% of the funds.

Financial efforts to support European Union membership are gradual over time, depending on transitions obtained. These efforts started in the accession period and have continued afterwards, and 2007 should be seen as a step in the European integration process.

Membership costs are borne both by the state budget and the population and businesses. Romanian citizens are happy with the benefits of the single market, particularly the four freedoms (of goods, persons, capital and services).

Integration into the European Union requires the existence of at least four types of costs [6]:

- Legislative and institutional costs, which are generated by taking over acquires during participation in institutions and the community budget. Practical implementation of the acquires communitarian implies the considerable costs to the environment, agriculture, transport, regional policy, economic development and other areas

where Romania is less developed compared to other European Union countries.

- Cost of modernization of production capacities—this cost category aims to increase productivity and competitiveness of Romanian companies to meet the demands of the single internal market.
- Investment costs—which are dictated by the need to implement European Union standards by Romanian companies (envisaged environmental standards, infrastructure, transport, energy, consumer protection, veterinary control and animal protection, border control, so on).
- Costs of training, reorientation and retraining, loss of jobs and other social costs inherent to integration.

The individual consumption growth rate decreased after 2007 at an average annual rate of 6.2%, while collective consumption of the government grew, on average, by 3.3% per year. Investments will have increased, fuelled by domestic and foreign financing, as well as the opportunities created by European Union funding. Gross fixed capital formation grew at an annual rate of 11.1%. Under these conditions, the investment rate will increase from 23.9% of GDP in 2006 to 31.5% in 2013. Exports of goods and services increased on average by 8.2% per year, while imports increased by 11.1%, which negatively affected the trade balance.

Trade balance deficit will maintain the high level of contribution to the formation of the current account deficit. An important component of the current account deficit represents the balance of primary income, which mainly reflects the flow of profits repatriated and reinvested by foreign investors, reducing its share of GDP by 0.8 percentage points, while reducing the flow of FDI. Romania's entry into the European Union labour market increased labour mobility. By 2013 the number of employees is estimated to be 6.085 million people, an increase of 2.8% compared to 2005. Significant increases in the number of employees are included in the service industry, and the construction industry is declining. By 2013, wage employment will be maintained at a constant level, which means that the reduction of the population employed in agriculture (excluding employees) will be offset by increased wage employment, as employers own account workers. The phenomenon already exists and is explained on the one hand by the fact that agricultural modernization programs lead to population reduction in this sector, and on the other by the social and economic development that has spurred the expansion of professions. For 2013, an unemployment rate of around 6.0% is estimated.

## Conclusions

Benefits and opportunities of expansion far outweigh the potential obstacles, costs and risks involved in this process. Expanding foreign policy is the most successful act undertaken by the European Union. A delay of this process and its abandonment as a result of its non-ratification by any European Union members would be a major political failure for Europe. In addition, this would entail considerable costs for both the European Union and candidate countries.

The last EU enlargement was different from those previous because it made the Union move to a new scale of activity. Operating at a continental level the states can make it work better, give better results for citizens and become actors in international affairs, provided they do not miss this chance.

The impact of European integration on the continental and world economies is important, and this is a task for candidate countries and others. Only by knowing the consequences of this, by its size and purposes we will be able to take appropriate measures to bear the costs.

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## CHAPTER TWENTY-FIVE

### BIODIVERSITY DEGRADATION: IMPACT ON ECONOMIC AND SOCIAL WELFARE

CONSTANȚA CHIȚIBA<sup>1</sup>  
AND ANCA DUNĂRINȚU<sup>2</sup>

#### Abstract

As it is considered to be a primary life support for the development of good social and economic systems, as well as the basis of a balance that is absolutely necessary in order to achieve any kind of activity, biodiversity is increasingly a concept to which scientists refer while trying to consider its costs and degradation *vis-à-vis* the economic and social welfare. It is important to understand the value of biodiversity so as to notice any increase in its degradation. It is obvious that the economic endeavour increasingly causes environmental damage. Therefore, cutting the negative impact of the environmental damage is a must for the agendas of most businesses.

Keywords: Biodiversity, costs, damage, impact.

#### Introduction

The concept of biodiversity was defined in the second article of the Convention on Biological Diversity held in 1992 as: “the variability among living organisms from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species

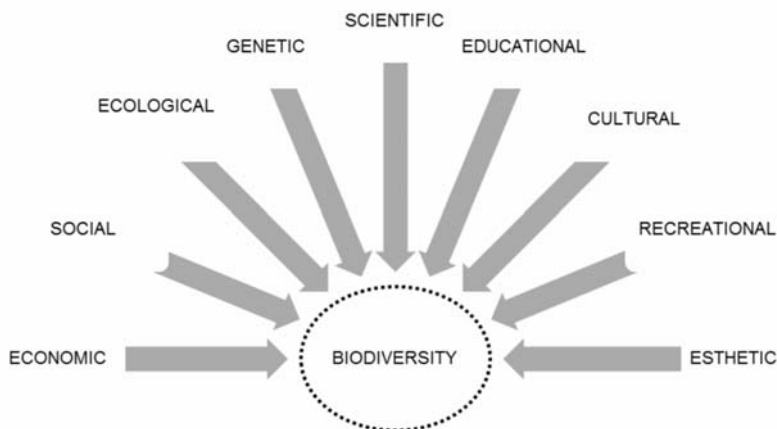
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and of ecosystems.” This was the first approach to the global dimension of the concept of biological diversity, taking into account all aspects of its components: species, ecosystems and genetic resources. Humanity is becoming more aware of the importance of biodiversity, which in turn subsumes a number of values as shown in Fig. 25.1: ecological, genetic, scientific, educational, cultural, recreational and aesthetic [1].

Fig. 25.1. Biodiversity value



Source: authors' interpretation

Also, the concept of biodiversity is associated with four levels of approach, which are:

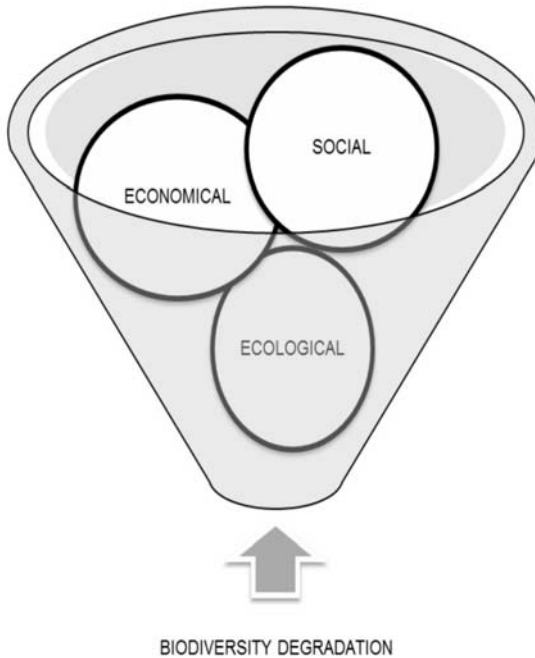
- ecosystems diversity
- species diversity
- genetic diversity
- ethnic-cultural diversity [2].

The correlation between the concepts of biodiversity and wealth comes from the global dimension as life support and the main supplier of raw materials and resources to conduct any type of activity.

Taking into account the three main dimensions to which they relate, biodiversity and its degradation occur both ecologically and socio-economically. This means that biodiversity degradation implies effects

that are generated at three levels: economic, social and ecologic, as shown in Fig. 25.2.

Fig. 25.2. Levels of biodiversity degradation impact



Source: authors' interpretation

We shall highlight below that the social and economic welfare depends greatly on the reduction of the impact on biodiversity, as well as on different ecosystems.

### **The Impact of Biodiversity Degradation on the Economic and Social Welfare**

Biodiversity is important due to its services provided by ecosystems on which humanity largely depends. By environmental degradation, the integrity of these services is affected as the ecosystems are unable to sustain consumption. The ecosystem services are divided into four categories:

- Supply services, through which we ensure the supply of goods by people often with a clear monetary value (food, water, wood).
- Control Services are represented by a wide range of vital functions provided by ecosystems, which often do not have a clear monetary value on the market. We are talking about climate regulation through carbon storage and rainfall regime, the removal of air pollutants and water purification and protection against disasters.
- Cultural services, which do not provide significant direct benefits, but contribute to the satisfaction of society's desires and needs.
- Support Services, which are not a direct benefit, but essential to the functioning of ecosystems which in turn ensure the provision of services. For instance, they concern soil formation, the growth of plants, etc. [3].

The economic value of biodiversity is obvious from the direct use of its components: non-renewable natural resources (fossil fuels, minerals etc.) and renewable natural resources (plant and animal species used as food or for energy production or extraction of substances such as those used in the Food and Pharmaceutical or Cosmetic industries).

Depending increasingly on the services provided by nature, global biodiversity is deteriorating more and more, and our inability to measure some of these services in monetary terms makes us almost unaware of the impacts of this phenomenon upon our life quality.

A 1997 study estimated the economic value of ecosystems' services to be at US \$13 trillion [4].

Limiting access to such resources and the high costs of long-term degradation lead to welfare deterioration, be it at the economic or social level. The degradation phenomenon will reflect further on price, cost and resource availability.

Biodiversity, together with specific ecosystems, are directly related to social welfare. In this case we have to take into account two important aspects, namely:

- Generating new jobs
- Rural population dependence on ecosystems' services.

The services provided by these two elements directly or indirectly generate jobs. Also, when calculating social welfare, in addition to creating jobs, biodiversity is directly related to rural communities that depend directly on services generated by ecosystems.

The relationship between biological diversity and employment is characterized by two components: directly by management issues and

conservation of protected areas and the supply of raw materials for primary sectors, and indirectly by providing services like nutrient circulation and water supply.

Employment generated by biodiversity and ecosystem services is abundant in both the European Union and the developing countries. For the latter, the percentage is significantly higher (35%) than the EU (7% or 14.6 million). It is estimated that a total of 55% of all jobs in the EU and 84% of employment in developing countries have a direct connection with the services generated by ecosystems. The remaining 45% and 16% are based on an indirect link with ecosystem services. The intensity of these connections varies depending on the nature of the services in which each region is based. It was found, however, that most of the jobs generated in the context of the direct link above are the primary sectors of activity. In addition, the intensity dependence of the two components results from the human capacity to replace what the environment offers. Rural communities depend to a greater extent on the services provided by ecosystems from which raw materials are supplied to ensure their survival. Environmental and biodiversity degradation are manifested more strongly in the case of the beneficiaries of ecosystem services as they are more vulnerable to any types of changes that can occur[1].

Thus, these communities have two categories of benefits: generating some income, such as agriculture, fisheries, forests and tourism, and others that do not generate direct revenue, such as pollination, erosion control or simply spiritual value.

## **Conclusions**

Environmental dependence on any person's work has grown louder as the pressure on natural capital is deepening, because it is the main raw material supplier. The direct link between the environmental degradation and the economic momentum puts us in a position to realize, to a greater extent, that disregarding the environmental component while making economic decisions is detrimental to all of us.

Despite the efforts made locally, regionally or globally by authorities in the field of biodiversity, degradation continues at an alarming rate, requiring more extensive measures to be reflected in the change of production and consumption behaviour, and also in a greater public awareness of the effects of environmental degradation upon them.

Biodiversity degradation, as well as economic and social welfare, are characterized by a linear relationship, the former causing major imbalances to the latter due to an inability to generate raw materials and other resources capable of meeting the present needs.



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## CHAPTER TWENTY-SIX

### THE GRAIL AS A SYMBOL OF BLISS

CRISTIAN TIBERIU POPESCU<sup>1</sup>

#### Abstract

The myth of the Grail, doubtlessly the most deeply moving myth of the Middle Ages, was embraced by the West during the Renaissance of the twelfth century as the most generous background for the theme of the quest. A closer reading of the myth reveals that the quest for the Grail is a pursuit of bliss through rediscovering the traces of a (lost) paradise within oneself. It is first and foremost a state, a “primordial state,” that can only be attained through what Grail novels call “initiation,” and is, at the same time, conscience, journey and status.

The myth of the Grail alludes to an alleged initial androgyny, later split into masculinity represented by Lucifer after his fall and the femininity of the Stone, the Emerald, the matter of the Grail, being feminine both as a stone and a cup.

The myth of the Grail approaches bliss in many ways, most notably in terms of a dichotomy: Parzival-style bliss and the Fisher King, i.e. Amfortas-style bliss. Parzival ushers in a new era, and for him bliss is fulfilment. For Amfortas, champion of Middle Ages spirituality, bliss is atonement.

Keywords: Myth of the Grail, quest theme, lost paradise, androgynous, Little Renaissance.

The mythical Grail is described in two ways: either as *dish* (a cup, a bowl, a plate) [1] or as *stone* (fallen from the sky) [2]. These two versions are compatible [3], one referencing form whereas the other references material—in sum, a dish made of stone. In both, the concept of “quest” is equally paramount.

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The theme of the Grail emerges in the West [4] in 1180-1190 with the complex, unfinished yet highly influential work *Parceval ou le Conte du Graal* written by Chrétien de Troyes, one of the most famous poets of the twelfth century. The quest for the Grail as initiation within oneself is an idea also expressed by the visionary nun Hildegard von Bingen, another “voice” of that century: “Man, behold, thou hast the Heaven and the Earth within thee” [5]. Ioan Petru Culianu listed the breakthroughs of the Renaissance of the twelfth century:

the development of the cult of the Virgin, the Gothic cathedrals, the emergence of universities from the cathedrals’ schools, the triumph of Aristotelian philosophy, the foundation of new religious (and for some also military) orders, the heresies of the Vaudois and Cathars, the inception of courtly love and Arthurian romances, the “birth of the Purgatory” (in the terms of Jacques Le Goff), the definition of sacraments (including matrimony) [6].

To sum up, the twelfth century is one of the huge liberation of mind, of the rediscovery of man. Bernard de Clairvaux’s cult of the virgin includes femininity in the concept of sacred; the Gothic cathedral expresses man’s drive for the sky; courtly love sees humans as deities; and Arthurian romances locate the goal of the pilgrim within oneself. Thus, the twelfth century, legitimizing the previously illegitimate, regards initiation within oneself as an unfettered attempt at fulfilment and bliss.

The myth of the Grail grows from this newly discovered audacity and branches into various versions: the (probably) Norman *Peredur*, the Occitan *Roman de Jaufré*, the British *Parlesvaus*, and Robert de Boron’s *Joseph*, which added a Christian twist to the myth. According to de Boron, Jesus drank from the cup of the Grail at the Last Supper; the following day, when the Roman soldier pierced His side with a spear as He dead on the cross, Joseph of Arimathea used the Grail to collect Jesus’ blood. Robert de Boron’s *Joseph* was also echoed by others, most notably the anonymous *Estoire du Saint-Graal* and by Walter Map’s *Quête du Saint Graal*. Jean Markale observed that Robert de Boron makes use of a *cistercian* motif [7]. Likewise, Etienne Gilson demonstrated in his classical contribution [8] that the myth of the Grail draws on Bernard de Clairvaux’s exegesis of *Song of Songs*, and that the theme of the quest resonates with mystical cistercian theology.

The theme of the quest is pervasive in universal culture, including the myth of the Grail, and the genuine quest is for the Garden of Eden. Therefore, the quest of the Grail is a pursuit of bliss through rediscovering the traces of (lost) paradise within oneself. It is first and foremost a state, a

“primordial state” [9], that can only be attained through an “initiation” or “quest,” and that is at the same time conscience, journey and status. Wolfram von Eschenbach noted in his twelfth-century poem *Parzival*:

The abundace of desires fulfilled and the Paradise—  
That is the Grail, Stone of light,  
And compared to it  
All that shines on earth is worth nothing.

“The abundace of desires fulfilled” defines bliss, and the Paradise its location in a mythical space and time.

The myth of the Grail begins with Lucifer’s fall, when an emerald fell from his forehead [10]. The cup of the Grail was carved out of this emerald (Hermes Trismegistus, the father of esotericism, also engraved his teachings on an emerald tablet, *Tabula smaragdina*). Jesus drank from the cup of the Grail at the Last Supper; the following day, when the Roman soldier pierced His side with a spear as He died on the cross, Joseph of Arimathea used the Grail to collect Jesus’ blood. Thus, the Grail travels from the devil (Lucifer) to God (Jesus). Joseph of Arimathea then took the Grail to Europe and it was lost after his death, being forever pursued by the brave, the selfless and those aware of the true meaning of their mission.

The quest for the Grail was an ordeal and finding it the sign that one was the elect, and the elect was *marked* from the very beginning: Parzival was the “son of a widow[11] and, like Hiram before him, the architect of Solomon’s Temple, or the great Egyptian god Horus, son of the widow Isis, born with his finger on his lips, imposing “silence.” The right to bliss belonged to the elect, as Wolfram von Eschenbach noted:

One day  
A writing with a meaning  
Shows on the edge of the stone,  
Bearing the name of a boy or a girl  
And of the chosen people.  
The writing cannot be erased;  
But reading it makes it vanish [12].

This is a reference to an ancient tradition of initiation. As Apuleius notes in his *Golden Ass*, Isis herself chose her initiates [13]. It is said in the *Book of Revelation* 2:17: “to him that overcometh will I give to eat of the hidden manna, and will give him a white stone, and in the stone a new name written, which no man knoweth saving he that receiveth it” (King James Version). Wolfram von Eschenbach hinted at a sapiential genealogy

including Isis' teachings to the "elect," St John the Evangelist's secret legacy (mentioned in a Templar's *Prayer* submitted to his judges during the trials of the Order [14]), and the mystery of the quest for the Grail.

The quest for the Grail, doubtlessly the most deeply moving myth of the Middle Ages, stands for initiation. As initiation always stands for death and rebirth, the quest of the Grail [15] stands for the road to the inner self and the bliss of Paradise. Before God created man, He created Lucifer and the other angels; and Lucifer rebelled against God, his Creator, and was cast out of Paradise [16] and deprived of his emerald, which was to him some sort of third eye on his forehead [17]. The emerald is essentially "the stone," which stands for femininity. In some versions of the myth, God commanded the archangel Michael to wrest the emerald from Lucifer [18]. What had Lucifer been before his fall? The answer might be this: an androgyne, who was deprived of his femininity in the process. Was this a mutilation of his body only or of his power too, since integrity is the condition of power? God assigned then the emerald to Adam's forehead, who also lost it upon his fall. Subsequently, Shem, Noah's son, will be allowed to re-enter Paradise in order to retrieve the emerald [19].

The nostalgia of Paradise, a worldwide mythical motive [20], is the frustrated drive for bliss, Wolfram von Eschenbach's "abundance of desires fulfilled." Paradise is the bliss beyond any specification—the bliss that not only satisfies but also fulfils.

The Grail is guarded by the Fisher King and his knights in a lonesome castle, beyond the reach of any road. Despite his magical shapeshifter powers, the Fisher King suffers from a painful, mysterious illness. His lands and castle are, like him, in ruin. The Fisher King is wounded [21] and he will only be released from his pain and service as guardian of the Grail when another knight proves himself worthy. The Fisher King is a failed guardian of the Grail, and his lands a failed Garden of Eden. The androgyne was split into masculinity represented by Lucifer after his fall and the femininity of the Stone, the Emerald (feminine both as stone and as cup), left essentially ignored and unknown. Hence the "quest for the Grail." The Grail is to be found on the Fisher King's lands, in his failed Garden of Eden, where Parzival, blinded by the dogma of everyday life, fails to ask a specific question [22]. Only then will he realize that the Grail transcends this dogma and free himself from it upon his second try. The dogma of everyday life is blind to the essence—on the one hand, the femininity represented by the Grail is occulted and shines to itself only; on the other, masculinity is crippled, like the Fisher King. Parzival restores masculinity and liberates femininity, obtaining the bliss of lost Paradise

and lost wisdom. Because the Grail is Wisdom, as Wolfram von Eschenbach declares:

The hidden wisdom  
Of the Grail I will now tell.

But what sort of wisdom is this? Parzival being one of the elect, this is a wisdom for the elect. The myth of the Grail approaches bliss in many ways, most notably in terms of a dichotomy characteristic of “The Renaissance Of The twelfth century”—Parzival-style bliss and Fisher King, i.e., Amfortas-style bliss. Parzival ushers in a new era, and for him bliss is fulfilment. For Amfortas, champion of Middle Ages spirituality, bliss is atonement.

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# CHAPTER TWENTY-SEVEN

## SUSTAINABLE ECONOMIC DEVELOPMENT: THE FUNDAMENTAL PREMISE OF SOCIAL WELFARE

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AND ALEXANDRA MORARU<sup>3</sup>

### **Abstract**

Sustainable economic development, both its accomplishment and application, are magnified in the social, demographic and political fields, ensuring economic growth, but what is essential are the positive spillover effects which should provide a foundation or progress generator. Shaping long-term functional societies which correspond to the principles of sustainable development, they operate with a set of basic needs related to social welfare, and are defined by their ability to meet the needs of their members, attempting the distribution and redistribution of existing resources for an optimal level of collective welfare.

Keywords: Economic development, sustainability, social welfare.

### **Introduction**

The concept of sustainable development reflects a complex process that comprises sustainability and efficient organization of resources so as

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to ensure the needs of the present generation without impairing the optimal needs of future generations.

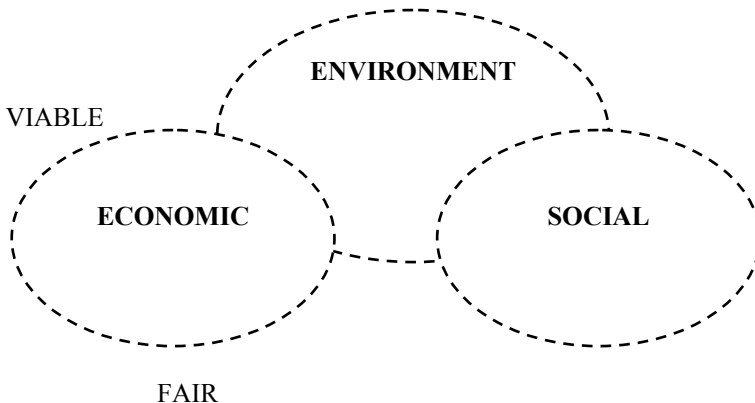
The term and concept implications are reported in all areas of economic, social, cultural or political interest, and in all this the person is the cornerstone on which all aspects are centered.

Economic development is a set of quantitative, qualitative and structural transformations for its mechanisms and operation. The issue of sustainable development has become a growing concern lately, striking at a global level, which has led to problems of poverty, environmental pollution, the uncontrolled expansion of urban space, traditional values and social welfare [1].

### **Sustainable Economic Development**

Sustainable development is a concept at the intersection of concerns about social, economic and environmental protection, but it also suffers a continuous expansion in relation to the various aspects related to quality of life in general, as shown in Fig.27.1.

Fig. 27.1. Sustainable development—between economic growth, social and environmental issues



Sustainable economic development involves the ability to increase capabilities in the context of the generation and support of fully favorable conditions for the individual.

Sustainable economic development is considered to be a way to reconcile the relationship between man and nature, in the sense of

balancing the relationship in a way to support the progress and development as a long-term and global whole, taking into account the connections of the second component and propagated nature of the effects of human actions.

The United Nations Development Program (UNDP) Global Human Development Report exposes four basic elements of the concept of sustainable development:

- population productivity, which must contribute to the generation of progress, a value and an effective growth
- equitable access for all individuals to a more varied set of options
- sustainability options available for future generations, namely maintenance and efficient use of capital in any form
- active involvement of the individual in techniques, processes or decisions able to alter or influence life.

These four aspects are the essential elements to sustain progress and rational use of available resources, all according to the interests and needs of future generations.

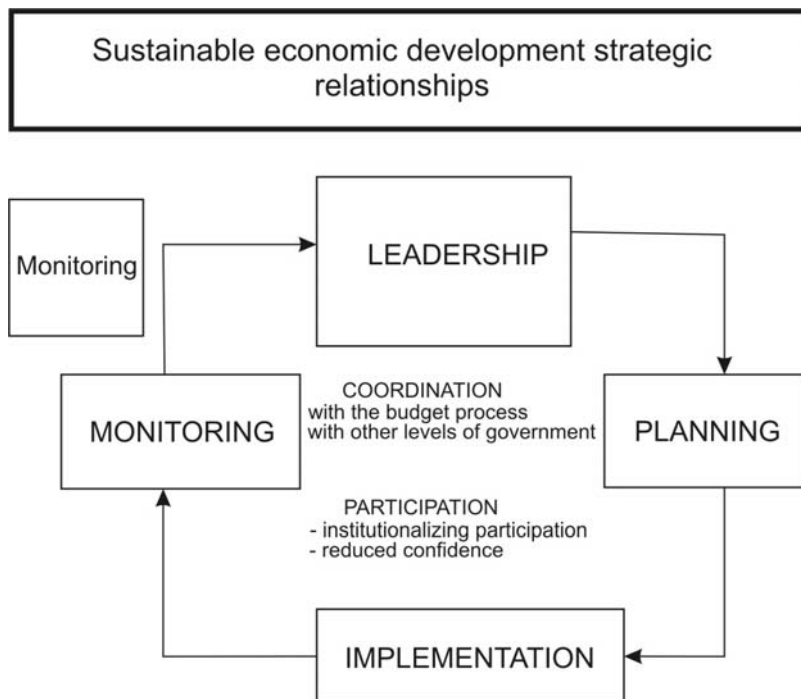
Economic sustainability refers to the ability to function in normal parameters of the economic system so that the work done is profitable and ensures continued economic growth, and also one that considers the critical aspects related to social and human resources:

- Population growth
- The natural movement of the population
- Population density
- The defining features of the labour force
- Population structure by age, sex
- Professional status
- The degree of employment.

To address these issues these subdomains are essential:

- Economic Development and Infrastructure
- Social development, improving social problems
- Jobs, Training and Support
- Community and local development
- Housing [2].

Fig. 27.2. Strategic management plan for sustainable economic development



The essence of sustainable development and its impact on the social economic level is revived by the current and future management module, use and consumption of natural resources, energy or material so that growth interpenetrates with the principles of environmental protection, an essential element of support to achieve any economic activities and between which there is an interdependent relationship, in order to reach a high level of social welfare [3].

To achieve or promote such a sustainable economic development model, it is necessary to establish a comprehensive set of measures, techniques and processes that facilitate this overall approach, whose performance is essentially defining individual welfare as an important member of the society.

Thus, this approach may need to consider these issues:

- Coordination and compatibility purposes and available resources, both at macro and global levels

- Coordinate objectives with the available economic means
- Establish a mechanism for monitoring strategic interdependence between environmental, economic and social components and takeover of feedback in relation to the aim pursued, as shown in Fig. 27.2 [4].

## **Social Welfare**

Social welfare is a measure of individual aggregate welfare (utility), so to achieve an optimal level of social well-being of a society we need to maximize individual welfare levels.

Social welfare issues derive from the economic context, individual aspects and aspects of overall well-being, as the ways of providing welfare are multiple.

Providers of social welfare are characterized by the following mechanisms:

- optimal allocation of resources
- motivating performance through competition
- mobilization of resources
- equitable distribution of assets, income or profits of capital.

According to Parsons [5] the concept of social welfare distinguishes three essential aspects:

- Social welfare providing collective welfare, welfare plurality of individual members of a society
- Economic welfare forms provided by the market or the economy as a whole
- The welfare state, social welfare insurance through the state.

Well-being is the sum of all the activities undertaken by the individual as a member of society, accomplished so as to bring about a positive change in the quality of life. Social welfare reflects the contribution within a human community, how people do business and manage their existences, both socially and economically, showing their active status and ability to integrate, adapt and support the growth of the specific area.

The welfare of the individual is influenced by a set of elements, of which the following are essential:

- income level
- level of consumption

- degree of social security
- cultural and educational aspects
- healthcare issues
- social aspects and group membership.

This body of evidence is modelled individually according to the social whole and the individual in this position, which emphasizes the subjective nature of the concept within each individual.

Thus, the above leads to a definition less of individual welfare, and more the welfare of a group or society as a whole through a process of objectification and generalization.

The concept of standard of living of a society refers to the accumulation of internal and external values, and collective welfare is practically a total amount of individual communities that involves a certain kind of equality. The standard of living of a community includes, on the one hand, its aspirations, available value systems, supplies, services and mass options, and on the other the feature of resource scarcity, which acts in the opposite direction under the form of constraints, which determine and influence in one way or another the final decision [6].

In the process of wealth, the market economy works with the following mechanisms:

- Optimal allocation of resources and production to demand orientation
- Establishing a single (high-enough) gain as motivation for increasing and sustaining performance, productivity and increased quality of work
- Distribution of income
- Guiding and mobilizing labour for better job performance.

Social welfare is achieved through a complex mechanism with two essential components, represented by:

- the economy in the foreground
- social politics.

Their optimal combination and the streamlining of their operation ensure an optimal level of satisfaction of social welfare of the individual, and indirectly the collective welfare of the society to which they belong.

## Conclusions

All these measures, taken in relation to sustainable economic development, are necessary to develop the good life of an individual, but also of the society as a whole, being influenced by the availability of resources, the dynamics of climate change and the level of competitiveness required at national, European and global levels, which means improving productivity, saving, maximizing benefits and minimizing costs.

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CHAPTER TWENTY-EIGHT

THIRD SECTOR ORGANIZATIONS  
IN SWEDEN AND ROMANIA:  
LINKING SOCIAL CAPITAL AND WELL-BEING  
IN THE MIXED WELFARE SYSTEM

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AND MIHAELA IOANA DANETIU<sup>2</sup>

**Abstract**

This chapter proposes a conceptual framework in which third sector organizations are analyzed as part of the mixed welfare system. In the current welfare crisis, their capacity to transmit social capital and to improve economic well-being is essential. Semi-structured interviews were conducted in Sweden and Romania with the purpose of providing a comparative approach of the European social economy and emphasize the national distinctions of this hybrid sector. Hence, the study highlights the particularities of the Swedish third sector and observes the current development trends of social economy in Romania. The capacity to create new employment opportunities is interrelated with the structure and the nature of the third sector organizations. In both countries, the meaning and the role of this sector depend not only on the historical roots, social movements and democratic mechanisms, but also on how the relations between the market, the state and the citizens are shaped and regulated.

**Keywords:** third sector, social economy, social capital, economic well-being, welfare mix.

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## Introduction

In the current social and economic context of democratic societies, the role of the third sector organizations and their impact on national and regional policies have been central to discussions about the importance of the mixed welfare system. One potential cause that triggered this debate in the literature and among the policy makers might have been the crisis of the traditional welfare state, which was forced to turn to non-state resources to provide the means to ensure the well-being of citizens. Unemployment and social exclusion, welfare in rural regions and the quality of life of pensions were some of the issues that required new solutions due to insufficient resources from the private or public agents. The tendency of the state to organize a set of policies aimed to improve the fiscal policy, taxation and all public policies related to the cost of public welfare has led to the development of regional and national particularities. In other words, the meaning and the role of the third sector varies from country to country and the dominant approach belongs to the economic and organizational theories [1, pp. 159-182]. This chapter will briefly underline the meaning of the notions used in the study in order to proceed to the preliminary findings.

Despite the fact that the EU endorsed a juridical meaning of the term “social economy,” there is an international debate concerning the currently-used terminology. Even though in the French-speaking countries the term ‘third sector’ is synonymous with “social economy,” the same meaning is covered by the non-profit sector—solidarity economy [2, pp. 52-73]. According to the data gathered by Monzon & Chaves [3, pp. 549-577], three major models have emerged and are directly linked with the type of organizations that are considered to comprise the third sector. The Northern European model has as its main characteristic a high rate of employment in the social economy, associations and foundations, and other similar organizations that play a major role in offering solutions to the welfare state crisis. The second pattern is the Latin-Scandinavian one and is represented by countries such as Italy, Spain, Sweden and Finland. In these countries, the cooperatives and social enterprises are more active and are supported by active public policies. The Eastern European countries constitute the last model, and in this particular case the third sector is still an emerging actor. Mutual societies, associations and a civil society that is given a voice are the major agents being classified as part of the social economy. From the last two models we have chosen to analyze the particularities of the third sector in Sweden and Romania. The comparative approach will not only underline the foremost discrepancies



in defining the third sector but is also a valuable tool to understanding the role the organizations play in transmitting social capital. In the first part of the chapter there is a short overview of the third sector in both countries, while the second part focuses more on the structural particularities and the role of non-profit organizations in engaging in activities that increase people's trust and skills to provide safety and work opportunities for individuals in need.

