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IDENTIFICATION AND PERFORMANT INTELLIGENCE AQUISITION

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When states and organizations want to make an important decision they must obtain valuable data and information. The whole intelligence cycle must be very fast and clear for all decision makers, because time is running out and someone is waiting for their mistakes. All over the world, information is flooding in great streams in all directions, and only those well trained and careful can pick up that information necessary to complete a process own data bases.

Keywords: *information; data; intelligence; organization; state.*

Any kind of human activities, from the beginning of mankind, continuing with stone age, bronze Ages, middle Ages until today, were based on the identification and implementation of all necessary elements especially for human development in all its forms and then on accumulating knowledge for future.

If initial knowledge was limited to few items that now seem to be perfectly normal, even banal since childhood (such as using stone, wood and fire for different activities), human society gradually evolved and now we can find complex processes inside it, both at individual level, and related to development and actions of social groups through the use of technology.

In the intelligence field, all countries have made huge efforts to maintain a high growth rate of population welfare, and in some countries, they even expanded to be in the top of the economic chart.

All countries are interested in researches which cover all relevant areas of economic, politic, social, and military life and the interactions between them. Only few succeed in this competition. Even though most countries do not have the financial strength to go hand in hand with economic and military powers, some of them fail in some niche areas, mainly due to highly trained human resource capacities.

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Success is where human resource manages to discover new areas of work, so as to ensure the supremacy of the State, mainly on neighbours and then by extension to the regional, continental and / or global level.

An example is shown by the Chinese military thinker Sun Tzu, in his discussion with King of Wu, Ho Lu, on training women. In those days, no one counted on using women in the military structures for battle.

Thus, Sun Tzu made two companies, and began their training with explanations and demonstrations. Activity, it was comical for court personnel until Sun Tzu ordered the execution of the two companies' commanders. Sun Tzu established those two commanders from king's concubines.

After commanders' execution, Sun Tzu wrote to the king that the two companies could be used for advanced training. He told the king Ho Lu these: "The troops are now in order. King can come to review and inspect them. They can be used according to the will of king, they can go through fire and water now".

The use of women in combat, as regular military structures, represented the avant-garde spirit at that time, although for many skeptics they represented a total failure in battle, due to the fact that besides fighting technique, the most important feature of military is represented by the physical strength of men. More Sun Tzu imposed a new trend concerning strategic military thinking, related to discovering those elements which can be decisive in winning the war. In fact, it is hard to meet a woman in battle and behave like when meeting a man. During time, this theory has proved to be of great impact, because often important battles were won with such interesting moves (Queen Boudicca, Joan of Arc, Catherine Teodoroiu and so on).

Nowadays, Research & Development has a great relevance for competitiveness and in finding niche areas. However, it was demonstrated that in many cases valuable human resources are not developed inside own system, and are imported by providing excellent research conditions and great income, which into their system would have been impossible to retrieve. Educational systems, though different from state to state, ensure the appearance of inestimable value to those who can make a difference at a time. After their appearance in academic societies, the struggle start between those states and organizations, which have noted the potential both in established and related specialized areas.

In the last 70 years, during the emergence of the bipolar world, a number of states have become integrators of performance, primarily seeking to develop their own resources, but also to attract / recruit those specialists who live in states that could not allow.

This battle was very fierce after the end of the Second World War, the major players, the U.S. and the USSR, led hunting German specialists. Big winners of this competition were far Americans who were able to receive

German scientists not because their desire to reach the American continent, and especially not to reach the hands of the Russians. Most of them were Americans willingly surrendered without the need for discussion of their conviction. After this move, Americans acquired knowledge due to recruitment of German researchers from all fields, which was worth more than all losses in Europe and the Pacific. Technological advantage would unfold over the next 60 years, during the U.S. net distanced from all competitors. Furthermore, resources were acquired and processed on two fronts, to help the development of own system and for destruction of adversary system, represented by the USSR and communist ideology.

Gaining strategic advantage showed what can be achieved through development of strategic intelligence performance, which incorporates highly trained human resource, technology and almost unlimited financial resources.

Although recent years have focused on lowering costs in all areas, in the intelligence community, and especially the strategic one, money spent has increased, so any information discovered by some states will not remain unknown regardless of the methods used for obtaining it.

At the beginning, intelligence was a military field with an exponential growth in the last 100 years, and the main source of obtaining information was the human being. Then, during time, methods and techniques have diversified sources; today human beings were surpassed by technology. Thus, in the early 2000, information obtained from human sources in military and economic states and organizations was somewhere around five percent of the entire information system.

Copying military organizations, private firms have moved to obtain strategic intelligence in order to gain and maintain markets in which they operate. This meant boosting of their research and development field, to increase specialization of staff, and obtain information about processes and standards development in organizations from the same field of activity, inside the State or into those countries with technologies and similar performance.

Increasing specialization of personnel inside the organization is the key to success, whereas creation is the privilege of human and less of technology.

To underline what I said in the previous paragraph „research carried out by the Carnegie Institute of Technology shows that 85 percent of financial success is due to skills in human engineering, personality and ability to communicate, negotiate, and lead. Shockingly, only 15 percent is due to technical knowledge".

Moreover, Keld Jensen, an American specialist, assumed a new direction and said that "instead of exclusively focusing on your conventional intelligence quotient, you should make an investment in strengthening your

EQ (Emotional Intelligence), MQ (Moral Intelligence), and BQ (Body Intelligence)", to maximize the benefits.

Although many complex calculations are made with highly advanced technologies, ultimately, the decision of what is right, good and responsible lies with the people.

In the last 20 years, technology has exceeded the most visionary minds of 100 years ago. In the same time, human thinking has gone beyond many barriers, which years ago were unknown and eventually, new discoveries were made daily around the world.

Economic, social and military phenomena means continuously reconsidering conduct and thought, sometimes with expected results; in some cases the results are quite unexpected. Just as those who thought that the U.S. estate market will not reach the turning point of 2007-2008, when Wall Street was disturbed and global losses were huge.

In the period 2007-2010, it has been demonstrated once again that some issues cannot be completely predictable based on mathematical calculations, and man is always a weak link who can disturb political, economic and social systems.

The acquisition of advanced intelligence meant assisting interested states in developing plans for strategic areas. Development of strategic interest for performing intelligence acquisition belonged, according to some experts, to states and private organizations. The private organizations were particularly developed in highly industrialized states, which have left segments of strategic interest to private companies, many of them being multinational with a majority of local stakeholders. In the same time, many specialists, recruited by private companies, were former state employees, retired or lured by higher salaries offered by these companies.

Another aspect of problem is how to make strategic intelligence. For this reason, Rating Agencies and Analysis Magazines (political, economic and military) exist as they are designated to create trends and directions, in most cases to the benefit of those countries that sponsor them. Although some expert's opinions really have a relatively high level, many results are made in order to manipulate.

Such "achievements" were investigated even by U.S. Senate committee (one of the sponsors) as a result of the "subprime" credits crisis, which led to U.S. government's intervention in Wall Street to avoid general collapse of the American and global economic system.

In the intelligence strategic game of "subprime" credits, major economic players represented by Banks managed to talk hours or days for negotiations to obtain huge profits, which the year before were unimaginable.

Furthermore, their game in high risk premises created huge information resource to maximize all next opportunities to win with private players or the State, usually resulting in a single winner.

Performance intelligence acquisition has led to the phenomenon of "sharing" between all partners, organizations or countries. We can find this phenomenon as usual inside NATO, and multinational organizations. Although this happens very often, information exchange does not reveal the entire working range, whereas the area of research and development is not "shared".

Many states maintain their strong industrialized economies, military and technologies development within small groups, especially those who finance such projects, called "next generation", as: "F35 multirole aircraft", "Mistral" ships, nuclear submarines, intercontinental missile and space programs.

On the other hand, other states provide new military structures, like the Shanghai Cooperation Organization, as a counterweight to NATO, in which Russia and China succeeded.

China, the second economy in the world, with huge growth potential, where labour is the cheapest in the world, following the policy pursued by the Chinese state, and with the largest population in the world joined this organization, both economic and military.

The advantage of cheap labour and population can currently be countered only by India, which has the same advantages. This state remains according to its strategic intelligence outside any military organizations in spite of the fact that their assets are 80% Russian. In the last year, the new orientation of Indian government has been especially towards Europe.

Gathering strategic intelligence often led states and organizations to gain competitive advantage, creating prerequisites for rapid and sustainable development, especially where the state or organization, most of them multinational, could support such an effort. Based on the first step in identifying areas and resources, highly skilled individuals directly or indirectly led the game for obtaining competitive information.

Intelligence cycle run by humans has created important databases for each area of concern and their sub-branches to increase primarily research and development and ensure the sustainable development elements of any state.

Moreover, possession of strategic intelligence at higher levels has enabled disparity between countries participating in the negotiations, or between those in conflict. Obtaining data and strategic information has been a continuous activity for at least 2500 years, whose relevance has increased to identity the existence of the modern state.

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CREATING TECHNOLOGY-ENHANCED LEARNING SCENARIOS FOR ADULT EDUCATION

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The 21st Century arrived with so many changes that we have been wondering whether the reality we witness is not science fiction. Without solid education, competence and multi-skills, one cannot live through. That is why alternative methods have been called forth as mandatory to complement and consolidate what once traditional, teacher centered education was doing. Technology-enhanced-learning (TEL) needs have already proven their worthiness, bringing students into the limelight. What we still fall behind with is educators' reluctance and lack of imagination in how to best employ these tools to students' best interest. The present paper gives models on how to create learning scenarios where TEL is involved.

Keywords: *TEL; 21st C skills; curriculum; user's experience; usability.*

There is no life boat or life-jacket but knowledge with everything it triggers. The Four Pillars in UNESCO's Task Force on education for the 21st Century speak for themselves: learning to know, learning to do, learning to live together and learning to be. We need to know how to tackle situations in life, how to approach people and be successful in all we do. For this we need to master concepts, apply them, analyze and then evaluate in order to later create and thus get ourselves immersed for real, into life's issues, effectively.

In this view, traditional education has started to pose questions for debate on whether it is still effective by itself, since alternative means have proven their worthiness and efficacy all along. We do not want to shed a different light on the system that rendered valuable people, yet the coordinates of the educational process are different in terms of skills to be developed for the 21st century, the type of students emerging from the coming generations, known as the N generations, millennial or digital natives (Spires: 2008) along with the labor market trends and evolutions, brought by globalization and rapid technological advances.

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Technology-Enhanced-Learning (TEL), along with the various definitions it entangled and the multifaceted approaches it benefitted from in relation to its applicability, is and still gains ground in becoming a resourceful educational method, provided it is used as a means to an end, the educational objectives per se. What research still has to cover is a rethinking of all the elements in terms of educational effectiveness, given this landmark has got new dimensions with the 21st century. Questions like "is TEL good for education or training?" have already been answered by inordinate numbers of research papers and case-studies. What we still do not know is to what extent TEL (and which tools comprising it) does teach and train, and-most importantly- how we can boost its use and effects to better serve education, irrespective of age, place, time, subject, performing characters (i.e. the student and teacher/ trainer), methods, curricula, objectives and skills, tools involved.

Were we to think of performance indicators for the TEL to draw a better assessment in terms of educational effectiveness, we should then start considering all the issues the educational process triggers, as the core of our approach:

A. At all times during the instruction/teaching session, one first thinks of:
a) what we want our students to be able to do at the end of the instruction
b) what their level is
c) what they already know
d) what skills are stirred to reach our goals
e) which are the materials we employ to best serve our scope
f) how we make use of them- sequencing, timing, practice and class management
g) how much we insist on certain aspects in the steps of the lesson- timig the events of instruction
h) how to warm-up and wind-down the teaching/training event to give it all a sense of closure and fulfillment

B. Speaking of **skills that a new millennium student must master**, it is worth mentioning Tony Wagner's *"The Global Achievement Gap",* where he advocated for seven survival skills among which one would hardly ever skip:
- critical thinking and problem solving,
- collaboration across networks,
- agility and adaptability,
- initiative and entrepreneurialism,
- effective oral and written communication,

- accessing and analyzing information,
- curiosity and imagination. `

However, in order to shape these new and complex skills up, basic cognitive skills are yet the cornerstone for acquiring knowledge- reasoning, perception, categorization, memory, knowledge representation, numerical cognition, language, thinking. These help individuals go beyond acquisition of knowledge, to search for meaning, apply ideas, analyze patterns and relationship, create and design something new, progress.

C. Thinking of the educational process globally, curriculum embedded, we must add that the curriculum itself these days calls for interdisciplinarity, integration and project based - activities. Thus, *the 21st century curriculum*:

- Is outcome based
- It focuses on what students know, can, do and on what they are like
- It focuses on the upper levels of Bloom's taxonomy-analysing, evaluating, creating
- It is research driven
- It is based on active learning- the student is no longer spoon-fed, but he is the one to help himself from the educational chunk – under more or less guidance according to age and moment of the lesson
- it is connected to student's interest, experience, talent, to his/her real world
- it allows for a certain degree of student's freedom of choice in choosing what he learns, when and how he does it, according to his cogntive and metacognitive abilities

The curriculum is best designed when it meets the objectives one envisages for the desired outcome. The question here is how we succeed in shaping the above mentioned skills? We need some instruments, educational alternative materials, TEL tools in our case. To what extent the materials we use in the educational process are good is a matter not only of the way we design them but also of when and how we use them.

D. Evaluation and assessment in TEL

1. **Educational effectiveness** of TEL can be measured only after we have clarified what we understand by the concept of being "effective":

- When do we consider education/ training to be effective? Research as well as practitioners say that effectiveness comes when the student masters the ability we had in focus for the end of the instructional stage. Let us

mention that our entire endeavour spins around building competences, abilities, not bombarding students with dry information.

- What is the time needed for a TEL sequence and how many stages should the process have to cover the objectives? Here, obviously, stages would vary according to the age group, bearing in mind the attention span grows with age yet the variety element must also be increased with age, the guided practice time getting lower with age, quite contrary to the free practice. How do we best achieve guided practice in a TEL sequence and to what extent can free practice be "free" indeed? To what extent can a virtual coach or an intelligent tutor supply a teacher/ instructor (should we refer to Virtual Learning Environments- VLE)?

It has often been said that the presence of a tutor within the instructional period is mandatory for the process to go complete. Where should intelligent tutor intervene (if need be) and how much does he complement the real instructor?

- Can TEL sequences be considered as lessons per se or should they be taken as alternative means of education to complement the instructional process?

- Where in the stages of a lesson can TEL events be introduced and which elements would make a perfect lesson out of such use? Here emphasis will lay on stages in a lesson - warm-up, introducing the topic, input, guided practice, free practice. What is the time allotted for each stage and how can all be split (if need be to cover more hours) so as to be assimilated to the real time of instruction ?

- Which are the elements of a learning scenario that lend themselves to certain goals in a lesson? Which are the proportions to be used in alternating events on the same goal before passing to the next stage in a "lesson"?

- Should evaluation segments or teacher's intro questioning be designed inside the TEL sequence, and if so, in what stage?

- How much/long of the testing elements should there be and what is the length of the "partial testing segment" so that the student still maintains curiosity , motivation, desire to get engaged and go throughout the process?

- Speaking about skills and objectives to be involved by TEL, CM Marlow (2009) considered that Serious and epistemic games offer people, through practice and variety, opportunities to experience the ways a particular discipline (or practice) considers and solves problems. They also represent an excellent response to the tendencies of many of today's students. Yet, TEL does not mean just games. TEL means any technology used in education, for knowledge transfer or skill development, either synchronous or asynchronous.

Should we look at students nowadays, they tend to prefer: (1) receiving information quickly from multiple multimedia sources; (2) parallel processing and multitasking; (3) processing pictures, sounds, and video before text; (4) random access to hyperlinked multimedia information; (5) interacting/ networking simultaneously with many others; (6) learning "just-in-time"; (7) instant gratification and instant rewards; and (8) learning that is relevant, instantly useful, and fun (Derryberry, 2007).

Narrowing down the gap, when we consider using TEL in foreign language education especially with adult students, we must envisage the following elements:

• The concept of *learnability*: How easy is it for users to accomplish basic tasks the first time they encounter the design? Here elements like frustration or pleasure must be measured, bearing in mind the Freudian pleasure principle.

• *Efficiency*: Once users have learned the design, how quickly can they perform tasks? Here one must bear in mind the various types of users, in relation to the exposure he/she has undergone to technology, especially that in this case it has educational purposes.

• *Memorability:* When users return to the design after a period of not using it, how easily can they re-establish proficiency? This might also answer the question of whether sequencing the stages in an instructional event is beneficial and if-imposed- to what extent it can be done.

• *Satisfaction*: How pleasant is it to use the design that the VLE offers? Distinctions must be made according to age, gender, background, level of instruction, users' needs; one needs also to define "pleasant" according to the aforementioned elements.

• Is the selected design appropriate for the ability we have set as an instruction goal ?

• Does it help both student and instructor in accomplishing the task to the envisaged educational objective?

Since there are so many tools to choose from in using TEL, one needs to know about certain characteristics the system employs, so that once choices are made, the user makes sure this covers as many of the traits as possible to ensure educational effectiveness.

In what follows we will mention some of the elements in Jakob Nielsen's list of heuristics as general principles for user interface design. Once one determines which guidelines are violated, the usability of a device (the learning management system or the educational games, the social media tools, the VLEs all in all) can be determined:

• *Visibility of system status*: To what extent does the system keep users informed about what is going on, through appropriate feedback within reasonable time?

• *Match between system and the real world*: Does the system speak the users' "language"? Is it tailored according to his needs in terms of expectancy, level of instruction, age, background? Does it follow real-world conventions, making information appear in a natural and logical order?

• *User control and freedom*: Learners nowadays are much more independent, with stronger personality stemming from either lack of parental control or life-survival skills. Consequently, how much freedom does the student need in the process of instruction in order to still stay on the track, yet choose his own path adjusted to his own structure and needs? (within certain limits that preserve the achievement of the learning outcome)

• *Recognition or recall*: To what extent does the user have to remember information from one learning sequence to another? Instructions for using the system should be visible or easily retrievable whenever appropriate.

• *Help and documentation*: In the instructional event, the user might need help and documentation. Any such information should be easy to reach, focused on the user's task, by means of either virtual coaches or intelligent tutor- if not implemented sequentially inside the traditional classroom activities, with a real tutor input.

3. As far as measuring the effectiveness of the Technology-Enhanced-Learning sequences in terms of **the appropriate technology used for specific targets,** we must again recall stages in education, as no matter what the instructional goal is, no matter the subject matter involved, all learning scenarios must follow a story-line or diegesis (de Freitas & Oliver, 2006), they must have a topic - first of all - in close relation to the competences envisaged as goal for the instructional episode, and must employ a set of actions, design, interaction and audio script to respond both to student's and instructor's needs: the students want to learn and be able to do a certain thing at the end of the "lesson", while the tutor wants to see that projected goal has been reached by immediate applicability into the real environment. According to some authors, (de Freitas & Oliver, 2006) there are four important elements to consider in the learning scenario mechanics - context, learner, internal representational world, and the process of learning.

• "Context, on the other hand, has been established as a critical factor for effective use of e-learning tools and content, and includes the wider historical context as well as the specific learning context, which may include access to tools, the tutor's own specific background and understanding, as well as the availability of the technical support. Context can become an

enabling factor for the learner's support, or it can provide significant impediments to delivery."

• The second element important for the learning scenario here is the learner, as the main beneficiary. We must have him in mind when developing learning scenarios, as well as when we use them. Learners are different ages-therefore they react to different stimuli, according to their emotional maturity; learners have different backgrounds- therefore they might be attracted and influenced by different actions, they might respond to familiar or unfamiliar situations, with complications that may look basic or complex.

Various tools have been used so far in TEL scenarios. It is important to mention here Gagne's Nine Events of Instruction which are considered to provide a perfect framework for the design and development of the already mentioned scenarios; consequently, tools in a TEL scenario design must respond to the elements in the chart below:

Nine Events Of Instruction	
1. Gain the learners attention	6. Elicit performance
2. Inform the learners of the objectives	7. Provide feedback
3. Stimulate recall of prior learning	8. Assess performance
4. Present stimulus or lesson	9. Enhance retention and transfer
5. Provide learning guidance and instruction	

It has often been said that an effective instruction process is always supported by the presence of a tutor, be it human, real or virtual. Consequently, since we mention the TEL learning scenarios, we must also mention the issue of the intelligent tutor or the presence of a virtual coach within the learning environment. In this respect, which type of activities do they perform and to what extent can they replace a real tutor is to be evaluated, as compared to the effectiveness of the real tutor support.

Consequently, for the educational process to take place, the way guided interaction is ensured and of how much help it is in answering and supporting students' challenges, as well as providing extra information at certain stages, is of utmost importance.

Moreover, for the process to reach its end in instruction, of equal importance to the already mentioned elements in a scenario's effectiveness, we must evaluate to what extent

4. Elements like **the ability to appeal to users, to capture his attention, and keep his concentration** have their say**.**

Much has been said on constructivism, in relation to the above mentioned elements. The concept defined by Vygotsky (1978) refers to the way an individual constructs meaning within a social context, based on the fact that new knowledge is built upon prior one. To this end, learning becomes most effective when students are mostly engaged in the learning process by discovering, questioning, discussion, reasoning, judgement making and opinion formation. Thinking of a constructivist classroom, Audrey Gray, considers there are several characteristics worth being taken into consideration:

- the learners are actively involved
- the environment is democratic
- the activities are interactive and student-centered
- the teacher facilitates a process of learning in which students are encouraged to be responsible and autonomous

All evaluations must yet consider, along with skills for the 21st Century and features of the 21st century curricula, the characteristics of andragogy and heutagogy for all individuals to be taught or instructed over the age of 18/ 21 in formal and informal education.

In relation to this, Knowles considers that adults benefit most from self-directed learning, where individuals take initiative in diagnosing their needs, formulate learning goals, identify resources, choose and implement learning strategies. Heutagogy adds to this that the instructor just provides resources, the learner is the one to design the course for himself. Last but not least, a precursory approach must also include Bloom's taxonomy on digital.

All of the above are but preliminary thoughts in what is desired to be the outset of a long road to benchmarking the elements concurrent to success in education via TEL scenarios, as alternative means, not as standalone learning environments per se- until proven other way.

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LANGUAGE TESTING
BETWEEN STANDARDIZATION AND CLASS ROUTINE

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Language testing, like most assessment, irrespective of the domain in which tests apply, can be either summative or formative, according to the framework in which it is administered: during a course to check the acquisition of the taught material within a specific period of time (in the case of formative assessment) or at any moment of one's life to pass an entrance or final examination or simply to prove one's abilities in a domain for various reasons or purposes (in the case of summative assessment). The current trend in language assessment, and generally as well, is to standardize the tests to be administered, especially those that fall under the heading of summative, but not solely. The present paper will analyze how standardized language testing is performed in Romania and in the English-speaking environment nowadays, starting from a general theoretical perspective.