## **Third Sector and Social Capital: The Context**

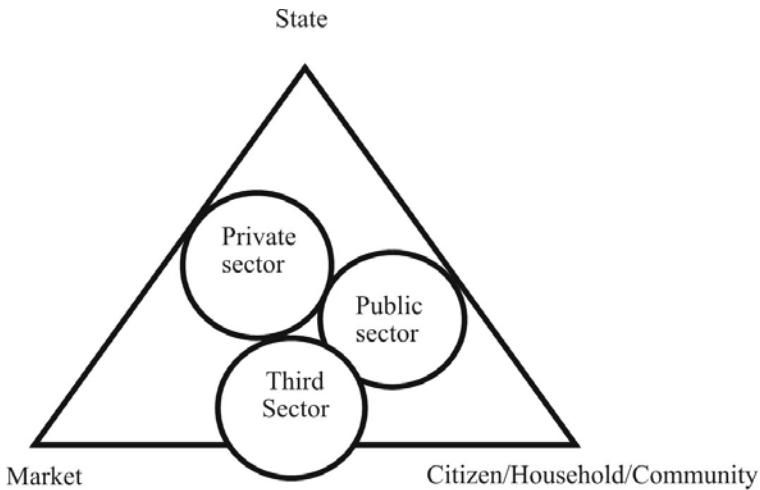
### **Third sector organizations in Sweden**

According to Wijkström [4], the Swedish debate on social economy has three major components that have led to different attempts to define the term. While the first covers the judicial forms of the third sector, the second focuses more on the social activities that increase citizenship participation and what can be categorized as belonging to the social economy. The central argument in the last definition, provided by the government's working party, is that the third sector policies represent an instrument for implementing EU policies. An interview conducted with Swedish public officials confirmed the hypothesis that EU membership has had a low impact on the national third sector policies. Thus, the "popular mass movement model" [5, pp. 159-167] portrays the best evolution of the third sector in Sweden. These historical roots have nourished the social democratic welfare state regime based on a constant income protection. As Kendall highlights, it was in the early 1990s that the state ownerships of the core public services started to show glitches. During that period the levels of unemployment were rising and the rate of economic growth was low and created pressure on the public sector to deliver resources that met the expectations of the idealistic welfare universalism and high quality economic relations that were sturdily coordinated. The third sector is different from the private or public sectors (see Fig. 28.1 below) and combines both "formal and informal elements" such as the market, the state, and the local and regional economies into a system that operates with a market and non-market-oriented production [6, p. 21].

Because of the currently existing confusions in terminology, the organizations that are being classified as third sector need to be specified for each analyzed case. Aside from the local or national specificities, the goal of the third sector is to achieve a broad-spectrum social development through innovation and constructive tools that do not subscribe to the

normative economy-society dichotomy [7, pp. 2037-2053]. The creation of social value and the improvement of economic relations are directly linked with the income and the rates of saving. The social capital influences the dynamics of the labour market through its ability to increase awareness of employment opportunities and it can boost the industrial sectors by focusing on continuous skill development [8, p. 194].

Fig. 28.1. Basic representation of the third sector and its connections with the state, the market and the beneficiary of the social economy policies



In the Swedish context, this hybrid typology embodies all sorts of activities initiated by voluntary and non-voluntary organizations, housing cooperatives, foundations, religious communities and unemployment benefit societies. In 2000, the inventory of social economy, CIRIEC, underlined the particularities of cooperatives in Sweden and the levels of “social economy” paid employment. In contrast to the EU as a whole, where employment in cooperatives constitutes only 26%, in Sweden the levels reach 50% [5]. Even though the roles of the cooperatives and other non-government organizations have diminished from 1972, they provide employment in branches such as industry, construction, manufacturing and commerce [9, pp. 14-21].

### **Third sector organizations in Romania**

Corresponding to Western Europe, in Eastern Europe the third sector co-exists with the private and public sectors. The clear need to define what the sector is and to ensure an equal access resource to the identified third sector organizations represents a challenge, not only for the Romanian academics, but also for the government officials and policymakers. While the Swedish third sector is given by the large number of cooperatives, in Romania associative forms have a strong historical root, despite the influence and impact of the communist regime. However, incipient forms of social economy have been repressed or altered because of the dictatorial leadership, and hence the emergence and development of a well-structured, mixed welfare system require greater efforts from organizations and the state.

The influence of the EU membership on the Romanian social policies is unquestionable. As a result, the EU structural funds and European funded projects have influenced the development of the social economy. Even though the EU social policy and national policy coordination programs have brought about substantial changes, in the local policies there is still little knowledge about how to implement a project within the third sector domain. New income sources and employment opportunities have been provided by social enterprises, but the lack of a consistent judicial and institutional framework requires substantial interventions from all involved actors to homogenize or at least better organize this hybrid sector. The impact of the social economy cannot be measured without a sector coagulation [10, pp. 124-135]. According to the Institute of Social Economy, there are 67,000 social economy organizations and their employment rate is 3.3% of the total workforce [11]. In the last couple of years, an increasing number of associations and foundations have been registered [12, pp. 537-555]. Romanian law stipulates that associations and foundations are allowed to conduct economic activities of up to 50% of their total income.

Besides associations and foundations, another form of social economy that is currently experiencing swift growth is social enterprise. Despite the fact that the number of organizations that can be categorized as social enterprises is somewhat reduced compared to its European counterparts, the entrepreneurial nature of their activities is focused more on providing alternatives to integrate disadvantaged groups on the labour market. More concretely, in Romania there are social enterprises offering traineeships and occupational integration, such as open-ended work contracts for some excluded social groups. The following qualitative study further reveals the discrepancies between the role played by the third sector in Sweden and

Romania in terms of their capacity to convey the social capital and improve the economic well-being.

### **Third Sector Organizations and Social Capital in the Mixed Welfare State: A Comparative Approach**

Indisputably, regardless of the national policy framework, the social and economic rationales cannot be clearly separated when we analyze any form of social economy. The welfare mix concept or welfare pluralism concern the type of mixes which can be traced in various welfare systems. The study will use the analytic meaning of welfare pluralism in order to underline the differences between the role and impact of the third sector organizations in Sweden and Romania. Between 2010 and 2012, thirty semi-structured interviews were conducted in both countries with representatives from third sector organizations and policymakers. The goal of the study was to determine whether social economy organizations (NGOs, cooperatives, associations, civil society) transmit social cohesion and thus have a real influence on the economic well-being of the citizens. It is widely established that social capital is a resource that can aid the individual to improve their quality of life. By social capital we understand a method of accessing various financial and non-financial resources.

In both cases, the study of non-profit organizations has proven that social capital is dynamic and directly influenced by the flow and maintenance of the activities that the organization is engaging in. The socio-economic background of the members of the organizations and their leadership style can build or deplete constructed social relations. The examination of the conducted interviews and content analysis has shown that some major changes in resource mobilization have led to transformations suffered by organizations active in producing welfare services. This phenomenon was also observed by Filip Wijkström and Annette Zimmer [13, p. 73] and can be summarized as “more organization with fewer people.” In the Swedish case, most of the organizations we have chosen to study were offering training and services for individuals that were seeking new opportunities on the labour market. The net social capitals of these organizations were enjoying a high reputation and the relations with the market and the state were extremely vigorous. In the Romanian case, the lack of a judicial framework slowed the process of distributing explicit services to a targeted group of individuals. The EU structural funds are the main financial sources that offer the non-profit organizations the opportunity to produce goods that can enhance the community well-being.

Despite the minimal influence of EU policies, the Swedish non-profit organizations are part of a flexible but coherent social network, an efficient communication flow with governmental and local agencies. The high compatibility of the non-profit organizations' interests with the network is engaged in determining the effectiveness and the durability of the social capital. The increasing percentages of volunteering that accompany the participative membership structures are, however, damaging the organization's governance because each bring a different contribution to the construction of the organizational identity. Membership, as Kendall [5] observes, "acts as the glue that connects" two layers—the individual and the organizational dimension. In other words, especially in Sweden, the participatory dimension is linked with the democratic structure of the organization. All in all, the term *folkrörelser* describes the organizations that comprise the third sector in Sweden, and its meaning best describes the diversity of the roles that these organizations are trying to accomplish in their activities. From religious to social welfare supplies, the non-profit organizations are the main active promoters of democratic principles and solidarity. This argument proves that the Swedish third sector has historical roots that can be traced through the popular mass movement. The nature of the Swedish third sector is currently going through some changes and because of the new connotations of the non-profit organizations, the democratic values expressed by the popular mass movements as well as labour and social entrepreneurship are the right ingredients to make this welfare mix efficient in enhancing community well-being.

## Conclusions and Limitations

In Sweden, the particularity of the third sector is given by cooperatives, while in Romania the association forms have deeper historical roots. The types of organizations and specific members' socio-economic backgrounds, leadership skills and the existence of a solid judicial framework influence the capacity of the organization to transmit social capital. While in the Romanian case there is still not enough data to depict the impact or predict the dynamic of the third sector, because of the lack of judicial consistency, in Sweden it is very well developed but its diversity leads to the failure of creating a common voice that can focus only on specific social tasks that belong strictly to the social economy domain. A coagulated third sector, regardless of its components, can be more efficient in filling up the gaps of a problematic welfare state. The role and structure of Romanian non-profit organizations are being

influenced by EU policies, whereas the Swedish third sector has a long tradition embedded in social movements. In both cases, the number of employees that form an organization and other specific organizational management features influence the services and the goods that target either disadvantaged groups or the community well-being. The potential of the third sector organizations to create more jobs and consequently increase the economic well-being has yet to be explored to its full capacity.

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# CHAPTER TWENTY-NINE

## ARE YOUNG ROMANIANS HAPPY?

NAGHI DANA IOANA<sup>1</sup>

### **Abstract**

The concepts of welfare and social security define the new major objectives of international security policies and the right of human beings to happiness and quality of life. These concepts depend on the capacity of the states and the supranational structures to combat and prevent social risks that our society is facing today. In this context, this chapter analyses in what measure Romania, as a democratic state and member of international organizations, succeeds to ensure this right to its citizens in terms of achieving a desirable level of social welfare. Furthermore, the study aims to identify those aspects that influence the state of satisfaction with the lives of the young people in Romania in relation to perceived social risks. The answer to the question “Are young Romanians happy?” depends on the relationship between perspectives of the future and their perception of the social risks.

Keywords: social risk, youth, perceived quality of life, welfare, social security.

### **Perspectives on Risk and Social Context**

In the twenty-first century the dynamic of the risk concept follows the evolution of the security environment, in which propagates the inherent social change as well as the analysis of these phenomena on a multidimensional level of knowledge and understanding [1]. Currently, the international environment shows the need to reconsider security on two axes (vertical and horizontal), where risks and threats gain important

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social meanings. The discussion is divided between the vertical plane of the states (local, regional, international), and the horizontal plane based on the relationship between the individual and society (political, economic, social, military), an issue which requires a more complex explanation.

The effects of globalization have generated the need for a reconceptualization of security, which brings into view different aspects of life, such as individual, social, ethnic and cultural matters. These facts have led to the need for cooperation among the main international security organizations. Moreover, the redefinition of the security agenda by international organizations shows a common interest against terrorism, alongside the social problems caused by poverty, unemployment, organized crime, proliferation of weapons of mass destruction, drugs and human trafficking, illegal migration, lack of jobs, natural or man-made disasters, competition for natural resources, etc. Locally, the mission of a democratic state such as Romania is to ensure the equal rights and liberties of its citizens in order to facilitate access to an acceptable level of social welfare; in other words to maintain a desirable social state nationwide. This issue involves all essential aspects of life quality, reaching the major problems that the individual faces in everyday life [2].

In this context, this study aims to analyze the fact that the perceived security situation of the Romanian society, together with adjacent social risks [3], influence in one way or another the “happiness” / life satisfaction of young graduates and their perspectives of Romania’s future. Young people were chosen for the reason that the future of responsible citizens depends on the stability of the current security environment, which is also a learning environment for those whose experiences are directly proportional to its current quality.

### **Security and Welfare: The Objectives of International Organizations**

On the international level, the need to expand the security concept has led to emphasizing its social dimension through the efforts of international organizations in order to identify social threats, starting from the Universal Declaration of Human Rights (1948): “Every human being has the right to life, liberty and security of his person.” In the same context, Article 22 provides:

“Everyone as a member of society, has the right to social security; it is entitled, through national effort and international cooperation ... to

achieve the realization of his dignity and the freedom of developing his personality” [4].

Thus, the social dimension of security leads to the emergence of a new concept of “human security” [5, p. 285] that involves human rights, part of the United Nations Development Program; in other words, the concept of security is rethought through the idea of welfare and social development. Individual security:

... in a broad sense ... includes much more than the absence of violent conflict. It refers to human rights, good governance, access to education and health services and ensures that every individual has the opportunity and possibility to establish / develop their potentialities. Each step in this direction is also a step towards the poverty reduction, economic growth and the prevention of conflicts. The lack of needs, of fear, as well as the freedom of future generations to inherit a healthy natural environment represent the interdependent dimensions of individual security and therefore of national legislation [6, p. 294].

The European perspective claims to reconsider the security environment by approving European policies and security strategies that take into account the internal dimension of security of states. Their tendency of changing internal and external risks develops their capacity to generate and enhance each other: “An essential characteristic of [crises of the states] was that they occurred mostly within states rather than between them” [7, p. 3].

A major goal of the EU Internal Security Strategy is the coordination of social elements through a greater operational cooperative facing the main risks and threats: “terrorism, serious forms of crime, organized crime, drugs trafficking, cybercrime, human traffic, sexual exploitation and child pornography, economic crime and corruption, weapons trafficking and cross-border crime” [8, p. 7].

Analyzing the main European directions of action in the security field outlined the importance given to social security. This perspective enhanced the control and management of social risks and threats [9] concerning the protection of its citizens and the European Community. In order to maintain social welfare and prosperity, social security refers to the individual and covers all aspects of their life which relate to education, welfare against illness, social insurance jobs, environmental conditions, migration, mobility, labour etc. [10].

## **Youth Perspective on Quality of Life and Perceived Risks**

### **The context of analysis**

This study represents a secondary analysis of data obtained from a survey conducted during March-May 2012 entitled “Individual Security and Quality of Life” [11], which aimed to determine the social perception of Romanian citizens among the young generation regarding the already-felt state of security from the perspective of quality of life [12]. The research findings, based on semi-structured interviews, although they were not nationally representative, revealed several matters of concern of the young graduates regarding the state of Romanian society. The research involved a selected group of young people on the grounds of age (24-26 years old) and education level (University degree). The study was based on identifying social perception in relation to the quality of young people’s living conditions: social goods and services to which youth have access, quality of relationships and social processes in which they engage, and their social responsibility in relation to social problems that they have identified. Thus, the reviewed results took into consideration only the subjective indicators of satisfaction of quality of life. The preliminary registered results drew attention to a number of problems and social risks identified by young respondents, in the middle of which the quality of life, implicitly the perceived “happiness,” is influenced by the level of satisfaction with their social life. From the first study were selected only items that refer to the perception of the state society, life satisfaction, quality of relationships and social processes, quality of governance, subjective fears and expectations of those interviewed.

### **The study objectives**

The study aims to identify those aspects that influence the level of satisfaction with the lives of young people in relation to perceived social risks in the Romanian society by three objectives:

- Identifying sources of satisfaction / dissatisfaction with life
- Social issues that constitute risks to the welfare / quality of life among the young generation
- Youth perspectives of the future.

### **The results**

In the context of this analysis, the social happiness as a residual effect of social perception of quality of life and social welfare [13] is influenced

by the distribution of risks and by the institutional capacity to face social problems in Romanian society. At the same time, the “state of happiness” related to the satisfaction with life represents the personal reality of the respondents in terms of self-perception and self-assessment when they identify social risks that may affect their “happiness.” The study takes into account its research limits: the context of the socio-economic crisis which strongly influences the nature of negative responses and the fact that the subjective assessment of youth leads to a dependent overview of their own reality.

Following the analysis of data, the main sources of dissatisfaction of young people are economic and political issues, coming from a poor quality of social life provided by institutions of state. Therefore, young people are deeply affected by the limited opportunities of developing individual initiative in employment, their financial welfare being strongly influenced by poor living conditions, which implies dissatisfaction in relation to the institutional capacity to solve problems. The following social issues are identified as major sources of concern: the lack of jobs and labour market instability, incoherence of institutions / weak trust towards state, decreasing living standards, poor quality of education and health, criminality in the public space, and environmental degradation.

The youth’s discontent regarding living conditions has led to a negative perception of public goods and services that they access in everyday life, thus the identified social risks that influence perceived quality of life are:

- ☐ Lack of jobs
- ☐ Poverty and poor living conditions
- ☐ Corruption and poor quality of governance
- ☐ Political elite and group of interests
- ☐ Bureaucracy and institutional pathology
- ☐ Incomplete offer of education
- ☐ Limited freedom of individual initiative
- ☐ Poor conditions of health system.

The youth’s attitudes about the future reveal a social apathy because of low social cohesion between the young and the state, leading to an emphasized individualism and a selfish character that appeals to personal resources of adaptation as:

- ☐ Permanent or long-term migration for further studies / employment of trained youth
- ☐ Family being an unrealistic option
- ☐ Denial of public support for the political class.

In spite of the negative perception of their quality of life, young people have indicated an increased attachment to national values and national identity elements, a developed civic sense in terms of voting responsibility and environmental protection, as well as inherited items and an increased solidarity at the level of social relations with a personal accent.

## **Instead of Conclusions**

The answers show a part of reality that Romanian young people face in everyday life, but this doesn't offer a resolution for the identified social problems. A simple social radiography instance, involving rates of a concern for public opinion, offers the possibility of measuring the pulse of the population on a manifested social issue, experienced by society; however, this option is necessary but not sufficient to articulate a sustainable solution of action. The explanatory value of social issues should be sought deeper in the structure and the interacting dynamics of causes that led to the issue. This is an exploratory study that analyzed the social effects felt among the population studied by identifying the sources that manifest points of social tension, but this doesn't offer a detailed analysis of the problems' causes. The present reality requires more varied research methods and tools. Constant improvement and its interdisciplinary approach to adopting strategies for future action are a necessary step to face the new challenges and risks in fields such as: poverty reduction, increasing job offers, improving education and health, fighting against organized crime and criminality prevention, reducing social exclusion, and steps towards sustainable development and to social welfare [14].

The contemporary trend of inherent change is challenging us to think in a dynamic and interactive way. The strategic planning establishes measures of resolution by prioritizing the long-term goals, and the diagnosis and prognosis of social problems, which are the main methods for facing the new social challenges [15].

If welfare is a priority, as shown in the main social policies and security strategies organizations, at the end of this chapter the question "Why are young people not happy?" continues to be open to the attention of specialists as well as public opinion.

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# CHAPTER THIRTY

## SOME CONSIDERATIONS ON A NEW TYPOLOGY OF WELFARE REGIMES

CIPRIAN ILIE BĂDESCU<sup>1</sup>

### **Abstract**

The last decade of the twentieth century was a pivotal period in the history of the welfare state paradigm. The fall of the Berlin Wall as well as the revolutions in Central and Eastern Europe dramatically reconfigured the social conditions of these societies. One of my major concerns within my research enquiries is to find out whether the actual theoretical, as well as methodological, perspectives on the welfare regimes are still valid, as sudden and unprecedented societal changes would have had a great impact on the social conditions in this part of the world. This article is a starting point in challenging those theoretical as well as methodological perspectives that emerge as the mainstream thinking about the welfare state in the twentieth century. Therborn (2003) mentioned the “geo-historical entanglements, of the very different but significantly interacting and mutually influencing socio-political roads to and through modernity” [1]. These roads to modernity would have influenced the welfare regimes in different ways, calling for a methodological inquiry into determinants of what Sharkh & Gough considered as “correlates of welfare regime types” [2]. A useful starting point in reconsidering the paradigm of the modern welfare state is to have a closer look at what we believe would be the main determinant in the processes of globalization—in other words, the so-called “transitions” in the global context.

Keywords: “transitions” in the global context, emergent structures, de-reflexive post-modernization, paradigm of risk society, welfare regime types, “welfare-state variations,” “meta-welfare regimes.”

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## **“Transitions” in the Global Context**

Is the “systemic default of the capitalistic system” [3] the major cause of the actual crisis? Or is it “rather a consequence of its major success” [4]? These are two important questions that we should address when trying to explain the causes of the global financial crisis. We would be inclined to consider that the capitalist system failed, leading to such massive disequilibriums as a consequence of its major success:

The basic structural features of capitalism as a world-system operate by certain rules that can be drawn on a chart as a moving upward equilibrium. The problem, as with all structural equilibria of all systems, is that over time the curves tend to move far from equilibrium and it becomes impossible to bring them back to equilibrium ... What has made the system move so far from equilibrium? Very briefly, it is because over 500 years the three basic costs of capitalist production—personnel, inputs, and taxation—have steadily risen as a percentage of possible sales price, such that today they make it impossible to obtain the large profits from quasi-monopolized production that have always been the basis of significant capital accumulation. It is not because capitalism is failing at what it does best. It is precisely because it has been doing it so well that it has finally undermined the basis of future accumulation [5].

We may argue that the capitalist system is always in a dynamic disequilibrium in a Schumpeterian view. The system cannot survive unless the actors involved (e.g. companies) are able to generate “genuine profit” due to the innovation process. Schumpeter’s “innovator” with his “creative destruction” is the only theory which so far explains why there is something we call “profit” [6]. Societal evolution was significantly influenced by the so-called “drivers” like “creative destruction” or the ways in which the state managed to redistribute wealth through taxation: “Societal evolution was driven ... by the ways in which states tackled the challenges of raising revenues and managing spending” [7]. Our question is whether this so-called “genuine profit” due to innovation process, in a Schumpeterian view, is socially and ethically desirable, or is this profit the only reason for the existence (*raison d’être*) of the business?

Our analysis is also focused on finding appropriate answers to these fundamental questions. Thus, we need a new theory which integrates explaining society with explaining the economic process which consumes its so-called “order”; in other words, it produces “entropy,” a key concept originated by Georgescu Roegen. The idea of entropy leads us to a major concept in economy, i.e. “creative destruction,” explained in Schumpeter’s famous work, “Capitalism, Socialism and Democracy.”



Globalization confronted mankind with new opportunities and new perils. One of the dangers of globalization, denounced as such by all theorists, is misleading; i.e. the hybridisation of cultural mixtures whose effect is the destruction of multiple cultural identities. The effect of globalization is gaining with the price of this destruction, and thus with the “illness of specificities.” A second dangerous effect has been denounced by Howard Bloom, which warns of the threat wherein some subcultures take control of the overall perception of humanity.

A cultural foundation of the actual economic crisis must be traced back over centuries, when the tax-states emerged: “... the great historical transformation in modern Western European history was neither the emergence of capitalism (Marx) nor the rise of modern rational bureaucracy (Weber), but the transition from the *desmesne* (or *domain*) *state*—where government activities were funded from surpluses derived from the ruler’s own properties—to the *tax state*, that was funded through regularised tax levies on the private sector and private incomes” [8].

The crisis that rocked the world’s most powerful economies of our planet became one of the most terrible challenges for economic science. Great spiritual and political leaders of the world have concluded that, in its essence, this world crisis is a moral one and that explanations should be sought at the level of spiritual foundations.

Analysis should be questioned, therefore, within the framework of the relationship between economy and culture. Economic crises are most alarming phenomena within the dynamics of human societies.

They propagate in a way which affect the entire collective mentality, being somehow pre-announced through what is happening at the level of the spiritual foundations of economies. The matter was investigated by the great economists and sociologists and the process of building a theory on the cultural foundations of the economic crises has been delayed.

The delay itself is a part of what we can call the inertia of crisis. The phenomenon is similar to that of the relationship between wars and the processes of organizing peace. Organization of peace begins long before the end of the war, and after all the energies are concentrated on the process of its establishment.

The same happens with the phenomenon of crisis—both during and after their propagation, the minds of politicians are centred on development policy issues regarding removal from the crisis, and much less on issues such as the crisis itself.

The issue is still more complicated in the context of the megaprocess of globalization, which induces massive deconstructions, disproportions, conflicts, anarchy, and profound identity crisis on the scale of the global system as it is presented in the theory of periferialization, etc.

The paradigm of cultural foundations of crisis has brought the dimension of intellectual capital, as a key factor of competitiveness of economies, into debate. Such a consideration will move the field of our analysis towards a more focused approach of the distinctions between the “take-off” elites and the elites of the crisis, evoking famous theories like Toynbee’s theory (on the relationship between the elite and the crisis of civilizations), the “take-off” model of economic growth (Rostow), superimposed class theory (Eminescu), the theory of pseudo-culture (C. Radulescu Motru), the theory of quasirent, Schumpeter’s theory of innovation, and last but not least the theory of “identitary rent” [9].

The relationship between the modern world system and the geoculture of the ending crisis of the cycle of civilisation should be re-examined, as this issue was outlined by American scientist I. Wallerstein. The question would be whether the modern world system has entered a period of serious disequilibriums based on a series of consecutive systemic failures of the state along with the systemic change of the institutional arrangements of the modern capitalist system. It led to what Wallerstein (1996) called the “vortex,” referring to that “vicious circle, in which each failure of the state leads to less willingness to entrust it with tasks, and therefore to a generic tax revolt. But as the state becomes less solvent, it can perform existing tasks even less well” [10].

All this shows us that globalization does not standardize nor increase the order of the world but, on the contrary, such a process cannot be thought of as a universal panacea for the world crises of today and tomorrow because of the so-called “transitions” in the global context. These “transitions” are based on “emergent structures” that are a regularity of periods of sudden or massive change. The idea of emergence is largely a return to the immanent perspective on phenomena. This tells us that there are immanences in any period that may not be destroyed by revolutions, wars and crises, and these immanences might explain some changes, especially in periods of transition.

In general, we can say that in any change we must seek a nuclear composition of two opposite and complementary elements: immanent and transcendence, i.e. given elements and super-added elements which, since they are already added over those given elements (already existing), have some special qualities.

Immanences are the given of any phenomenon, and transcendences are the superadded qualities from the composition of the phenomenon. This is the “quantum” of change and it helps us to understand the phenomenon of emerging structures.

Economists talk about “emerging markets,” i.e. about the birth and consolidation of capital markets, for instance, or the stock markets in so-

called “frontier” areas of the system. They are also called frontier markets. The element of that phenomenon is always there, while the “element” which is superadded might not be, so emerging structures have two facets and are structures with an ontological deficit.

The great challenge is to make the two components inelible, that is, to develop the theory that helps us to address the phenomena through this nuclear dualism, as *donum* and *superadditum*, as what is given and what is super-added. We invoke some famous theories so as to use them in accessing the new aedificia of the new knowledge.

Wallerstein considers that the new system of the world, which he called “the modern world system” to distinguish it from the world systems of historical Empires, was born through the emergence in a crisis environment of continental proportions, and was developed through the expansion over the entire planet. What is curious is that his analysis refers to those elements which make up the given of the phenomenon and those that make up the super-added qualities of the central area (core area), and which may explain the “passionate impulse” which gives birth to the system—the same “passionate impulse” that would have led to the emergence of so-called “risk production societies.”

### **From “Wealth Production” to “Risk Production Societies”<sup>2</sup>**

Contrary to the industrial society, where “the social production of wealth is systematically accompanied by the social production of risk” as a side-effect, in the transitional society the political production of privileges is accompanied by the political production of risk, whereas in the industrial society the problems and conflicts relating to distribution in a society of scarcity overlap with the problems and conflicts that arise especially from the production, definition and distribution of technoscientifically produced risk [11]. Here, in the post-communist transition society, the same problems and conflicts related to distribution in a society

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<sup>2</sup> The idea of the so-called “transitions” from the “wealth production” to the “risk production societies” was developed in my book *Criză și fiscalitate* [Crisis and Fiscality], (Bucharest: Mica Valahie Publishing House, 2010), where I revealed the phenomenon of indebtedness as a major social risk of today’s modern society. I have also used this perspective, i.e. the transition towards “risk production societies,” as a parameter invoked in the analysis of the cultural foundation of crisis that is also the subject matter of my postdoctoral thesis (“Harnessing Cultural Identities in the Globalized Processes”) within the Postdoctoral School of the Romanian Academy.

of scarcity overlap with the problems and conflict that arise from the political production of privileges. The whole reform seems to be reduced to a regulation of the political mode of redistribution of risks within a given society.

Beck underlines that we can speak of a “change from the logic of wealth distribution in a society of scarcity to the logic of risk distribution in late modernity” [12].

As to the Eastern European societies, I would call these sorts of risks, which are politically produced and redistributed, “peripheral risks,” i.e. risks that systematically accompany the situation of living in a peripheral society.

“The concepts of *industrial* and/or *class society* ... revolved around the issue of how socially produced wealth could be distributed in a socially unequal and also *legitimate* way” [13].

The concepts of the transitional post-communist society revolve around the issue of how politically produced negative effects, risks and peripheral states of mind and living could be re-distributed at the expense of those who are not accepted by the politically made rules.

In this way, the legal and welfare-state protections and regulations become tools used not to help those disfavoured people but to redistribute the parasitic effects (uncompensated) of the leisure class way of life, risks and peripheral terms of living, from those which are producing such negative effects towards those who are coerced to bear such effects.

Here we encounter the “paradigm of risk society,” based on the solution of a different problem: “how can risks and hazards systematically produced as part of modernization be prevented, minimized, dramatized or channelled?” [14].

“How can they be limited and distributed away so that they neither hamper the modernization process nor exceed the limits of that which is tolerable—ecologically, psychologically and socially?” [15].

As a matter of fact, the post-communist society is facing two different series of problems: of how to release itself from political constraints and how to cope with the new political constraints and risks of living in a peripheral society which undertakes destructive processes:

- (a) It disintegrates those socialist structures considered as having been based on a centralized state
- (b) It disintegrates all cultural structures just because they were used by people during the communist rule, not to adjust the establishment but to learn to use such rules with less damaging effects on their state of mind and ways of living.

We are therefore no longer exclusively concerned with making nature useful, with releasing mankind from traditional constraint, or even with releasing people from the risks of reflexive modernization, but with the risks emerging from a political elite which believes itself to be making new social arrangements while it is in fact making such an encompassing derangement of the society that they overtake it entirely. We may call this process “de-reflexive post-modernization.”

We therefore need, rather than a paradigm of risk society, as Beck puts it in his work, a paradigm of risks that accompany the “de-reflexive post-modernization.”

Beck drew our attention to what he called “reflexive modernization”:

We are concerned with problems resulting from techno-economic development itself. Modernization is becoming reflexive; it is becoming its own theme. Questions of the development and employment of technologies (in the realm of nature, society, and personality) are being eclipsed by questions of the political and economic management of the risks of actually or potentially utilized technologies—discovering, administering, acknowledging such hazards with respect to specially [16].

The distribution of inequality and related conflicts occupies the foreground so long as obvious material need, the “dictatorship of scarcity,” rules the thought and action of people (in a large part those of the so-called “Third World”). Under these conditions of “scarcity society,” the modernization process takes place with the claim of opening the gates to hidden sources of social wealth with the keys of techno-scientific development [17].

In Western societies, “the struggle for one’s ‘daily bread’ has lost its urgency” [18]. On the other hand, in the modernization process more and more destructive forces are being unleashed. The social positions and conflicts of a “wealth distributing” society begin to be joined by those of a “risk-distributing society.”

In West Germany, the beginning of this transition can be located in the early of 1970s. Two types of topics and conflicts overlap here in such a type of society.

There are two societies in one: “scarcity society” and “risk distributing society.”

There is a shift “from personal risk to global dangers like those that arise for all of humanity from nuclear fission or the storage of radioactive waste ...” [19]. “In class and stratification positions, being determines consciousness, while in risk positions, consciousness determines being ...” (Ibid.) [20]. “Knowledge gains a new political significance” [21].

“What thus emerges in risk society is the political potential of catastrophes ... Managing these can include a reorganization of power and authority. Risk society is a catastrophic society. In it the exceptional condition threatens to become the norm” [22]. A new type of enquiry somehow related with the idea that “power, democracy or welfare are relationally structured phenomena” [23] is required within a new typology of the welfare regimes.

### **A Typology of the Welfare Regimes: Some Theoretical as well as Methodological Considerations**

There is an increasing interest among various scientific circles in finding out the pattern of the welfare regime in the eastern part of Europe. Firstly, why would we use the concept of “regime” when trying to explain different types of welfare in our modern society? The reason for using a regime perspective in understanding the “typology of welfare state” should be traced back to the 1990s when Esping-Andersen wrote the famous “model of the three types of welfare capitalism: liberal, social democratic and conservative or Christian democratic” [24].

Gough & Sharkh [2] emphasized the importance of Esping-Andersen’s regime approach in understanding the pattern of the welfare in the developing as well as the developed world. It has to do with the way we try to depict “welfare-state variations,” as Esping-Anderson stated that there are “qualitatively different arrangements between state, market, and the family ... The linear scoring approach (more or less power, democracy or spending) contradicts the sociological notion that power, democracy, or welfare are relationally structured phenomena ... Welfare-state variations are not linearly distributed, but clustered by regime types” [25]. This last statement serves, also, as a methodological inquiry into the complex nature of the welfare state regime.

Therefore, we should describe the welfare regime by identifying those shared attributes or commonalities in clusters of countries. It is also necessary to identify disparities between certain welfare regimes, as formulating welfare policy responses would require a comprehensive understanding of “welfare-state variations.” These variations could also be described as variables used for depicting that pattern of welfare regime within our proposed methodological path for assessing the state of one country’s welfare policy reform, such as the case of the Romanian welfare system.

There is, also, an increasing concern as to whether the theoretical perspectives developed by various theoreticians trying to explain the

patterns of welfare regimes in Western Europe would remain valid for the eastern part of Europe.