Keywords: *language testing; summative assessment; formative assessment; standardization.*

While performing our duties as language teachers, more precisely English language teachers, to Romanian students, we know we have to develop and apply periodical tests to check how well our students have internalized the knowledge taught and have developed the skills and competencies we strove to form along the language course. These tests verify *acquisition*. This is the so-called *formative assessment* of linguistic abilities and it is more or less up to each teacher, as well as according to each type of course and level of study, which eventually decide whether this test or that one should be a standard or an ad-hoc one.

Sometimes, the language teachers have to also keep in mind that their students prepare for specific exams, and under such circumstances teachers are under the obligation to help their students perform on a standardized pattern imposed by the institution where the assessment is organized. These

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tests verify *performance*. In such cases, training for standardized tests is no longer ad-hoc; standard formats of language assessments have to be used in order to ensure the success of our students in such tests as: Test of English as a Foreign Language, Michigan English Language Assessment Battery, International English Language Testing System, Graduate Management Admission Test, CAE or STANAG-6001 in the case of the military (for NATO-member countries).

Nonetheless, whether formative or summative, whether administered on children, teenagers or adults, evaluation creates anxiety and the prospect of unsatisfactory grades/scores/percentages induces resentment. It is the teacher's role not only to train students in their field of expertise, but also to appease their students' negative emotions regarding evaluation, to boost the students' morale regarding the process of evaluation in a coherent effort to reconcile what happens during regular/routine classes to the idea of assessment.

The purpose of evaluation – between theory and practice

During one's lifetime of formal education, training is performed based on three essential pillars: *teaching* (a process through which the teacher facilitates the students access to knowledge), *learning* (a process through which the students internalize and retain knowledge that has been taught), and *evaluation* (a process through which internalization and retention of knowledge is verified). These three basic elements are interconnected in very complex ways, but put in simple words the relationship between them states this: if *teaching* and *learning* have been performed correctly, then *evaluation* will show it, and the whole educational process turns to good account.

Nonetheless, as simple and logical as the whole process may seem, and as hard as teachers and students may work, evaluation is constantly feared. Indeed, as H. Douglas Brown stated (2004, p. 3) tests should be positive experiences, build a person's confidence and become learning experiences, they should bring out the best in students. Unfortunately, the prospect of getting a grade that measures the students' knowledge may, and it often does, inhibit personal progress in the studied domain. According to Kohn (2011, p. 29), "the more students are led to focus on *how well* they're doing, the less engaged they tend to be with *what* they're doing", which is to say that the fear of performing badly in tests and of getting poor grades paradoxically discourages students to learn, as it makes them focus on getting good grades for the specific areas they know will be verified by the coming test, driving them away from the pleasure of learning itself of analyzing data, investigating facts, discovering phenomena. Thus, students become result-centered and lose their interest in learning as such. As Kohn notes (2011, p.28-29), "educational

psychologists systematically studied the effects of grades " and "the research supports three robust conclusions: [g]rades tend to diminish students' interest in whatever they are learning(…); (…) create a preference for the easiest possible task (…) and (…) tend to reduce the quality of students' thinking". In his endeavor to make a clear point out of the fact the fear of grades in students undermines deep thinking and their desire to study thoroughly, Kohn also suggest that "[r]eplacing letter and number grades with narrative assessments or student-teacher conferences – qualitative summaries of student progress offered in writing or as part of a conversation – is not a utopian fantasy. It has been done successfully in many (…) schools" in the United States of America (2011, p.32). But, in the long run, probably the most detrimental effect of the system based on grades is the fact that students tend to memorize facts for the sole purpose of passing a test and later on they forget the information altogether, which underlines the futility of the grade.

Besides the lack of dependability that the grade system proves, another drawback that the practice of testing often meets is given by the fact that not all teachers use *washback*, as H. Douglas Brown writes (2004) or *backwash*, as Hughes calls it (2003). Either term signifies the same concept, a concept that should be central to testing as a classroom fact: "the effect that tests have on learning and teaching" (Hughes, 2003, p. 53). Since testing, "though an essential component of any sound language curriculum, is only **part** of the curriculum" as J.D. Brown states (1996, p. 288), it should most definitely have an impact on the other parts of the curriculum. The results the students got on a test should influence not only the way the students will prepare for the following test, but also the way the teacher helps them prepare. The teacher acts as a coach, suggesting strategies for success, methods of improving particular elements of the students' performance that turned out badly or not satisfactorily in the previous test. Sometimes, the whole syllabus of a course has to be reconsidered in order to put the educational process on the right track. Just as Hughes contends (2003, p. 1), "if the test content and the testing techniques are at variance with the objectives of the course, there is likely to be harmful backwash". In other words, as mentioned later by the same author, "if the syllabus is badly designed, or the books and other materials are badly chosen, the results of a test can be very misleading" (Hughes, 2003, p.13). Backwash is, on the contrary, beneficial if it leads to re-designing the syllabus in order to fit the aims of the training, which, in its turn, will bring about good test results (Hughes, 2003, p. 2). Other authors put this truth in shorter terms: "When a test becomes a learning experience, it achieves washback" (H. Douglas Brown, 2004, p. 63). By learning experience, we must read a real feedback benefit for the student, but also for the teacher who should draw realistic conclusions regarding their way of

structuring tests (so as to challenge both weaker and stronger students, without actually overwhelming either of them), as well as regarding the way of re-designing the syllabus in order to attain reasonable objectives as a result of following an adequate program of study.

Starting with the mid-90's, another big step forward in the realm of language evaluation has been accomplished – language testers "were prodded to cautiously combat the potential tyranny of 'objectivity' and its accompanying impersonal approach" and to "test interpersonal, creative, communicative, interactive skills, and in doing so to place some trust in our subjectivity and intuition" (H. Douglas Brown, 2004, p. 13). In other words, in the practice of language evaluation, although we strive for the implementation of standardized tests, we also allow for some personal touch in testing, paradoxical as it may seem at a theoretical level.

Testing versus assessment

Although we have used both terms in the article so far, mention should be made of the fact that **testing** does not exactly cover the same area of meaning as **assessment**, according to most of the theorists in the field, point that we support as well. Hughes says that testing is just *one* form of assessment (2003, p. 5). Similarly, H. Douglas Brown states that "tests are one of a number of possible types of assessment" (2004, p. 251), just "a subset of assessment" (2004, p. 4). He also defines a **test** in simple and easy to understand terms as a method by which teachers can *measure* the student's ability/knowledge/performance in the domain under study, mentioning that, for the purpose of *measuring* (as much as the author may resent the term, the **test** "must be explicit and structured" (H. Douglas Brown, p. 3).

This definition sets **tests** apart from **assessment**, the latter being seen as "an ongoing process that encompasses a much wider domain" (H. Douglas Brown, p. 4). Thus, we may consider that assessment never ceases to manifest itself in a classroom, be it physical or virtual, as teachers constantly ask their students questions, or to perform various tasks such as use new words in context to check comprehension of the meaning and so on and so forth, the natural consequence of these simple acts of classroom interactions being the fact that the teachers subconsciously make assessments of their students as the latter offer answers to the teachers' stimuli. This is also called **alternative assessment**, a proposal "to assemble additional measures of students – portfolios, journals, observations, self-assessments, peer-assessments, and the like, in an effort to triangulate data about students" (H. Douglas Brown, p. 251). We can conclude by saying that teachers never cease to assess, but they only test at particular moments, according to the syllabus.

Various types of assessment

As we have already noted, **assessment** is much more complex a term than **tests**. Thus, several dichotomies have been established in the realm of **assessment**. One of the basic dichotomies is the classical **formative** vs. **summative assessment** (H. Douglas Brown, 2004; Hughes, 2003, and others). Indeed, most of the assessment that takes place in a classroom is **formative assessment**, and it is used by teachers to verify the progress undergone by their students in mastering what they were supposed to learn. This kind of assessment is a necessary tool for teachers as it provides "information to modify their future teaching plans" (Hughes, 2003, p.5). As opposed to this, **summative assessment** aims at summarizing what students have grasped during a term/semester or year of study. Therefore, "[f]inal exams in a course and general proficiency exams are examples of **summative assessment**" (H. Douglas Brown, p.6).

Another such dichotomy is the one between **traditional** and **alternative assessment** (Armstrong, 1994 and Bailey, 1998, as quoted in H. Douglas Brown, p. 13). Nowadays, many forms of assessment are either in between the two types or a wise and profitable combination of both. This situation occurs as a result of a current tendency in language testing to supplement the traditional test formats and designs with alternatives of what is largely regarded to be considerably more authentic, comprehensible and meaningful elicitation techniques that lead to the production of genuine samples of language. What is traditional has not been removed or replaced, but rather adjusted to new formats or elicitation techniques. One good example of this is the computer-adaptive test in which a database of multiple-choice language test items is loaded on the computer, the test-taker starts answering the questions, and according to the number of subsequent correct answers, the computer selects the next question and the next level of difficulty for the questions to be addressed.

Many recent authors have used the term **authentic assessment** instead of the one indicated above – **alternative assessment** (see, among others, Kohn, 2011; Mathur & Murray, 2006; Muller, 2003, etc.). One good reason why they are called *authentic* is that they observe and measure the behavior of students in very natural or real-life formats of language samples: interviews, projects, portfolios, journals, rubrics, blogs and wikis, discussions, self-testing, peer-testing, etc. Most of these forms of assessment also have the merit of alleviating the stress of the students concerning grades, especially because they are creative, not predictably and implacably right or wrong; they ask the students to project themselves into the sample of language or the artifact that they produce, to be original and creative rather than to focus on what is the correct form of a word or phrase, or if grammar or spelling are accurate.

Various types of tests

When it comes to language testing, the wide gamut of possible **test types** is stunning – for one thing because there is the matter of the four basic skills tested; and for each skill, there are many varieties of test formats. Beyond the issue of the **specific tests for each basic skill**, though, several classifications of tests have been mentioned in the specialized literature. There is **direct testing** vs. **indirect testing** (H. Douglas Brown, 2004, p. 23). Most often, language teachers confront their students with either **achievement tests** or **proficiency tests**. Mentions are also made by many authors of **placement tests** and **diagnostic tests**.

More traditional reference books in the field of testing classified tests at large in two categories: **norm-referenced tests** and **criterion-referenced tests** (see, among others, J. D. Brown, 1996). By **norm-referenced tests** the theorists mean tests that help administrators and teachers to make *program-level decisions* and they are "designed to measure global language abilities" (J. D. Brown, 1996, p. 2), while **criterion-referenced tests** are those that help teachers to make classroom-level decisions and are "usually produced to measure well-defined and fairly specific objectives" (J. D. Brown, 1996, p. 2). The author further divides these two classes of tests into the two more classes each – **norm-referenced test** can be of the following types: **proficiency** and **placement tests**; and **criterion-referenced tests** can be either **diagnostic** or **achievement tests**.

Proficiency tests are designed to measure a person's ability in a specific language irrespective of the fact that the person has had any formal training in that particular language or not. All proficiency tests are designed based on very clear and concrete specifications of what the test-taker has to be able to do in the tested language if the person is to be considered proficient in that particular language. As Hughes states, a proficiency test shows if the test-taker has "sufficient command of the language for a particular purpose" (2003, p. 11).

According to H. Douglas Brown, "[c]ertain proficiency tests can act in the role of **placement** tests, the purpose of which is to place a student into a particular level or section of a language curriculum or school" (2004, p. 45). However, there are many possible different formats of **placement tests**, depending on the needs and type of the program of instruction it applies to (written tests, oral production tests, multiple choice reading/listening tests, closes, open-ended questions, etc.). The **placement tests** that work best are those especially devised for each particular program, in order to check exactly if the candidate for the course will find the material of the course adequately challenging, that is to say not too difficult to be inhibiting for progress, but not too easy either as not to stimulate interest and not lead to progress.