In conclusion, a potential direction of research could be summarized within the following three objectives:

- A theoretical synthesis of several challenging concepts on globalization and glocalization like the emergent structures as well as the so-called “transitions” in the global context. These would create new perspectives that would challenge the mainstream thinking of the modern welfare state.
- Atheoretical enquiry into the nature and, consequently, characteristics of the present welfare regime in the selected group (cluster) of countries from Central and Eastern Europe, including Romania. A potential theoretical journey would critically evaluate the relevant literature regarding the particularities of the welfare systems in Europe and whether the theories describing various welfare systems in the Western part of Europe would remain valid when applied to the Central and Eastern part of the same continent. One of the main purposes of such an enquiry is to develop a new theoretical perspective on the so-called “meta-welfare regimes,” highlighting commonalities as well as disparities of two welfare regimes, starting from the methodology proposed by Gough & Sharkh [2] as well as emphasizing the importance of critically reviewing the theories on welfare systems. Therefore, proposing and evaluating a methodology would be required as providing empirical evidence to the proposed literature review would be necessary.
- Gough & Sharkh’s [2] methodology would be used for assessing whether the Romanian welfare system could be assigned to a certain pattern of welfare regime and whether this country’s welfare policy reforms are consistent with this pattern. Our tested hypotheses will thus serve as providing empirical evidence as well as a supporting base for formulating certain policy reports.

The welfare regime might be described by identifying those shared attributes or commonalities in clusters of countries. It is also necessary to identify disparities between certain welfare regimes, as formulating a welfare policy response would require a comprehensive understanding of “welfare-state variations.” Gough & Sharkh identified three types of so-called “meta-welfare regimes”: welfare state regimes of the OECD countries, informal security regimes, and insecurity regimes. Each type is a way of describing the pattern of welfare regime according to a set of

shared attributes that are being analyzed using the cluster analysis. Gough & Sharkh proposed a cluster-based methodology for testing “the claim that a small number of distinct welfare regimes, combining institutional patterns and social welfare outcomes, can be identified across the developing world” [26]. There are evidences mentioned by Gough & Sharkh showing that the theories developed in the past for understanding the complex nature of welfare state regimes in Western Europe would be questionable when applying these models to the eastern part of Europe. It is not only a matter of looking at these theories from a path-dependent perspective, even if such a view would be required for understanding the differences between cultures and, consequently, various institutional arrangements. It is also a way of critically reviewing literature that might have been developed based on a set of assumptions encompassing some predefined settings. The problem is that those settings were created for that part of Europe, i.e. Western European countries whose capitalist development brought about a major social and economic change, including the emergence of the modern welfare state. The Swiss welfare state is an example of a liberal welfare regime, a welfare state that is considered as having a truly decentralized welfare system with individuals being encouraged to buy private insurance, as Ralph Segalman mentioned [27]. The Swiss welfare system is based on the involvement of local communities, the local autonomy being a main characteristic of the system. It is considered, in other studies, as being Bismarckian, as benefits in such a welfare system “are usually earnings-related, because the main goal of these welfare states is not redistribution, but status protection and income replacement” [28]. In contrast to the Swiss case, the Romanian welfare system is highly centralized, a particular and still relevant case being the healthcare system that is poorly financed by the state. The Romanian and Swiss welfare systems are actually forming two contrasting views of a reality that might be described using a well-known concept, i.e. the meta-welfare system—the Swiss case describing the welfare state regime, the Romanian case being considered a proto-welfare regime.

The state plays a vital role in redistributing the national wealth through policies. Statism is, probably, regarded as the quintessence of the welfare system, not taking into account that the state could be an inefficient agent in the micromanagement of the welfare system. The elitist theory would emphasize the idea that a small group of individuals, the elite, is capable of governing, and the state represented by this elite should probably intervene in the economy through a redistributive effect using its fiscal system to reduce disparities in the society. The idea of state intervention in the economy was advocated by a prominent economist, J. M. Keynes. His



idea of stimulating aggregate demand through deficit spending has probably opened a Pandora's Box, leading to a spiralling effect of accumulating debts covering deficit spending. The formative idea based on the Keynesist ideology stays behind the emergence of the modern welfare system, whose main premise remains the spiral of indebtedness generated through financing social policies all over Europe in the last fifty to sixty years. This is the perspective of solidarity through "intergenerational indebtedness." Many countries from Europe adopted such a perspective in financing and, consequently, managing welfare systems, including Romania. There is another perspective in redistributing wealth in the society that would be synthesized as the solidarity without the state, a system proper to mixed welfare economies like Switzerland where the welfare costs are being shared with the individuals: "It has several typical two-tier (or even three pillar) insurance systems, notably in health and old-age insurance, which have been seen as relatively lean and sustainable. Since the 1980s, the Swiss model has often been cited as a blueprint for welfare reforms, and has been recommended by international organisations such as the Organisation for Economic Co-operation and Development (OECD) and the World Bank" [29]. The Swiss welfare regime should also be considered a blueprint for welfare reform in Central and Eastern Europe, including Romania. Some ideas inspired by the Swiss welfare system have already been implemented in the Romanian health system, such as the co-payment scheme within the healthcare system.

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# CHAPTER THIRTY-ONE

## THE SOCIO-ECONOMIC, CULTURAL AND ECOLOGICAL IMPACTS OF TOURISM

ANDREEA BĂLTĂREȚU<sup>1</sup>

### **Abstract**

International tourism is an invisible export directly contributing to a country's balance of payments as a touristic destination. Some of these incomes are used in developing the tourism industry of the host country which requires the creation of new jobs, some of them being allocated to the local administration. In a socio-cultural plan, the traditions, holidays and authenticity of the host population can be exploited by local festivals with proper management. All these events may lead to the acquisition of income with minimal effort while satisfying the needs of tourists. Both domestic and international tourism have positive effects in helping to conserve the environment of the areas where tourists spend their holidays. Tourists are attracted to areas with lovely landscapes, architectural and historic interest and with interesting wildlife. Therefore, some of the money spent by them may be used to preserve and protect the natural environment.

Keywords: Tourism, authenticity, culture, environment, economy.

### **Introduction**

Currently, tourism involves the movement of a large number of people, and as the world population increases factors such as stress and pollution are making a mark on touristic packages. However, the activities of tourists, both during travel and, especially, at a tourist destination, have a

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major impact on the economic and socio-cultural plan and the environment. Thus, tourism can contribute to the local economy, create jobs, decrease poverty and enrich the knowledge of the individual, but it can also lead to the degradation and destruction of the environment, sometimes irreversibly, because of adverse effects on biodiversity.

The research undertaken on the importance of tourism in the economy reveals that it has a considerable impact on the economies, societies, cultures and environment of the tourist destinations.

### **The Effect of Internal and International Tourism on the Economy**

Tourism acts as a stimulator of the global system. Thus, a tourist is a consumer of goods and services and the expenditure related to it on the territory of the host destination stands for income (revenue) for the local budget and the local population. These incomes enter in the economic cycle and the higher the number of movements, the more positive the effects. Therefore, tourism contributes to ensuring a balanced participation of money circulation through the participation of tourism revenue into a more economic circuit.

The income from tourism also determines investment in local professions, promoting traditions and customs. In 2011, 4.5% of the total capital invested worldwide (650 billion dollars) was directed towards travel and the tourism industry. During 2000-2010, the capital invested in global tourism registered an increase of 41.8%.

A production yield is gained through the development of tourism which represents a contribution to the creation of gross domestic product (GDP) or Gross national product (GNP). During 2000-2010, the direct contribution of tourism to the Gross domestic product (GDP) registered a growth of 9.7%, while the total contribution of tourism to the GDP grew by 16.6%.

In 2011, the World Tourism and Travel Council (WTTC) estimated that the travel and tourism industry will contribute approximately \$6,000 billion to the world economy, or 9% of the GDP.

In the case of Romania, the direct contribution of tourism to GDP is expected to be 9.6 billion lei (1.9% of the GDP), and the total contribution of tourism to the GDP will be 22.5 billion lei (4.5% of the GDP) in 2011.

It should be pointed out that the contribution of tourism to the GDP varies considerably between different countries of the world, according to the level of development and the economic structure in question. Thus, in 2011 for the Seychelles the total contribution of tourism to the GDP was

57.6%, Antigua and Barbuda 74.2%, Aruba 73.1%, the British Virgin Islands 57.9%, the Bahamas 47.4%, Saint Kitts and Nevis 28.2%, Bulgaria 14.9%, Switzerland 8.3%, Austria 11.8%, Australia 13%, China 8.6%, France 9.1%, Spain 14.4%, Italy 8.6%, Hungary 12%, the Russian Federation 5.9%, Moldova 3%, Ukraine 8.1%, USA 8.8%, and the UK 6.9%.

WTTC studies suggest that approximately 70% from the direct contribution of travel and tourism to the GDP is generated by domestic tourists and the remaining 30% by the foreign tourists.

**Table 31.1. The top 10 countries in terms of annual growth rate of the direct contribution of travel and tourism to the GDP, 2011-2021**

No. crt.	Country	Annual growth rate (%)
1.	Montenegro	12.4
2.	Azerbaijan	9.4
3.	China	9.1
4.	Namibia	8.8
5.	India	8.8
6.	Chad	7.6
7.	Thailand	7.5
8.	Cape Verde	7.3
9.	Fiji	7.2
10.	Malawi	6.9

Source: Travel & Tourism (2011)

Other positive economic effects relate to the contribution of local budget revenues from tourists. The direct contributions are generated from taxes on income from tourism and direct charges such as eco-taxes paid by the tourists. The indirect contributions derive from taxes on goods and services offered to tourists and admissions taxes in protected areas, such as souvenirs, hotel activity, restoration, tour operators etc.

The tourist expenses, exports and imports of goods and services generate income for the host economy.

Tourism is the main source of foreign exchange earnings for at least 38% of all countries, according to The World Tourism Organization.

The rapid expansion of international tourism has led to the creation of a significant number of jobs. Tourism can directly generate jobs in hotels, restaurants, transport and the handicraft industry by providing related goods and services. The presence of tourists contributes to the stimulation of investment in tourism infrastructure. In this way, tourism is an important part of the local economy.

Tourism has an important contribution, superior to other industries, to achieving added value because it requires hard work, intelligence and creativity.

Tourism also has an effect on the stimulation and development of branches downstream (construction materials, infrastructure and transport) and upstream (agriculture, industry, craft industry materials). In this way, tourism is determined not only by the development of local economy, but also by the national and even global economies. In this case, tourism represents a way of diversifying the economic structure. Thus, the existence of the tourist industry in a certain area, country or region generates the emergence of new sectors such as entertainment, handicraft, transport, travel agencies, etc. At the same time, it has an important role in the development of infrastructure, without which the travel and tourism industry could not exist. However, the public resources allocated for subsidizing the development of infrastructure or for tax exemptions lead to less government investments in other critical areas such as education and health.

Another important contribution is the superior use of all categories of resources (economic, tourist, industrial), which, at the same time, alleviate regional imbalances. At the international level we have administrative-territorial units that benefit from economic resources (coal, ores, etc.), and some that have a rich tourist potential (traditions, local architecture, popular culture, special landscapes). Each of these areas enters the world circuit and exchange of values through the resources existing in their territory being the main source of income. In this way, regional imbalances are attenuated and the differences between the levels of development in different areas are reduced.

Furthermore, the countries geographically positioned at the intersection of main routes can access additional income obtained as a result of the large number of tourists that move through the territory. Tourism can also generate the development of the economies of scale (production and consumption) while exploiting, through tourism, some resources of local interest such as gastronomy or local crafts. In the economic plan, negative effects of tourism development can occur, such as increasing land prices compounded with increased fees related to their ownership, higher prices for consumer goods, dependence of local communities on tourism development, and vulnerability to fluctuations and modifications of the international demand.

Part of the revenue derived from tourism is also used for the development of the tourist industry of the host country, which means the creation of new jobs, with some percentage returning to local government.

Tourism can create inflationary effects, and the seasonal nature of the tourist activity has negative influences on the quality of services provided by a labour force that is not professionally ready for such a job.

**Table 31.2. Structure of the balance of payments of Romania in 2010 and 2011 (millions euro)**

	2010			2011		
	Credit	Flow	Net	Credit	Flow	Net
<b>1. Current account (A+B+C)</b>	50432	55590	-5158	59613	65292	-5679
<b>A. Goods and services</b>	43603	50213	-6610	52291	59376	-7085
a. FOB goods (export/import)	37251	43115	-5864	45018	52482	-7464
b. Services	6353	7098	-745	7275	6893	382
- transport	1941	2097	-156	2271	1342	929
- tourism-travel	852	1238	-386	1018	1408	-390
- other services	3560	3763	-203	3985	4143	-158
<b>B. Income</b>	1045	3005	-1960	1237	3573	-2336
<b>C. Current transfers</b>	5783	2371	3412	6082	2345	3737
<b>2. Financial capital account (A+B)</b>	64360	58550	5810	67723	62646	5077
<b>A. Capital account</b>	537	322	215	615	460	155
<b>B. Financial account</b>	63823	58228	5595	67108	62187	4921
<b>3. Errors and omissions (net)</b>	-	652	-652	605	-	605

Source: Monthly bulletins, January 2010/2011, The National Bank of Romania

Worldwide, in the period 2000-2010, the direct contribution of tourism in creating jobs grew by 8.3%, while the total contribution of tourism in creating jobs represented an increase of 3.0%.

Thus, in 2011 international tourism created 260 million jobs, demonstrating that it is the main industry in job creation.

The creation of jobs determines unemployment reduction, particularly at the local level. As for Romania, the tourism and travel industry has, in 2011, directly created 239,000 jobs which represents 2.8%, and this is expected to grow to 301,000 (3.4%) by 2021. In terms of the total contribution of tourism in the creation of jobs, including indirect ones, in

2011 this represented 446,000 jobs (5.2%), which will increase to 535,000 (6.0%) by 2021.

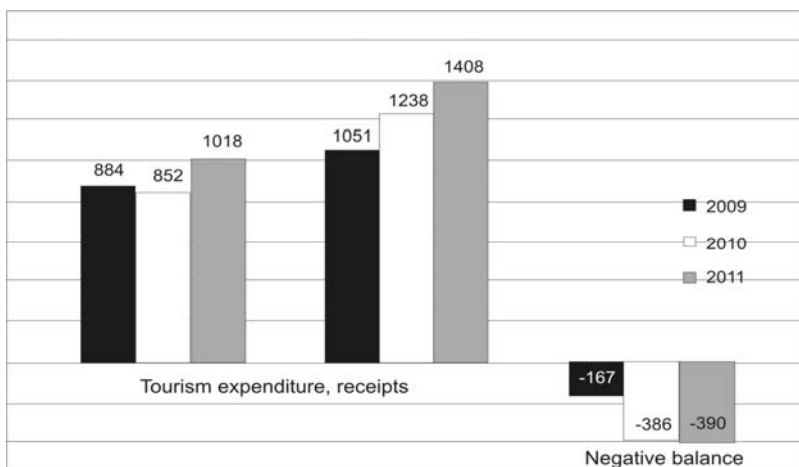
International tourism is an invisible export which contributes directly to the balance of payments of the tourist country. Tourism is one of the five main export activities for 83% of the countries of the world and a primary source of foreign revenue for at least 38% of states. Thus, international tourism has a significant contribution to the growth and diversification of world trade.

On the one hand, increasing the number of visitors and their spending supports the growth of international trade. On the other, the goods and services consumed in the tourist industry are different from those that are subject to world trade in the traditional way (e.g. entertainment services, crafts). In addition, tourism contributes to the balance of payments of host countries, especially when it is the main economic activity or the main source of foreign currency (for example, in Bermuda and the Bahamas).

In 2010, the current account of the balance of payments of Romania (Table 31.2) recorded a deficit of 5,158 million euros due to the negative balance increase of revenue and services and the diminishment of the surplus of current transfers. The same situation can be observed in 2011 in respect of a surplus of 5,679 million euros.

It can be seen that Romania's tourism records a negative balance in the period under review, i.e. 167 million euros in 2009, 386 million euros in 2010 and 390 million in 2011.

Fig. 31.1. Evolution of the tourism balance of Romania between 2009-2011 (millions euro)





It can be seen in Fig. 31.1 that the proceeds of Romanian tourism show a tendency to increase by 137 million euros in the period under review, with a reduced contribution to GDP. However, tourist expenditure shows a growth trend in 2011, compared with 2009, of 357 million euro which leads to a significant negative balance.

### **The Effects of Tourism on the Socio-Cultural Plan**

In a socio-cultural plan, tourism can be an alternative for the old culture of crafts and traditions, however it should not emphasize its commercial side as it may appear to be fake. The merit of the social links between tourists and indigenous people, which derives from a better understanding and goodwill among nations, was extrapolated as a major social benefit obtained from tourism.

Another issue is the type of contact between guests and hosts. In the model of tourism as an “enclave,” reprimanded by the supporters of the alternative forms of tourism, the contacts are controlled and minimized as these tourists speak both languages (the local population and their own) and understand both cultures.

Tourism is regarded as the passport of peace, since travel alone brings people together in various destinations. Therefore, tourism has an educational component as it involves intercultural exchanges and understanding between people of different races, religions and cultures. In this way, it develops the chances of sympathy, tolerance and understanding among people. Festivals, tourism recovery by local customs, jobs created by tourism—all these can act as major motivations in reducing migration from rural areas.

Tourism contributes to the preservation and transmission of local traditions and the conservation and sustainable management of natural, cultural and historical resources, representing the chance to protect the local heritage and the revival of native cultures and traditional arts and crafts.

In some cases, tourism helps to raise awareness about the value of local heritage, encouraging social involvement and the pride of the host population, which also creates interest in its preservation.

Tourism, both national and international, involves a meeting of persons belonging to different cultural and social environments and a considerable spatial redistribution of income resulting from this activity, having a significant impact on the economies of the destination. The latest research in the field speaks primarily to economic aspects of the tourism

phenomenon that can easily be quantified, and also because tourism is a net economic benefit on the host destination. Later, tourism that has developed mainly through natural attractions has led to a unique and fragile environment, which has meant that, many times, the economic effects of tourism can be offset by social and environmental consequences that can be measured only to a lesser extent.

The benefits and costs of tourism come from two distinct groups of people. On one hand are the visitors who benefit from the expenditure during the holidays. On the other are the resident populations of the host regions, who benefit not just in financial terms; however, the conduct and the organization of this activity entails some costs.

In general, most are non-renewable natural tourism resources, which makes them difficult to maintain at the same level of quality and for long periods, even if revenues from tourism are substantial.

The national authorities, together with the local authorities, can control the conduct of the tourist activity mainly through the adoption of regulations on the planning of areas of interest, limiting construction in certain areas and establishing parks and natural reservations to limit the access of tourists or routing the flow of travellers.

Environmental considerations must be given priority in tourism development plans, especially the ones concerning air and water quality, soil conservation, protection of natural and cultural heritage and quality of human equipment.

The tourism objectives must take into account the capacity of the system and environmental sustainability, and be consistent with regional development, social issues and land use planning.

All decisions must be based on the largest possible amount of information on the environmental implications. It is advisable to make an environmental impact assessment to estimate possible damage to the environment in view of increasing tourist traffic. Alternative sites for development should be considered regarding how appropriate to the capacity of the locality they are and be measured in terms of the physical, ecological, social, cultural and psychological aspects; the relevant environmental measures should be defined and implemented at each stage of planning. It is appropriate to take into account the particular periods of peak demand, networks, water purification, solid waste disposal, noise pollution and control of tourist traffic density. The most endangered areas must be developed and comprehensive programs to conserve resources implemented.

Normative acts should be drafted so as to limit operations in sensitive areas, and appropriate legislation to protect the environment in danger should also be enacted.

In addition, there are questions of financial support, additional investment and the exercise of pressure for:

- ☐ NGOs' and the authorities' efforts to protect the environment
- ☐ measures to reduce industrial emissions and energy
- ☐ embankment and installation of equipment for cleaning of oil in strategic areas to fight against the black tide
- ☐ negotiations with representatives of indigenous people before taking any action that may affect their territories and ways of life.

Therefore, there are many solutions for local and central authorities to increase and improve the economic effects, the state having many levers at hand to intervene in this regard.

### **The Effects of Tourism on the Environment**

In front of the majesty of nature there is an intense excitement, tourists come to please their eyes; the hiker finds a huge book where every rock is a letter, each lake is a phrase where each village is an accent, and with it comes the smoke of a thousand years of old memories (Victor Hugo).

Tourism can contribute directly to the protection and preservation of areas and sensitive habitats. The incomes from entry fees to protected areas and similar sources can be allocated specifically for the protection and management of such sensitive areas. The imposition of fees for the sale or rental of recreational equipment for various activities such as hunting and fishing can provide local governments with the necessary funds for natural resource management.

In general, most are non-renewable natural tourism resources, which makes them difficult to maintain at the same level of quality and for long periods, even if revenues from tourism are substantial.

On the other hand, excessive development of tourism which is not properly planned may fully affect the physical environment of the destinations. It may be, for example, architectural pollution when large resorts and buildings do not comply with the principle of harmonious integration with the environment in which they are built. In addition, in the construction of these are such issues as deforestation, diversion of river courses, and waste and residues created in large quantities which are

discharged into rivers and lakes in the area, polluting them. All these activities cause, ultimately, erosion and landslides with disastrous effects on the environment.

The environmental effects can be very difficult to quantify compared to the economic ones, although they are more important, significant and serious. Support capacity refers to measures taken to maintain an optimum number of visitors to a destination. Therefore, concepts such as “sustainable tourism development” and a “responsible consumption of tourism” may be the alternative answers for solving these problems.

An environment which is heavily used by tourists represents the essential element allowing for time to be spent in optimal conditions.

Tourists prefer to have a wonderful view from their hotel window and for the surrounding area to consist of pleasant scenery, being relaxing and unspoiled. If the environment is so important for tourism, then the development must be done within reasonable limits, the responsibility being assumed by those involved in the construction of accommodation, catering and recreational facilities, at the same time ensuring that the environment is not affected, but instead protected. This is becoming more necessary as tourism continues to grow.

For the future, all indicators show a significant socio-economic development for many countries. Therefore, the challenge is to ensure that such an increase can be adapted, restrained and controlled through a sustainable structure.

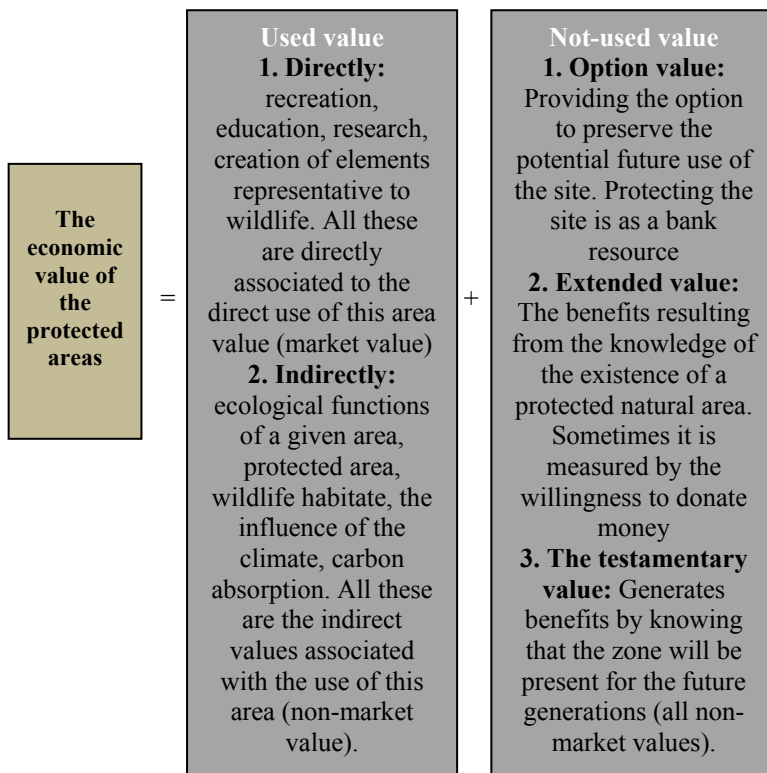
Tourism and the environment can:

- (a) Live in harmony, in which tourism benefits from the environment to a certain limit and the effects of tourism on the environment are positive
- (b) Be in conflict, through which tourism brings prejudices to the environment in different ways, the effects being negative.

In most cases, tourists are guilty of helping in the destruction of the environment. In many areas they have—sometimes ignorantly, sometimes deliberately—destroyed the crops and equipment of a farm, frightened the domestic animals with their unnecessary noise and inappropriate behaviour, and dumped vast amounts of garbage in areas unprepared for this purpose.

The expansion of the environmental damage caused by tourists is related to the volume of visitors, and their concentration in time and space. It raises the question of what are more important: the needs of local people or those of the tourists? Often, unfortunately, the priority is to recover the investment within the shortest possible time.

Fig. 31.2. The economic value of the protected areas



Much environmental damage is the result of tourism, especially when it is not controlled. This occurs when the number of tourists arriving in a given area is beyond its capacity of support. The more tourists there are looking for exotic and far-off destinations, the more the environment will suffer.

There are rare cases where destinations are not degraded by the influx of visitors. For this reason, water and air quality, as well as the number and diversity of plant and animal species, are inevitably affected by tourism. For example, the Mediterranean has been affected not only by industrial processes but also because of the flourishing of tourism in this region. Thus, the waters that are discharged into the sea, containing harmful bacteria and oil spills, have seriously affected the aquatic ecosystem to the same extent as the people who swim and fish there. Also, the existing vegetation in these regions suffers degradation due to the

increasing number of tourists per km<sup>2</sup>, being destroyed by cars or even walking which leads to soil erosion and the disappearance of extremely fragile species. In some cases, to mitigate the negative effects of tourism on nature, we mention in this context the example of the Tatra Mountains in Slovakia, where it was necessary to limit the access of tourists to certain areas through the creation of pathways that must be followed closely, enforceable by fines.

Sand dunes and the plants specific to this habitat play an important role in the protection of islands and coastlines against the destructive effect of waves and winds.

Long walks on the beach and the building of many accommodation and entertainment units destroy natural defence systems and lead to the degradation and destruction of soil. A case in point is the Netherlands where the sand dunes play an important role in defending the country from the sea, many of which are part of prohibited public beaches to which access is allowed only in certain limited areas.

Forests are also vulnerable to tourist activity. The danger of fires in vast wooded areas, with major effects on the plant and animal species found there, increases with the number of tourists. We increasingly encounter this situation because more people are escaping the crowded and polluted urban areas to spend their free time in wooded areas outside of cities. Deforestation also occurs as an effect of the wood used in making the necessary objects of various sports, such as skiing, water sports etc.

Caves can also be affected by the presence of tourists who use different objects to engrave or draw on their walls. In the the worst cases they take pieces of stalactites or stalagmites from inside the caves to sell them, despite the fact that such features rapidly decay when they are removed from their environment (with a certain temperature and humidity).

Despite the creation of national parks and safari parks, wildlife is another victim of the development of tourism. Many species of animals suffer from the increased facilities granted to tourists, such as the construction of highways, hunting and new forms of tourism such as photography or bird and animal watching, all of which may have a negative impact on habitats.

The presence of a large number of tourists and cars within these areas, or the photographing of animals from a very short distance, can cause severe imbalances in their lives. Feeding, gestation and growth are natural processes but they can be brutally interrupted through animals being forced to leave their shelters, either because of encroachment of the tourist circuit or poaching. Trade in hunting trophies is a different legal activity and also negatively impacts the lives of animals.

The concentration of people in certain places producing both noise and “physical” pollution can be added to the negative effects of tourism on the environment, seen through such activities as parking vehicles on green spaces.

To protect the villages and small towns from the destructive effects of heavy traffic, in some cases local authorities have decided to limit their access within settlements through the construction of parking zones at the entries to these areas; the only solution is walking or using different animals such as domestic horses, donkeys or yaks.

Among the ways to prevent degradation resulting from tourism are:

- limiting access of tourists, especially near monuments of art and architecture, because of tendencies to touch the building or to steal parts of it
- controlling access to certain routes by forming groups accompanied by qualified personnel, especially in spelunking
- creating museums and visitor centres
- establishing differentiated prices for different hours of the day, for weekends, and for certain periods of the year.

Much of the environmental degradation that occurs is a result of natural or artificial tourism practices that can be controlled or even prevented by a good tourism development plan. In this way, the negative influences of tourism on the environment can be minimized.

National and local authorities can control the conduct of the tourist activity mainly through the adoption of regulations on the planning of areas of interest, limiting construction in certain areas, and establishing parks and nature reserves to limit access or control the flow of travellers.

## **Conclusions**

In order to keep the protected areas healthy and improve their exploitation for commercial, scientific and educational purposes, the human factor involved must be aware and informed about their value and rigorously apply the principles of sustainable development.

Any instance of travel is a unique opportunity to admire outstanding scenery, to meet different people, to travel routes of incomparable beauty, to do something new, or to contemplate ancient monuments. All of this gives us the power to start every day afresh, regardless of the problems we face.

Tourism represents our chance for knowledge, relaxation and rest, even for adventure. It helps us to get in contact with various people,

personalities, cultures, traditions, customs, landscapes, plants and animals, from which we can learn, every experience and life lesson helping us to be better, more dignified, more respectful of people, nature and cultural heritages. These are the essential qualities of modern tourism.

Let us not forget to appreciate nature in all its forms, each day, and for each of us to “taste” its fruits without exhausting them and disturbing the peace of God, to take only photographs and images with the eye and our memories, and to recall it whenever we have the opportunity and feel the need to share it with others, so whenever the opportunity arises we can go back to nature to appreciate and love it again and again.

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# CHAPTER THIRTY-TWO

## POWER DISTRIBUTION IN THE ROMANIAN TRANSITION

CODRIN SCUTARU<sup>1</sup>

The Romanian transition from the communist political regime to the incumbent democracy turned into a path of distribution and re-distribution of power within different social groups. The scope of this chapter is to apply the fundamental rules of political behaviour and power distribution from the political sociology to Romanian society. According to some authors, the best indicator of a successful transition is the measure of openness to international capital markets. Romania is a pending case somewhere in the middle. Perhaps when the new managerial elite of the big companies assume involvement in administration, along with the specialists who elaborate academic development programs, we will witness the convergence of economic and political power, which is the end of transition.

Keywords: transition, political sociology, political parties, power distribution.

The Romanian transition from the communist political regime to the incumbent democracy transformed into a path of distribution and re-distribution of power within different social groups. The scope of this chapter is to apply the fundamental rules of political behaviour and power distribution from the political sociology to Romanian society. The origins of Romanian transition in these power distribution schemes happened either naturally or were caused by intervention vectors.

The distribution mechanisms were specific because of the particularities of two important social groups that created the revolution:

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the industrial workers and the technocracy (industrial, political and financial).

This study aims to be one of political sociology to explain some of the phenomena that took place in Romania during the years 1990-2010. There is sometimes a reservation towards political sociology studies in Romania, having been considered to be strongly ideological and of questionable objectives, especially because many of the consecrated authors have actively participated in the phenomena that they later explain. I want to confess from the beginning that I do not subscribe to this criticism. From my perspective, in this area of sociological research it is unlikely that a passive observer would fully understand all aspects and dimensions of a given phenomenon, and it is those little details that make big differences.

In post-communist Romania, political science began to be studied in universities, being taught by philosophy teachers from the perspective of the relationship between the state institutions or from the manner of distribution of public resources. Political sociology, which examines politics and power relations from the perspective of social relations analysis, is, from our point of view, extremely important and should be widely studied to prevent incursions in forming the theoretical framework of the political science environment, and the pseudo-scientific insights of some journalists pretending to be political analysts.

Political sociology [1, p. 422], broadly speaking, is the study of power and domination in social relations. Political sociology uses the methods and general theories of sociology in order to study a specific area of the society—political activities and issues related to forming, distributing and using power in society [2].

The idea that a politician should be regarded as a society doctor, practicing some kind of social physics, is borrowed from Aristotle, who claimed that “political science” is different from political opinion. Political science allowed proper and effective action, similar to medicine for the human body, because it possesses scientific knowledge of humans and of human behaviour, and is not acting from a simple opinion only. Therefore, despite the fact that the term “sociology” was coined by Comte only at the beginning of the nineteenth century, we can affirm that political sociology, like “political science,” most probably came from the ancient Greeks and experienced a changing existence, adapting itself to social and political conditions. Although it has gone through several changes corresponding to changes of content of community issues, political sociology is a discipline that has changed to a much lower degree than the economy, along with market liberalization [3, p. 13].

Although modern political sociology has existed for more than a century, it reached a higher degree of maturity at the end of the Second World War. The establishment of a major research direction with an emphasis on the sociological bases of politics was made by Seymour Martin Lipset in the study "Political Man" (1960), published in over twenty countries. Nowadays, political sociology is one of the major areas of sociology, with some impressive publications and research directions. For example [4, p. 1], in 1999 about 20% of the articles published in the *American Journal of Sociology* and *American Social Review* concerned political sociology issues.

Some authors [2] believe that sociology was born primarily as political sociology, as a science of shaping society. Modern political sociology emerged as a science of fair governance of the society, of the government in relation to the laws that govern the society. The approach [5] [2] was started by Henri de Saint Simon and August Comte who published in 1822 (and therefore before the consecration of the term "sociology") their essay "The Plan of Necessary Scientific Operations for the Reorganization of the Society," in which they stated the principle that politics must be subordinated to the universal laws of society development.