Diagnostic tests represent a method of measurement limited to a particular and specified aspect of a studied language; they may be meant to evaluate only pronunciation, or only a certain area of the vocabulary, etc. This is why they are called *criterion-referenced tests*.

Another type of *criterion-referenced tests* is the **achievement tests**. These are strictly related to each stage of the program of instruction in turn. **Achievement tests** are somewhat limited because they are meant to verify to what extent the students have internalized the material taught during a stage of the curriculum. This stage may be a lesson, a chapter, a module or even the entire curriculum, which means, on the one hand, that **achievement tests** are oriented on the objectives of the lesson/chapter/module/course, and on the other hand, that an **achievement test** may be either *formative* (progress test) or *summative* (final test), according to how much of the curriculum it tests and when it does it.

The necessary features of an effective language proficiency test

Most language testing theorists are in agreement concerning the issue of the necessary features of a language proficiency test that is effective to administer: **practicality**, **reliability**, **validity**, **authenticity** and **washback** (see, among others, H. Douglas Brown, 2004, Hughes, 2003, and J.D.Brown, 1996).

Practicality is the feature that all standardized language proficiency tests have, especially as it is painstaking and time-consuming to create a test (which implies a very thorough needs analysis, drawing up the test specifications for each level that you expect to be testing, devising test tasks – including multiple-choice items for reading comprehension and listening comprehension, following to pilot the items and to finally validate them). Multiple-choice items are not only **practical**, but also **reliable**. There are some drawbacks in using them nevertheless: they only test recognition knowledge, but not production; as we have already mentioned – they are difficult to conceive in a successful way; besides, guessing has a big impact on test scores, not to mention that cheating is facilitated.

Test reliability is defined as "the extent to which the results can be considered consistent or stable" (J. D. Brown, 1996, p.192). Again, standardized tests meet the requirements, they are considered reliable, since test items are always piloted and selected to meet specifications before they are released on the market, and the scoring procedures are specified and consistent.

Test validity has two basic components: **content validity** and **face validity**. **Content validity** is an intrinsic feature of a test that can be used, in the sense that the things that a test is designed to measure and verify must represent rigorously what has been actually covered during the course as part of the curriculum. The consistency of the content of the test with the objectives of the course as they are projected in the class activities guarantees

a representative sample that can be used as an efficient test. This is why theorists advise teachers and administrators to "base [their] assessment on accomplished class work" (H. Douglas Brown, 2004, p. 32) and to bear lesson objectives in mind when they conceive the test specifications (idem, p. 33). **Face validity**, on the other hand, is an extrinsic feature of an efficient test as it addresses the manner in which the test is being perceived by the test-takers. By this, we mean the administrative aspect of the test that elicits a certain level of performance from the test-takers: the clear phrasing of directions, the logical organization of the test structure, the appropriateness of the level of its difficulty, etc. In Hughes' terms, **face validity** is ensured if the test "looks as if it measures what it is supposed to measure" (Hughes, 2003, p 33).

Authenticity is a natural prerequisite of any material used in the language classroom, so consequently tests are efficient and consistent with everything else that takes place in the language class only if the language used in the test is as natural as possible, tasks are as close to real-life situations as possible, topics that the tasks approach are relevant and appealing to test-takers, and test items are contextualized, not isolated.

Washback, or **backwash**, as mentioned some pages above, is probably the most important factor of an effective test as it represents the concrete effect that *testing* has on both *teaching* and *learning* and which does by no means restrict to communicating scores to the test-takers, but it means giving details about the students' individual test performance and advice on how to approach similar issues in the future, as well as it also means that the teachers may need to re-design the syllabus of the course or at least to approach certain remedial training measures.

Conclusions

As shown above, it is extremely difficult, time-consuming and resource-demanding to design a complex language test that is efficient as well; this is why language teachers are recommended to use commercially produced tests available on the market, the result of a complex process of creation, piloting, validation by trial and error techniques instead of creating their own overall proficiency test (H. Douglas Brown, 2004, p. 45).

Nonetheless, organizations, such as the Romanian military (to name just one among all the NATO-member militaries that deal with language testing) may engage in the endeavor of creating batteries of standardized tests for each basic skill, harnessed by a large group of specialists, observing strict and rigorously defined level descriptors and skill specifications. Such batteries, although subject to periodical re-designing, and rigorous upgrading, may be used repeatedly on a large scale.

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THE CULTURAL DIMENSION
OF IDENTITY

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The article makes an analysis of the concept of identity and of the ways in which it is defined, through affiliation to the group on the one hand, and through the assertion of what makes us stand out, what we have different and unique, on the other. The two sides of the process substantiate the relevance of the criterion individualism/collectivism in differentiating between cultures: as identity is a basic human need, the two sides of the process of defining it make up a basic dilemma that all cultures have to deal with.

In historical perspective, identity was mainly defined as a result of living in a community and absorbing the values and norms of a certain culture, a process that characterized the making of the nation states in Europe and still greatly characterizes traditional societies in the world. Modernity in the western world gave rise to a new reality in which individuals gradually asserted themselves through what distinguished them from their communities. Now, globalization and the spread of the western model of development create for individuals and nations a large variety of situations and face individuals and groups alike with the demand of redefining identity and adjusting to new circumstances. Adjustment, projection and reconstruction of identity represent key processes that condition functioning in this changing world. The cultural trait of individualism is spreading in the world as a result of the economic and political processes.

Keywords: identity; individualism; collectivism; projection; reconstruction.

Defining identity is acknowledged as an essential human need, and yet the mechanisms that are involved in this process prove to be most puzzling and difficult to control. Identities are on the one hand ascribed and on the other constructed or imaged. Identity is the product of self-awareness, in other words, we are what we think we are, and this leads often to situations in which ascribed identities are not accepted: individuals repudiate their family, do not assume their gender or age, do not accept their race etc. To define identity is difficult also because an important role devolves upon the other or others: identity is defined and validated by others and in relations to others.

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Freud speaks about the narcissistic processes through which humans develop their identity [1]. An external image, taken over from the Other, is internalized and considered to be the identity. In the type of relationship defined by Freud, the leading role in the process devolves upon the Other. The Other is the active participant, the Other is the author of the image which is passively taken over and assimilated: we very often try to conform to a model or an image that others project upon us; we very often do what we are told to do, we become what we are told to become.

In addition, sometimes there is a great difference between the identity that we want project and we suppose we project and the way it is actually perceived by the others. Constructing and reconstructing one's identity requires self-awareness, perpetual attention, analysis, and decision-making. So identity is the result of subjective appraisal, in other words, the subjective appraisal of ourselves or of the others, and identity is continually changing: we change and yet we are still the same.

Nevertheless, since it is an essential need, one way or another, at one moment or throughout our lives we have to deal with it.

The changes determined by globalization and by the spread of the western model of development have also affected the process of defining identities. More than ever before the need to re-define, re-construct, in other words to adjust to changes, is imperative. In the adjustment and reconstruction of identity, the Self assumes the leading role, while the Other or several Others provide the necessary the backdrop against which the process is developed.

Collectivism vs. Individualism

As identity is an essential human need, the cultural dimension of identity is present in all cultures. Specifically, it takes shape as the polarity collectivism/individualism, included in the two basic sets of criteria designed for analyzing cultures, one devised by Geert Hofstede[2] (2001) and one by Fons Trompenaars and Charles Hampden Turner (2004) and it is used by many other authors in describing cultures. This testifies to the validity of the criterion in defining cultures. The polarity individualism/collectivism reflects two alternative sources of identity, the degree in which within a culture people are seen as functioning as individuals or groups, the extent to which a

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[1] Sygmund Freud, *Group Psychology and the Analysis of the Ego*, New York, Liveright Publishing Corporation, 1951.
[2] Geert Hofstede, *Culture's Consequences. Comparing Values, Behaviours*, Institutions and Organizations Across Nations, second edition, Thousand Oaks, London, New Delhi, Sage Publications, 2001, p. 140.

certain culture gives priority to the desires, needs, pursuits of the individuals or the interests, aspirations or needs of the group. Identity is therefore defined through what the individual holds in common with the group, the community, the common attributes that he shares with the group and make him identify with the group, a characteristic of collectivistic societies, or through what the individual asserts as different from the group, what makes him/her unique and differentiates him/her from the group, a source of identity which is characteristic of individualistic societies.

In collectivist cultures, affiliation to the group represents a consistent source of identity.

Collectivistic societies are characterized by strong social relationships that provide unconditional support all life long. They originate from and reproduce the community of the believers and depending on culture and society, the various groups, with which individuals identify are the family, community, corporation, the nation, etc[3]. Common ethnic origin and culture - language, traditions, common history, religion – provide an extremely well-articulated type of collective identity, as, just like the community it is based upon, all its elements support and consolidate each other. The essential characteristic of this type of community is that it provides an understanding shared by all its members, an understanding beyond words, that should not be produced. It is due to this understanding that people remain united, in spite of all kinds of separating factors[4], so the sense of identity this community offers has a high degree of internal cohesion, stability, endurance and perpetuation. Looking in retrospect, particularly when considering the risks and vulnerabilities of present life, one cannot help noticing how reassuring this reality was and what a strong feeling of security it provided.

The other side of the process of defining identity consists in the assertion of what is specific to each individual. The individual is no longer interested in reasserting the ties that connect him/her to a community or group, but wants to assert his/her needs, interests, desires and in this process he comes to assert what differentiates him/her from the others. Individualism was born and generally characterizes the western world, where it has been shaped by historic processes such as the Renaissance, the Age of the Enlightenment, the Industrial Revolution, the American War of Independence. Modernization triggered off by the Industrial revolution uprooted the

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[3] Fons Trompenaars, Charles Hampden Turner, *The Seven Cultures of Capitalism. Understanding Cultural Diversity in Business*, second edition, London, Nicholas Brealey Publishing, 2004, pp. 29 -156.

[4] Ferdinand Tönnies, *Community and Society*, New York, Harper, 1963, in Zigmunt Bauman, , *Community*, Polity Press, 2001, p. 9.

individual from the traditional community, so that the division of labor, specialization, secularization, work in factories and life in the new urban centers dissipated the influence of the traditional community[5]. The new circumstances of industrialism and the modern epoch faced the individual with choices which he had to make on his own. New laws regulated his life, new norms glorified individual interests and desires and prompted the individual to act in order to achieve them. In the process of building an independent self, the individual became no longer disposed to share the results of his/her efforts with the members of the community. Consequently, ties with the traditional community weakened, families as a whole reduced and the individual developed personal mechanisms that helped him cope with new realities. In this process, the individual no longer identified with the community, no longer benefited by the support of the community, but relied on his own capabilities and resources and depending on circumstances, on the support and integration into smaller groups of people who shared the same interests at a certain moment.

Individualism in the age of globalization

As a form of maximum interdependence at the level of the entire planet, globalization has had tremendous impact in a multitude of fields: economic, technological, political, social, cultural, military. Unlike the modern times in which culture was to a great extent confined to local areas and suffered limited influences, culture nowadays is more diverse, symbolic and dynamic. Values, beliefs and lifestyles are extremely dynamic in space and time. Unprecedented access to communication technologies have hugely multiplied cultural influences and radically changed the nature and dynamics of economic, social and cultural life. As Ulf Hannerz[6] remarked, the world looking like a patchwork of separate cultures, clearly separated from one another, remained far behind.

The disintegration of traditional communities became inevitable when the processes of communication inside the community were gradually offset by the communication between the community and the outside[7]. Once the ties with the source of identity provided by the community were cut or weakened, to redefine identity becomes a vital necessity.