According to Comte and Saint Simon, the sociologist could act beside the politician in the role that engineers had—having technical expertise in government and providing it to the person having, or struggling to gain, political power. Auguste Comte, the father of the term "sociology," originally used the term "social physics," but some of his intellectual rivals of that time were already using the same term. Therefore, aiming to distinguish his opinions from theirs, Comte invented the term "sociology" to describe the scientific area from whose development he was concerned. Comte started from the premise that this new direction could lead to knowledge of society based on scientific evidence. In his opinion, sociology was the last science derived from physics, chemistry and biology, being at the same time the most complex [6, p. 16]. Sociology had to contribute to the welfare of humanity, using science to understand, estimate and control human behaviour. We should mention that up to the end of his career, Comte had concerns directly connected to political sociology, developing ambitious plans for the reconstruction of French society in particular, and human societies generally, based on sociological interpretation.

Even though nowadays the engineer model is outdated for explaining the role of sociologists in regard to politicians, it is quite clear that they possess the scientific knowledge necessary to not only make decisions but also to implement certain policies. The practical advantage of the political

sociology is that it provides a better understanding of the governmental needs of the society for those who govern, and also an assessment of the relationship that the governors have with citizens, the governed.

Karl Marx made a statement which is emblematic for political sociology: "The philosophers have done nothing more so far than to interpret the world: the problem is, still to change it" [2].

Sociology was, for the most part, a descriptive and explanatory science of the social reality, being in a much smaller dimension a constructive science [7], an instrument of social change. In general, it is only a few decades since sociology began to develop instruments of social change on specific issues in the service of social actors. However, political sociology was by nature closer to the constructive role. The sociologists from the Executive of the Government, Parliament or other institutions had to make diagnoses of social and economic problems and to identify solutions to these problems, workable through policy decisions taken by the government. These solutions are, for the politicians, the answer they have to give and that the society is waiting for regarding its problems. Political sociology is, in its applied aspect, a reliance, an instrument of government, and can even construct a new ideology. The best-known example in this respect is the ideology of "The Third way," written by British sociologist Sir Anthony Giddens, which appeared in 1998 and was provided to social democratic parties in Great Britain, Germany and also as an ideological set to the U.S. Democratic Party for years to come.

The prescriptive-normative approach of the post-communist transition phenomenon in the countries of Central and Eastern Europe assumes that the transition must have a certain result, possibly established, analyzing social reality in order to determine whether it has been achieved. The specificity of these countries, including Romania, is that they generally have a socio-political situation of conflict, which leads to the political orientation of the public area and institutions.

We will try to analyze hereinafter the characteristics of the post-communist transition in Romania as a process, how it began and evolved, and whether it has achieved its purpose, clearly established from the beginning.

In the context of the analysis of the post-communist transition, we will use the assumption that a society does not change by itself, but can be changed by political initiative. In this context, it is absolutely necessary to elaborate a transition draft enabling a planned social development, strategically projected. The transition from communism to the developed capitalism model was generically named post-communism, and represents a special type of transition. Under the influence of the international

institutions' intervention, the approach of the post-communist transition has changed from the identification of the pro-capitalist option with the destruction of communist organizational system, to the introduction, as a standard of performance, of the capacity of post-communist countries to economic and social development, introducing transition analysis in the extended area of development. In the context of this paradigm shift, the political agenda of various Romanian governments had interesting evolutions, largely under the sign of reform and European integration as umbrella-goals.

Transition represents passing from one mode of organization of the social system to another. The classic theory of (re)constructing the capitalist society takes its own meanings for former communist countries in Eastern Europe and implicitly for Romania. The transition process is for these countries finding a middle way between socialism and capitalism, a way to combine the advantages of capitalism of controlling economy based on market reactions and participatory democracy, rationalizing (re)distribution, so that all people have decent living standards. This definition is closest to the necessary reform model in Romania, where a functional market economy must support a massive social protection and solidarity system, established, in a general framework, by democracy.

We consider that transition should be identified with all quantitative changes leading to a new kind of society. Co-existence, simultaneity, between what it was but that which cannot last any longer and what it will be, make the transition one of the most remarkable moments for a nation, a symbiosis between an endpoint and a new beginning for a society.

Keywords: Transition, technocracy, political sociology, post-communism, capitalism.

## **The Beginnings of Transition in Romania**

The transition of the Romanian socialist society, directed towards a transformation into a society capable of adapting to European and world systems, did not start at the end of 1989 along with the change from the political regime of Nicolae Ceaușescu, as stated by the politicians, but much earlier, in the 1960s [8]. The Soviet communism model, imposed after World War II, was not fully accepted by the population of Eastern Europe countries. Building "communism with a human face"—the experiment in Czechoslovakia, with whom Romania showed solidarity—although suppressed in 1968, marked the possibility to build reformed socialism as an alternative to the non-operating communist system. In

public opinion and dialogue spaces, parallel to the system and to the imposed society model, new strategic alternatives began to be spread which increasingly ranged from reformed socialism, without Ceaușescu, to rebuilding democracy and a return to the Western capitalist model. These changing programs gathered around them intellectuals and technocrats who assimilated and even built a certain political culture that, although targeting different methods, prepared people for change.

The most important factors of change for the countries that were part of the communist bloc were the economic and financial ones. Romania has had an industrial system largely imported from capitalism and which was dependent on trade with capitalist countries in order to operate. Due to this, Romania was forced to participate in a global economic system which worked according to the rules established by the developed capitalist systems [9, p. 19]. The rules of the economic game made trade with the West increasingly unprofitable for socialist countries. The solution that was chosen by Romania, in the context of cheap exports and imports becoming more expensive, was to reduce the consumption of the population. This measure ultimately proved to be more effective than any other method of counter-propaganda of the time, managing to cause an increased discontent among the population, culminating in the revolution of 1989. The emerging civil society, reinforced by the authoritative control of the Communist Party towards the political system, found different methods of appeal that combined with rising social tensions which triggered the revolution.

That moment in 1989 clearly pencilled on the political agenda of Romania the objective to build a country with a democratic political system, an efficient economy market that adopted all necessary measures to integrate in European, and global systems in which the community is able to participate effectively in the management of the Romanian society. This moment represents the beginning of post-communist transition.

### **Evolution of Political Classes during Communism**

If we comparatively analyse the transition from feudalism to capitalism in post-communist transition, on the journey from socialism to capitalism we can see that, in the first case, the transition to capitalism was long and gradual enough to allow for an overlap of aristocracy with the middle class, until the strengthening of the industrial middle class. This can be explained primarily by the fact that it was changing from one type of owner to another. In communist countries, the property was nationalized almost entirely, private property forms being marginal exceptions or

parallel to the system. Thereby, the small private owner class from the communist period was insignificant in numbers and power. Two other classes were preparing to take on the political and economic power after the fall of communism: the industrial technocracy of the former communist nomenclature and dissident intellectuals who were the pillars of the new civil society. In some cases, a strange combination of these two classes emerged.

During the communist regime a political class had been formed that was not the democratic expression of the interests of the entire population, as in the communist ideology, but which used its dominant position in the communist model of organization in order to promote its own interests [10, p. 11]. Although they were defined as the ruling social force of the system, industrial workers and peasants soon became the handling crowd, politically controlled by the oppressive and technocratic political system. Powerless, and with no effective mean of expression, the workers and the peasants had social benefits instead (such as unlimited access to employment, free access to housing, wages close to those of the technocrats, and so on). The ruling communist elite or the *nomenklatura* (as it was called in the Soviet regime, from which the name was generalized) set itself up as a distinct social class with a different lifestyle from the rest of the population.

A very important moment in the evolution of the political communist class was the cleavage between its two components, representing the two types of power: the party activists representing the political power and the industrial technocracy, especially the business executives, representing the economic power. The industrial technocracy was represented by the experts who held technical leadership positions at high levels and brought together a position of power with legitimacy from its own jurisdiction. This class strengthened an institutional system headed by political decisions but that was non-political by its nature. Compared with the industrial technocracy, the political activists were more likely a powerless group if they had no support from the technocracy and from the administrative board. An important majority of the party activists came from poor families in rural areas and had a modest education that they supplemented later with intensive courses at the "party school." Therefore, the representatives of the industrial technocracy tended to control political decisions but accepted changing their own decisions. The objectives of the industrial technocracy were Western-style modernization of the society and economy based on rationality. The crisis of socialism in general, and of the Ceaușescu regime in particular, led to a certain autonomy of technocracy, and by default of the sectors it was controlling. Although the

technocracy had assimilated the necessary skills to start changing the socialist system, and had created the social network based on certain cohesion, it failed to create a clear policy orientation of change.

### **Industrial Technocracy and Anti-Communist Programmatic Intelligentsia**

The dissident intellectuals posed as opinion leaders of the transitional period immediately after the revolution, and started to strengthen civil society. Of all Romanian society elites, the humanist elite had, during communism, an increased interest and access to the international media, many of the representatives of this class being known internationally and having the opportunity to travel abroad or maintain connections with Western intellectuals. During the revolution, some dissident intellectuals assumed the role of holding public speeches of mobilization for the people, being recognized by the masses as marginalized by the Ceaușescu regime for their strong anti-communist options. The dissident intellectuals in Romania had the advantage of the previous example of the Citizens Forum in Czechoslovakia that brought this class political power [9]. The members of the elite considered the communist regime crisis as one of human and moral nature rather than a real economic crisis, as it was considered by the industrial technocracy.

The accomplishment of the dissident intellectuals was to initiate and promote changes pertaining to fundamental human rights and individual freedom, building an active civil society in this regard. The project of reinventing the social society begun during the communism in the late 1970s was, in essence, an anti-bureaucratic program which criticized the state with an accent on respecting human and fundamental freedom rights, and did not represent an attraction for the industrial technocracy that aimed at economic programs and development. However, the industrial technocracy and dissident intellectuals agreed that both economic and social development programs and building of civil society are components of the forming strategy for a democratic capitalist society.

The trap into which the intellectual representatives fell was, in the early 1990s, a sort of witch hunt in the “Jacobin” style of the French Revolution, identifying the members of the former communist nomenclature, guilty of moral illness of the Romanian society. The lack of a coherent program of development for economy and society made it so that after the revolution the dissident intelligentsia class could no longer play a role in the post-communist government. They were to return to the forefront of public attention, having supplied and reinvigorated the anti-



communist message in the campaign of 1996, when the historical parties, led by PNTCD (National Peasant Christian Democratic Party), were able to win the elections on the revival of these messages and by reiterating support for change promised by the West. For the dissident intellectuals of the Romanian society being built after communism, this should have been, if not a functional capitalist society like the West, then at least a rational one [11]. Under their approach, the dissidents managed to delegitimize state socialism and accumulate a considerable amount of symbolic capital. Although this group of intellectuals was quite small, with generally philosophical-essayist training, it received intense media coverage mainly due to promoting the healing of society and a moral elitism, in the spirit of some idealized Western models. Bringing together this moral elitism with lack of skills for government, this group posed as being outside the political parties' area, while supporting historical parties, giving itself to the voice of civil society in Romania. The message they were propagating, however, reflected a very strong frustration due to the inability to make a strategic program of development. From the "ivory tower" refuge, in which was nesting the "anti-communist programmatic and moral radical intelligentsia" which supported the CDR (Romanian Democratic Convention) government between 1996-2000, notably by the Group for Social Dialogue, which through its analyzes justified many of the failures of the government at that time by the fact that during 1990-1996, the government NSF (PDSR—Social Democracy Party of Romania) left the country in a deplorable situation [8].

After a long period of being out of public attention, the moral radical intellectuals returned as actors involved in the campaign of 2004, supporting a new leader who promoted an anti-PSD emphatic message, considering it an unreformed party of former Communist leaders, and who would become president—Traian Băsescu. The new president promised, at the 15th anniversary celebration of the Proclamation from Timisoara, that he would "overcome the old structures where they still exist." After a call from the intellectuals in March 2006, president Băsescu decided to assume the idea of condemning communism and setup a Presidential Commission for the Analysis of the Communist Dictatorship in Romania, chaired by Vladimir Tismăneanu. On December 18, 2006 Băsescu presented the report of that committee in parliament in a speech which catalogued the former regime as "illegitimate and immoral," being supported from the rostrum by the representatives of the intellectual dissidents, and drawing dislike from the opposition. Through a great manoeuvre, politically speaking, Băsescu managed to win the condemnation of communism, which was a strategic objective of the Liberal government program, which

had supported throughout that period the activities of the Communist Crimes Research Institute, led by a counsellor of state of the prime minister. During this period after 2004, this group of intellectuals published several letters of support for President Băsescu, culminating in a letter of protest against the 322 MPs who had voted for his suspension.

Interestingly, former CDR and dissident intellectual representatives who headed the country in 1996-2000, such as former President Emil Constantinescu and former presidential advisor Mugur Ciuvică, who also rules the Political Investigations Group, split off in 2004 blaming PSD, and began an extensive media campaign criticizing and discrediting Traian Băsescu. Another important representative of the same government CDR, the former head of the presidential administration Dorin Marian, was in early 2007 named Secretary of State and Head of Chancellery of Prime Minister Tăriceanu. This move strengthened the prime minister's team with a real "anti-presidential fight dog", given earlier conflicts between Dorin Marian and Băsescu. We can observe here a first cleavage in the anti-communist programmatic intellectual group between those who were involved in the political leadership of the country, which turned to support liberal Prime Minister Călin Popescu-Tăriceanu in his political fight with President Băsescu, and the others who felt like the humanist elite supporting the moral struggle of the president against the "wicked system."

The only organized class during this period, with functional crystallized relations and characterized by a certain spirit of solidarity, was the technocracy. The revolution meant a strengthening of the technocratic position because the officials and political bureaucracy of the Communist Party, which brought the only interference in the work and decisions of the technocracy, were removed. In the period preceding the Revolution, the industrial technocracy and the dissenting intellectuals had reached a consensus: the regime change was necessary in order to give the country an orientation based on the values of development and modernization on the Western model of democracy. The Romanian technocratic economy was characterized by what we may call "managerialism," a government mentality, a vision of how society, the market, companies and individuals can be submitted to control and management [11]. It was a strong social class, with a strengthened social position, which had a direct interest in building a new functional system. The option of the executives of the state enterprises was difficult in terms of the relationship with the state because, on the one hand, after escaping the political directives of the Romanian Communist Party, they were now wanting to remove state control and, on the other, they needed the economic support of the state to overcome the problems the state-owned enterprises were facing, which would worsen

during the transition. In the attempt to accumulate capital to strengthen their position in an emerging market economy that did not have its own capitalists, the business executives looked after maximizing their own gains at the expense of a bankrupt leadership of the business and by awarding and using the resources in their personal interest. A loose enterprise may be easily broken, partially taken, or one could tear out the subventions and further grants from the state through the so-called “business-ticks” controlled by the company executives, their families or even politicians who favour their operation. An example in this is the promotion of the law for companies in 1990 and the establishment of so-called boards of administration after the Western model which, unlike the latter, where members were censoring each other in order to maintain a balance of power and to keep the company profitable, had transformed into tools of manipulation in business management, because they gathered together representatives of easily handled groups (e.g. employees who were primarily interested in maintaining their employment and not restructuring or streamlining the enterprise). Since it did not generally have the necessary resources to participate in the privatization of enterprises, the industrial technocracy slowed down the rhythm and lowered this goal required by the Western model in its political agenda. Basically, at that time there were no internal sources for privatization and the external sources were not enough. Although it was supposed to be primarily interested in restructuring and recovering state enterprises, their managers became interested in buying them, but did not have the capital. Therefore, they wanted to delay the process in which they could not effectively participate. The final adopted strategy in this regard was full and rapid privatization, a strategy whose main promoter was the West and international institutions, justified by the argument of eliminating inefficient areas of the economy that continuously and unjustifiably absorbed budgetary resources. This strategy was supported from the inside by the first post-revolutionary government, historical parties and dissident intellectuals.

The technocracy, the former executive elite of the companies, acted simultaneously by building the new class of capitalists through a “top-down” process, as some authors refer to it [11], in the following two ways:

- Accessing state enterprises and using their budgetary resources allocated for recovery and restructuring them for personal purpose
- Negotiating the sale of the enterprises to foreign investors and obtaining managerial positions in multinational companies.

After winning economic power, the technocracy was interested in obtaining political power in order to implement its own programs. Most of

it was part of, or had connections with, political parties from the former NSF (National Salvation Front)—PSD and PD.

## Political Parties

Until 2006, the strongest party in Romania was PSD, formerly known as PDSR, benefitting from the support of the technocracy unsatisfied by the unclear historical parties' programs for the state system and for subordinating the technocracy. To this extended support was also added the large masses of discontented people excluded from the negotiating table informing the new system, made up of industrial workers and peasants, and mostly poor. The technocracy negotiated with the unions the political option to support the state economy. The most important quality of PSD was its ability to administrate the state with a large number of specialists that it drew from and embedded. A vulnerability was the corruption existing among its leaders, highly publicized by the press and presented as a mass phenomenon by its main competitors, and became the reason it was defeated in elections. PSD turned to the political left wing for two reasons: the desire to reach a widely popular and elective support and the fact that the rightwing was already occupied by historical parties. Social democracy has not always manifested in PSD programs, which for a long time focused on the welfare of the enterprises rather than on social protection [8, p. 132] and had, paradoxically, a pure neoliberal policy objective intended to justify underfunding the social sector. Only economic growth will produce collective welfare, social programs being only a secondary factor.

The historical parties united under the dome of the Democratic Convention of Romania, who took power in 1997, did not have a clear strategy and political program, but defended the privatization thesis and the racing reformat at all costs with the price of "belt tightening," as the first premier of CDR stated. The historical parties have failed to attract the technocrat specialists to all sectors that they received under administration because they had been part of the managerial elite in the last years of communism, and were stigmatized even by the anti-communism programmatic of CDR. The CDR government was strongly supported by the West because of this attitude. The lack of a clear development program and promoting utopian goals like reinstalling the monarchy, the punishment of all persons involved in the communist regime decision-making system and promoting a reform which was more mythical than real, and led to the failure of the CDR government. From all historical parties, the only one who successfully survived was PNL (Liberal National

Party), reinvigorated by a technocrat president, and that in 2004 succeeded in establishing a new alliance that would constitute a viable and functional alternative to the PSD, the D.A. Alliance built up with the Democratic Party, the former radical-reformist wing of the NSF. Although it had the chance of total recovery and had become a party representing business interests, PNL missed this chance by becoming more a representative of the large capital holders and multinational companies, which were a minority but consisted of the technocrats who participated as experts in rebuilding the economy. In the struggle between political and economic power, PNL was, during the Tăriceanu government started in 2005, the economic power and had the resources to support the struggle with President Băsescu. In a poor country, compared with other EU countries, popular support remains a decisive factor. The President, and by default PD, the party which approached several groups of discontented people who did not find themselves represented in the messages of the other parties, such as youth and humanists intellectuals from the philosophical-essayist area, attracted by the anti-communist message, the workers and peasants forgotten by PSD and attracted by the Tony Blair-type messages of Mircea Geoană, the new chairman of the party, and attracted to social promises, drew this social support. Additionally, meanwhile, PD sought and succeeded to a certain degree in attracting some technocrats to its ranks by its ability to manage, because it realized that this was the winning gun of PSD throughout the transition. Beyond the radical messages of this party and President Băsescu, designed to attract discontent voters, PD has recently become a party that can manage. Moreover, PD became PDL,<sup>2</sup> which succeeded in 2006-2008 to take place of the PNL on the right wing, becoming one of the two most important parties in the Romanian party system (which became two-pole after the European Parliamentary elections), along with its current governing coalition partner PSD (the Social Democratic Party), which rightfully dominates the left wing but has an insufficient electoral support to act as a leader due to poor management and the partial removal of the traditional electorate.

Although I did not claim to analyse all aspects of Romanian post-communist transition, mainly confining myself to identifying its winners and a picture of the political class, we should point out some conclusions. Apparently, after being represented by PSD for a long time, under its various names, technocracy, the winning class of the transition, also having the power to manage, appears to divide and support both major

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<sup>2</sup> In April 2007 a part of the Liberal Party left the party headed by Theodor Stolojan and Valeriu Stoica, forming the Liberal Democratic Party that would in 2008 merge with PDL through absorption.

parties of the political spectrum at this time. The Liberal Democratic Party, the declared party of popular, centre-right orientation, managed to get popular support, at least in terms of the results of the surveys in this period due to the political strategy of Traian Băsescu, and is now taking the next step, also having the support from the part of the technocracy that wants to impose its own interests in the future political program, to strengthen its current position and to dominate the managerial elite of large companies entering the Romanian market. Note the fact that PDL did not ever establish as a priority, like the historical parties (including PNL), punishing former members of the “Security” and of the nomenclature, focusing instead on pragmatic economic issues. The condemnation of communism by President Băsescu was only a smart political move in order to gather the discontented electorate and also the West to his side.

In 2009 Romania was living through a political paradox in which the main ruling parties, PSD and PDL, were politically competing in order to dominate the political scene. Being in a political alliance with PSD, the Conservative Party (PC) tended to be swallowed up by PSD.<sup>3</sup> Meanwhile PNL interrupted its series of successive increases from 2008 and obtained only 14.5% in the European Parliament elections in 2009, five percentage points less than in November 2008. PNL has become an arbitrator party after losing the presidential election in 2009, being a probable future partner in the PSD government. The political paradox in which the political parties, as ideological adversaries, govern together, is expected to expand in the future.

According to some authors, the best indicator of a successful transition is the measure of openness to international capital markets. The countries that have benefited from higher rates of foreign investment are the countries that have a strong “local economic middle class” [11]. Among them are Hungary, Poland and the Czech Republic, which currently record an ascendant track of economic growth. On the opposite side there are Russia, Ukraine and even Bulgaria, where the former nomenclature is still thriving. Romania is a pending case somewhere in the middle. Perhaps when the new managerial elite of the big companies assume involvement in administration, along with the specialists who elaborate academic development programs, we will witness the convergence of economic and political power, which is the end of transition.

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<sup>3</sup> In a note on his personal blog, Dan Voiculescu, the president of honor of PC, drew attention to this danger.

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# CHAPTER THIRTY-THREE

## SOCIAL VULNERABILITY AND LANGUAGE OF DEFICIT

ȘTEFAN COJOCARU<sup>1</sup>

### **Abstract**

Studies show the types of social vulnerability explained in terms of social constructionism. The research of social problems and hence that of the social intervention model keeps explanations centred on “paradigm deficiency.” A new proposed perspective explains how different types can be defined according to the vulnerability of language used to describe the situation. An appreciative approach carries with it the advantages of such approaches; thus, a situation change is generated by changing the language. The types of vulnerability proposed in this chapter can be used to refine the interventions in terms of strengths and opportunities.

Keywords: Constructionism, vulnerability, social realities, social actions.

### **Approaching Social Realities and Social Vulnerability Sociological perspectives in approaching social realities**

The issues of vulnerability and socially disadvantaged categories are approached from different perspectives, depending on the researcher’s position concerning these realities. The entire history of sociology as a scientific discipline has meant to focus permanently on constructing the object of study, as well as describing, explaining and interpreting this object from the perspective of the developed sociological theories. A main direction in the development of sociology has been the explanation of various social phenomena, processes and acts by describing and

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interpreting both the role of the individual in the social environment as well as the influence of the social environment on the individual. In order to get a larger picture of orientations in sociology, let us carry out an exercise of imagination in which society is seen as a painting made in the pointillist manner, the complete picture being the social reality and the dots the individuals.

Let us imagine we are looking at the painting from a distance and see only the general picture, without distinguishing every dot that takes part in the creation of the whole. These are the first directions in sociology, trying to answer the question: What is the relationship between the individual and the society, and what does society mean for the individual? When we observe only the larger picture, we stand in the category of holistic perspectives, whose object of study is that of the macrosocial, of society at large and of existing phenomena seen as a manifestation of the social reality. Sociologism, a current initiated by Durkheim, is such an orientation, in which the relationship between the individual and the society is interpreted by placing the accent on the exteriority and the constraining character of social acts in relation to the individual: "... a social act is any kind of act, fixed or not, capable of applying on the individual an external constraint, or an act that is general for an entire given society, having however its own existence, independent of its individual manifestations" [1]. Spencer's organicism is the result of an analogy between society and a live biological organism. Parsons' structuralism [2] and structural-functionalism, with its postulates, are another two holistic perspectives in the interpretation and explanation of the social reality. In the microsocial approaches we, as observers of the social reality, project ourselves into the picture and try to interpret social reality as a result of interactions between individuals. In sociology, this shift in the observer's position marks the transition from holistic paradigms to individualist ones (symbolic interactionism, ethnomethodology, sociological phenomenology).

The individual is no longer seen as a mere product of society (as in the holistic approaches), but instead as a creator of society through the emergence and the aggregation of individual actions. The two extreme perspectives discussed in this exercise help us to understand the contexts for the identification of regularities at the social level, starting either from the social ensemble or from the individual. In a third perspective, we place ourselves as observers outside the painting, but at an optimal distance from it, so that we can see both the general picture and the individuals (the dots composing the larger image); this perspective is represented in sociology by phenomenological constructivism [3] and by Pierre Bourdieu's structuralist constructivism [4] and its variations. In this approach, the

individual is as much a product of society (due to the process of internalising the objective structures of the social world and of constructing habitus), as well as a producer of social reality (through the social praxis).

This exercise aims to clarify that:

(1) The study of vulnerability can be defined not only by the object of study, but also by the perspective it is approached from.

(2) There exist views of the same social reality, constructed differently depending on the data collected.

(3) Sociology is concerned primarily with increasing accuracy in the observation of social reality, data collection and fact interpretation.

And to observe:

(4) Any new results in the emergence and development of new research instruments and in the construction of new study domains.

## **Social Constructionism and the Social Vulnerability**

### **Characteristics of constructionism**

Constructionism is a new orientation in sociology, based mainly on Gergen's work in the 1980s [5], and designates diverse approaches to the way reality can be known and especially how realities can be constructed. There are multiple definitions of social constructionism, due to its very nature and the recognition of the multiple realities generated by the diverse interactions between the individuals who construct these realities. By its very nature, constructionism cannot generate a unitary definition due to the fact that knowledge is socially constructed. This chapter does not aim to treat the definitions given to social constructionism exhaustively, but rather to highlight essential features and the manner in which they can be used in organisation development, community development and the management of vulnerable and disadvantaged populations.

This approach considers that reality cannot be known in itself and asserts the existence of "multiple realities" constructed in the interactions between individuals. "The inquiry of social constructionism is focused mainly on explaining the processes through which people describe, explain or *interpret* the world they live in (including themselves)" [5]. Social constructionism is interested in the communication and relations between people and in the process of producing meaning in social interactions. A point of departure is represented by the fact that people, in the same circumstances, are capable of producing very different social constructions of the same reality. Some of the most significant features of constructionism are:

(1) Language, communication and discourse, considered as means of interaction between individuals who construct multiple realities.

Social constructionism considers that realities are created by people who communicate through language, each of them influencing and limiting the responses of the other. In this approach, the attention is not focused on the individual, but instead on the *network of interactions* between individuals. This approach can be used for analysing the ways realities are created within organisations ... Constructionism is, in our attention, the process through which people construct an image about the problems of the organisation and the process through which we construct or co-construct together with them a new history, which includes the solutions to the problem [6].

This means that human organisations represent the various ways in which people define them through explanations, personal understandings brought into the sphere of negotiation with the others.

(2) Social constructionism focuses on the “relations” through which social actors construct realities. “The approach of social constructionism starts from the assumption that the terms people use in order to understand the world are social artefacts, the historical product of exchanges between people” [5].

(3) This type of approach considers that the “subject-object distinction” is not productive and generative enough, maintaining a dualism which considers that the subject and the object are independent from one another. “Social constructionism abandons the illusion of the ontological fissure between subject and object and replaces it with an *intersubjective reality*. Social constructionism believes in the idea that reality is considered an interactive process because people give meaning to their own experiences through constant interaction with the environment” [7]. Cooperrider et al. [8] believe that postmodernism is returning to social theory in the fact that the constructionist theory goes beyond “all the assumptions of the type subject/object, observer/object separation, words seen as instruments, the rigor of discovering immutable models and laws ...” [8].

(4) Knowledge and social reality are dependent on the “social relations” and the “negotiation processes” between people. In recent years, the sociology of knowledge has refined the approach of social constructionism in order to show that all knowledge of reality is more of a human creation than a mirror of the independent reality: “Social constructionism considers that when we start observing or talking about what are, we, in fact, are constructing a social reality” [7].

## Typology of social actions

In order to identify the types of vulnerability affecting the clients of social services, we must first identify the types of social actions. Even though social vulnerability has often been seen as the result of the action of a hostile environment on the individual, we must admit that it can also be viewed as the individual's lack of adaptation to external circumstances. In order to give a more concrete form to this vision, Miftode uses the term "self-vulnerability" [9]. The author expands the interpretation by using and explaining terms such as "self-victimisation" and "self-marginalisation" [10]. In order to explain this perspective we should start from the theory of social action. According to Max Weber, actionalist sociology has as its main topic understanding the meaning of social action, and thus causally explains its course and effects. For Weber, social action is a human behaviour in which the subjective meaning given by the social actor is developed in relation to the other's behaviour and is oriented by relations.

Therefore, in order to describe, explain and interpret social phenomena, we must understand the subjective aspects of the social actions that result in the apparition and manifestation of these phenomena. "We cannot deal with the phenomena of the social world the way we deal with the phenomena of the natural sphere ... We want to understand social phenomena, and we can only understand them from within human motivations, human meanings and purposes, in short from within the categories of human action. Social sciences researchers must ask themselves, thus ... what is happening in the mind of the individual person who acts and whose actions have led to the phenomenon under discussion" [11]. In terms of understanding social actions, Boudon states that there are no actions outside rationality. For Boudon there are no irrational actions: "actionalist sociology states that, in principle, an actor's behaviour is always comprehensible" [12]. Going further, he asserts that "in order to explain certain incomprehensible behaviours, many analyses use notions such as 'alienation' or 'masochism' ... most often, all they do is translate either the observer's inability to put himself in the situation of the individual whose behaviour he observes, or his concern for giving his prenotions an objective air" [12].

If we are to understand human actions we must not stop at observing behaviours as an exterior form of manifestation. All behaviours are indicators of actions, which have meanings attached to them:

The concepts that human agents hold cannot be underestimated. Human beings do not just *behave*. They *act*, and their actions take on meaning in a broader social context. Human actions are endowed with meaning and

cannot be understood appropriately unless this meaning is captured in concepts. The human behaviour viewed as a sequence of physical movements and human actions carried out with clear motives and intentions may not be the same thing [11].

Weber identifies four types of actions:

- (a) rational actions in the teleological sense
- (b) rational actions in the axiological sense
- (c) traditional actions
- (d) emotional actions.

Carrying on the classification by type made by Weber for social actions, Boudon (1997) makes a classification of social actions in respect to rationality [12] thus:

- (1) Utilitarian actions—those based on a utilitarian rationality, which can be described by the reasoning: “X had very good reasons to do Y, because Y corresponded to X’s interest.”
- (2) Teleological actions, based on a teleological rationality, expressed through the reasoning: “X had very good reasons to do Y, because Y was the best means for X in reaching their objective they had set.”
- (3) Axiological actions, based on an axiological rationality described by the reasoning: “X had very good reasons to do Y, because Y derived from the normative principle Z, and X believed in Z and had very good reasons to believe in it.”
- (4) Traditional actions, due to the traditional rationality, expressed through the reasoning: “X had very good reasons to do Y, because X has always done Y and they never had any reasons for doubting this practice.”
- (5) Knowledge-based actions, based on cognitive rationality, expressed through the reasoning: “X had very good reasons to do Y, because Y derived from the theory Z, and X believed in Z and had very good reasons to believe in it.”

The attempt to explain the meanings of the term “social vulnerability” from the perspective of the pragmatic side of things, of planning and organising interventions, is hindered by a number of obstacles:

- (1) Vulnerability is a “state of potentiality,” a lack of manifestation in the present time of factors that can, however, result in future marginalisation, disadvantage or other connected phenomena, a

mental map of interpretations that are not adequate to reality or to the individual's potential.

- (2) Vulnerability in itself is characteristic not only of certain populations; instead, it is characteristic of every individual that has certain relations with the external reality, with certain social contexts of individual action; it can be the result of individual interpretations given to such contexts.
- (3) Establishing the criteria for estimating the degree of vulnerability involves a combination of individual factors with macrosocial factors, of individual interpretations and interpretations that are constructed collectively.
- (4) There are confusions in the use of the term placed in relation to certain phenomena that can be detected relatively easily, such as disadvantage, marginalisation and social exclusion.

### **Social vulnerability based on constructionism**

Keeping the lines drawn by Boudon in his typology of social actions [12] we can consider that vulnerability is a form of social passivity generated by the individual interpretations of certain situations, and can take the following forms:

- (1) Utilitarian vulnerability—the situation in which the individual/group does not sense its own interest, or the actions it undertakes are not adapted to it; the individual definitions of certain social situations or contexts constructed by the individual ignore their own interest or deny personal interest.
- (2) Teleological vulnerability—the situation generated by the fact that the means are not adequate for reaching the established purpose, or that the established purpose is inadequate for the available resources; the individual's interpretation of the situation can generate a mental map that is adapted neither to the current or future situation, nor to the potential of the person or of the environment he/she lives in.
- (3) Axiological vulnerability—the situation in which the individual/group cannot carry out an action because the normative principle is not appropriate to their own beliefs, or the system of personal values is incompatible with that of the social system; the value system according to which the mental activated map is structured is different from the system of values that are recognised by the environment as being acceptable; individual definitions are

constructed depending on the individual's own system of values, without being negotiated socially or without taking into account the values of the environment in which the individual acts.