Postmodern theories on identity maintain that ethnic and national identities are not primordial, but situational, and much more important then

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[5] Trompenaars & Hampden Turner, *Idem*, p. 55.
[6] Ulf Hannerz, *Cultural Complexity: Studies in Social Organization of Meaning*, Columbia University Press, New York, 1992, p. 125.
[7] Zigmunt Bauman, *Community*, Polity Press, 2001, p. 11.

national and ethnic identity are the social class, economic development, global interdependence and secularization, so the individual is looking towards new groups with which he/she can identify. The situational context offers opportunities for the realization of various sides of identity, in a world that provides a wide range of possible identifications from which the individual has to choose. An important consequence is the fluctuating nature of identity, as people tend to identify themselves with several social groups – several Others – (created on the basis of not only race, ethnicity, but also gender, social class, occupation, age, multiple leisure activities, etc.), one of these factors being essential at a certain point, depending on situation[8].

The new views of identity highlight not only the fragmentary nature of identity, but also its transitory character and the necessity of its permanent reconstruction, as they see modern life as an excursion through various social environments, with the successive realization of a number of possible identities[9]. (I have shown elsewhere that this view on identity has a powerful cultural determination, as the western civilization offers the individual the chance to assume a variety of roles, with the result that the discourse of identity assimilates roles to identities)[10]. Duchesne and Scherrer highlight the fact that it is not identities that are multiple, but the social identifications of the individual. They have tried to identify certain recurrence patterns in the way the individual identifies with affiliation groups, and as a result they suggested that the concept of identity should be regarded as a force of social organization[11].

In this context, the individual acquires a more important role. As there are no natural relations to connect people and the people are the artisans of their own connections, as Stuart Hall maintains[12], it is the responsibility of the individual to determine the relevance of his/her connections. Cultural identity is to a much lesser extent "ascribed"[13], inherited and assimilated, and much more constructed from elements chosen depending on personal affinities and

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[8] Colleen Ward, Stephen Bochner, Adrian Furnham, *The Psychology of Culture Shock*, London, Routledge, 2001, p. 95.

[9] Welsch Wolfgang, *Transculturality: The Puzzling Form of Cultures Today*, in *California Sociologist*, 17&18, (1994/1995), pp. 19-39.

[10] Margareta Boaca, *Identitate şi rol într-o perspectivă interculturală, (Identity and Role from An Intercultural Perspective)*, Paper presented at annual international scientific conference of the "Carol I" National Defence University, „Strategies XXI", 2009 and published in the acta of the conference.

[11] Sophie Duchesne, Vanessa Scherrer, *L'identité politique comme force de conflictualisation et de hiérarchisation des appartenances sociales: justification théorique d'une définition empirique*, in *Identité(s)*, Actes du colloque de la MSHS de Poitiers, Presses Universitaires de Rennes, 2003, pp. 325-336.

[12] Stuart Hall, *Cultural Identity and Diaspora*, in Rutherford (ed.), *Identity: Community, Culture,* Difference, London), 2001.

[13] Anthony Giddens, *Sociology*, London, 1991.

preferences, by personal choice and decision. The individual has to build his connections and to choose from the "global cultural supermarket"[14] those elements that best express his/her own identity at a certain moment.

The positive aspects of the process relate to the very rich opportunities to develop one's own personality. The postmodern era gives great importance to the concept of diversity and the process of defining one's identity by asserting what the individual holds different from the others. Given the variety of cultural elements to which people have access through the new media technology, theoretically they have the chance to build extremely rich and diverse identities, according to the forcefully asserted postmodern slogan "I have the right to be different".

However, the whole process is neither simple nor devoid of difficulties. Let us remember that even the most "objective "aspects of identity are not automatically integrated by individuals, and the "objective" identity and the feeling of the identity are sometimes quite wide apart, as the extreme example of transsexuality illustratively shows. During a lifetime human beings have always had to deal with the reconstruction of identity, as some periods of our lives necessarily impose smaller or greater, easier or more difficult, positive or negative identity changes. Becoming a parent or grandparent, changing profession or job, divorce, retirement etc., are events that require deep-going processes of identity adjustment and reconstruction, and people are not always successful in coping with it. However, the identity challenges that have to be faced in the age of globalization are so much greater and stressful than these, faster, and more frequent, and very often unexpected, they have wider scope, such as those involved in emigrating, so adjusting to a new culture, new society, new town, new job, communication in a new language. Consequently, the reactions of resistance and rejection, which in fact are the symptoms of identity crisis, the incapacity to project and reconstruct the identity, are so frequent. An identity crisis is an instance in which the individual is stuck in an identity that functioned at a certain period in time and place, but which is no longer in tune with the new realities. This gives the individual the frustration of no longer understanding and identifying with the new environment and the rejection of a reality he does not understand. Incapacity to adjust and reconstruct identity is a phenomenon that plagues the world today. In the case of immigrants, for instance, leaving the home community and culture and facing the imperative of integrating into a new cultural environment pose huge problems related to the reconstruction of identities, and few individuals can deal with these successfully.

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[14] Gordon Mathews, *Global Culture, Individual Identity: Searching for Home in the Cultural Supermarket*, London, UK, Routledge, 2000.

According to Manuel Castells, the resistance identity – the phenomenon which other sociologists call identity crisis – is a reaction to the prevailing social tendencies and an attempt to provide a refuge in the face of a world, whose rapid pace of change represents a threat. Refuge is sought in cultural and religious values that functioned as a source of identity at a certain time in history, but now, they provide a defensive identity whose main purpose is resistance to change. The way out from the resistance identity comes through the projection of identity, a difficult but not impossible process at the level of a community. From resistance to projection into another possible identity that permits integration into the new trends. In this way, according to Castells, the resistance identity is through projection the most consistent source of identity in the post modern epoch[15].

Another risk is that infinite possibilities to choose from and the lack of a reference system and of axiological criteria to guide the choices can bring about what is called "the despair of choice" or can make the individual choose at random what is aggressively promoted by the media. The construction of identity takes place in the world of representations. In order to shape our identities we use symbols, and we take them from the past, from everyday life, from different lifestyles, from the heroes of various cultures, etc. The danger here is to consider these identity signs the identity itself, in a relationship of the "form without content" type. The individual identity built in this way is extremely fragile and ephemeral, it lacks foundation, substance, memory and therefore future.

Conclusions

The two ways of defining identity – through what the individual holds in common with the community and through what distinguishes him/her from the group – are complementary. On the one hand, the national cultural heritage means a very solid foundation of values upon which to build your identity and it provides a strong feeling of affiliation and certainty. Cultural specificity is the contribution that national cultures bring to the richness and diversity of the world. To ignore your heritage means to deprive yourself of a very powerful and rich source of identity. However, the globalization of the western model of development changes the stress from this kind of ascribed identity to individually projected and constructed identities, a process which imposes heavy demands upon the individuals Given the rapid changes in the world, the projection and reconstruction of identity represent a crucial necessity in order to survive Constructing and reconstructing identity needs the solid foundation of the cultural heritage of his/her community, and also needs continual education, communication, self-awareness.

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ANALYZING DISCOURSE
FROM A CRITICAL PERSPECTIVE

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The aim of the present paper is, first of all, to synthesize critical discourse analysis terminology, and, secondly, to utilize it in analyzing a political speech by President George W. Bush concerning the situation in Iraq. The speech is from 2004 and the reason I chose it is that it presents quite clearly the American presidency's ideology behind the war in Iraq and also the most relevant discourse techniques meant to attract the support of the population for this mission.

Keywords: *discourse; dialogicality; assumptions; ideology; argumentation theory.*

Theoretical underpinnings

The term discourse has been defined in several ways the most general of which pertains to Gee (2005:10) who explains that discourse represents the way "linguistic and non-linguistic things are integrated." His definition is quite close to Dijk's (2001: 66) who speaks of discourse as "a communicative event including conversational interaction, written text as well as associated gestures, facework, typographical layout, images and any other semiotic or multimedia dimension of signification." Jäger (2001) and Fairclough (2001, 2003) focus on the social nature of discourse. The former defines it as "[t]he flow of knowledge – and/or all societal knowledge stored – throughout all time, which determines individual and collective doing and/or formative action that shapes society, thus exercising power" (Jäger 2001: 33). For Fairclough, discourse is directly linked to and determined by semiosis which "in the representation and self-representation of social practices constitutes discourses. Discourses are diverse representations of social life which are inherently positioned – differently positioned social actors 'see' and represent social life in different ways, different discourses." (2001: 123) Or to put it more simply, also in Fairclough's words, discourse is "language in use as an

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element of social life closely connected with other elements." (2003: 3) Wodak pays closer attention to the linguistic components of discourse as she defines it as "a complex bundle of simultaneous and sequential interrelated linguistic acts, which manifest themselves within and across the social fields of action as thematically interrelated semiotic, oral or written tokens, very often as 'texts' that belong to specific semiotic types, that is genres." (Wodak: 2001: 66)

All these definitions of discourse have a few elements in common:

- discourse has a linguistic component that does not exist on its own but is influenced by other non-linguistic aspects such as gestures, images etc.
- discourse is produced/molded by different actors each with his/her own agenda that transpires in the discourse itself.
- discourse and society have an interdependent relationship, that is discourse shapes society and in its turn is shaped by society
- discourse is always ideologically laden

It has been noticed by all discourse analysts that no discourse exists in isolation; they all interact and all are based on elements from one or more other discourses. This brings to the fore other concepts that Critical Discourse Analysis employs in analyzing discourses: dialogicality, recontextualization, intertextuality and assumptions.

To take them one at a time, dialogicality (also referred to as *heteroglossia*) means the 'diversity of social speech types (sometimes even diversity of languages) and a diversity of individual voices, artistically organized.' (Bakhtin 1986: 262) Heteroglossia refers to different kinds of languages, such as: jargon, slang, formal and informal language. It also includes authorial speech, the speeches of narrators and characters, the different genres, and the way they interact in discourse. The multiplicity of voices and relationships between these voices – *dialogization* – constitute the basic stylistic features of the contemporary discourses. Languages are in general heteroglot. They embody the co-existence of different social and ideological mental frames and groups, both present and past.

Recontextualization, according to Fairclough, is "the appropriation of elements of one social practice within another, placing the former within the context of the latter, and transforming it in particular ways in the process." (Fairclough 2003: 32) Relations of power in governance are always involved in this process, as the appropriated discourse is meant to reflect, to emphasize, to justify and/or to strengthen a certain point of view expressed in the dominant discourse.

According to Fairclough (2003: 39), assumptions are linked to intertextuality. They represent types of implicitness such as presuppositions,

logical implications or entailments and implicatures. Everything that is directly stated in a text appears and functions against the background of what is 'unsaid' but can be inferred or deduced and which can be taken as a given. Intertextuality and assumptions may also be interpreted as claims coming from the author that "what is reported was actually said, that what is assumed has indeed been said or written elsewhere, that one's interlocutors have indeed heard it or read it elsewhere." (Fairclough 2003: 39) Dijk comes in support of Fairclough's explanation by adding the fact that the author assumes that the information presented implicitly is part of "the mental model of (the users of) a text but not of the text itself. That is, implicit meanings are related to underlying beliefs, but are not openly, directly, completely or precisely asserted for various contextual reasons, including the well-known ideological objective to de-emphasize our bad things and their good things." (Dijk 2001: 104) However, as Fairclough mentions, these claims may or may not be founded, as people may willingly or unwillingly (with desired or coincidental outcomes) make such assumptions. I would argue that this is the way most political speeches are built and this is the best technique that can be used to manipulate an audience into believing or sharing a set of values that the author wants them to adhere to.