- (4) Traditional vulnerability—the case where the individual/group acts in virtue of their habit, or in which the state of social passivity is perpetuated due to the influence of the environment; habit is a stereotype, a static mental map, considered by the individual as valid and true, verified through experience and activated each time it is needed; vulnerability is enhanced precisely due to the lack of flexibility and dynamicity of personal interpretations
- (5) Cognitive vulnerability—the situation of the individual/group is generated either by the inexistence of an effective theory or by the fact that the individual does not believe in an already verified theory; all our knowledge constructs the interpretations we give to the situations we are in; moreover, these interpretations are dependent on and generate knowledge; this type of vulnerability is detected in the situations where individual interpretations, as an effect of knowledge, are not processed from the perspective of the new theories accepted by the collectivity.

Vulnerability is detectable due to certain specific behaviours generated by the factors mentioned above. The behaviours characteristic to vulnerable individuals are the result of defining the situation they find themselves in: “Any social behaviour manifests itself in a context that is structured by the human agents themselves” [13], and the situation is precisely this structured context, as identified and defined by the individual.

In order to truly identify the type of vulnerability affecting an individual, we consider it important to detect the way the individual defines his/her situation in relation to the accepted social value, to the attitudes towards social values, to the expected result and to the instrumental process through which this result is appropriated. The situation of an individual in relation to a certain social context can also be described from the point of view of vulnerability to the specific conditions of the situation. Therefore, in order to solve problems, we can draw the profile of the vulnerability of a person in the shape of a radial diagram.

The more active a type of vulnerability in a certain context, the greater the radius. According to Thomas, “by *social value* we understand any given that has empirically accessible contents for the members of the social group and a meaning that makes it the object of the group members' activity” [13]. This meaning of value in a group is constructed and objectivised, institutionalised through the common interpretation made by

the members in relation to certain social conditionings. Social conditionings themselves are imposed by the common reading of certain situations, and manifest as constraints external to individuals, forcing them to share the common reading. As it relates to an empirical content, value can be observed and measured, and individuals want to have access to it, being the result of subjective assignment and hence relative to the way in which the individuals obtain it. For instance, a certain type of food may represent a different value for subjects from different social categories, from different zones; for an average living standard, bread is just food, whereas for a person living at the limit of subsistence, bread is a product they can rarely afford.

In the process of *defining* one's situation, an important role is played by "attitudes." They generate the individual's personal way of thinking for acting with the aim of obtaining a social value. "By attitude we understand the process of individual consciousness that determines an individual's real or possible activity in the social world" [13]; in other words, it is the need to obtain that social value. Let us consider that food is a value, the same as a myth or as any result of human creation. A subject wishes to obtain this value (the expected result) through an "instrumental process" (work carried out for a salary). Disadvantaged individuals diminish the role of this process (of work, that is, due either to objective circumstances, such as the difficulty of finding employment, or to subjective circumstances, such as inappetence for work) and try to reach the expected result through other means, usually dependent on other instrumental processes carried out by other individuals. Such examples are begging, applying for state support, theft, etc.

From the perspective of social constructionism, the definition of the situation is not just the result of the subjective interpretation of one's own situation in a certain context, but instead the result of negotiations between various interacting social actors. Each of them defines their own situation depending on the definitions formulated by others around them and by their self-definitions. The result is a construction that is accepted by those in the interaction. For example, a vulnerable individual in a risk situation will define said situation depending on the context they are in and which they construct. This individual's interpretation will take into account the social network they are a part of, the support they receive from this network, the others' reactions to their own situation, and the others' co-construction of the context. Thus, the definition the individual promotes may find a complementary interpretation given by the others. The support they require will be granted only to the extent to which the individual manages to direct others towards the same reading of their situation. The



definition of a situation is the result of combining several factors such as interests, means and purposes, values, habits and knowledge. This network of factors is structured in relation to the dialogue that exists between the vulnerable person and those around them. We can imagine how complex the social negotiation process is only if we take into account all the options and combinations that can exist in relation to two individuals. This process becomes even more complex when we want to make connections between the particular truths of each individual. As a rule, social work focuses on the deficiency paradigm and tries to solve problems from this perspective. Solving a problem often means removing causes, identifying solutions and applying them, as well as mitigating the effects of the problem.

The instrumental process is the route taken by the subject in order to obtain the expected result; this route may be identical for different results, as they may be different for obtaining the same result. In order to obtain the expected result, each subject defines their own situation and acts according to their own motives, constructed around their attitude (guided by interest, purpose, values, habits or a theory). An inappropriate attitude—the result of discrepancies in interest, purpose, values, habits or theory—results in the manifestation of socially disadvantageous and ineffective behaviours.

### **Utilitarianist vulnerability**

Utilitarianist vulnerability is the result of a lack of action due to the undermining of one's own interest or to the lack of adaptation of actions to personal interest. The lack of personal interest leads the individual towards dissolution in the society, and a loss of identity and social prestige. The vulnerable individual becomes the object of the others' interest. Oftentimes, they seek social services in the belief that they are entitled to receive such support because society does not give them any other option. The state is considered by the subject to be responsible for their situation and therefore must solve their problems. Thus, they transfer their responsibilities onto an abstract entity which they consider capable of defending their interests. The individual thus places themselves in an inevitable relation of inequality with the state.

### **Teleological vulnerability**

Teleological vulnerability is a characteristic of individuals who set goals for themselves that cannot be reached using available means, or of individuals who use their own resources without achieving the set goal.

The goal/means relationship guides the individual in their actions. The expected result generates a systematic organisation of the individual's life. Oftentimes, vulnerable individuals pervert the goals of the action by idealising the role of means. The means become goals in themselves, and the individual pursues them in their efforts. The request for assistance becomes a goal in itself and the instrumental process is oriented by it.

### **Axiological vulnerability**

Axiological vulnerability is characteristic of people who act in virtue of a normative principle that is incompatible with the values of the field they act in. The “social field” (Pierre Bourdieu [1979] defines the social field in *La distinction* as a specific system of objective relationships—alliance or conflict—localised in time and space, between positions that are differentiated, socially defined and established with a great independence of the physical existence of agents: the religious, economic, political, scientific and artistic fields) has its own rules, values and norms. In each field there are numerous institutions that make sure that each agent keeps its place, that is that social distances are observed [4]. The individual must act by conforming to the above if they are to receive a maximum of gratification and a minimum of punishment, while obeying the constraint imposed by the social field, maintaining social distances. A person becomes vulnerable whenever their axiologically-oriented actions go against the values of the field they act in.

### **Traditional vulnerability**

Traditional vulnerability is generated by the permanent conditioning of an individual's *habitus* [4], which they cannot overcome. This is the case of clients from socially disadvantaged families, the disadvantage being transmitted from one generation to another. Bourdieu considers *habitus* to be a body of dispositions towards acting, perceiving and feeling in a determined manner; these dispositions are so strongly internalised that they become our second nature, ourselves, in the end no longer dissociable from our being. We are under the impression that we are born with such dispositions, with such manners of acting and reacting; however, these dispositions are not innate and they are not inscribed in our genes. On the contrary, we acquire physical, intellectual and moral qualities in relation to the position we occupy in the social system, depending on the pedagogical action exercised upon us.

## **Cognitive vulnerability**

Cognitive vulnerability is characteristic of individuals who do not act according to an effective theory, or who act according to a theory they do not believe in. The application of an ineffective theory results in unwanted consequences, both for the individual and for the community. Our ideas and principles guide our entire life. Our theories are the result of experience, of the use of this experience and of the verification of already-existing theories. The entire social experience is incorporated in “theories” that guide us, that have been internalized, becoming a reference point for our actions. “A body of knowledge is passed on to the next generation. It is appropriated as an objective truth during socialization and thus internalized as a subjective reality. This reality has in its turn the power to model the individual” [3].

## **Conclusions**

Researching vulnerable and disadvantaged populations is a complex effort due to the diversity of these categories. Social vulnerability is a state of potentiality that can turn into disadvantage when opportunities for change are not used. Vulnerability can be detected by identifying the phrases individuals use in various contexts in order to define the situation. A vulnerable population consists of a large group of individuals who in similar situations have a similar structure of dominant vulnerability types.

From this perspective, the vulnerable population has no spatial boundaries, because vulnerability is constructed by the context several social actors are found in, interpreting that particular context in a similar manner. This perspective on vulnerable populations takes us to a space of relativism created by the infinity of situations and by the different definitions given by the social actors. The analysis of vulnerability helps us establish the dominant types of vulnerability (utilitarianist, teleological, axiological, traditional and cognitive) present in several social actors in a specific context, and to identify constructionist means those particular actors may use for reinterpreting their situation. Hence, the implicit idea is that the most appropriate solutions for reducing vulnerability lie in the realm of education resulting in the change of individual reference points used when interpreting the situation.

Disadvantaged populations are those whose vulnerability has gone from potentiality to reality. The individual interpretations given by the vulnerable individuals, filled with a “deficiency language” [14], generate situations that are interpreted by the other social actors as being real

situations. In Romania, poverty is considered the cause of many social problems (alcoholism, unemployment, high crime rate, prostitution, etc.) which, in turn, deepen this state. If we reinterpret the phenomenon of poverty, we are able to identify other sources of poverty, such as thinking of individuals who objectivise themselves in social structures that maintain and even develop poverty among many categories of the population.

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## **PART V**

### **THE RIGHT OF HAPPINESS**

# CHAPTER THIRTY-FOUR

## CONSUMPTION OF NARCOTICS: “FAKE HAPPINESS”

NICOLETA-ELENA BUZATU<sup>1</sup>

### **Abstract**

Narcotics consumption is an important and complex issue for all of us. Narcotics appeared concurrently with human existence. In prehistoric time, roots, herbs and leaves were used in therapy, but in addition some strange and pleasant sensations that distorted reality, the passage of time, the perception of sounds and colors, etc. were discovered. All people are seeking happiness. Some of them seek it in drugs and maybe find it. Their life is subjugated to the false impression of happiness offered by various psychotropic substances or substances with hallucinogenic effects.

Keywords: narcotics, consumption, happiness, society.

### **Introduction**

Each of us dreams of happiness and of the possible sources it may derive from: reality or mere imagination, personal efforts to achieve it or mere chance, personal involvement or the mere expectation that something wonderful might happen. Life offers us lots of delightful moments, pleasant feelings and inner comforts that make us think we have entered the realm of happiness, yet we need to understand them properly to really feel happy.

Immanuel Kant, in his “Criticism of Practical Reason” [1], said that: “*happiness* is the mood a rational being feels against the world and who, all along his/her life, makes everything go in conformity with his/her own wishes and thus imposing the whole of nature agree and harmonize with

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that being's aims, as well as with the essential principle of determining his/her will."

Romulus Dianu [2] said that "the sum of the not yet occurred misfortunes that might have befallen on us is called happiness."

The Explanatory Dictionary of the Romanian Language defines "happiness" as a "state of an intense and total inner satisfaction" [3].

Everybody wants to be happy. There are some who look for happiness in narcotics and, who knows, maybe discover it. Narcotics help the users/consumers become more relaxed, open-minded, friendly, sociable, but it is only they who know how life is when they become the slaves of a false image of happiness offered by a group of psychotropic substances or by substances with a hallucinogenic effect.

People try to alienate themselves from a whole bulk of troubles such as stress, lack of money, disintegrated families, etc. Some extend this area by detaching themselves from the real world and by building a world of their own; they cannot come to terms with the real world and that is why they use narcotics to help them create an alternative and happy world with no cares and no troubles. The causes producing the consumption of narcotics are very complex; they have no connection with education, social extraction or standard of living. The reasons why somebody starts to consume narcotics are quite numerous, such as curiosity, pride, despair or extravagance.

In agreement with the UNO documents, billions of people have been smoking, inhaling and consuming a mixture of cannabis and other substances for four to five thousand years [4].

According to article 1 letter (h) of Law no 143/2000 [5], a consumer is that person who administers oneself or allows somebody else to administer them drugs in an illicit manner, such as: ingestion, smoking, injection, inhalation or other ways by which the drug can penetrate the human body.

As provided by art 1 letter (h) of the same Law [6], an addict is that person who, due to a repeated administration of drugs or, due to an urgent need, manifests physical and psychical consequences in conformity with the medical and social criteria.

The Explanatory Dictionary of the Romanian Language [7] defines "drug" as "a substance of a vegetal, animal or mineral origin used in the preparation of certain medicine and stupeficients." The Dictionary of Penal Law and Penal Procedure [8] defines "drug" from a double aspect: (1) a substance used in the preparation of pharmaceutical products, and (2) a name given to certain substances (cocaine, morphine) which, when being consumed, inhibit the nervous centres, producing a state of physical and psychical inertia. Under certain conditions, such disturbances can lead to

penal irresponsibility as drugs enter the category of those stupeficients submitted to the provisions stipulated in the law referring to this type of substances.

To consume drugs [9] means to administer or consume stupeficients; the term has assumed a new significance because of its being used in connection with the consumption—in excess—of toxic substances or of stupeficients.

Elation/euphoria means the high-spirit sensation artificially obtained after the consumption of drugs. This is the stage when the individual, after alienating themselves from any outside influence, feels no anxiety whatsoever [10].

Hallucinations are those sensorial perceptions which have no correspondent in objective reality. The individual “sees” images and “hears” non-existent sounds.

There are many types of drugs which can be legal or illegal, useful or dangerous. The legally admitted drugs/narcotics are: caffeine, tobacco and alcohol, but they do not instigate the problem under discussion, rather it is the illegal drugs which are the subject of certain international conventions or national laws that we are concerned with. For Romania, they are mentioned in Law no. 143/2000 on the fight against the traffic and consumption of illicit drugs. This Law makes the following classification:

(1) High risk drugs: heroin, mescaline, morphine, amphetamine, cocaine, codeine, opium, phencyclidine, etc.

(2) Risk drugs: cannabis, resin of cannabis, cannabis oil, diazepam, meprobamate, etc.

### **Frequently Used Illegal Drugs**

The most frequently used illegal drugs are cannabis, ecstasy, heroin and cocaine [11].

Cannabis [12] is the generic name for all the vegetal products obtained from cultivated hemp, out of which marijuana is prepared. Cannabis Sativa L is an annual plant growing in warm or temperate climates. Its current name is Indian hemp.

The effects of cannabis [13] are that after consuming one becomes more relaxed, more talkative and more cheerful. Some individuals feel as if time freezes and colours, sounds and tastes become more intense. Sometimes, a sudden appetite can appear. In Romania, as in the majority of the European countries, cannabis is one of the more “traditional” drugs. Although the latest Romanian studies on the consumption of cannabis warned about the increase of the number of consumers, it lasted for a long



enough period until the users appealed to specialized medical assistance. The year 2012 reported an increase in the number of persons asking for medical treatment against cannabis, especially in the case of the new consumers [14].

At the beginning of the 1990s, Ecstasy [15] appeared on sale as capsules or in the shape of round and flat tablets, bearing engraved stamped signs. The Ecstasy tables are known under different names: shamrock, dove, dollar, bunny, camel, dolphin, road runner, smiley, mushroom, Olympics, crown etc.<sup>2</sup> [16].

The effects of Ecstasy are that one feels better and more active among the people in their company. Sounds and colours are exciting and more intense, and the excess of energy enables the individual to dance for hours [17].

Heroin [18] is obtained by morphine synthesis or directly from capsules of *papaver somniferum*. In a natural state, heroin is brown-greenish and by diluting it it becomes white. Its taste is sour and it is soluble in water and alcohol. The World Health Organization (WHO) has totally forbidden heroin in therapeutic purposes as it was noticed that it creates an even higher dependency than morphine.

The effects of heroin are, when injected, that it produces a state of intense temporary excitation followed by a state of serenity as if in a dream. The consumer feels warm, relaxed and drowsy. Pain, aggressiveness and libido will be visibly diminished [19]. In 2012 heroin was again on the top of the cases admitted to treatment, and is considered a main drug in Romania [20].

Cocaine [21] is the main alkaloid of the coca leaves *Erythroxylon Coca* extracted by means of chemical procedures. It is known as a white crystalline powder, from where the slang name of “snow” derives. Very often, it is mixed with a white powder—the boric acid of sodium bicarbonate. If it is in powder form it is sniffed, if in solution it is intravenously injected.

The effects of cocaine are that one feels more active and energized; it diminishes appetite and thirst. These effects last up to twenty minutes after consumption [22]. The Romanian consumers of heroin are quite lacking interest in it because of its high price and, consequently, the request for medical help is extremely reduced [23].

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<sup>2</sup> Street names are usually symbols etched into the surface of tablets. The names are taken from the German language and do not necessarily correspond to street names in Romania. See <http://www.ana.gov.ro/rom/sintetice.htm> (accessed December 22, 2008).

The drug consumer changes their attitude and behaviour without any reasonable cause. They change their friends, avoid the older ones and refuse to talk about the new friends. Their school performances or their job accomplishments are low, they lack punctuality, accumulate absences, etc. Their behaviour is unstable, they lose interest in family and family activities, have problems in focussing their attention, are absent-minded and forgetful and have no preoccupation whatsoever. They also lose their temper and have powerful resentments. They become excessively secretive and have an ungrounded need for money; they steal money or objects in order to sell them.

In the beginning, drugs had the role of offering an original experience or a modality in looking for “lost” happiness.

Drug consumers imagine a series of connections able to offer them the drug they long for, both easily and promptly. Yet, unhappily, more often than not, the mirage of the drugs is offered by the very friends who have already passed through the experience; they also make this in order to obtain profits from the traffic with drugs. The state of beatitude of the person who used drugs ends when they have no drugs left nor any possibility of getting some, or at the moment they try to give them up, sometimes benevolently, other times at the express request of family or friends. They themselves are the ones who know how life is when under the yoke of a false impression of happiness created by drugs.

The physical addiction for active cannabis substances could not be demonstrated up to now. Apparently, there are no symptoms of a real physical withdrawal after the cessation of drug consumption. As a rule, this category of consumers can renounce to cannabis consumption without suffering symptoms of physical withdrawal for several weeks or months [24].

Yet, the number of consumers who smoke daily and whose rhythm of life, feeling of security and general mood are sensibly troubled without drugs increases continually. To such a category of addicts, the renunciation—after a long period—of drug consumption can lead to uneasiness, anxiety, insomnia and modifications of the psyche [25].

Because of their actions and various effects they can have, synthetic drugs are hard to classify into distinct groups. Ecstasy is attributed to the group of entactogens; they are drugs that allow the contact “the touch of the interior,” for example, by creating the feeling of happiness. Yet, ecstasy has certain effects over the stimulatory and hallucinogenic drugs [26]. When the effect of ecstasy disappears, the consumer feels exhausted; there also appear a series of acute toxic reactions, such as hyperthermia, muscle weakness, acute renal insufficiency, and heart troubles that can

turn into collapses. The necessary daily consumption of opiates depends on the type of the substance and the degree of its being used. Once the opioid effect disappears, the lack of happiness is augmented as against the objective reality. If a new shot is administrated, depression and the symptoms of physical withdrawal disappear.

The withdrawal symptoms in the case of heroin addiction very frequently present light vegetal troubles (perspiration, sensation of cold, shiver) up to severe troubles of the circulatory system, pains of the limbs, of the abdomen, of bones and muscles, sleep troubles, grips and convulsions (Ibid.).

During the period of cocaine consumption the user has a general euphoric state, a sensation of superhuman happiness and a state of supernatural satisfaction, an unprecedented *élan* of all the feelings, as well as an overwhelming state of friendship with the whole of mankind; at the same time the individual no longer has any remembrance concerning conflicts or anxieties. The users are very high spirited and happy. At the same time, one can notice a progressive diminishing of the critical power of discernment as well as the loss of the notion of distance. The euphoric stage—that of the positive experience—characterized by satisfaction and happiness, is described by the users as to be the real aim and desired effect of the drug consumption [27].

The symptoms of physical withdrawal that appear in the periods of abstinence are sometimes so violent they can drive the user to suicide.

The joy of escaping the yoke of psychotropic substances or the effects of hallucinogenic substances that bring about a state of artificial goodness is a much more important reason to be happy than the effects brought about by drug consumption.

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CHAPTER THIRTY-FIVE

SOCIAL REINTEGRATION  
AND THE QUALITY OF LIFE:  
PROBATION AS AN INTERFACE BETWEEN  
JURIDICAL DOMAIN AND SOCIOLOGY

MIHAELA TOMIȚĂ<sup>1</sup>

**Abstract**

The profound political, economic, social and cultural transformations faced by Romania after 1989 have resulted in the emergence of a social environment that facilitated the maintenance and growth of the delinquency rate.

Thus, the role of the probation services is that of taking out the offender, an activity which has two aspects: control of the enforcement of sanctions or measures imposed by the court, and the assistance activities aimed at facilitating the maintenance of the offender in the community. Probation is dedicated to achieving justice by employing proven strategies to changing offenders' values and beliefs by building their competency skills and holding them accountable. The target is a reduced rate of recidivism, victim reparation, improved public safety and enhanced quality of life for all citizens.

Recognizing the important role of the society in the social reintegration process of offenders, awareness campaigns want to draw the attention of the local opinion leaders to this matter. Although it is a social service in the community, the penitentiary without the probation institution, and the probation institution without the involvement of the society, operate in an insufficient and fragmentary manner.

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This chapter tries to answer the question of probation as a possible indicator, not only of social control, but also of improvement of the quality of life in terms of the communities it serves.

**Keywords:** Traditional criminal law, probation, social control, quality of life, custodial and community sanctions.

Behavioral science, with reference to the law, explores social history and the legal consequences as outlined in laws and court decisions. Such a conception seeks to understand the influences that create the law and the legal consequences for the society of applying penalties for offenders. The interest in the causes and consequences is not the only way to approach an understanding of the law, but it demonstrates that the law and the society sometimes inexplicably intertwine, and that the law is only part of the equation. It does not operate in a social vacuum, however, and the law is rather a consequence of the needs and social values than a form of those needs and values [1]. The view that the criminal law should be applied sparingly when there are viable alternatives to it, having a unique role only when it represents the only possibility, is shared by many. This way we understand that the social control efficiency can be increased when possible alternatives are applied, even in the presence of the criminal law [2]. Social control is the main purpose of the criminal code. For this reason, rather than moralizing, socialization indicates the criteria by which the success or failure of the social control can be measured [3].

### **Custodial and Community Sanctions: Identifying the Needs of the Probation Services**

In the prison environment, the earliest methods of punishment were directed on the body and its assets and one of the primary goals was to produce pain, unlike modern incarceration, where the emphasis is on changing offenders' behaviour [4]. Since the first half of the nineteenth century, at the end of the Civil War, although the constructions of prisons flourished, and with the United States becoming a model country in terms of penology, there were serious disagreements regarding prison. Thus, there was little evidence that prisons were targeting the changing of criminal behaviour or that they were bringing great profits from prison labour, and yet they were the best solution to prevent offences being committed. In fact, even in the marketing of the goods produced by prisoners on the free market, prisons became increasingly expensive. Thus, seeing the decline of prisons, the beginning of a new movement has

emerged, one that seeks to improve the method of incarceration rather than question the fundamental value of incarceration as punishment; in other words, a constructive approach, beneficial for the imprisoned individual, for the prison system, but also for the community and the society [5].

The concept of criminal policy is quite controversial as some specialists of criminal law see it as including “a set of means and methods of criminal repression used to combat criminality” [6] or the “ways and forms of realization of social defence of individuals, groups and institutions towards the actions of delinquent individuals,” or “fundamental transformation of criminal law, by humanizing the institutions of sanctioning and punishment of delinquent individuals” [7].

This is why criminal laws contain highly differentiated and varied requirements, both on the preventive nature for early detection of potential sources of criminality—interventions destined to the annihilation and neutralization of delinquents and limiting the expansion of the negative effects of crime—as well as coercive and permissive actions, evidenced by the admission of delinquents to specialized institutions (e.g. prisons, penitentiaries).

It is considered that the concept of prevention has two connotations, of legal and juridical nature, regarding the effect exerted on the conduct and behaviour of individuals and social groups by the criminal law, the first being penalties and sanctions, and the second with sociological and criminological character, referring to the set of activities aimed at identifying, explaining and reducing the causes and conditions that generate or facilitate delinquent manifestations in the society, whether general or specific, social or individual, objective or subjective. Considering the changing nature of the world we live in, the challenge of changing the mentality towards offenders and victims faces an outcry, claiming more punitive actions. Even among experts there are often divergent views on promoting alternative sanctions that, although proven to be effective and that they enable preservation of self-esteem and safer communities, are not universally appreciated.

The fact that, far from being a factor in the rehabilitation of the offender, the period of detention represents, rather, an “education in the criminality field,” is well known. Thus, as recommended by the Organization of the United Nations, the Council of Europe and so on, in this context, the promotion and application of alternative measures to detention on a broader scale are very necessary.

The profound political, economic, social and cultural transformations faced by Romania after 1989 have resulted in the emergence of a social environment that has facilitated the maintenance and growth of the



delinquency percentage. All countries are prone to this phenomenon, either being economically stronger or engaged in an extensive restructuring process, such as those in the Eastern Europe. The difference lies in the fact that the process of transition from one system to another, be it economic, political or social, represents a favourable environment for the proliferation of criminality. For this reason, when the desideratum is to treat and prevent crime, it involves responsibilities at all social levels, from legislative to executive, considering the complex etiology of this phenomenon, with economic crises and poverty themselves not being responsible for its generation.

Therefore, the prophylaxis of this phenomenon claims cooperation between all entities in contact with it, state institutions in various fields, but also NGOs and civil society. Referring to the phenomenon of crime we can describe a vicious circle which, in turn, affects the economic and social processes causing major blockages at their level. Low social control in conjunction with the lack of vision of the family, high level of school dropout, dysfunctions recorded in the operation of institutions responsible for child protection, and lack of civil society components to help the family, have led to the escalation of this process, which is noticeable in the increasing number of crimes committed and the criminals who administer them.

Due to the inability of the traditional criminal law in responding to some principles increasingly accepted by experts and practitioners in the field of justice (such as priority to the responses and re-socialization in the open environment, community involvement in the reaction towards crime, place and rights of the victim and those of the offender, and so on) alternative sanctions to imprisonment appear. In the view of Denis van Doosselaere: "the alternative is a measure that allows the offender to live his life in his natural environment, it being a particular condition to maintain him in the family (most often). It aims to neutralize the most violent means, without avoiding recourse to criminal law, which is the failure of the will to prevent certain situations and behaviors" [8].

## **Probation as a Form of Social Work for Justice**

Ignored for ideological reasons until 1998, probation has entered Romania following the cessation of the Bolshevik social experiment. In this context, it was stated as a sequence of the new social experiment (ongoing) of creating a social structure, able to resonate with the existing ones in the democratic societies. In the institutional compatibility of our social system with the Western one, which involves, first and foremost, the community management of justice, probation was revealed to be a

resource equally theoretical and practical, of pragmatic continuation of structural lucid reform of the Romanian social space [9].

Regarding the need to resort to measures of replacing incarceration, in the VI Congress of the United Nations it was stated that:

prison tends to emphasize the criminal tendencies of the convicted offender. Under the angle of any cost-benefit analysis, imprisonment is costly and it is a waste, especially of human and social resources, while other punishments than prison sentences reach the goal of correcting in a manner at least as effective as imprisonment, without being so expensive and without having such harmful effects.

The mission of the probation systems is to provide an efficient and viable alternative within the criminal justice system through community sanctions, with the ultimate goal that, by preventing repeated offending behaviour, the intervention represents an appropriate response to crime. In light of those presented, a key role in reforming the criminal justice system is held by the probation. The Criminal Code, the Criminal Procedure Code or the special laws provide and define the duties and competences of probation services. Traditionally, the role of probation was limited in providing support and assistance to offenders during the custodial sanction, supervision, suspension or parole, not having a significant role in the criminal justice system [10]. In the history of probation in Romania, one of the three steps outlined as the main milestones that led to what we know today as the institution of probation and that are of interest for the present chapter is that of redefining the psycho-sociological identity of the profession of probation counsellor in the area of the complementary range of legal sciences with social sciences.

The role of probation services is that of taking out the offender, an activity which has two aspects: control of the enforcement of sanctions or measures imposed by the court, and the assistance activities aimed at facilitating the maintenance of the offender in the community. Probation is dedicated to achieving justice by employing proven strategies to change offenders' values and beliefs by building their competency skills and holding them accountable. The target is the reduced rate of recidivism, victim reparation, improved public safety and enhanced quality of life for all citizens.

## **Improving the Life of the Delinquent and the Community**

The specialty literature assigns the alternative measures several advantages compared to imprisonment, of which, of interest to this

chapter, we mention the participation and involvement of the community in tackling crime, including the change of its perception towards delinquency, again underlining the indestructible link between community and delinquency [11]. Based on the above-mentioned benefits conferred to the alternative measures of imprisonment, the participation and involvement of the community in tackling crime, including the change of its perception towards delinquency, shows the double effect of probation in improving the quality of life of the offender, through a direct action on them, and also indirectly on the society of which they are a part of, elements that are interdependent.

Thus, in order to achieve the legal mechanisms from which courts can select the form of prosecution suitable, a new regulation in this area is provided by the new Criminal Code, a regulatory that, as a form of individualization, wants to determine the way in which the convicted person will bear the penalty imposed as a result of the offence committed. I note that, due to the ability to influence directly, and in a significant proportion, the social rehabilitation process of the offender, it is a sensitive issue. In order that the effort made for the offender's reintegration not produce adverse effects to the intended purpose, it is necessary that the punishment proportion to the gravity of the offence and the offender's dangerousness be reflected in the manner of execution, not only in its nature, timing or amount [12]. Probation, as an applied social science, requires the combined contribution of social work, psychology, sociology, local and juridical administration. This interdisciplinary nature emphasizes the eminent community character of probation, the individual being subject to the civic monitoring of the entire community. Also referring to the community aspect of probation, I mention that this is the only chance for civic rehabilitation at community level for the offender. Thus, probation promotes an improvement to community safety through its direct involvement in the recovery strategies of the offender. By its role, probation improves both the quality of life of the offender and the community.

Although probation appears as a sanction, in this new approach the focus is also on the assistance process of the offender for their social reintegration. In this respect, probation can be seen as a revalorization of the sentence imposed, it being understood to be more nuanced and developed more completely in its content, being concerned not only of the offender but also the victim of the crime, being an individual or the society itself, receiving compensation, restoration, counselling, etc. Such attempts are in order to restore the existing order before doing the crime, revealing again the dual role of probation, addressing both actors—the offender and victim—and, last but not least, the community.

One of the concepts of social reintegration and supervision, as a balance between control and assistance, is community involvement. The offence being a problem of the local community, it must be involved in finding solutions to those problems. Regarding the reintegration of offenders, the community involvement is an important resource in that it provides resources such as jobs, housing, practical support, and means that promote and improve the quality of life of the offender and the community. This can be achieved mainly through collaboration with NGOs.

Based on the principles mentioned, which are almost explicit in the law, other official documents were also developed [13]. The probation elements tend to promote a new trend in the Romanian sanctioning system through the participation of the offender in their reintegration process in the community whose values they have harmed or jeopardized by the offence committed.

Working in partnership is another principle implemented in the Romanian probation system. It was identified by Roberts in 1995, who built a pyramid which he called the “organizational plan” and which has two orientations, the top of the pyramid being focused on the individual approach, and the bottom on the community part of the social reintegration of the offender [14]. It, all in all, supports the quality of life of the offender, their victims and the community by involving all necessary social actors that have a role in the social reintegration of the offender.

One of the roles of probation services provided within the legislation reveals again the importance given to the community through the institution of probation and its mission, thus recognizing the impact that the perpetrators have on it through the acts performed, as well as the impact of the community on the socialization of the offenders. According to it, “these services run, together with the representatives of the civil society, with governmental and non-governmental organizations reintegration programs for persons who have committed offenses, being created the legal frame work for attracting and involving the community in the social reintegration and supervision of offenders” [15].

The principle of cooperation is another aspect requiring discussion, and it integrates multiple actions with a deeply specialized and diversified character, thus demonstrating a good adaptation to the complexity of the goal pursued by probation services. It is worth noting the transformation aspect of this partnership cooperation by attracting and involving the community in the social reintegration activity of offenders. Thus, this new approach of the sanctioning and social reintegration process of offenders is performing a partial transfer, both of the responsibility and the possibility of action of the society, thus transforming it from a spectator to a real

participant, while, in Romania, the enforcement of sanctions and punishment is exclusively the preserve of the state organisms. This phenomenon of transfer was due to the increasingly active participation of the community in social life, especially by the appearance and the strong involvement of nongovernmental organizations specialized in social work.