As mentioned previously, all discourses are ideologically laden. Ideologies are defined in different ways, but all these definitions emphasize the relation between them and power. Almost all definitions of ideology are based on Foucault's view of the relation between discourse and power. In *The Order of Things* (1994), Foucault argues that the conditions of discourse have changed over time, in major and relatively sudden shifts from one period's episteme to another. The basic principle that Foucault applies to his work is a respect for differences. It informs his approach to history, society, politics, psychiatry and economics. It is out of this respect that his methodology arises, and it aims at uncovering the specificity and discontinuity of each discourse. His methodology is based on his view of power as the key element in all social areas, and on his general debunking and refusal of a global and totalizing mode of thought.

Fairclough argues that "ideologies are representations of aspects of the world which can be shown to contribute to establishing, maintaining and changing social relations of power, domination and exploitation." (Fairclough 2003: 9) Along the same lines, Thompson 1984 argues that ideologies are in fact "meaning in the service of power." Fairclough (2003: 9) makes another important point concerning ideologies, namely that, although they are first and foremost representations, they can be 'enacted' in several ways and 'inculcated' in the identities themselves of the social agents. Moreover,

ideologies are more stable and more resilient than any individual text or collection of texts.

When it comes to the theory of argumentation one of the most important names who tackled the problem is Stephen Toulmin (2003). He identifies the three major parts of an argument as well as three additional, optional parts. The major parts are the following:

•the *claim* which is the main point, the thesis, the idea that guides the argumentation. It is usually stated directly at the beginning of a text or at the end, if a certain effect is expected. However, the claim may also be implicit in the reasoning and organization of the text.

•the *support* which is represented by the reasons offered in support of the claim. It can be presented as evidence, proof, arguments, data or grounds such as facts, statistics, experts' opinions, examples, explanations etc.

•the *warrants* which are the presuppositions and the assumptions which underlie the text. They could be generally held beliefs, customs, cultural values etc. They form the common ground between the author and the intended audience, as they invite the latter to participate unconsciously by supplying part of the argument. Warrants also form the link between the claim and the support.

The additional parts are the following (it needs to be mentioned that not all or any must be used in all arguments):

•the *qualifiers* which are the expressions which tone down an argument

•the *rebuttal* which refers to the fact that when making an argument opposing views must also be taken into consideration and treated fairly. All questions and objections that the audience may have must be answered or the argument will lose strength.

•the *backing* which represents the evidence needed to support the warrant and make it more believable.

George W. Bush's turns of phrase

The fragment below is taken from the press conference in which George W. Bush vowed to "Stay the Course" in Iraq after June 30, 2004. He indicated his willingness to commit more U.S. troops and resources and reaffirmed the U.S. commitment to Iraq after the planned June 30 transfer of sovereignty to Iraqi leaders. The excerpt presents Bush's conclusions after his speech on the situation in Iraq and on the measures that had to be taken by the American government.

1. "The violence we are seeing in Iraq is familiar. The terrorist who takes hostages, or plants a roadside bomb near Baghdad is serving the same ideology of murder that kills innocent people on trains in Madrid, and

murders children on buses in Jerusalem, and blows up a nightclub in Bali, and cuts the throat of a young reporter for being a Jew.

2. We've seen the same ideology of murder in the killing of 241 Marines in Beirut, the first attack on the World Trade Center, in the destruction of two embassies in Africa, in the attack on the USS Cole, and in the merciless horror inflicted upon thousands of innocent men and women and children on September 11ᵗʰ, 2001.

3. None of these acts is the work of a religion; all are the work of a fanatical, political ideology. The servants of this ideology seek tyranny in the Middle East and beyond. They seek to oppress and persecute women. They seek the death of Jews and Christians, and every Muslim who desires peace over theocratic terror. They seek to intimidate America into panic and retreat, and to set free nations against each other. And they seek weapons of mass destruction, to blackmail and murder on a massive scale.

4. Over the last several decades, we've seen that any concession or retreat on our part will only embolden this enemy and invite more bloodshed. And the enemy has seen, over the last 31 months, that we will no longer live in denial or seek to appease them. For the first time, the civilized world has provided a concerted response to the ideology of terror – a series of powerful, effective blows.

5. The terrorists have lost their shelter of the Taliban and the training camps in Afghanistan. They've lost safe havens in Pakistan. They lost an ally in Baghdad. And Libya has turned its back on terror. They've lost many leaders in an unrelenting international manhunt. And perhaps, most frightening to these men and their movement, the terrorists are seeing the advance of freedom and reform in the greater Middle East.

6. A desperate enemy is also a dangerous enemy, and our work may become more difficult before it is finished. No one can predict all the hazards that lie ahead, or the costs they will bring. Yet, in this conflict, there is no safe alternative to resolute action. The consequences of failure in Iraq would be unthinkable. Every friend of America and Iraq would be betrayed to prison and murder as a new tyranny would arise. Every enemy of America and the world would celebrate, proclaiming our weakness and decadence, and using that victory to recruit a new generation of killers.

7. We will succeed in Iraq. We're carrying out a decision that has already been made and will not change: Iraq will be a free, independent country, and America and the Middle East will be safer because of it. Our coalition has the means and the will to prevail. We serve the cause of liberty, and that is, always and everywhere, a cause worth serving." (Excerpt from the Press Conference of President George W. Bush, April 13, 2004)

I will proceed to a step-by-step analysis of the selected text. I have numbered the paragraphs so that it will be easier to refer to the text. First, I will look at the sentence level to see how syntax and morphology contribute to the building and development of the speech. Then, I will move to the level of the arguments to see how these combine to legitimize the speech. Then, I will analyze the persuasive and ideological components of the speech. Throughout the analysis, I will try to point out how dialogicality and recontextualization interact within this discourse.

The text is constructed on a dichotomy that is present in the lexical and syntactical choices. The first articulation of this opposition is rendered by the contrastive use of the pronouns "we" and "they". "We" refers to the civilized world, the good guys and "they" to the enemy, the terrorists, the bad guys. The conflict is simplified to the maximum. There are no gray areas; just black and white. The underlying message is "if you're not with us, then you're against us." This dichotomy extends to the level of the sentence as well. In the first two paragraphs we are dealing with very long sentences, meant to impress the audience. They enumerate the most important terrorist acts that shocked the world. Their length is meant to impress and to make the list seem never-ending. The enumeration makes the sentence appear long but it does not make it complicated. This way, it can be both impressive in size and easily comprehended.

In paragraph number three, an abrupt change in style takes place. The sentences become short and to the point with no more enumerations, as all sentences are main juxtaposed clauses. These are the charges brought by Bush against terrorists, and, in order to have the maximum impact on the listeners, they are short and to the point. The repetition of the verb "seek" places the focus on the sentence that comes after it not on the verb as such, thus concentrating the message even more. This problem was also analyzed by Dijk who explains that "ideologically biased discourses polarize the representation of us (ingroups) and them (outgroups)." (Dijk 2001: 103) He further explains that there exists in all ideologically-laden discourses a general strategy of emphasizing the positive aspects of one's self-representations and of the negative aspects of the others' representations. (Dijk 2001: 103)

So far in George W. Bush's speech, the arguments have been constructed along the scheme of contrasts: A versus B. It is the civilized world who has to fight against the terrorists whose only aim is to hurt people and to disrupt lives. In paragraph number three, a shift in the argumentative scheme can be noticed. An implication is used: if we do not take action, then they attack us. The apposition "a series of powerful, effective blows" is meant to show that if action is taken then a result can be reached. And this result is

elaborated on in the next paragraph. Again, this paragraph is made up of short main clauses. The use of the Present Perfect is meant to emphasize the fact that the actions that have been taken have led to the present situation and they justify all future measures.

In the sixth paragraph, another change appears. Modals, which have been conspicuously absent so far, begin to make their presence felt because potentialities are discussed. Given facts are no longer presented. Now the speech focuses on what could happen if things do not continue along the same path and terrorism is not dealt with the way as it has been so far. "May" and "can" are used to show possibility and probability. One sentence not containing a modal comes to interrupt the series. And this is exactly the essence of the paragraph. "There is no safe alternative to resolute action." Again this is prescriptive. The problem is described in the paragraphs above. Then the solution that has been implemented so far and the results it has led to is detailed. In the present paragraph, an alternative is proposed, but in gloomy terms. The modal "would" is presented as a marker of the conditional to show that, if the course of action is changed, the following thing would occur: tyranny, persecution, and never-ending terrorism.

In the last paragraph, yet another change in morphology can be noticed. The modal "will" appears, both as a marker of future tense but also of volition. There is a very interesting play upon words. In the same paragraph, we come both across the modal "will" and the noun "will." It is the will of the civilized world to bring terrorists to their knees. And if there is a will there will also be a way. This is the message conveyed by the paragraph since no real solution is put forth to justify this faith in their own force.

When one compares the last two paragraphs, one cannot fail to notice the interaction between the modal "would" and the modal "will." The former shows what may happen if the strategy is changed now; the latter reinforces the fact that the presidency will not allow this to happen and will carry on the plan.

Now, I will look at how these elements contribute to building the discourse at the level of argumentation. The speech is quite well organized as far as Toulmin's theory of argumentation is concerned. Firstly, there are the claim and the support, the empirical data represented by the enumeration of the terrorist attacks. Then, the warrant appears in paragraph two. This general premise is presented in the form of a personal generalization of the terrorists' goal. The first step is the introduction of the backing. This is done smoothly, through the use of the first person plural pronoun "[o]ver the last several decades, we've seen that any concession or retreat on our part will only embolden this enemy and invite more bloodshed." Thus an appeal is made to common belief of what is wrong or right, to moral values, and to everyone's

ability to infer what may happen next in order to justify the claim that is made. Paragraph number five can also count as a backing, but not in the traditional sense. It is meant to back up the claim by means of positive, encouraging examples. This paragraph presents the results the measures taken so far have had on the terrorists. The rebuttal is also present in a diluted form. In paragraph number six, an alternative is presented, an alternative to "resolute action." Straight from the beginning, it is qualified as an unthinkable situation and described in doom-like terms. Finally, paragraph number seven presents the claim, which is that given all the facts presented above, the present course of action is the only really efficient one and it should be kept no matter the risks or unforeseen consequences.

The whole argument is created and unfolded as a persuasive argument and in this respect some more characteristics can be mentioned. The strategic function is more emphasized than the communicative one. The goal of this speech is to gain people's support, to make them follow their leader and trust his decisions. The communicative function is reduced to the minimum. The time for informing has passed and now it is time to take action. This seems to be the message of the speech. Another feature of the text comes to emphasize its strategic function. The discourse is in no way dialogical. It does not even take into consideration the fact that there may appear objections to the line of action it proposes. An apparent attempt to create a dialogue may be noticed in paragraph six, but it is just a smoke screen. The real issue is to prove that the presented argument is the only possible and logical one. All the existential and universal quantifiers in that paragraph only work together to create the impression of an absurd scenario that no rational and moral human being could accept. When a text is not dialogical, it automatically fails to take into account views that may contradict it and it becomes strategic and even manipulating.

But how has this smoothing over of all possible counter arguments taken place? By recontextualizing the terrorist attacks, by taking them out of their original setting, by breaking the cause-effect chain that might have been able to account for them at least to some small extent, all that was left of the original discourse were the negative, revolting aspects. The attacks were re-set and re-interpreted in the context of the present speech. The new function they gain is to reinforce the suggested course of action. They become means to manipulate public opinion. Their initial meaning was to draw the public attention to something. They were a really violent and shocking way to do it but this was their goal. In the context of the present discourse, they lost that function altogether and have become reasons for war.

From the point of view of Critical Discourse Analysis, the present speech can be considered a discourse in itself. It is a way of presenting an

ideology. This ideology is in consonance with the definition provided by Vincent: it is a "body of concepts, values, and symbols" (2010: 5) which claim to be both descriptive and prescriptive for human beings. In this case, the situation described is the one brought forth by terrorist attacks and the prescribed action is war until the enemy is fully defeated. There is no room for an alternative. This is one solution and the members of the civilized world must adhere to it unconditionally. The speech attempts to legitimize a particular interventionist policy that the American government promoted at that time.