Emphasizing again the link between the community, the individual and their social reintegration, it is clear that justice cannot be administered effectively outside the community it must serve, the offender being part of the community, their existence beyond it being impossible. It is necessary, in this regard, that the society becomes more aware of its rights and duties, but especially of the fact that the failure of the person who has committed an offence is also a failure of the society and community, and that the simple isolation of them is nothing but a liability disclaimer and a short-term solution, as mentioned, with prisons representing genuine training centres for criminals. Considering that the social reintegration process of offenders has the expected results, the need to complete the institutional efforts through the involvement of the community is underlined. For this purpose, most projects in this area aim to create a new collective outlook by including and implementing some awareness campaigns. As a part of the probation work, the new strategies to promote community safety in terms of rehabilitation and social reintegration of offenders focus on the physical and mental health of the offender, a better education, a better relationship with others, better psychosocial skills required for finding a job, housing, etc. All these actions lead to the better quality of life of both the offender and the society.

## **Discussion and Conclusion**

The community has the power and chance to help itself by helping the offender, a real social reintegration leading to a lower risk of relapse, and therefore to a safer community. It is a support that the community owes to itself, not to the delinquent. Despite this obvious truth, there are many opinions in the literature that contradict this theory [16]. In order to live a normal life, ex-prisoners and, generally, all those individuals who were at one time in conflict with the law, need their closest people, both friends and family, but also institutions that can provide them support in moving towards a normal life. We are directly responsible when ignorance and the lack of community involvement lead to the growth of the potentially dangerous group, instead of diminishing it.

Recognizing the important role of the society in the social reintegration process of offenders, the attention of local opinion leaders is directed to

this aspect through awareness campaigns. By condemning offenders to imprisonment, without considering the direction of specialists from prison and post-detention guidance and supervision, we do not offer a solution for the offenders and the society, but we provide, as mentioned previously, only a postponement of solving these particularly important problems. Although it is a social service in the community, the penitentiary without the probation institution and the probation institution without involving the society operate in an insufficient and fragmentary manner.

In conclusion, the work of probation services is based on the integrated intervention principle, the success of any action depending on the degree of community involvement. For this reason, because of the direct interest that the community has in public safety and, therefore, in this approach, it is vital for the success of these efforts that the effect of the training programs for liberation and the post-criminal assistance be permanently supported by ongoing, community-identified solutions.

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# CHAPTER THIRTY-SIX

## GOOD REGULATION AS A PREREQUISITE TO HAPPINESS

ELENA MIHAELA FODOR<sup>1</sup>

### **Abstract**

Order in nature, in society, and the order of thought are interdependent zones of order in the universe. Order involves a stable, predictable arrangement, and predictability is ensured by rules. Rules are an abstracting of past experiences projected upon future events. States try to ensure order by means of legal norms with the purpose of fulfilling the need of security on highly cherished social values. Thus, a good regulating process has to ensure order in the social relations, stability and safety, and to be in consonance with cherished social values as a prerequisite of the fulfilment of higher aspirations. This article highlights several rules for good regulation, such as stability and consistency, protection of the general interest, respect for the hierarchy of norms, and the correlation between granting rights and the ability to fulfil them.

Keywords: Norm, law, general interest, stability.

Happiness is an emotion that can be generated by different events or things around us. It can be related to inner factors, as optimists are considered to be happier than pessimists, or to external social or natural factors. A right to happiness has not yet been consecrated in international conventions regarding the protection of human rights, but the association between law and happiness is not new. In *Codex Iuris Gentium*, Leibniz associated natural law with happiness. Generally, natural law was seen as an expression of the pursuit of a higher ideal, of a superior level of the

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positive law, as a main way for people to formulate their ideals and aspirations. The call for an absolute ideal found an echo especially in moments of disappointment and doubt, in moments of great social unrest [1]. The American Declaration of Independence from 1776 is the most widely-known act where “the pursuit of happiness” is mentioned. Happiness is associated with civil rights having their roots in the ideas of John Locke regarding the natural contract. This act inspired the French Declaration of the Rights of Man and of the Citizen in 1789 that proclaimed rights such as liberty, property, security, and the right to resist oppression.

Law has the purpose to ensure social order. In nature, order is associated with the idea of equilibrium and minimal energy. We do not think that the association between nature and law was made by chance. A society freed from turbulence that might stem its evolution has to be governed by “natural” laws, drawn from the natural order of things and able to set equilibrium in the relations between its members.

Aristotle thought that the law has to be integrated in the harmony of natural order: what is just, what is in accordance with the natural order and is derived from the observation of things and situations should be synthesized to determine the content of law. There are not many analyses to determine the way certain laws, issued in order to relieve social tensions, have attained their goal and set a fair equilibrium of the society. The purpose of law is sometimes neglected, especially in the long-term. In order to put the positive law into practice we sometimes prefer to relate to practical realities and preoccupy ourselves with the immediate efficiency of the solutions, to neglect the observation of values that follow and consecrate law (as they are many, diverse, evasive and subjective), for fear of hiding essential, constant and permanent elements of juridical thought and technique [2].

Custom is a rule of conduct settled by its long use. It arises spontaneously by repeating a desirable conduct which in time becomes mandatory, people having respect for the custom, observing it as a habit [3]. The observation of the custom comes from the conviction of the group members that it is fair and just. This way, custom is a popular and impersonal way of creating a rule, an objective and unorganized source of law [4] [5] based on a tradition of the social group and not on the voluntary act of an authority [6]. The essence of the process is that the rule is accepted by the social group, being perceived as just.

Custom has generated the great legal maxims and most stable laws. Civil codes, such as the French Civil Code of Napoleon for example, are based on solutions highlighted as customary.

There is an undeniable relation between custom and morality, as it is difficult to imagine a custom valued and obeyed by a social group if it is not in accordance with moral rules [7].

On the other hand, the law being the result of the deliberate act of the public authority is imposed in an authoritarian and centralized manner. This way a custom may be enforced, the main advantage being the security of the legal relations. The law must provide the means of organizing one's existence in time, dominating the effects of legal situations through the predictability of their evolution. A legal system has to maintain consistency and ensure legal certainty as a goal.<sup>2</sup> So, legal consistency is attached to the existence of a law which provides the certainty of the rule to be followed, meaning legal consistency is attached to formalism.

Consistency and certainty are also related to human emotions. The anticipation of a pleasant event arouses the greatest joy. On the other hand, we are fairly incapable of imagining how an unpleasant situation will affect our state of mind and we have a tendency of exaggerating the consequences of negative events.

Civic sense, social equilibrium and control over one's life were considered to make up a magic triangle of well-being in a society [8]. Regarding property, it was shown that there is not a direct proportion between wealth and happiness, and beyond the basic level of happiness it is no longer related to economic status.

The sentiment of being in control of one's own life is related to the anticipation of pleasant events and thus to happiness. One can be in control if one knows the rule governing a certain event and is able to adjust one's conduct accordingly, or has the power to defend one's rights established by law or legitimate interests. This way legal consistency and certainty contribute to one's happiness or at least well-being. We do not consider certainty versus change, as the society is not immutable. Society is changing and the law has to adapt to follow the changes, but sudden and frequent changes of law and inconsistencies may lead to confusion regarding the right conduct. We are thinking here of predictability versus uncertainty.

Besides being an instrument for maintaining social order, the law is an instrument for attaining social goals that the state is pursuing. For democratic states, "as an ideal, democracy aims essentially to preserve and promote the dignity and fundamental rights of the individual, to achieve social justice, foster the economic and social development of the

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<sup>2</sup> Such a goal has been repeatedly stated by the European Court for Human rights, for example in the case of *Păduraru vs. Romania*, 2006, par. 98-99.

community, strengthen the cohesion of society and enhance national tranquillity, as well as to create a climate that is favourable for international peace.”<sup>3</sup> Therefore, the rules defining the social order, the powers of the state and the basic rights of the citizens protected by the state are legal rules generally in form of a constitution. The economic and social development, the international relations, are pursued by strategies considering the relations between the state and its inhabitants, between the private persons or between the state and the international community, supported by legal rules that will enable the strategic plans, starting with the budget law.

In the absence of law, the strategy will not even begin to be put into practice, as there is a need for the law to change what is considered obsolete and to prevent the action of the new strategy, or to create instruments for the new strategy to work. However, the law in itself will not be very efficient if people do not perceive it as working for their long-term happiness.

An interesting connection between nature, society and law is found by Mircea Djuvara,<sup>4</sup> who thinks that the concepts the law is based on are justice and equity, the same ones that morality deals with. Mircea Djuvara states that: “as a science, law is based on the idea of justice that owns and nourishes it. Without justice and equity law will not have any meaning, being an instrument for torturing people, not an instrument for peaceful coexistence between them” [9]. A legal text is powerful not only because it sets in motion the public force, but because it is founded on a rational base responding to a moral need of the society. An immoral law will lack reason. Djuvara thinks that any branch of law progress is achieved by harmonising law with morality, so that any act would have a legal effect in a moral reality. But Djuvara also links morality with science, organising a “scale of sciences.” The order of sciences on this scale would be, starting from the bottom: mathematics, physics, biology, psychology, sociology, morality and law. Based on this hierarchy, Djuvara tries to explain the way legal phenomena appear and how the law is applied to social relationships. He states that law is not a phenomenon directly applied upon material facts, but through sociology and morality. Morality is right beneath law and above sociology, and every science in the scale he proposes is based

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<sup>3</sup> Universal Declaration on Democracy, Declaration adopted without a vote (after the Declaration was adopted, the delegation of China expressed reservations to the text) by the Inter-Parliamentary Council at its 161<sup>st</sup> session, Cairo, September 16, 1997, (accessed January 27, 2013).

<sup>4</sup> Romanian scientist in the area of law, professor of law at the Academy of International Law in Hague (1866-1944).

on the one preceding it and determines the one that follows, like the floors of a house. Law is not only connected with morality but with other social goals, and social goals may be determined by natural factors.

A system of law is built to follow the evolution of the state and society, being intimately linked with its culture. General principles that proved their value to society are preserved and changes in accordance with the development of social relations, history or politics have to be made maintaining a coherence of the legal system. In the present day, globalisation and cooperation between states belonging to a geographical area or based on a mutual interest cause changes in the national legal acts in order to create legal instruments and a coherence of the economic and social relations derived from their cooperation.

Romanian law is built on the dichotomy of public law and private law. This dichotomy has ideological and epistemological implications that lie at the heart of legal and political science in Western Europe. The original Roman sources reveal the ideological implications [10]: *publicum ius est quod ad statum rei Romanae spectat, privatum quod ad singulorum utilitatem*.<sup>5</sup> Continental law still preserves the dichotomy, although the concepts are rethought as modern societies bring to the forefront new rights and legitimate interests—a newer kind of “property”—which, although not “public” in the Roman and civilian sense of the word (that is, belonging to the *res publica* or state), are collective or diffuse, in the sense that either they do not belong to any individual in particular, or that individuals own only an insignificant portion of them.<sup>6</sup> In the United Kingdom, as any legal relationship is seen as being exclusively created between individuals, the constitutional ideology of the judges remains founded on a model whereby “the nation is a collective term for millions of individuals and it is individuals who count.”<sup>7</sup>

The notion of public law is linked with public interest and public service. Public administration involves public property and organising activities in order to satisfy the needs of general interest. Public law is giving the administration the upper hand in legal relations that emerge from these activities, enabling it with public power in order to attain and protect the public interest. The definition of public interest is still open to debate but is generally perceived as a question of welfare of the general public (in contrast to the selfish interest of a person, group, or firm) in which the whole society has a stake and which warrants recognition,

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<sup>5</sup> Digestae 1.1.1.2.

<sup>6</sup> M. Capelletti, 1989, *The Judicial Process in Comparative Perspective* in Samuel, G., *op.cit.*, 172.

<sup>7</sup> Lord Donaldson MR in *X Ltd v Morgan-Grampian Ltd (1991)* *apud* [9].

promotion and protection by the government and its agencies. As it presents an interest for the general welfare, people are interested in possibilities of control over the activities managed by public authorities or private persons that could bring harm to their rights or legitimate interests. Lack of control gives the general public a sense of insecurity and the inability to protect social values.

In continental law it would be understood that legal relations, where one of the subjects is the public administration exercising public power, are governed by public law. For example, French law created the notion of “administrative contract” as a contract concluded between a public authority and a private person with the purpose of exploiting or valuing public property or a public service, governed by a set of rules that aim to protect the general interest [11]. The main character of the contract is the inequality of the contracting parties, the administration bearing the public power. The contract contains stipulations that derogate from the common rules of private law (*clause exorbitante*), public administration being able to establish and modify clauses by its own will, to control the private party during the implementation of the contract and to apply sanctions [12], maintaining the economic equilibrium of the parties. The mere fact that the contract is concluded in connection with public property should show that there is always a general interest about it, and the way the implementation of the contract is affecting other people may be a question of public interest too. Contracts concerning the concession of public property, public procurement and public services, and the public-private partnership are administrative contracts in the French law and stipulations that are specific to public contracts, regarding the implementation or termination of the contract, are implied even if they are not expressly mentioned in the contract, or are provided even if the law does not mention certain rights of the public authority.

Protecting the public interest is not an exclusive feature of the continental law. In systems of law based on “common law,” a privileged position of the public administration is not usually in legal relations concerning public property or public service, but, where public interest has to be protected, special dispositions are provided in the law. For example, in Canadian law, the Civil code of the province of Quebec stipulates that in the contracts concluded, the administrative bodies have the same obligations as a private person, but the superiority of the administration, in order to protect the public interest, is achieved by the *clauses exorbitantes*. In addition, in numerous situations the administrative bodies maintain a right of control and a right to impose instructions during the implementation of the contract by the private contracting party. All

litigations concerning the implementation of the contract may be solved by judicial authorities or by arbitration. Litigations concerning the validity or public order matters (such as formalities for obtaining a prerequisite authorisation) are excluded from arbitration [13]. The European Union legislation is not based on the public/private law dichotomy either. Nevertheless, examples of regulation that mirror the characters of an administrative contract can be found. A document of the European Union, the Green Paper on public-private partnerships and Community law on public contracts and concessions (COM/2004/0327 final) shows that several aspects should be considered in connection with the public-private partnership, public procurement and concession contracts, regardless of national laws. Since they concern a service spread out in time, public-private partnership contracts must be able to evolve in line with changes in the macro-economic or technological environment, and in line with general interest requirements (par. 47). In general, changes made in the course of the execution of a public-private partnership contract, if not covered in the contract documents, usually have the effect of calling into question the principle of equality of treatment of economic operators. Such unregulated modifications are therefore acceptable only if they are made necessary by an unforeseen circumstance, or if they are justified on the grounds of public policy, public security or public health.

The possibility of changing the clauses of the contract due to unforeseen circumstances, in order to protect the general interest, is typical for administrative contracts [14]. French public law is also the source of the concept of “universal service” introduced by the European Commission in 1992, with the purpose of protecting the general interest in accessing a public service. This is described as a basic service offered to all community members at accessible costs and with a standard quality level. The basic service is part of the public service and providing a universal service may be an objective for a public service organised in a competitive system [15]. Until 1992, the European Union was looking at public service only on a commercial basis, with legislation aiming at preserving the free market rules. Decisions *Corbeau* (May 19, 1993) and *Commune d’Almelo* (April 27, 1994) of the European Court of Justice pointed out that equality and continuity (basic characters of public service in French jurisprudence) are fundaments of the general economic interest. The European Court of Justice admitted the necessity of narrowing the freedom of competition in order to permit the accomplishment of a general interest.

The Romanian law took the concept of administrative contract during the interwar period. As public administration was an absolute ruler, the

concept had almost no importance during the communist period. After 1990 the doctrine revitalised it, and after a foggy period regarding the nature of contracts like concession of public property,<sup>8</sup> around the turn of the millennium, legal acts implied that such a contract, along with those of public procurement and public-private partnership contracts, were administrative contracts, with all the characters of such acts, giving the competence of solving litigations connected with these contracts to the administrative courts where the rules of public law apply.<sup>9</sup> Then, Law No. 554/2004 mentioned the term “administrative contract” and named the concession of public property and the procurement of public goods, public works and public services as being such contracts. Litigation in connection with those contracts was given in the competence of the administrative courts. A special provision of Law No. 554/2004, that basically describes the procedural rules in front of such courts, allowed social organisations that aimed to protect certain civic rights, or special rights of a group of people, to contest administrative acts (including the administrative contracts mentioned above) to the administrative courts on the grounds of breaching public interest. The best examples are in the case of organisations protecting the environmental or social rights.<sup>10</sup> In civil law a

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<sup>8</sup> In 1998 Law No. 219 was adopted, regarding the concession contract. The law applied to the concession of public property, public works and public services. The competence to solve litigations between parties, concerning the completion of the contract, was established in favour of the common private law courts. Excluding the administrative courts, a private nature was given to the contract. On the other hand, some of the characters of an administrative contract were to be found in this law.

<sup>9</sup> Government Emergency Ordinance No. 60/2001 regarding the public procurement of goods, Government Ordinance No. 16/2002 regarding the public-private partnership, Government Emergency Ordinance No. 34/2006 regarding the public procurement, Government Emergency Ordinance No. 54/2006 regarding the concession of public property.

<sup>10</sup> Such a situation was created around the mining exploitation of Roşia Montană, in the Carpathians, Apuseni Mountains. In 1997, a licence for the concession of the gold mines of Roşia Montană, a gold exploitation dating since the ancient times, being attested by historical documents more than 1870 years ago, was given by Romanian authorities to a private corporation. The re-opening of the mines, using modern technologies aroused a series of protests and legal actions. The main issues brought into discussion by the opponents of the project were mixed social and scientific factors: the destruction of national heritage and the pollution generated by the method of exploitation based on the use of cyanides. From the legal point of view, one of the allegations was that among the steps taken in order to implement the licence was the conclusion, in 2005, of a cooperation contract between Roşia Montană, as an administrative unit represented by the Mayor, on one side, and the

contract can only be contested by one of the parties; a third party may contest the contract only if it can prove an interest and only on grounds of absolute nullity, regarding the breach of legal conditions at the time of concluding the contract; no possibility for contesting the contract on the grounds of public interest by social organisations exists.

Beginning in 2010, a change of view in the approach of public procurement and public-private partnership contracts occurred in an attempt to align national legislation to the European Union one, and through government emergency ordinances, the administrative nature of such contracts was changed to a commercial one.<sup>11</sup> However, the public

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licensed commercial society on the other, regarding actions of mutual interest for the New Roşia Montană Resettlement Project. The object of the project was the resettlement of public property and public buildings (school, police headquarters, hospitals, city hall headquarters, infrastructure, roads) and also private property (land belonging to private constructions) from Roşia Montană to another location. The contract was defined by the parties as a commercial contract. When the contract concluded in 2005 was contested in front of the administrative courts by the Alburnus Maior Society, an organisation opposing the mining project on social, cultural, environment and economic grounds, the first problem to be solved was if the organisation had the legal status to contest the contract. The court stated that without any doubt the contract was an administrative contract, as the public-private contract belonged to that category at the time, and the contract fitted perfectly into the dispositions of article 1 letter (e) of the Government Ordinance No. 16/2002, with the consequence that a social organisation claiming a public interest, that was its purpose to protect, may contest such a contract. The court also found that public law rules were breached, as the administrative unit took on the obligation of obtaining all notices, agreements and authorizations required by the successful implementation of the project, and for the approval of the concession and selling of the lands defined as a target. All that were duties stipulated by law in the responsibility of local government authorities that could not form the object of contract negotiation, so the contested contract was void. See Decision No. 750/CA/29.05.2007 of the Alba County Court (Tribunalul Alba), [http://www.ngo.ro/date/4ef160f5484c05ea6c665d19f7a161d3/sentinta\\_contract\\_colaborare.pdf](http://www.ngo.ro/date/4ef160f5484c05ea6c665d19f7a161d3/sentinta_contract_colaborare.pdf), 28.01.2013.

<sup>11</sup> Government Emergency Ordinance No. 76/2010 amended the Government Emergency Ordinance No. 34/2006 transforming the public procurement contracts from administrative into commercial contracts by introducing par. (11) to the article 286, stating that the litigations concerning the completion, nullity, annulment, cancellation or one-sided termination of the public procurement contracts are in the competence of the commercial sections of the tribunals where the corporate seat of the contracting authority lies. Government Emergency Ordinance No.39/2011 introduced art. 28<sup>23</sup> in the Law No. 178/2010 regarding the public-private partnership, stating that all litigations concerning compensation for damages caused during the selection procedure as well as litigations concerning



interest still exists in such contracts. In the absence of special dispositions to protect it, if the nature of the contract does not automatically imply such protection, there are no legal means to attain this goal.<sup>12</sup>

The legislator did half the job, turning the contracts into commercial ones, but leaving out the tools for protecting the public interest, as legal systems that also consider such contracts as commercial contracts do. It is just an example of how the lack of coherency and the oversight of the basic and fundamental principles of one's legal system can bring a sense of helplessness into the life of many.

Being closely linked with morality, law should not promise benefits it cannot fulfil. Examples chosen to illustrate this statement concern laws issued after 1990 on a moral basis. Since the Land Law 18/1991, a series of restitution laws were passed that have gradually expanded the restitution rights of people who have been deprived of their possessions in an abusive manner by the communist regime.<sup>13</sup> As the European Court of Human Rights has repeatedly stated, Article 1 of Protocol No. 1 of the European Convention for Human Rights cannot be interpreted as imposing any general obligation on the Contracting States to return property which was transferred to them before they ratified the Convention (*Jantner v. Slovakia*, no. 39050/97, § 34, March 4, 2003 cited by the Court in the case *Maria Atanasiu and others v. Romania*, nos. 30767/05 and 33800/06, § 135, October 12, 2010). Nevertheless, the Romanian legislator felt a moral obligation to restore the patrimonial rights, to their former owners or their heirs, in kind or by compensatory means. In addition, compensation for moral injuries was sought for sufferings induced in different ways by the communist regime. The Decree-Law No. 118/1990 provided a set of measures destined to repair material loss and moral sufferings of persons that endured limitations of their rights and liberties for political reasons. The legal act recognized the immorality of the measures taken against such persons and granted benefits such as tax exemptions and priority to social protection measures in accordance with the duration of the

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the completion, nullity, cancellation, resolution, termination or withdrawal of contracts were in the competence of the commercial sections of the County Courts (*Tribunal*) and were subjected to the dispositions of the civil code regarding the commercial contracts.

<sup>12</sup> A difference can be observed in the way French legislation evolved in the same area, at the same time. The alignment to the European acts establishing the good practices was made without the abrogation of Government Ordinance No. 566/17.06.2004 concerning public works, in the area of administrative contracts. France also adopted *Circulaire de 29 novembre 2005* where the public-private partnership contracts are defined as administrative contracts.

<sup>13</sup> Law No. 169/1997, Law No. 1/2000, Law No. 10/2001, Law No. 247/2005.

deprivation of their rights. Compensations were established by law as equal, determined sums of money for the same period, regardless of the deprivation and the particular sufferings of a person. Later, on the initiative of the Romanian Government, the parliament adopted Law No. 221/2009. The memorandum of the law mentioned that the remedial measures already provided by the Decree-Law No. 118/1990 may not be sufficient in relation to the great suffering endured by victims of the communist regime and it was in the competence of the courts to quantify personalized supplementary moral damages.

Both restitution laws and Law No. 221/2009 brought a moral satisfaction to their beneficiaries determined by the hope for an increase of wealth which could be substantial in times of economic hardship during the transition period, creating positive emotions in their hearts. This hope has intensified as in accordance with restitution laws the ones who regained their land and buildings capitalized their regained property in a market that was booming, obtaining small or even large fortunes. But lot of property could not be given back as it perished or was occupied with works of public utility and compensations had to be granted at a high market price, according to the law. Law No. 221/2009 brought an avalanche of applications in court, intensified by the large sums of money granted by courts to the first petitioners, from a few thousand to tens or even hundreds of thousand euro.<sup>14</sup> Facing a financial disaster, the state had to reconsider.

In the case of restitution laws, the activity of the national administrative authorities competent to establish and pay compensation was suspended, beginning on June 30, 2010 by the Emergency Government Ordinances No. 62/2010 and No. 4/2012, both modified by Law No. 117/2012, until May 15, 2013, bringing an abrupt stop to the turmoil raised by the expectation of compensation and raising uncertainty regarding the further enforcing of the restitution laws. To this date, a new legislation proposing solutions for overcoming the difficulties has not yet been passed.

In the case of Law No. 221/2009 the Ministry of Finance (which previously endorsed the project of the law) raised the exception of unconstitutionality of art. 5, par. (1), letter (a) of the law that permitted the courts to grant moral compensations. In Decision No. 1358/2010 Constitutional Court admitted the exception, not on the grounds of financial difficulties, but considering that moral reparation was already determined by the Decree-Law No. 118/1990, not by a reinstatement which would be impossible, but by offering moral satisfaction.

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<sup>14</sup> [www.juridice.ro/wp-content/.../referat-legea-221-din-2009modificat.ro](http://www.juridice.ro/wp-content/.../referat-legea-221-din-2009modificat.ro), 27.10.13.

Constitutional Court mentioned rulings of the European Court of Human Rights, stating that member states are not obliged to repair sufferings or damages caused by their predecessors (Emewein et al. v. Germany, 2009). Among other considerations, Constitutional Court also mentioned that there would be two legal acts with the same goal—granting sums of money to those persecuted by the communist regime—and the fact that Law 221/2009 was issued twenty years after the Decree-Law No. 118/1990 so that enforcing the former would infringe the principle of equality before the law.

We do not argue here the legal value of the considerations of the Constitutional Court and we also mention that the European Court of Human Rights found no violation of human rights in the decision of the Constitutional Court (Nastaca Dolca et al. v. Romania, no. 59282/11, 4 September 2012).

Our point is that, owing to the impossibility of complete fulfilment of the provisions of the law (fulfilment for each and every beneficiary of the legal dispositions) due to real life conditions, the result was worse than if such laws had not been issued at all. Besides a sentiment of loss, even though it was just the loss of a promise, a sentiment of inequality in treatment and unrighteousness, between those who managed to benefit from the law and those who didn't, has settled in the society.

Law is one of the factors that influences our everyday life more and more. Good regulation should not be thought of only in technical terms, but also in connection with society and its history and culture that defines not only values, but also instruments and rules for protecting them. Good regulation should also strengthen the belief in the ability of the state to pursue and attain its goals, to design strategies in favour of the society, proving the law to be a tool of general well-being and—why not?—of momentary happiness.

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# CHAPTER THIRTY-SEVEN

## THE MIGRATION OF ROMANIAN ROMA AS AN ALTERNATIVE TO THE INFRINGEMENT OF THE RIGHT TO HAPPINESS

VASILE BURTEA<sup>1</sup>

### **Abstract**

This chapter addresses the issue of the Romanian Roma migration and its causes, beyond a simple economic explanation, and consists of three main sections. First, it documents the problem of the Roma's access to resources in the early years of post-communism, pointing to the role of legislation and foreign aid. The second section deals with the negative perceptions of the majority and their violent consequences. Finally, the third section addresses the institutional discrimination carried out by the medical authorities, the police and the government in general. The concluding argument of the chapter is that the Romanian Roma seeking asylum or residence abroad should be treated primarily as refugees under the Geneva Convention rather than as illegal economic migrants.

The document presents for the first time some of the Roma's issues, usually the aspects of neglect by Romanian academic research. From a methodological point of view, a secondary analysis of sociological research focus on Roma (referred to in the document) was used, comprising individual and group interviews with Roma students, discussions with minority Roma in meetings in public institutions, and direct and participative observation.

**Keywords:** Dispossession, hostility, access to resources, equal opportunity, discrimination.

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## Access to Resources

The problem of the migration of Romanian Roma is an important topic not only because of the large number of migrants that have left Romania to settle in other European countries, and because Romania has the largest Roma community in Europe (615,000 as of the official census; 2,400,000 from researchers' estimations), but also due to the interpretations and the reactions (attitudes, opinions, actions, confrontations between different organizations) that have happened, both in Romania (especially regarding the image) and in the destination countries, such as expelling (Germany, France, Belgium, England) instances of normative documents that were retroactively applied (Germany), Internal Affairs bilateral agreements and so on.

The fact that the social situation of the Romanian Roma constituted a condition in the country's adhesion to the European Union<sup>2</sup>[20] gives further prominence to the issue, and the migration of this people is, without doubt, an important part of it. The problem becomes even more interesting because it does not relate to migration in general [1] or to internal migration [2] [9] [10], but because it refers, in fact, to the reaction (within a country that belongs and aspires to a Euro-Atlantic culture) of an ethnically circumscribed segment of the population to an extremely disadvantageous situation. The disadvantage amounts to the forbiddance of the right to the oldest and most stable state of living—happiness.

A large proportion of the Romanian Roma were deported during World War II to Transnistria and other Soviet regions; once the war ended, a large proportion of the survivors walked for more than six months to return to Romania<sup>3</sup> [21]. A smaller proportion managed to return home much later, one extreme case being a Roma from Arges County who returned after twenty-two years of travelling within the USSR<sup>4</sup> [22]. We should therefore ask ourselves—why is it that such a large number of Roma are now leaving Romania? The argument of this article is that the Roma migration from Romania is an imposed phenomenon, a form of transforming the interethnic conflict that has structural causes: institutional and legislative dysfunctions, poor access to resources, and lack of equal

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<sup>2</sup> See item 5 of Agenda 2000 of the European Commission, available at [http://ec.europa.eu/agenda2000/public\\_en.pdf](http://ec.europa.eu/agenda2000/public_en.pdf).

<sup>3</sup> Various interviews and discussions with Roma respondents and their relatives between 1960 and 1970, when large numbers of survivors were still alive.

<sup>4</sup> Personal communication with Mr. Caldararu, in 1973. Mr. Caldararu, upon return, was imprisoned by the Romanian Communist authorities, as the only alternative was having him sent back to the USSR.

opportunities. When talking about migration we generally refer to the movement of people or groups for long distances (usually across borders) and in periods ranging from temporary and short (but statistically significant) to definitive. Depending on its motivation, migration can be imperative (forced) or optional [7]. While optional migration is born from a personal decision, based on different subjective motivations, imperative migration occurs because people are pressed or forced into it by others, situations, organizations, institutions or authorities. Migration becomes an alternative, a solution without which their life would be hard if not impossible.

Migration can also occur as a result of the denial, for a large period of time, of access to an area or space (either physical or social). In this case, people's behaviour is a normal, human reaction to the "forbidden fruit." Once the interdiction disappears or weakens in intensity, the assault on the area becomes imminent. It is the case of the fascination that Western Europe has set, for a long period of time, on Romanian people—whose freedom of movement was restricted by the totalitarian regime—and of the subsequent migration to these areas immediately after the Romanian Revolution in December 1989.

The majority of (non-Roma) Romanian citizens who opted to go west immediately after December 22, 1989 had decided long before to live the rest of their lives outside Romania. For this reason, on arrival at their destination they looked for the best solution and the best arguments for receiving the right to reside in the respective countries. As their citizenship was an impediment in obtaining a new citizenship, the normal step for the vast majority of those who wanted to have no more legal links with Romania was to ask the Romanian government to allow them to renounce their citizenship, which, more often than not, was granted. The number of Romanian Roma who did the same in that period is so limited (less than 25 families for the entire country), as our research of the citizenship and documents of the Roma communities shows, that it does not deserve even a superficial analysis [6].

This chapter reflects the thought of the author in his fourfold capacity as: (1) a university professor who has supported positive discrimination of Roma undergraduates (special places in Romanian universities) and who, as a result, had the opportunity to swap information and ideas with many Roma students; (2) a social science researcher (sociologist) who took part in two national research projects focusing on the Romanian Roma (in 1993 and 1997), and coordinated two comparative research projects focused on the Romanian Roma in the counties of Buzău and Constanța (in 1998 and 1999); (3) a public servant in three institutions to which the Roma address

significantly: the Ministry of Labour, Family and Social Solidarity (1990-1997), the National Office for the Roma (1997-1998), which he led, and the Ombudsman (1998-2010), where he addressed hundreds of petitions from the Roma; and (4) a former president of one of the largest Roma organizations in Romania (The Alliance for the Roma Unity), in which capacity he visited large Roma communities and discussed their various problems. All of the above constitute the data sources used in this article.

Moreover, we are approaching this issue being convinced that, once it raises a real and profound interest among the specialists it will receive further attention and will be included in broad, preferably interdisciplinary, research projects.

## **Access to Resources as the Main Indicator of Equal Opportunity**

### **The obstruction of direct access to vital resources**

Immediately after 1989, the entire Romanian economy experienced a considerable decline, and masses of people lost their jobs. Our research of 1993 showed that under the (generally false) pretext [12] of lack of qualification, women and the Roma were the first to be fired, similar to the situation of the Roma in South-Eastern Europe. On that occasion, and also during the audiences at the Ministry of Labor, Family and Social Solidarity, I noticed that the embarrassment and fear of being unemployed and of not being accepted afterwards made many of the former Roma employees, who were actually hoping to be re-employed, not address the joboffices in order to be granted their legal unemployment rights (Law 1/1990). This is not at all surprising when we consider the fact that, only a few months earlier, citizens in whose work documents the word “unemployed” appeared were risking imprisonment (see Decree 153/1970). The fact that the unemployment law was a completely new type of legal provision in Romania, as well as the lack of information, made many fear using its clauses, which were, anyhow, less generous than those following, introduced in 1992, 1994 and 1996.