By using Critical Discourse Analysis to look at political texts one might discover how exactly manipulation is achieved, how the feeling that the words are charmed appears. And by understanding these mechanisms of argumentation, we might find that we are less vulnerable to manipulation.

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POLITICAL AND CULTURAL EVOLUTION OF THE ROMANIANS IN THE ROMANIAN ANCESTRAL TERRITORIES OF BESSARABIA AND BUKOVINA OVER THE COURSE OF TIME

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This article deals mainly with the evolution of the consciousness of identity of the Romanians in Bessarabia during the long period of Tsarist domination, as well as the way this identity was perceived by several authors, Russians or of other origins. Moreover, it reviews the main methods and instruments of denationalisation, from the persecution against the Romanian language and its promoters to the colonisation of the territory between the Prut and the Dniester, especially of the towns and strategic areas in the south and north, with all sorts of foreign populations, attracted here with privileges at the expense of the natives. Basically, the Romanian character of the language spoken in Bessarabia in the 19th century is not questioned by the Tsarist officials themselves, but numerous prestigious writers explicitly recognised this situation which was obvious even to the common people.

MOTTO:

,,Out of love for our Homeland and in memory of our ancestors, we'll always be prepared to sacrify, anytime and anywhere, an arm that does not hesitate and a faithful heart". (translator's note)

Simion Mehedinţi

Several historical sources, which date back from the medieval times, prove, unquestionably, that the territories between the Prut and the Dniester rivers, southern Bessarabia (Bolgrad, Ismail, Cetatea Albă countries), and northern Bukovina, including Pokuttya, had belonged to the Moldavian state.

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In late 14th century, Prince Roman I was known as the prince "from the mountains to the sea"[1], the political status of north-eastern Moldavia remaining unchanged over the course of the Middle Ages, with the exception of the citadels that had been conquered by the Ottomans and then turned into vilayets.

In the 15th century, during the early reign of Stephen the Great, Bessarabia was under the authority of the prince from Suceava. As a proof of this, Mihai Eminescu, quoting from the work "Sbiór pisarzów polskich" that appeared in 1828, wrote that when the Sultan Mehmed II penetrated into Wallachia, against Vlad the Impaler, there was a Serb in the Ottoman army, namely Konstantin Mihailović of Ostrovica. It is from him that we know that the sultan may have said: "So long as the Romanians control Chilia and Cetatea Albă, and the Hungarians the Serbian Belgrade, we shall not be able to defeat the Christians!"[2]

By 1812, the history of Bessarabia was one with that of medieval Moldavia. The region between the Prut and the Dniester rivers was an organic part of the Moldavian state, occupying the eastern part. Moreover, the Prut unified; it did not create particularities. Archaeological excavations and ancient and medieval resources confirm that the territory bordered by the Prut, the Danube and the Dniester had been inhabited since very old times[3].

The beginning of the 19th century was tragic for the Principalities of Moldavia and Wallachia. Hardly had the north part, Bukovina, been torn from Moldavia and annexed to the Habsburg Empire (1775) when a new invasion started.

The Habsburg territorial rape of Bukovina

Considered by an Austrian diplomat "the key of Moldavia"[4], Bukovina, during the 144 years of being a part of the empire, went through the following stages:

1. the military administration period (1774-1786), when it was ruled by a military governor, having the rank of general and duties of imperial counsellor, assisted by a body of officers, with the residence at Chernivtsi;

2. the civil administration period (1786-1848 and 1850-1861), when Bukovina was included into the imperial province of Galicia, as the 19th administrative circle, ruled by a "district captain" as representative appointed by the Lemberg Gubernia;

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[1] Nicolae Iorga, *Adevărul asupra trecutului şi prezentului Basarabiei*, f.e., Bucharest, 1940, p. 9.

[2] Mihai Eminescu, *Basarabia – pământ românesc samavolnic răpit*, Saeculum I. O. Press, Bucharest, 1997, p. 23.

[3] Nicolae Ciachir, *Basarabia sub stăpânire ţaristă (1812-1917)*, Didactic and Pedagogical Press, Bucharest, 1992, p. 8.

[4] M. Kogălniceanu, *Răpirea Bucovinei după documente austriece*, Domino Press, s.l., f.a., p. 5.

3. the 1862-1918 period, when Bukovina became autonomous and had its own Diet, blazonry and representatives elected in the Parliament of Vienna, the Austrian Delegation (of 1867) and the House of Magnates[5].

During the Austrian rule, the Romanian population of Northern Bukovina underwent a process of Ruthenization. According to the historian I. Nistor, in 1861 there were 7,707 Romanians in the district Stăneştii, as compared to only 190 in 1910. 2,319 Romanian souls were still living, in 1861, in the district of Coţmani, by 1910 the number had decreased to 120. In the district of Zastavna, 1,917 Romanians were living in 1861, and in 1910 there were only 65. The assimilation of Romanians by Ruthenians can be observed, according to the same historian, "in each and every commune", to such extent that in some villages of northern Bukovina the Romanians had completely disappeared[6].

In Bukovina, **the National Romanian Party** played an important role in defending the identity and promoting the national interests of the Romanian population. Founded on 7 March 1892, this political party from Bukovina was led, successively, by the following presidents: Iancu Zota (1893-1896), Varteres Pruncul (1896-1897), Iancu Lupul (1897-1899), George Popovici (1900), Iancu Flondor (1900-1902), Eudoxiu (Doxuţă) Hurmuzachi (1902-1904), Iancu Flondor (1908-1910). Among the outstanding members, we should mention: Modest Grigorcea, Constantin Isopescu, Niculae Mustaţă, Victor Stârcea, Valeriu Branişte, Vasile Bodnărescu, George Tofan, Constantin Morariu[7].

It should be noted that Bukovina, by 1775, as Bessarabia by 1812, had been part of Moldavia – as it had existed during Stephen the Great – and the population of these territories was mainly Romanian, speaking a common language, in terms of the primary word stock, with the Romanians of Transylvania, Bukovina or Wallachia. Furthermore, we should not overlook the areas inhabited by Romanians in the Subcarpathian Maramureş, Pokuttya, which today belong to Ukraine, as well as the former Romanian counties of Southern Bessarabia: Cahul, Bolgrad, Cetatea Albă. In addition, we can also mention the territory between the Dniester and the Bug rivers, which once belonged to Moldavia, where more than 280,000 Romanian-speaking Moldavians, as they call themselves, live today.

The 18th and 19th centuries were to find the Russian Empire in full territorial expansion, aiming to fulfil the testament of Peter the Great, who

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[5] *Istoria românilor*, Vol. VI, *Românii între Europa Clasică şi Europa Luminilor (1711-1821)*, Enciclopedic Press, Bucharest, 2002, p. 685.

[6] I. Nistor, *Românii şi rutenii din Bucovina*, Do-MinoR Press, Iaşi, 2001, p. 159.

[7] Ioan Scurtu, *Anul 1918 în istoria românilor*, in *Studii istorice*, Bucharest, 2002, p. 2,

wanted Russia to control, just like Byzantium, Constantinople, the straits of Bosporus and Dardanelles, and, implicitly, the Balkan Peninsula, thus creating the dream of founding "the third Rome"[8].

This was a stage which found the Ottoman Empire in full political, economic and military crisis, incapable of stopping the Tsarist expansion, trying to mobilize of internal forces in order to preserve the old conquests. To counter Russian influences in the Moldavian area, the sultan banished the prince of Moldavia, Alexandru Moruzi, in 1806. He was replaced by Scarlat Vodă Callimachi, a sympathizer of the interests of the Porte, and, later on, Turkey closed the straits of Bosporus and Dardanelles to Russian military ships which were preparing for a new conflict with the Ottomans[9].

Therefore, the Russo-Turkish war broke out, running during 1806-1812 and ending with the undeniable victory of Tsarist Russia[10]. The Peace of Bucharest of 1812[11] brought about the foul annexation of Bessarabia by Russia which took it from a Christian people not by sword or in chivalrous battle, but following the betrayal of D. Moruzi, a Russian spy in the official service of the Turks (who very soon cut his head off). The Russians had promised him the throne of one of the Romanian Principalities in exchange for facilitating the occupation of future Bessarabia or, if that had failed and he had been exposed, a pension for life in the Tsarist Empire. This aspect is described in detail by the British consul in the Principalities, W. Wilkinson, who was very-well informed[12], like any English diplomat[13].

However, the Christians, whom some boyars had expected as Orthodox "liberators", turned out to be even worse than the pagans[14].

A contemporary confessed: "One cannot express in words how the troops behave towards the inhabitants of the country, plundering so that no one feels sure of his property. The country is forced to give them the necessary supplies, but the commanders sell them and the inhabitants have to provide food or money in exchange". Whoever opposed was declared "a seller of the country" and was executed. Russian soldiers treated the peasants with cruelty as well, forcing them, instead of their horses, to draw the carts

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[8]Anton Moraru, *Istoria românilor. Basarabia şi Transnistria 1812-1993*, f.e., Chişinău, 1995, p. 6.
[9] *Ibidem.*
[10] *Ibidem*, pp. 7-8.
[11] *Istoria românilor*, Corint Press, Bucharest, 2003, p. 338.
[12] See the entire text of the consul in M. Eminescu's work *Basarabia*, Mileniul trei Press, s. l., f.a., p. 42 and following. For English consular reports in the Danubian Principalities, see *Rapoartele consulare şi diplomatice engleze privind Principatele Dunărene 1820-1812*, editor Paul Cernovodeanu, Istros Press, Brăila, 2007.
[13]Iftene Pop, *Basarabia din nou la răscruce*, Demiurg Press, Cluj-Napoca, 1995, pp. 193-194.
[14] V. Mischevca, D. Jarkuţchi, *Pacea de la Bucureşti*, Chişinău, 1993.

with food supplies taken also from peasants and intended for the army. When Mikhail Kutuzov was warned that the peasants had been robbed of everything, being left with practically nothing of their own, the Russian general replied, cynically, that Russians had been indulgent towards Moldavians for they had left them their eyes "so they could cry"[15].

A report from Count Pavel Dmitrievich Kiselyov, his envoy in the southern gubernias of the empire, read: "Governor Harting plunders the properties and sucks the blood of the miserable inhabitants of Bessarabia. Any rank is sold and bought, everything has a price and the prefects are compelled to be bigger thieves than others, for they pay, for their positions, between 20 and 20,000 roubles. To prove how harmful the administration of Bessarabia is, I should like, Your Majesty, that you command me to present a note on how many inhabitants were in Bessarabia in 1812, when peace was concluded, how many Bulgarian settlers came here and how many inhabitants have emigrated, preferring the Turkish yoke, so heavy on them, to our government"[16].

A revolt of the people of Orhei against the "liberators" broke out during this time. A part of the Moldavian and Wallachian boyars sided with the Austrian or the Turks.

Imperial authorities started a savage process of Russification of the province, facing the fierce opposition of the Romanian population. It was the peasants not boyars that were fighting to preserve the rights of the Romanian people: "Ce de ar da Maica Precista năstav ,să ni rădice greutățile aceste şi să ni lase în obiceiurile noastre cele moldoveneşti, care am apucat de la bătrânii noştri şi să venim în floare precum am fost… şi să petrecem totdeauna supt dregătorii Moldovei, pământeni de-ai noştri precum suntem deprinşi şi ne înţelegem în vorbă (That Our Virgin Mother would lead us to get rid of these hardships and keep our Moldavian customs our forefathers have left us… and live the way we always have and get along with one another – translator's note)"[17]. This is what the peasants of Rachitna – the county of Khotyn asked, in 1816, from those sent to suppress their old ancestral language and rights.