The Roma who nevertheless benefitted from the provisions of Law no 1/1990, regarding social protection of the unemployed and their professional re-integration, did not receive welfare money for more than six months and did not know the effects of social aid, introduced afterwards, because in its first form the Unemployment Law, as the respective law is also called, according to art. 9 paragraph (1), stated that “social welfare is paid for a maximum of 180 days,” which was an



extremely short period as compared to 270 for unemployment aid and 18 months (approx. 540 days) of allowance, later introduced by law. The consequence of the above-mentioned issues was a feeling of social-economic insecurity (of which the communist administration had cured them), now amplified by the quick installation of an endemic poverty.

The appearance of Law no. 18/1991 of the land, through the atmosphere created around it and through its general principles, meant hope for the majority of the Roma who had worked in agriculture and, at the same time, a great disillusion—hope on hearing about the intention of producing a law of land fund, because it would have given them an opportunity to own a small piece of the land that they had been working for centuries; disillusion due to its actual frustrating and discriminating provisions (see articles 16, 17 and 18 of the law), and to the way it was applied. The Roma quickly understood that forbidding their access to part of the land in which they had been working for about 1,000 years was not just a matter of abusive, hostile and incorrect application, but also an indication that their discrimination was deliberately incorporated in the law, out of a need for cheap labour. This is why the proposals for the changing of the law, communicated to different legislative institutions, including the Parliament, and the cry for help addressed to the many political parties culminated with the useless street demonstrations of the Roma in 1992, and with a similarly useless hunger strike (by Roma activists from the Avenamentza and Şatra organizations)<sup>5</sup> [24].

This issue and the ways in which the Roma population was practically excluded from the re-constitution, and especially from the constitution of the property right over agricultural land, have been addressed in detail on different occasions<sup>6</sup> [7] [25]. These two realities (the provisions of the law and the way it was applied) represented the way in which the Roma were denied legal access to a minimum of the resources of the society—a severe breaching of the rights guaranteed by the Constitution, such as the right to life, to physical and psychological integrity and the right to decent living (articles 22 and 47 of the Romanian Constitution).

In short, lack of property among the Roma, as well as the limited availability of legal jobs, drastically restricted the possibilities of support of their large families. In addition, there has been no legal regulation of the

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<sup>5</sup> One of these Roma activists who went on hunger strike is the well-known Mr. Vasile Ionescu, still working in the NGO sector (now leader of the Calderash Roma Association, Bucharest).

<sup>6</sup> This issue has been, in fact, more general, as from 1991 onwards the application of property laws has generated over 3,500,000 civil litigations.

status of the Roma forced to live in certain areas during socialism, and whose homes were now claimed by their pre-communist owners.

The immediate consequence of this situation, on a social level, is represented by the delinquent life to which an ever-increasing part of the Roma population has been pushed, and the creation of veritable slums of poverty and misery [5] which grew as time passed, without any serious and rational attempt to stop the phenomenon. This lifestyle includes, of course, illegal migration to the West, with the internal and external consequences mentioned above. Given the lack of resources it is not surprising that a part of the Roma population has engaged in anti-social or criminal behaviour, resulting in conflicts with the victims. However, such conflicts have often degenerated into violence involving a growing number of people which turned to abuse, reciprocal hostility and even ethnic violence.

In essence, the relationships of work and property represent the centre of the problems that the Roma population is confronted with, and they are influencing the social relationships as well as social behaviour of this population. These kinds of relationships are true infringements of the right to happiness.

In order to ease the effects of erroneous economic orientation and to give a sign of their preoccupation with the European structures to which the national authorities were looking with increasing interest, in 1995 they passed Law no. 67 of the social welfare. This law was to bring hope to those among whom despair was deep and widespread. The majority of the Roma communities belonged to this category, but after two to three months of its application, some prefects (i.e. territorial representatives of the national Government), as a result of complaints from mayors who did not manage to provide the necessary funds to pay social welfare according to the law, informed the prime minister that, in fact, the law benefits only the Roma who refuse to work and lazily wait for help from the state. (During that time I was working at the Ministry of Labour, Family and Social Solidarity, which could not cope with the huge demand for jobs, including that from the Roma).

As if the government, in turn, expected nothing else but a convenient argument to detour the law from its spirit (being utterly unable to observe the provisions of the law), they passed without delay Government Resolution no. 125/1996, a legislative invention through which a document of inferior level simply modifies another of a superior level and renders it practically non-functional. The famous Government Resolution stipulates that "the right to social welfare for a family or single person is established under the conditions of the law, depending on the funds

approved with this destination,” and the mayor can decide on granting such help in extreme cases within the funds approved (art. 5[2], art. 15[1]) (my emphasis). And since approved funds destined to or meant for the Roma have never existed, and the Budget Law has never had a chapter of separate funds for the payment of the social welfare (this merging in the all-enclosing chapter of funds for social assistance), the mayors introduced in the sphere of social assistance all sorts of things promised in the election campaign, but not funds for social assistance. As the newspapers of the time claimed, according to the provisions of this act, the people who came to benefit from such funds were Mercedes owners who had helped the mayors in the election campaign, while for the majority of those entitled to obtain them there was no room left. The press tackled this aspect promptly but the journalists’ attitude remained just an act of the press.

The way in which Law no. 67/1995 on social welfare was actually implemented, and the appearance of the Government Resolution no. 125/1996, hit more Romanian citizens than the legislators had expected; they belonged to all ethnicities, because the bad state of the Romanian economy brought despair to more and more people, including members of the majority. But, more importantly, the way in which Law 67/1995 for social assistance and the appearance and the faulty application (which might have actually been the true spirit in which it had been conceived) of the Government Resolution 125/1996, were the main reasons for which large masses of people, Roma included, made for the Western borders, despite the exceptional security measures, with the strong conviction not to return to Romania other than as tourists. Proof of their decision was the fact that they returned to Romania only when forced.

Stateless Roma, the ones that had discarded their passports and IDs on passing the border, belong to this period [7]. In a research whose findings were made public in 2000, we found that the official number of Roma who renounced their Romanian citizenship during that time is 1,203 people out of 401,068, as shown in the results of the Population and Property Census of 1992, and the figure may go up to 6,000 as compared to the estimated Roma population of over 2,000,000 people [7].

Before the enactment of the two aforementioned laws, countries such as Ireland, England, Finland, Sweden, Spain, Belgium or the Netherlands did not experience high immigrant influxes of Romanian Roma; only afterwards did the Roma vehemently requested asylum. The return of a large number of these people to Romania was only the result of expulsion measures applied to those who did not obtain asylum in the countries in which they wanted to settle.

### **Aid of the early 1990s (as the starting point of migration)**

Immediately after the demise of communism, one of the first forms of Western assistance took the form of humanitarian aid (sending food, clothes, toys or computers—used, but mostly functional). This was particularly welcome given the dramatic fall of the Romanian economy in the first years of post-communism. Large groups of people benefitted from these gifts received from those who understood that others needed them. But who were those others? It was difficult if not impossible to say from a distance. This could only be known by those on the spot, and presumably was institutions, authorities, churches, NGOs, famous people, etc. But this time too, with only a few exceptions, the poor Roma received only what was left, what others (who, in fact, were not in need of much aid) did not like or need; this was reflected in their letters and complaints addressed to various institutions, including the Ministry of Labour and the Ombudsman. This resulted not only in the creation of a new division between “us” and “them” (i.e. cleavages, hostility and resentment), but also in “opening the eyes” of those who considered themselves wronged, respectively the Roma. They understood that those who give, who send aid, have things in abundance. And if at home, in their own country, access to what was sent was difficult and humiliating, then from where help is sent there should be no barrier, and they would receive what they considered was rightfully theirs in compensation for the lack of work, lack of welfare and lack of land. They understood that happiness could be found in another place.

These triggered and amplified among the Romanian Roma the impulse to go abroad, of mass migration, to areas in which social protection was not just a propaganda exercise. This is why it would be interesting to approach these aspects as hypotheses in a research focused on those who have received Western social assistance and to directly study their perceptions, motivations and beliefs.

Though produced in large groups, and despite the fact that the causes that dictated the migration continued to exist, the Roma migration of this period was not intended as permanent (i.e. leaving Romania to live in the Western Europe). The purpose was the rapid gain of resources in order to create an economic base upon their return; a base that would have assured their existence and decent living, and show those that had humiliated them what they could do under favourable conditions [6].

However, the possibilities offered by the West had been partly used by the first comers (who were not Roma), and the enthusiasm and condescension of the people had become blunt, turning into hostility. This

was due not only to the change of opinion regarding the real Romanian Revolution of 1989 and the image created by what was called the phenomenon of the University Square or the miners' coming to Bucharest; instead, it was also a result of the unbecoming conduct of the first comers. Under these circumstances the most comfortable solution was to adopt antisocial behaviour on a level superior to that of the first comers. Both their conduct and its effects were visible in some countries in the West where I visited them in the very places where they had settled, usually in improvised homes (in Germany and France). The thought that the effort of moving (covering the travel expenses, bribing the customs officers in order to pass without a passport, overcoming the attitude of the authorities and the lack of a place to live) could be fruitless and that they could return home empty handed pushed them into risking and taking by force what they had thought would be offered to them easily and wholeheartedly. The effect was a growing hostility and rejection by the Western hosts.

### **The Perception of the Majority and Their Manifestation (Discrimination and Violence)**

The process of ethnic and national marginalization, both in its exterior form (through pressure) and in the intrinsic one (self-marginalization) [3], is a continuous process. It does not lose its intensity (neither does it stop) unless the society reaches the perfection of intercultural and multicultural practices, when respect for the law and for the other becomes a way of living. But this is possible only when access to resources is relatively easy and is marked by the equality of chances. In this section, we will seek to account for the current perceptions, attitudes and behaviour of the majority in Romania.

“Out with the gypsies” was the call under which most collective aggressions were directed at some Roma communities. Out of where? In most cases, what is meant is out of localities; in others, as we will see further, out of the country. Out to where? To the neighbouring localities, to the fields, to the forests, etc., as both us, in the country, and the official foreign observers could see; in short, “as far as possible from us,” no matter that this was where they had settled or had been forced to settle. Why? At first sight, because they are not disciplined, do not observe social conveniences, and are rowdy, rude and dirty. Why are they like this? Nobody has the time or the obligation to research and answer. To search and answer such questions means to look for the cause, to identify links and causes, to identify attitudes, social situations, material situations produced or induced and obligations. There is little interest for such things

outside of academia. “Death to the gypsies”—this slogan was used in the events that occurred in conflict areas. The cases of Mihail Kogălniceanu (Constanța county), Bolintin Vale and Ogrezeni (Giurgiu county), Hădăreni (Mureș county), Lunga (Covasna county), Turu Lung (Satu Mare county), and Plăieșii de Sus (Harghita county) are the most eloquent and best known in all of Europe. But the slogan did not remain in conflict areas; instead, it could be read on stadiums, on walls, in passages, in subways or in parks.

The late setting up of The National Council for Combating Discrimination has somewhat diminished the phenomenon in stadiums and institutions (by way of imposing fines and suspensions), but the situation is still far from normal. This time it is not about marginalization as extermination is demanded. It is instigation to genocide as if the experiences of World War II, Bug (Transnistria) and the Bărăgan had not been enough. The tendency is sustained by works of false recuperation, by acts of so-called “reparation of the image” by celebrating leaders or ideologists who are famous for their thinking and deeds. Streets are named after them and statues are raised in honour of criminal leaders, such as Marshall Ion Antonescu. Organizations are named and awards are given in the name of so-called scientists whose concepts and works have led to deportation and ethnic separation, such as Ioan Chelcea or Gheorghe Făcăoaru.

As if economic hardships and their consequences were not enough for a population that has always lived under the sign of poverty and vulnerability, the period we are referring to was characterized by grave infringements of the right to happiness, such as collective violence targeting forty-eight gypsy communities. The fear of losing one’s work place, and the desire not to be excluded from the constitution of property right on agricultural land owned before World War II by about sixteen million inhabitants—land that was to be divided, fifty years later, among twenty-three million people (observing, of course, the integrity of the immense expanses of land owned by the state)—created the desire and the possibility for the more and the stronger to exclude the fewer and the weaker, often by non-orthodox methods such as: not registering application forms, loss of the application form by authorities and, regarding the date when the citizen had to apply by, claiming the lack of documents (or the destruction of archives), placing the land in a different area than the one in which it had been, etc. Thus, suspicions grew, and the hatred and ethnic distrust degenerated, more than once, into inter-ethnic conflicts. Up until 1995, thirty-seven collective attacks against the Roma communities in Romania had been recorded [3]. Although the number of

conflicts between Romanians and the Roma communities in Romania declined during the CDR government, they continued, nevertheless, to happen with less intensity and with less severe consequences. By the second half of 1998 the number increased by nine, thus totalling forty-eight at the end of the year. For those that followed, all measures have been taken in order for them not to become public (e.g. Buhuși, Băcău county; Mereni, Ilfov county; Gepiu, Bihor county; Tulcea, Tulcea county)<sup>7</sup>[26]. However, the subject is no longer of great interest, and the care for the country's image abroad makes the authorities and newspaper owners more careful. The effects vary from fights and destructions to setting homes on fire and killings.

### **Institutional Discrimination**

Daily observations and practice clearly show that lately the cases of institutional hostility and discrimination have increased alarmingly, especially in the fields of healthcare, administration, social protection and public order.

### **Medical authorities**

The levels of infant mortality among the Roma (over 40%) [12] and their life expectancy (thirteen years lower than that of the majority of population) [7] are not just demographic indicators. They indicate the level of the sanitary conditions as well as the "attention" that the members of the Roma community enjoy in hospitals and the public health system in general. Moreover, it has been noticed that some of the Roma children are omitted during vaccination campaigns<sup>8</sup> [27]. Thus, although poliomyelitis was practically eradicated on the European continent, its presence among the Roma population in Romania determined the Rotary Foundation to start a super campaign of anti-polio vaccination, with the specific aim of including the Roma communities, which were known to have been omitted, despite the fact that the disease manifests itself quite frequently among Roma. The stories about parents who mutilated their children in order to make them fit for begging were not taken into consideration by the respectable foundation, who knew a truth which with us had been kept

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<sup>7</sup> However, various Roma NGOs (e.g. Romani Criss, Amare Romenza) have investigated such situations and have (rather unsuccessfully) addressed the Romanian authorities on these issues.

<sup>8</sup> This is the case for various types of diseases, such as polio, tuberculosis or hepatitis.

a secret for a long time, namely the fact that polio is an infectious disease and is favoured by poor living conditions, promiscuity, lack of hygiene etc. For this reason, they appreciated that the very large sum necessary for vaccination should not cause the campaign to be abandoned<sup>9</sup> [28].

In addition, Roma living in poverty are refused by the general practitioners when they want to be enlisted, and thus cannot benefit from the services of social and health insurance. Under the circumstances, one of the former health ministers (Daniela Bartoş) was forced to take a public stance.

Finally, as the press has informed us several times, some hospitals do not take Roma because they are not employed or are beneficiaries of welfare, and therefore cannot be hospitalized for free, and nor can they receive treatment; and since they do not have money to pay, they run away from hospitals, leaving debts unpaid. The “attention” with which the Roma are “honoured” by some doctors and authorities is part of the social and living standards offered to this population, and the way they are treated by the same is a form of institutionalized discrimination.

## The police

Police actions The Moon and Home Again, aiming to return the people who, having no possibility to feed themselves, had left their native places (rural areas most of the time) in order to live in the big cities, where resources were more available (sometimes on the edge of law-breaking or even beyond it), as well as confiscating the means by which some Roma earned a living (carts, tools with which they collected reusable materials like scrap, cardboard, plastics, bottles and paper), took place in 2001 and 2002 with the knowledge and approval of the government. They actually continued the process of forbidding access to resources. Although these actions did not officially focus exclusively on the Roma, it was nevertheless mostly them who were affected. The ethnic component of these actions is more than obvious. They might have been encouraged by people in high positions but were nonetheless illegal and ineffective. Instead of trying to address the causes which determine so many people to leave their acquaintances, relations and places where they have lived for a big part of their lives, in order to come to the big cities to live in misery, money was spent from the state budget, precarious as always, in order to

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<sup>9</sup> I was personally involved in this campaign, in which I connected the staff of the president of the Rotary Foundation, Erich Gerber, with representatives of the local Roma NGOs.



move trouble from one place to another, without any of the authorities assuming responsibility of the present and future life of those affected.

The Mayor of Bucharest's districts, the police, and the attorneys<sup>10</sup> [29] were questioned about the respective actions by some NGOs,<sup>11</sup> [30] by the press and by European experts. Nobody could answer such questions, and it wouldn't have been possible for them to answer because the respective actions were not only illegal but indecent through their aim and unfolding. They only served to cover considerable sums of money from the budget and for extremely cheap propaganda in order to obtain electoral capital from the masses. But, if they did not have a legal basis, what then was the role of the police, always present when such actions took place? Were they there only to give a helping hand to the process of abusive marginalization [1]?

From a legal point of view, the deed was nothing more than a primitive answer to a fact of low danger. In fact, the contravention of the groups (of Roma and other poor people), which consisted in occupying places which did not belong to them (for which in many cases they had paid considerable amounts and offered bribes) was answered with a crime of the state institutions through the principle of an eye for an eye; that is, applying punishment without it being disposed by a judicial institution.

Unfortunately, nobody wondered what link there was between such answers and reactions and the civilized world, to which we aspire and alongside which we want to be with equal rights. We cannot answer this question, at least at present, but we are in a position to claim that punishment without a law court disposition, an action not based on law, pushing some groups to wander from one place to another due to the lack of bare necessities, represents forms of and reasons for national and international migration, and thus the infringement of the right to happiness.

## **The Government in general**

As stated above, during the communist regime the West became a mirage and an aspiration for more and more Romanians. After the fall of communism and the end of the Cold War, the borders to the West opened

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<sup>10</sup> Seminar on the Romanian Government's Strategy for the Improvement of the Roma Situation and of the Inter-Ethnic Relations, Bucharest, Romania, Hotel Majestic, June 2003 (organized by the Project on Ethnic Relations of the Carnegie Foundation).

<sup>11</sup> The most prominent examples are Romani Criss, Amare Romentza and Aven Amentza.

for the Romanian citizens. Those who had possibilities and interests could travel freely immediately after the revolution of December 1989. The Roma were not among the first travellers, and neither were they among those who decided to leave Romania for longer or shorter periods. But when poverty, lay-offs, exclusion from aid received from abroad, economic constraints and physical aggression made their lives impossible, they left in massive numbers.

As suggested above, instead of analysing the causes for which these people left their homes and relatives (some of them, in order to have the necessary money to leave, sold their houses and everything they owned), the Government and other officials found excuses regarding the lack of scruples of the Roma, who dirtied the image of Romania outside the country. Not a word was spoken about the fact that the Roma were the first to be made redundant [12]; not a word was spoken about rejection and discrimination when it came to finding a job; not a word was spoken about auctioning the houses of the Roma who could not pay their bills or eviction from state-owned houses, for the same reasons; not a word was spoken about the lack of land and the fraudulent and discriminatory way in which Law no. 18/1991 regarding land owning and Law no. 67/1995 regarding social welfare were applied; nothing about the impossibility of benefitting from health insurance and rejection by the general practitioner; nothing about discrimination in schools<sup>12</sup> [31] and the lack of opportunities for some of the Roma to offer at least a meal a day to their children. The result of the deliberate malnutrition of this population created a work force forced to accept payment in kind (in the twenty-first century), but presented no evidence for extremist, racist or fascist groups. All trouble continues to be represented by the Roma. In fact, everywhere and at all times, a hungry population has meant disaster.

None of the post-communist Romanian governments have managed to respect their constitutional obligation of “taking measures towards economic development and social welfare so as to ensure a decent living to all citizens” (Constitution of Romania, art. 47). If this requirement had been respected (which only means that each citizen should have a home, and clothes and food for their family), would we see so many people forced to leave their country and families? But the situation is not caused by ignorance or helplessness. It pertains to the (lack of) will to address it, and is maintained despite the cries against the ones that “dirty our image in the world,” and despite all the claims of tight border control.

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<sup>12</sup> For a comprehensive report on these problems of the Roma, see Wiesner (2007). The research took place in Romania, Hungary (Roma minority), Italy (Moroccan minority) and Germany (Turkish minority).

In fact, the situation is quite convenient. On the one hand, the West pumps in money for border security and for new technologies and infrastructure; on the other hand, the same West finances various projects aimed at increasing social integration among the Roma and other former migrants. Obviously, the various projects destined for Roma communities, in order to reach their goal, require the presence of a local partner which must be a state institution or authority. And since the Roma need anything but computers, copy machines and faxes, what better opportunity to endow these institutions and solve some local problems could there be (for details, see Burtea 2002, 169-190)? One can thus argue that the government manages to actually make money out of depriving the Roma of any means for living a decent life and pushing them towards the West.

## **Conclusions and Recommendations**

This chapter has argued that although international migration of the Romanian Roma is at first sight economically-driven, it is in fact the result of the indifference, discrimination, hostility and racism of the state institutions and authorities, which lead to living conditions below the acceptable level, hunger, promiscuity and despair. It can be rightfully argued that members of other ethnic minorities and some members of the majority are experiencing similar treatment. What is then the specificity of the Roma population? The answer is simple—while other citizens are discriminated against and mistreated as individuals, as isolated persons who sometimes become victims, the Roma are discriminated against and mistreated as a group. More importantly, while in the first case the actions are individual and isolated, in the latter case they are cumulative and simultaneous. Therefore, when Western democracies analyse asylum requests of residence permits for the Roma they should use different evaluations.

As we have argued, in most cases, the Roma's economic situation, which pushes them outside the country, cannot be considered their fault, as it is caused by something other than laziness, lack of orientation and inefficiency. For most of them, their disastrous economic condition stems from hostility, denial of property rights, disrespect for constitutional rights, denial of access to resources and blatant discrimination.

In analysing the case of each Roma asylum seeker, it should be remembered that the migration of this population is not a free and optional act—they are pushed towards migration, and the benefit from migration is not directed at the individual, but at the one pushing them. The Roma's

migration is not a cosmopolitan aspiration towards new horizons; instead, it springs from a struggle for survival.

Hence, the act of expulsion should be replaced by the principle of returning, as stated in art. 33 of the Geneva Convention of the Status of the Refugees, from 1951, because their life and liberty are threatened at home. It is not a threat of jail, of torture or of execution, but of malnutrition and famine, of humiliation and marginalization [3]. A policy of integration and naturalization of those people in the countries in which they sought refuge (as described by art. 34 of the above-mentioned convention) is much cheaper and efficient than spending large resources on detaining them and returning them to their home countries and keeping them there.

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- [13] Constituția României, republicată, în Monitorul Oficial al României, nr. 767/2003.
- [14] Legea nr. 1/1990 privind protecția socială a șomerilor și reintegrarea lor profesională, în Monitorul Oficial al României, nr. 1/1991.
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### **Notes**

- [20] See item 5 of Agenda 2000 of the European Commission, available at [http://ec.europa.eu/agenda2000/public\\_en.pdf](http://ec.europa.eu/agenda2000/public_en.pdf).
- [21] Various interviews and discussions with Roma respondents and their relatives between 1960 and 1970, when large numbers of survivors were still alive.
- [22] Personal communication with Mr. Caldararu in 1973. Mr. Caldararu, upon return, was imprisoned by the Romanian Communist authorities, as the only alternative to having him sent back to the USSR.
- [23] The research was carried out between 1992-1993 and funded by the UNICEF Mission in Romania. The results were reported in Zamfir and Zamfir (1993). The original data is stored at the Institute for the

Research of the Quality of Life (Institutul pentru Cercetarea Calitatii Vietii), Bucharest.

- [24] One of these Roma activists who went on hunger strike is the well-known Mr. Vasile Ionescu, still working in the NGO sector (now leader of the Calderash Roma Association, Bucharest).
- [25] This issue has been, in fact, more general: from 1991 onwards the application of property laws has generated over 3,500,000 civil litigations.
- [26] However, various Roma NGOs (e.g. Romani Criss, Amare Romenza) have investigated such situations and have (rather unsuccessfully) addressed the Romanian authorities on these issues.
- [27] This is the case for various types of disease, such as polio, tuberculosis or hepatitis.
- [28] I was personally involved in this campaign, in which I connected the staff of the president of the Rotary Foundation, Erich Gerber, with representatives of the local Roma NGOs.
- [29] Seminar on the Romanian Government's Strategy for the Improvement of the Roma Situation and of the Inter-Ethnic Relations, Bucharest, Romania, Hotel Majestic, June 2003 (organized by the Project on Ethnic Relations of the Carnegie Foundation.)
- [30] The most prominent examples are Romani Criss, Amare Romentza and Aven Amentza.
- [31] For a comprehensive report on these problems of the Roma, see Wiesner (2007). The research took place in Romania, Hungary (Roma minority), Italy (Moroccan minority) and Germany (Turkish minority).

# CHAPTER THIRTY-EIGHT

## THE RIGHT TO HAPPINESS: A FUNDAMENTAL HUMAN OBJECTIVE

RUXANDRA MITICĂ<sup>1</sup>

### **Abstract**

Due to the fact that Human Rights violations remain one of the fundamental issues of today's society, and taking into consideration the common ideal of the Universal Declaration of Human Rights [1], which states that knowledge and education promote respect for these rights and liberties, and ensure through progressive national and international measures their universal and effective recognition, the general objective of the present chapter is to offer some answers to the following questions: What is the right to happiness? What should public institutions and authorities do to respect the right to happiness?

Keywords: Right to happiness, human rights, public institution and authorities, citizens.

### **How do Public Ministries Guarantee the Right to Happiness?**

Promoting the right to happiness and the main conditions which generate this right are two extremely important premises of the society that the state is obliged to promote and ensure through its institutions. In order to answer the two core questions the chapter will focus on the Public Ministry, and more specifically on how this particular institution guarantees the citizens' right to happiness.

Taking into consideration the provisions of the Romanian Fundamental Law, which establish in article 131 that the role of the Public Ministry is to

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guarantee respect for the society's general interests and to defend the legal order as well as the citizens' rights and freedom, taking into consideration the attributions exercised through prosecutors in the criminal procedure, we consider that it is important to identify how the institution of the Public Ministry fulfils its role to guarantee the right to happiness, and more importantly to whom it guarantees this right.

In this context, the Public Ministry Institution will be analysed from two perspectives as an institution which guarantees:

- the protection of the rights and interests of citizens and society alike against those facts which constitute crime, by holding the persons who have committed the offence liable
- the rights of the person who committed the crime.

Taking into consideration the first perspective, the right to happiness of every individual and of the society as a whole will be respected and guaranteed as long as the institution of the Public Ministry defends the legal order, and guarantees the citizens' social action.

The Public Ministry comes to ensure the balance between the citizen's freedoms and compliance to the law, thus ensuring order and security within the society and every citizen's right to happiness.

In order to explain the second point of view mentioned at the beginning of the chapter, we will identify and analyse the exercise of the rights and freedoms of citizens, which are guaranteed by the prosecutors during the criminal procedure.

According to the Criminal Procedure Code [2], the aim of the criminal procedure is to contribute to the legal order and citizens' defence, to the citizens' rights and freedoms, to the prevention of crime and to the education of people towards abiding the law by finding out the facts of the crime and punishing the person who committed it, and uncovering the truth of the facts and circumstances of the case as well as with regard to the offender.

## **The right to a defence**

Guaranteeing the right to a defence is the main requirement to achieving balance between the interests of the citizens and that of the society [3].

The right of defence:

The Romanian Fundamental Law establishes in article 24 the right to a defence, the parties' right to an attorney, elected by them or provided to them *ex officio*, during the criminal process [4].



The Romanian Code of Criminal Procedure guarantees the right to a defence for the suspect by requiring the judicial bodies to ensure the full exercise of the parties' procedural rights.

The International Convention on Civil and Political Rights [5] states:

Any individual charged with a criminal offense has the right, under conditions of full equality, to the following minimum guarantees: to be present at trial and to defend himself or through legal assistance of his own choosing or if he does not have legal assistance, to be informed regarding the right to have in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it.

Regulating this in national and international documents emphasizes the importance of guaranteeing the right to a defence which, in turn, if respected, may lead to guaranteeing the right to happiness of the defendant. The happiness of the latter is given by the possibility of exercising the right to a defence, thus the possibility of the defendant to present their case against the charges, to contest them and to prove their innocence, will generate their right to happiness.

### **The right to be seen as innocent until proven guilty**

The principle of the presumption of innocence was established for the first time by the French Revolution through the Declaration of the Rights of Man and of the Citizen [6], which provided man's right to be presumed innocent until proven guilty: "Everyone is presumed innocent until having been declared guilty, if deemed necessary to be arrested, any act of coercion, apart from those necessary for his detention, should be severely punished by law."

The Universal Declaration on Human Rights [7] emphasizes the citizen's fundamental rights: "Everyone charged with a criminal offence has the right to be presumed innocent until proven guilty, by law, in a public trial in which he was ensured all the guarantees necessary for his defence."

Identifying this presumption in the legislation of the majority of the world states has constituted a victory against misconceptions, according to which there are such individuals who are criminals with a pathological predisposition to crime and for whom the presumption of innocence cannot be applied [8].

The principle of innocence was reiterated in The International Covenant on Civil and Political Rights [9]: "Any individual charged with a

criminal offence shall be presumed innocent until proven guilty according to the law.”

The Romanian Criminal Procedure Code establishes the principle of innocence in Article 66, according to which the defendant enjoys the presumption of innocence and is not obliged to prove their guilt.

This chapter supports Professor Nicolae Volonciu’s [10] opinion, according to which the presumption of innocence “guarantees the protection of individuals during the criminal trial, against arbitrary decisions in establishing whether the person is criminally liable and holding that person responsible.” Furthermore, the Professor considers that the principle of innocence “must not be viewed as a testament to a person’s moral standing, as it is unfounded.” What this right can ensure is the guarantee that no person shall be held criminally liable and sanctioned, however when accused of an offence a procedure will be followed in order to establish their guilt.

Due to the fact that the presumption of innocence is the foundation of all procedural guarantees connected to the individual’s protection during the criminal procedure, respecting this principle, along with the aforementioned principles, is what guarantees the right to happiness.

### **Respect for human dignity**

Romania’s accession [11] to the Convention [12] against torture and of other punishments or cruel, inhumane or degrading treatments led to the establishment of this principle in the Code of Criminal Procedure: “Any person who is under criminal pursuit or under judgement must be treated with respect for human dignity. Subjecting this person to torture or other cruel, inhumane or degrading treatments is punishable by law.”

The Romanian Constitution establishes this principle through article 22, section 2: “No person shall be subjected to torture nor any other type of punishment, inhumane or degrading treatment.”

### **Conclusions**

The three principles mentioned throughout this chapter are essential in respecting human rights and the right to pursue happiness: “The right to pursue happiness means, in fact, a man’s right to live for himself, to choose what represents happiness for himself and to fight to achieve it, as long as he respects, at the same time, the same rights, freedoms and benefits of the other members of society” [13], this means that society can only create the necessary conditions which can generate an individual’s happiness in the community.

A society which promotes:

- ☐ social and economic progress
- ☐ better living standards
- ☐ the right to development as an inalienable human right
- ☐ the right to equal development opportunities
- ☐ the fight to eradicate poverty and its negative consequences upon the citizen's quality
- ☐ the fight against marginalization, social and economic exclusion, instability and security
- ☐ the fight against discrimination, and
- ☐ legal order

creates the premises of the right to happiness in existence.

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# CHAPTER THIRTY-NINE

## EUROPEAN RULES AND THEIR IMPACT ON HUMAN RIGHTS IN THE ROMANIAN LEGAL SYSTEM: A CASE STUDY

PETRE LĂZĂROIU<sup>1</sup>

### **Abstract**

The Romanian Constitution, revised in 2003, enshrines all human rights and fundamental freedoms that are stipulated by Title I of the Convention. On the basis of the constitutional provisions, the ordinary legislature adopted a series of laws that give effective expression to these provisions.

The Romanian legislation comprises both general rules that give expression to fundamental rights and freedoms enshrined in the Constitution, such as, for example, the Civil Code, the Criminal Code, the Tax Code, the Forestry Code, the Family Code etc.; the Code of Civil Procedure, the Code of Criminal Procedure, the Code of Fiscal Procedure, etc. and regulatory acts especially enacted with the purpose to regulate certain matters such as property law, the aliens regime, fair competition, consumer protection, freedom of movement, the party system, the right of association, organisation of strikes, ensuring the secrecy of correspondence and telephone conversations, etc.

In time, some of the general regulations have been restated for the purposes of improving them, following the declaration of certain provisions therein as unconstitutional, or after the conviction of Romania by the European Court of Human Rights in particular cases, especially those concerning property, access to justice, protection of aliens, the right

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to an effective remedy or assurance of the secrecy of correspondence and telephone conversations.

**Keywords:** The Convention for the Protection of Human Rights, Regime of Aliens in Romania, right to respect for private and family.

## **General Reflections**

The Convention for the Protection of Human Rights signed in Rome on November 4, 1950 by the Council's Member States, following the Universal Declaration of Human Rights, proclaimed by the General Assembly of the United Nations on December 10, 1948 represents a veritable Charter of human rights and fundamental freedoms.

The signatory states, in the preamble to this document, that human rights and fundamental freedoms are "the foundation of justice and peace in the world," and observance thereof can only be ensured in a democratic political regime based on a common understanding and mutual respect to these rights and freedoms.

Observance of human rights and fundamental freedoms is ensured, in legal terms, by the provisions of Article 1 of the Convention, in accordance with which "the High Contracting Parties shall secure to everyone within their jurisdiction the rights and freedoms defined in Section I of this Convention." Also, Romania, as Convention Signatory Country, and later as Member State of the European Union, is committed without reservation to taking all steps to make sure that the provisions of the Convention are met effectively, even stipulating in the Constitution (Article 20 paragraph 2) that where "inconsistency exists between the covenants and treaties on fundamental human rights to which Romania is a party, and national law, the international regulations shall prevail except where the Constitution or domestic laws comprise more favourable provisions."

The first condition naturally arising from signing this Convention requires the transposition into national law of certain legal rules appropriate and sufficient to effectively ensure human rights and fundamental freedoms.

It is worth pointing out that human rights and fundamental freedoms must have, first of all, constitutional support, and subsequently legal support, by developing in extensor the constitutional rules and general principles of law.

This chapter is not intended to be a comprehensive research on legal rules governing human rights, which is why we will not enumerate all

relevant regulations, instead focusing on certain normative acts highly relevant before the European Court of Human Rights in Strasbourg.

Regarding constitutional support, I want to point out that in the Romanian Constitution, revised in 2003, we can find all human rights and fundamental freedoms that are stipulated by Title I of the Convention.

Thus, in Chapter II of the Constitution entitled “Fundamental rights and freedoms,” respectively Articles 22 to 52, we find expressed in terms of principles the right to life and physical integrity (Article 22), personal liberty (Article 23), the right to defence (Article 24), freedom of movement (Article 25), the right to personal, family and private life (Article 26), inviolability of the home (Article 27), secrecy of correspondence (Article 28), freedom of conscience (Article 29), freedom of expression (Article 30), right to information (Article 31), right to education (Article 32), access to culture (Article 33), freedom of association (Article 40), prohibition of forced labour (Article 42), right to private property (Article 44), equal rights (Article 16 of Chapter I of the same Title II, which gives expression to Article 14 of the Convention—prohibition of discrimination) and other fundamental rights and freedoms that round and ensure observance of fundamental rights and freedoms enshrined in the European Convention.

On the basis of the constitutional provisions, the ordinary legislature adopted a series of laws that give effective expression to these provisions.

Please note that the Romanian legislation comprises both general rules that give expression to fundamental rights and freedoms enshrined in the Constitution, such as, for example, the Civil Code, the Criminal Code, the Tax Code, the Forestry Code, the Family Code etc.; the Code of Civil Procedure, the Code of Criminal Procedure, the Code of Fiscal Procedure, etc. and regulatory acts especially enacted with the purpose to regulate certain matters such as property law, the aliens regime, fair competition, consumer protection, freedom of movement, the party system, the right of association, organisation of strikes, ensuring the secrecy of correspondence and telephone conversations, etc.

In time, some of the general regulations have been restated for the purposes of improving them or following the declaration as unconstitutional of certain provisions therein, or after the conviction of Romania by the European Court of Human Rights in particular cases, especially those concerning property, access to justice, protection of aliens, the right to an effective remedy or assurance of the secrecy of correspondence and telephone conversations.

## **Cases examined by the European Court of Human Rights versus the Romanian legislation**

### **The position of the Constitutional Court of Romania on this matter**

With reference to the provisions of Article 26 of the Constitution of Romania, which acknowledge the right to personal, family and private life and which correspond to the provisions of Article 8 of the Convention—the Right to respect for private and family life—it should be noted that in 2006 Romania was condemned by the ECHR in two cases: the Case of Lupşa v. Romania, and the Case of Kaia v. Romania, in terms of breach of Article 8 of the Convention and in particular of Article 1 of Protocol No.7 to the Convention on “Procedural safeguards relating to expulsion of aliens.”

We mention that on several occasions the signatory countries have taken further steps to ensure the collective enforcement of certain rights and freedoms, specifically when they found that the original provisions of the Convention were not stated clearly enough or were insufficiently stated.

As a result, the original Convention was supplemented by several Protocols, including the Additional Protocol signed in Paris on March 20, 1952.

In this context, Protocols no. 4, 6, 7, 12 and 13 expanded the scope of the fundamental rights and freedoms.

Thus, applying Article 8 of the Convention, and Article 1 of Protocol No.7 to the Convention, the Signatory States stated that personal, family and private life requires procedural safeguards in the case of expulsion of aliens.

It should also be mentioned that the Romanian State regulated the regime of aliens in Romania by Government Emergency Ordinance no. 194/2002, republished in the Official Gazette no. 491 of June 5, 2008, and the procedure of declaring the alien as undesirable is governed by Articles 81 to 85 of the said Ordinance.

While adjudicating on the two cases, the European Court held (and it was recorded as such in the two decisions) that the Bucharest Court of Appeal limited itself to a formal examination of the Prosecution’s decision. In this regard, it noted that the Prosecution had not provided the Court of Appeal with an indication of the imputations against the applicant and that the court had not gone beyond the Prosecution’s assertions to check whether the applicant really represented a threat to national security

or public order, and the applicants did not enjoy the minimum degree of protection against arbitrariness on the part of the authorities, neither before the administrative authorities nor the Court of Appeal.

Therefore, the European Court concluded that the interference in their private lives was not provided by a “law” compliant with the requirements of the Convention and, accordingly, it declared a breach of Article 8 of the Convention.

Later, the Constitutional Court of Romania was referred to the objection of unconstitutionality of the provisions of Article 83 paragraph (3), Article 84 paragraph (2) and Article 85 paragraph (1), the final sentence of Government Emergency Ordinance no.194/2002, related to the Regime of Aliens in Romania.

The objection of unconstitutionality was raised by A.O.M. in Case no. 1568/2/2006 before Bucharest Court of Appeal, which had to settle a challenge against an order issued by the Prosecution Office attached to the Bucharest Court of Appeal, by which the applicant was declared undesirable in the territory of Romania for a period of fifteen years.

Analysing the raised objection of unconstitutionality, the Court held that, unlike the supreme court, it does not carry out a substantive examination of the facts that generated that case and, accordingly, will examine the case only in terms of inconsistency of the legal texts with those of the Constitution, not being able to extract the unconstitutionality in light of two ECHR decisions.

Moreover, one can easily see that the two decisions of the European Court are grounded precisely on the failure to observe the legal provisions [Article 83 paragraph (3)], according to which “the Prosecutor shall decide by reasoned order” only when the alien is declared undesirable based on national security reasons, the grounds for this decision not being mentioned.

But this restriction does not also operate in court, which must be notified of these reasons, with the necessary precautions, as established by law.

That being so, the breach by the courts of certain legal provisions cannot constitute the legal basis for those provisions to be declared unconstitutional.

Therefore, also analysing the other challenges, the Constitutional Court rejected the plea of unconstitutionality raised, noting that the provisions of Article 83 paragraph (3), Article 84 paragraph (2) and Article 85 paragraph (1), final sentence of Government Emergency Ordinance no.194/2002, related to the Regime of Aliens in Romania are constitutional.



Also with regard to the right to respect for private and family life embedded as such in Article 8 of the Convention, Romania's Constitutional Court had to settle the objection of unconstitutionality of the provisions of Articles 911 to 915 of the Code of Criminal Procedure, allowing the prosecutor to record certain telephone conversations that can serve as evidence (the exact title of these provisions is Title III, Chapter II, Section V1 of the Code of Criminal Procedure "audio or video recordings") The Court was referred by the Court of Appeal through the Interlocutory Order of October 11, 1999 following the objection raised by defendants Gh.T.I., I.S., C.T., C.M., G.N., V.V. and others, in Case no.20/1999 before the Military Court of Appeal.

As grounds for the unconstitutionality of these provisions, the applicants invoked the case-law of the European Court of Human Rights—the case of "Malone v. the United Kingdom," settled by European Court in 1985.

However, the case-law of the European Court of Human Rights highlights several cases solved, including the "Klass and others v. Germany" of 1978, "Huvig v. France" of 1990, and "Kruslin v. France" of 1990, all with reference to the possibility of secret surveillance of mail and telephone communications.

Thus, in the case of "Klass and others v. Germany," settled in 1978, the European Court of Human Rights ruled that the "powers of secret surveillance of citizens, characterising as they do the police state, are tolerable under the Convention only in so far as strictly necessary for safeguarding the democratic institutions." Likewise, the Court held that the law must have a legitimate purpose, viewed from the perspective of the Convention, namely: "to safeguard national security and/or to prevent disorder or crime."

The European Court of Human Rights also emphasized that:

democratic societies nowadays find themselves threatened by highly sophisticated forms of espionage and by terrorism, with the result that the State must be able, in order effectively to counter such threats, to undertake the secret surveillance of subversive elements operating within its jurisdiction. The Court has therefore to accept that the existence of some legislation granting powers of secret surveillance over the mail, post and telecommunications is, under exceptional conditions, necessary in a democratic society in the interests of national security and/or for the prevention of disorder or crime.

Similarly, in the cases of "Kruslin v. France" and "Huvig v. France" of 1990, it held that the law allowing interference by the public authorities with a person's private and family life, home and correspondence, and respectively restriction on the exercise of certain fundamental rights and

freedoms, must be “clear enough to give the individual adequate protection from arbitrary interference” and “accessible to the person concerned, who must moreover be able to foresee its consequences for him.”

In examining the constitutionality of the allegedly unconstitutional legal texts, the Constitutional Court took into account both the provisions of the Convention (Article 6, Article 8, Article 18 and Article 60) and the constitutional provisions (Article 20—International Treaties on Human Rights, Article 11—International Law and Domestic Law, Article 26—Personal, family and private life, Article 28—Secrecy of correspondence, but also Article 53—Restriction on the exercise of certain rights or freedom).

On that occasion, the court held that observance of all democratic values involves, in some cases and under strictly regulated circumstances, even the restriction on the exercise of certain fundamental rights and freedoms.

The court also stated that the interception and recording of conversations or recording without the consent of the person concerned is, indeed, a limitation on the exercise of the right to respect by public authorities of personal, family and private life, as well as on the exercise of the right to inviolability of the secrecy of telephone conversations and other legal means of communication, fundamental rights recognized as such by the provisions of Article 26 paragraph (1) and Article 28.

On the other hand, the court held that the constitution itself provides under Article 53 that the exercise of certain fundamental rights may be restricted in cases exhaustively and precisely determined. In this regard, compliance with the conditions set by the constitution with respect to the restriction on the exercise of the rights enshrined in Article 26 paragraph (1) and Article 28, as well as ensuring safeguards against improper restrictions on the exercise of such rights, results from the analysis of the wording of the criticized texts.

Thus, Article 91 paragraph (1) of the Code of Criminal Procedure provides, as a requirement for the authorization of telephone conversations recording, “existence of substantiated indications or data regarding the preparation or perpetration of crimes for which prosecution is carried out *ex officio*, and that the recording is useful in finding the truth.”

Noting that the requirements established by law as concerns the restriction on the exercise of certain rights (such restriction must be ordered solely by law for the protection of certain fundamental values and it must be proportionate to the importance of the defended values) enshrined by Article 26 paragraph (1) and Article 28, as well as assurance of safeguards against abusive measures for exercise of that right, have

been complied with, the Court rejected the plea of unconstitutionality raised.

On another occasion, analysing the objection of unconstitutionality of the provisions of Law no.298/2008 on retention of data generated or processed by providers of publicly available electronic communications services or public communications networks, and amending the Law no.506/2004 on the processing of personal data and privacy protection in the electronic communications sector, objection raised by the Civil Society Commissariat in the File no.2.971/3/2009 of the Bucharest County Court—Trade Division, the Constitutional Court reiterated some selected entries from other decisions in the meaning that the right to respect for family and private life enjoys unanimous recognition and international protection, as reflected in Article 12 of the Universal Declaration of Human Rights, in Article 17 of the International Covenant on Civil and Political Rights, Article 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms and Article 26 of the Constitution of Romania.

The right to respect for private life necessarily also involves the secrecy of correspondence, whether this component is expressly stated within the same text of Article 8 of the convention, or it is regulated separately, as in Article 28 of the constitution. The correspondence expresses the routes which a person may establish in various ways of communication with other members of the society, so that it includes both phone calls and electronic communications.

These rights, including freedom of expression explicitly enshrined by Article 30 of the constitution and Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms, although inextricably linked to human existence, with any person being entitled to exercise them unhindered, are not, however, absolute rights, but conditional.

Neither the provisions under the Convention for the Protection of Human Rights and Fundamental Freedoms nor the Romanian Constitution prohibit the legislative enshrining of State interference in the exercise of those rights, but state intervention must comply with strict rules, expressly mentioned in Article 8 of the convention and, respectively in Article 53 of the Basic Law.

Thus, the legislative measures likely to affect the exercise of fundamental rights and freedoms must have a legitimate aim, consisting of protecting national security, public safety, defence, public order, prevention of crimes and protecting the rights and interests of other persons. The same must be necessary in a democratic society, proportionate to the situation that determined them, to be applied without discrimination and without prejudice to the existence of such a right or freedom.

In this regard, Law no.298/2008, by Article 1 paragraph (2), also includes in the category of traffic and location data of individuals and legal entities “related data needed to identify the subscriber or registered user,” without specifically defining what is meant by “related data” needed to identify the subscriber or registered user.

The Constitutional Court considers that the absence of clear legal rules that would determine the exact scope of those data needed to identify the user—individuals or legal entities—leaves room for abuse in the work of retention, processing and use of data stored by providers of publicly available electronic communications services or of public communications networks. The restriction on the exercise of the right to private life, secrecy of correspondence and freedom of expression must also occur in a clear, predictable and unequivocal manner so as to remove, if possible, arbitrariness or abuse of authorities in this area. The recipients of this legal rule are, in this case, all natural and legal persons in their capacity as users of publicly available electronic communications services or of public communications networks, and therefore a broad, comprehensive scope of subjects of law, and members of civil society. However, they must have a clear representation of the applicable legal rules in order to regulate their conduct and foresee the consequences resulting from the non-observance thereof. Also, the European Court of Human Rights ruled in this manner in its case-law, for example the case of *Rotaru v. Romania* 2000 held that “a rule is ‘foreseeable’ if it is formulated with sufficient precision to enable any individual—if need be with appropriate advice—to regulate his conduct,” and in the case of *Sunday Times v. United Kingdom* 1979 ruled that “... the citizen must be able to have an indication that is adequate in the circumstances of the legal rules applicable to a given case and he must be able to foresee, to a degree that is reasonable in the circumstances, the consequences which a given action may entail.” In short, the law should be both accessible and foreseeable. The Constitutional Court has the same jurisprudential practice, and relevant in this regard is Decision no.189 of March 2, 2006, published in the Official Gazette of Romania, Part I, no.307 of April 5, 2006.

Likewise, the Constitutional Court notes the same ambiguous wording, non-compliant with the rules of legislative technique, as concerns the provisions of Article 20 of Law no.298/2008, reading as follows: “In order to prevent and counteract threats to national security, State bodies with responsibilities in this area, in the terms set forth by the laws governing the activity of protection of national security, can have access to data held by service providers and public electronic communications networks.” The legislature does not define what is meant by “threats to national security,”

so that in the absence of precise criteria of delimitation, various actions, information or normal activities, of routine and of natural and legal persons can be considered, arbitrarily and abusively, as having the nature of such threats. Recipients of the law may be included in the category of suspects without knowing it and without being able to prevent, by their conduct, the consequences that their actions may entail. Also, the use of the expression “can have” leads to the idea that the data covered by the Law no.298/2008 are not retained solely for the use thereof by state bodies with specific powers to protect national security and public order, but also by other persons or entities, since they “can have” and do not just “have” access to such data, according to the law.

Compliance with the rules of legislative technique, within the complexity of rules specific to the law-making process, is a key factor when implementing the will of the legislature so that the adopted legislative act must also comply, by way of drafting, with all the requirements demanded by the need to observe fundamental human rights. Without posing as a positive legislator, the Constitutional Court notes that accurate regulation of the scope of Law no.298/2008 is even more necessary in view of the complex nature of the rights subject to limitation, as well as the consequences that a possible abuse of the public authorities would have on its recipients’ private lives as they are subjectively perceived by each individual.

Beyond that, the Constitutional Court finds that Law no.298/2008, as a whole, establishes a rule regarding the processing of personal data, namely that of their retention continuously for a period of six months as from the time of their interception. The obligation of providers of publicly available electronic communications or public communications networks has a continuous character. Or, in the matter of personal rights such as the right to personal life and the freedom of expression, as well as processing of personal data, the widely recognized rule is to ensure and guarantee their observance, respectively of confidentiality, the state having, in this respect, mostly negative obligations of abstention, by which its interference in the exercise of such a right or freedom should be avoided, so far as is possible. In this respect the following were adopted: Directive 2002/58/EC concerning the processing of personal data and privacy protection in the electronic communications sector; Law no.677/2001 for the protection of individuals with regard to the processing of personal data and free movement of such data; and Law no.506/2004 on processing of personal data and protection of privacy in the electronic communications sector. Exceptions are restrictively allowed, in the terms expressly provided by the constitution and the applicable international legal

instruments in the field. Law no.298/2008 represents such an exception, as it results from the title itself.

The obligation to retain data covered by Law no.298/2008 as an exception or derogation from the principle of protecting personal data and confidentiality thereof, by its nature, extent and scope, deprives of content that principle, as guaranteed by Law no.677/2001 and Law no.506/2004. Or, as is widely recognized in the case-law of the European Court of Human Rights, for example in the case of *Prince Hans-Adam II of Liechtenstein v. Germany* 2001, the contracting states under the Convention on Human Rights and Fundamental Freedoms have assumed such obligations to ensure that the rights guaranteed by the Convention are not practical and effective in a theoretical and illusory way, the legislative measures adopted following the effective protection of rights. But the legal obligation that requires the continuous retention of personal data makes an exception for the principle of effective protection of the right to personal life and freedom of expression, and is absolute as a rule. The right appears to be regulated in a negative fashion, its positive side losing its predominant character.

In this context, the court declared that the provisions of Article 911 of the Code of Criminal Procedure observe the exception of the interception and audio or video recordings, which are allowed under certain strict conditions, from the moment in which the reasoned authorization of the judge is obtained for a limited time, and they cannot exceed, in total, for the same person and the same offence, 120 days. Instead, Law no.298/2008, which establishes as a rule what the Code of Criminal Procedure governs as a strict exception, requires retention of data on an ongoing basis, for a period of six months from the time of interception, which can be used, on the basis of a reasoned authorization issued by the court, for a time in the past, and not for the future, which will follow. Therefore, the regulation of a positive obligation on a continual limiting of the exercise of the right to a private life and secrecy of correspondence cancels the very essence of the right by removing the guarantees on its exercise. Natural and legal persons—mass users of publicly available electronic communications services or of public communications networks—are continually subject to interference in the exercise of their personal rights to private correspondence and free expression, without any possibility of a free, uncensored manifestation, under the form of direct communication only, and to the exclusion of the main means of communication currently used.

Alongside a natural logic of this analysis the examination of the principle of proportionality is required, another mandatory requirement needed to be respected in cases of limitation on the exercise of the rights

and freedoms strictly provided for by Article 53 paragraph (2) of the constitution. This principle states that the extent of restriction must be in line with the situation that led to its implementation and also that it must cease once that cause determining it has disappeared.

For example, the provisions of Article 911 of the Criminal Procedure Code fully respect the requirements of the principle of proportionality, both as concerns the scope of the restriction and in terms of its immediate cessation once the determinant circumstances have disappeared. Instead, Law no.298/2008 requires retention of data continuously from the time of entry into force, respectively of its application (i.e. January 20, 2009, respectively March 15, 2009 as concerns traffic data of location corresponding to the services of access to the internet, email and internet telephony), without considering the need to terminate the restriction once the cause that has led to this measure has disappeared. Interference on the free exercise of the right takes place continually and independently of the occurrence of a certain justifying act, of a determinant cause, and only with the purpose of prevention of crime or detection after occurrence.

The solution offered by Romania's Constitutional Court, by Decision no.1258 of October 8, 2009, is in agreement with both the Romanian Constitution and the interpretation given by the European Courts with respect to the restriction of these rights.

Our solution is also strengthened by Decision no.256/08 of March 2, 2010, pronounced by the First Senate of the Constitutional Court of the Federal Republic of Germany, which took the reasoning of the Constitutional Court of Romania, considering it the most appropriate for present day realities, and declaring the unconstitutionality of the similar German Act.

Furthermore, the Constitutional Court of the Federal Republic of Germany ordered, on that occasion, the destruction of all interceptions made by that date, given the legal and constitutional powers in this respect.

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## CHAPTER FORTY

### THE RIGHT TO HAPPINESS: FROM SPIRITUAL TO LEGAL DIMENSIONS

RAUL-SORIN FÂNTÂNĂ<sup>1</sup>,  
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AND GABRIELA ZANFIR<sup>3</sup>

#### **Abstract**

Is there a right to happiness? What are the origins and the nature of such a right? These are the research questions that will guide our scientific, interdisciplinary approach, which starts from the spiritual dimension of happiness and ends with the legal foundation of the concept. Following the regulation of the “right to happiness” in the American legal system, we will consider, in this chapter, to what extent the content of this civil right finds its counterpart in the fundamental rights enshrined at European level.

Keywords: happiness, the right to happiness, individualism, freedom, economic rights, social rights.

#### **The Spiritual Dimension**

Happiness is a person in a state of absolute spiritual contentment. Happiness is a person who brings joy, who is joyful, who rejoices.

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Typically, we call the person, the human being, the object that determines or brings happiness “happy.” All these are definitions given by any laic dictionary [1]. The immediate tendency is to define one’s happiness as the accomplishment of a wish, as the obtainment of a good, mostly unexpectedly and, yet, the definition of happiness has nothing to do with possession, with holding something, with receiving. Happiness, according to the definition, has to do mostly with what you can give:

“...most human beings live in the anticipation of tomorrow or in the remembrance of yesterday. The strong alone grip hold of to-day and love it.

When we are young we all imagine that happiness is a concrete thing, a thing due to us, that we must be able to see, to grasp, to possess...

... But happiness cannot be grasped; it does not come to us in concrete form...” [2].

Most of the time, “happiness” is mistaken for “joy,” which is the sense of satisfaction related to the fulfilment of a need or a wish, or to the obtainment of a good. Briefly, you are happy when you give and you are joyful when you receive. Not the other way around.

The Jewish-Christian spiritual messages suddenly seem to make sense:

“There is no other happiness for man that to eat and drink and delight its soul with what is good from its efforts” (Eccles. 2.24) [3].

“And so we praise the feast for there is no other happiness for mankind than to eat and drink and be merry. This is what must see it through the work ...” (Eccles. 8.15) [3].

From their efforts! From their work! That is, what they earn with hard work. You can be joyful to eat from what is not yours but you cannot be happy.

Written in approximately 1,000 years B.C. (conventional dates of Solomon’s reign are circa 970 to 931 B.C.), though the author is not known, the book “Qoheleth” or “Ecclesiastes” barely gained acceptance as part of the Old Testament canon, adopted in the synod of Iamnia (also spelled Yamnia, Jamnia, Jebneel, Yavneh) between 90-100 A.C. [4]. Likely to have been written by Solomon, “son of David, emperor of Jerusalem,” it depicts the frustration of a man who sees: (i) that all efforts made on earth have no final value, are futile; (ii) that happiness is achieved either by one’s own work, or by offering non-material gifts; (iii) that only wisdom matters but it is hard to attain, and can be done only by one’s own effort.

Happiness is not linked to welfare, as it is not related to objects and therefore cannot be classified as material or spiritual. It *is* spiritual as a whole, as long as it concerns virtue.

The peak of happiness, as Jesus told his disciples, is founded on the great earthly virtues that must be cultivated during a lifetime: kindness, compassion, inner cleanliness, pacifism, empathy, faith; nothing that is material.

Other qualities, all under the same definition but of spiritual origin, are mentioned by St. Paul the Apostle, a man of remarkable intelligence and education, a member of the sect of Pharisees, who was pupil of Gamaliel, a great Jewish master of his time, possessing wisdom, knowledge, faith, the gift of healing, the gift of profession, the distinction of souls etc.; all of which he use only to serve others. The healer cannot heal himself. Profession is not made for one's self. Wisdom and knowledge have value only when shared with the asking, knowing the need thereof. Love—a way and a virtue at once—is healthy only when offered to someone. Practice proves that the correct use of these does not tire and that it is an act of will of the holder.

Seeing all the above, the collocation “right to pursue happiness,” offered to an eminently materialistic world, loses its foundation—“the right to pursue joy,” perhaps. According to the principles stated by the laic dictionary, happiness ought to be an obligation from the one who is replete to the depleted. Evidently, the stingy will jump to refuse this, having in mind objects; they will never understand that, in fact, they have nothing to give. What man is asked to give serving the happiness of the giver and the joy of the receiver is what he does not possess but merely accommodates.

Today, it is acknowledged that the phrase “right to happiness” is, in fact, referring to the obligation of the state, emerging from its constitution or from an international convention, to offer any given citizen every possible condition so that she may choose the path that satisfies them according to their aspirations and considerations. Yet, we ought to observe that in reality this particular right cannot be offered by anyone to anyone. This happens simply because, as the dictionary and other older books say, happiness is offered without being construed as an obligation or duty.

Can a right of happiness be regulated and enforced? Does it presuppose negative obligations, abstentions of the state and of others to interfere with the well-being of a person, or positive obligations and actions of the state which favour happiness? Can happiness be legally assessed by courts and distributed to claimants? Legislators of Western legal systems believe so. In the following section, we will analyze a few of the efforts to regulate and provide for a right to happiness.

## **Regulatory sources of the right to happiness**

In the United States of America the right to the pursuit of happiness acquired multiple expressions from a legal and a judicial perspective, applied by courts to protect a vast pallet of rights from dignity to ownership rights or the right to privacy.

It was first enshrined in the Declaration of Independence of the United States, from 1776, with generous wording: “We hold these rights to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty and the Pursuit of Happiness.” It is not with surprise that we observe that the first expression of the right to the pursuit of happiness had its roots in religion.

The interpretation of the right to the pursuit of happiness through multiple scenarios, providing, hence, for several rights, was possible due to the express provision of a “Happiness Clause” in several constitutions of the federate states. The constitution of New Hampshire, for instance, holds under article 2, from the eighteenth century, that: “All people have certain essential, natural and inherent rights amongst them the right to defend one’s life and liberty; acquiring, possessing and protecting one’s property; and, briefly, seeking and finding happiness.” A similar provision can be found in the constitution of New Jersey. Thus, the courts in this state use the Happiness Clause to protect the rights and liberty of people.

For instance, in the seminal case *State v. Shack* [5], a New Jersey court found that one of the public policies from the case, concerning the protection of the outcast groups from total social exclusion, was rooted in article I of the New Jersey constitution, the so called Happiness Clause [6]. Four years after *Shack*, in its *Mount Laurel* decision [7], the New Jersey Supreme Court likewise relied on the state constitution’s Happiness Clause, which it found embraced notions of due process and equal protection, to invalidate municipal zoning laws that excluded low—and moderate—income families, caused isolation, and failed to promote the “general welfare.” In Europe, even though the right to pursue happiness is not expressly enshrined in constitutions, the European Convention of Human Rights, or in the primary law of the European Union, the social and economic rights provided for in these fundamental acts constitute a web of rights and duties which can be seen as having as an ultimate purpose the achievement of happiness. As such, for instance, the Charter of Fundamental Rights of the European Union enshrines some specific rights which could be construed as being a part of the pursuit of happiness, such as the freedom to choose an occupation and the right to engage in

work (art. 15—Everyone has the right to engage in work and to pursue a freely chosen or accepted occupation), the right to family and professional life (art. 33—The family shall enjoy legal, economic and social protection), or the right to social security and social assistance (art. 34—The Union recognises and respects the entitlement to social security benefits and social services providing protection in cases such as maternity, illness, industrial accidents, dependency or old age, and in the case of loss of employment, in accordance with the rules laid down by Community law and national laws and practices) and health care (art.35—Everyone has the right of access to preventive health care and the right to benefit from medical treatment under the conditions established by national laws and practices). A high level of human health protection shall be ensured in the definition and implementation of all Union policies and activities.

## **What is Happiness?**

### **What would imply the pursuit of happiness?**

In classic Greek philosophy [8], happiness is a central principle in Plato's and Aristotle's work. According to Plato, happiness must be regarded in direct relation to righteousness/justice. Thus, happiness was both a public and a private "asset." According to Aristotle, a relevant take on virtue as an expression of happiness included the consideration of moderation. "Virtue is the middle path between two vices, one triggered by excess and the other by insufficiency." Although, mainly, virtue must not be defined as a negotiation between two negative acts, seeing that it is a purely positive spiritual notion, it may be regarded as coming from an atheist. These notions may only be understood when considering the historical context they are used in, and we must take into account the evolutionary tendency of concepts. Also, equally relevant is the fact that the interpretation of such concepts implies a high level of subjectivity.

But while it may be impossible to give a precise definition of happiness, it is reasonable to conclude that benefiting from this right implies ensuring certain fundamental economic rights. These were, in fact, legalized in international law instruments, starting with the Universal Declaration of Human Rights and the International Convention for economic, social and cultural rights.

Thus, the Universal Declaration provisions [8] ensure minimum needs are met as follows. Article 22 provides: "Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the

organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.” Under Article 23: “everyone has the right to work, to free choice of employment, to just and favourable conditions for work and to protection against unemployment.” Everyone is entitled to “just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.” Moreover, the Universal Declaration provides that “everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”

For instance, without the guarantee of a minimum life standard, and without efforts from the state to protect health, it is not only impossible for a human being to attain happiness, it is impossible for them to even make an effort to pursue it [8]. It is obvious that a person cannot seek and find happiness unless their basic needs are met.

Statistics show that a person's happiness is influenced also by their income. Within this thought process the decisive factors influencing welfare/quality of life of a population have been identified as follows: job, marriage, religious belief and generally avoiding poverty [9].

In a narrow sense, happiness has been connected to the right to pursue employment. The example given, in this regard, is that of the “Slaughterhouse Case”: “The pursuit of happiness is thus transformed from an end of a just government so important that the government must assist citizens in their pursuit, to a negative duty of the state to refrain from interfering in an individual's employment arrangements” [8].

### **The Positive Obligation of the State with Regard to the Right to Pursue Happiness**

Any subjective right may be benefited from by the performance of a correlated obligation by another person (any given subjective right is linked to a correlated obligation). Thus, as it has been expressed in the legal doctrine [10], “the subjective rights and civil obligations constituting the content of a civil legal relation are complementary to each other and are in a correlative interdependence.” In the same way, “the notion of subjective right mandatorily implies assignments. True, the power of asking, imposing or prohibiting is paired with an obligation for another person to perform or confirm what the holder of the right is entitled to ask for” [11].

In this context, we must reflect on whether state authorities have the obligation to ensure the conditions necessary for an individual to seek and find happiness or, on the contrary, if the obligation of these authorities is related to the very guarantee of the right to pursue happiness [9].

The idea that happiness of individuals may be measured and quantified to the degree of public policies adopting measures to ensure and maximize the happiness of the population appears to be impossible to accomplish. In other words, the government should adopt the legal frame to facilitate the individual's pursuit and finding of happiness. This is important to establish, taking into account that there is no general consensus on the meaning of the notions of "happiness" or "welfare" as they may take on different forms in every civilization and every era. This is the conclusion drawn by many legal studies researches related to this matter, as follows: "While it may be impossible to provide a precise definition of happiness, it is reasonable to conclude that its pursuit requires certain basic economic conditions. These economic conditions can be delineated, and indeed have been enumerated in documents such as the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights" [8].

## **Conclusion**

Happiness is a malleable concept. Its essence is directly linked to each individual being and, hence, is subjective in itself. It is meant to be contemplated by philosophers and prophesied by religion. Nevertheless, laws constantly try to grasp it and offer it as a guarantee to persons. Taking into account the subjective dimension of the concept, it is hard to imagine that the State has the duty to ensure the enforcement of a pure right to happiness. Perhaps this is the main reason why this subjective right has not been enshrined in the constitutions of Europe. However, what the state can guarantee is to ensure that all of its citizens are provided with the minimum necessary social and economic conditions so that they can freely pursue their happiness. Such conditions can be related to healthcare, a minimum standard of living, protective measures at the workplace or the principle of non-discrimination, just to give some examples.

We recall one of the three reasons for restlessness of being and the primacy of instrumental rationality [12] being achieving a goal with economic means. As long as society has lost its sacred order, and as long as social arrangements and modes of action no longer have a foundation, the order of things, nor divine will, they have to be useful.

Therefore, because the “spiritual” meaning of happiness is too high for the person hoping for it nonetheless, and because the effort to understand it is not economic, the “natural” consequence is lowering the word meaning of happiness from the sacred to a minimum standard of living that everyone can enjoy.

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