The official language of institutions had been, until 1828, Romanian. Since that year, Bessarabia became a region controlled by the general government of Podolia, then of Novorossiya, and, in 1873, became a Russian gubernia.

Russian was introduced in the administration, governors, metropolitans, most of the officials being sent from Sankt-Petersburg. Pavel Kiselyov was to say that the Russian officials of Bessarabia were "the scum

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[15] Nicolae Dabija, *În căutarea identităţii*, Litera Press, Chişinău, 2002, p. 376.

[16] *Istoria românilor*, vol. VI, *op. cit.*, p. 711.

[17] *Ibidem*, pp. 387-388.

of Russia", while Pavel Svinin would call them "unwanted Russians, picked up with great haste according to the requirements of the times"[18].

In 1875, the Russian inspector for Bessarabia wrote in a report: "… at Târnova school, Soroca county, although the teacher Dubina has been teaching for 5 years, children do not understand Russian. Thus, a pupil who has been regularly attending school for 5 years, does not understand the most simple words: horns, legs, etc., without a doubt teaching has been done in Moldavian"[19].

A method that Tsarist authorities frequently used to change the ethnic composition of the province was its colonisation with foreign populations brought from all over the empire. Bessarabia's colonisation was very fast because most of the land had been given to settlers of other nationalities. On 23 July 1812, tsarism adopted a special Status for the colonists arriving in Bessarabia. Bulgarians, Gagauz, Jews from various countries (Bulgaria, Poland, the Baltic Countries) would receive Russian citizenship and certain privileges as compared to the native population, being exempted from military service, personal and agricultural taxes etc.

Colonisation of Bessarabia relied on a policy, very well elaborated by the Tsar's advisors. There was another reason for promoting this policy: the Tsar did not trust the Moldavians whom he despised. In 1813, cultural and economic relations with the Moldavia from across the Prut were forbidden. The inhabitants on the left bank of the Prut were forbidden to talk with their brothers on the right bank, that is, with those from the Country of Moldavia[20].

The policy of Russification conducted by Tsarist authorities on the Bessarabian population also aimed at the native nobility. Thus, dominated by the instinct of self-defence, the local noblemen made efforts to preserve their national character. This was done several ways. The historian L. Boga observed this phenomenon: "All these boyars of Bessarabia continue the tradition of life in the countryside; *spătar* V. Roset of Râmâncăuți, *sărdar* Iordache Milu of Păhărniceni, *spătar* Panaite Cazimir of Lohănești, *sluger* Irimia Ciugureanu of Cobășești, I. Balș of Dănuțeni, Ioan Cazemir of Văscăuți, *pitar* Sandu Feodosiu of Vadul Lecăi, Vasile Cristi of Teleșcu, Dinu Rusu of Țigănești, Iamandi of Mircești, Ioan Hașdeu of Vorniceni, A. Donici of Camenca, Iordache Ruso of Răduleni etc. Here, in this Romanian rural environment, the Bessarabian nobility found its spiritual support for the increasing pressure which was coming from the town and solace for the bitterness brought by the new foreign adverse rule"[21].

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[18] *Ibidem*.

[19] *The National Archives of the Republic of Moldavia* (hereinafter quoted N.A.R.M.), *Official Gazette of the Province of Bessarabia*, no. 10, part I of 1 October 1942, p. 81.

[20] Anton Moraru, *op. cit.*, p. 19.

[21] Veronica Văcăraș, *Nobilimea Basarabiei în a doua jumătate a secolului al XIX-lea*, in "Destin românesc", no. 4/2000, Year VIII, no. 29, pp. 3-4.

Further on, the same author says: "When the duties of their class or other needs forced them to spend part of the year in towns, the boyars continued there to live their lives isolated from the Russian aristocracy and thus to preserve their old Romanian customs: with gypsies and at the court, with luxurious coaches, wedding parties which lasted the entire week, oriental clothes, chibouks about four-palm long. Many of the boyars had connections with the civilised West where they purchased rich ornaments and where they found the calm needed for their health"[22].

A form of protest was evident ever since 1812, when the migration of the Bessarabians to the Principality of Moldavia began. A Russian eyewitness, protopope Kunițki, left a description of the elemental, uncontrollable movement of the peasants: "It was especially the peasants who left their sedentary lives: they would hastily load their possessions in carriages and headed for the Prut to cross over to the right bank which was still under the suzerainty of the Porte". In order to stop this phenomenon, Tsarist authorities claimed that Moldavia was contaminated by plague and crossing the Prut was forbidden under the threat of death[23].

Romanian historical rights over Bessarabia were supported by the records of several historians, literates and Russian statesmen who came into contact with the ethnic, social and economic realities of Bessarabia after 1812, during some journeys or as members of the Tsarist administrative body from the province.

P. P. Semenoff Tian Chansky, vice-president of the Russian Imperial Society of geography, wrote on page 148 of his voluminous and savant work on Russia, titled "Complete Geographical Description of our Homeland"; New, (southern) Russia and Crimea, Vol. XIV, Petersburg, 1910: "At the end of the 14th century, Wallachia became a vassal of Turkey and in 1511, after a long resistance, Moldavia also falls under the Turkish rule. But the two principalities managed to keep their political organisation, national voivodes and religion. Their dependence on Turkey was only in terms of paying a tribute"[24].

In his study on "The Romanian Provinces, Wallachia, Moldavia, Bukovina, Transylvania, Bessarabia", the great historian Ubicini wrote on page 4: "Russian Romania comprises the province of Bessarabia, which was also part of Moldavia and which was given to the Russians in 1812, following the betrayal of Dumitru Moruzii"[25].

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[22] *Ibidem*, p. 4.
[23] *Adevărul istoric în chestiunea Basarabiei*, Evenimentul Press, Bucharest, 1998, p. 21.
[24] Cesar Stoika, Titus Stoika, *Basarabia, Pământ Românesc*, Collection of historical data and documents, (brochure issued on the 6th anniversary of Bessarabia's reunification with the Motherland 27 March 1918-27 March 1924), State Printing, Chişinău, 1924, pp. 13-14.
[25] *Ibidem*, p. 14.

Further evidence that Bessarabia was never a Russian province but, on the contrary, a clean Romanian region comes from the undeniable fact that the Russian government, by annexing this province, was forced to preserve the old Moldavian administrative and juridical organisation as well as the old Moldavian statutes: Donici, Armenopol and Alexandru Mavrocordat.

The imperial ukase of 23 July 1812 also refers to these statutes in chapter III, page 1, mentioned by L. A. Casso, A. N. Egunoff, O. I. Pergament and so on[26].

With regard to the *ethnic right*, nobody can deny that Bessarabia, at the moment of its annexation to Russia (1812), was almost entirely inhabited by Romanians. In order to let no shadow of a doubt lurk over the *clean* Romanian character of Bessarabia in early 19th century, we shall quote the following:

The Russian writer Pavel Svinin, in a study written four years after annexation, mentions that Bessarabia "was torn off from Moldavia", that "its history is closely connected with the latter", that "its population descends from Roman colonists" having "the same past as the entire Romanian people". "The native dwellers of the region", he continues, "are Moldavian or Romanian (Wallachian), who, as I have said, descend from the Roman colonists. They speak the Moldavian language which has Latin origins and, just like the Italian, it preserves numerous features of the Neo-Latin languages"[27].

Xavier Hommaire de Hell, a mining engineer, member of several cultural societies and Knight of the Order of St. Vladimir, wrote in his work "Les steppes de la mer Caspienne, le Caucase, la Crimée et la Russie méridionale" (Paris, 1845), awarded with the great prize of the Royal society of geography of France, in vol. II on page 588: "When Russia took possession of Bessarabia, the Nogais gave up completely on their old possessions, *and it was only the Christian Moldavian population of Eastern Greek religion that remained , in Bessarabia*".

The famous French historian Alfred Rambaud wrote on page 562 of his "History of Russia", 6th edition, Paris, 1914: "A congress reunited in Bucharest in 1812. Russia renounced *Moldavia* and *Wallachia, but kept Bessarabia; Romanian country*".

In 1827, in Bessarabia there were already a few foreign colonies and the instable character of these populations is clearly revealed by the official report of the Russian governor Timkovscky who wrote, in 1827, to his superior Count Pahlen – the general governor of Odessa, the following: "The province of Bessarabia comprises two categories of inhabitants: the native

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[26] *Ibidem*, pp. 14-15.

[27] Igor Şarov, Andrei Cuşco, *Identitatea naţională a basarabenilor în istoriografia rusă din secolul XIX, Basarabia: dilemele identităţii*, Iaşi, 2002, p. 22.

Moldavians and the vagrants who were introduced on several occasions by our (Russian) government and whose morality has not changed". This information is confirmed by the Russian historian A. Nacco in his study "Civil organisation of the province of Bessarabia" 1812-1928 published in Odessa in 1900[28].

In 1837, we find in "The journey of Marshal Duke of Ragusa in Southern Russia", vol. I, Paris, 1837, the following data: "Bessarabia, which neighbours Moldavia with only the Prut river separating them, is almost entirely inhabited by Wallachians of Romanian origin. It should be noted that Wallachia, Moldavia and Bessarabia have remained a Latin oasis in the middle of a number of Slavic peoples that, for centuries, have never ceased to invade Eastern Europe".

Russian writers: A. Zasciuk, P.P. Soroca, P. Cruşevan, P. Batuşcoff, N. Lascov, A. Afanasieff – Echiujbinsky, confirm, in their works, that "the Moldavians make up the main part of the people which accounts for more than three quarters of the population".

The great Russian publicist L. Tikhomiroff wrote, in his work "Political and social Russia", issued in Paris in 1886: "Going southward, we find a small territory which is bordered by Romania and which has nothing Russian in itself, for it *had been raped by the Tsar out of ambition*".

The Russian General and Minister of War Kuropatkin would mention, in his study "The Red Army Issues", published at Petersburg in 1910, the following: "The Romanian people of the annexed Bessarabia lives, even today (1910), a different life than the Russian population. Without a doubt, if the principalities (Moldavia and Wallachia) were annexed by Russia in early 19th century, their population has become not only foreign but also hostile to the Russian people, and then, instead of a single Poland, we shall have two Polands to weaken Russia. In future, either by peaceful agreements or as a consequence of a war, the unification of the Romanian people is unavoidable. In fact, they have their own rich literature in which they show this bitterness"[29].

Vice-governor of Bessarabia Filip Vighel did not write a special work on the history of the Pruto-Dniestrian space, but he notes in his "memoirs": "I have had the chance to study the Moldavian soul. These Wallachians or Romanians, as they call themselves, descend from the Roman colonists and the Slavo-Dacians beaten by Traian. The Latin element prevails in the language they speak"[30].

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[28] Cesar Stoika, Titus Stoika, *op. cit.*, p. 15.
[29] *Ibidem*, pp. 16-17.
[30] Igor Şarov, Andrei Cuşco, *op. cit.*, p. 23.

In the official Russian statistics, reproduced by A. ZASCIUK, in his work "Materials for the geography and statistics of Russia" (Petersburg, 1862), the Romanian element is considered to represent 75%. The same thing appears in the work of L.A. Casso, a minister of internal affairs, titled "Russia at the Danube" (Moscow, 1913), stating that: "It is surprising that the Yearbook of Russia of 1910 does not mention the Moldavian nationality, although it represents more than half of the total population of Bessarabia"[31].

In 1868, the Russian jurisconsult A. N. Egunov said, in "Zapiski Bessarabskogo oblastnogo statisticescogo Komitéta", that "Until its annexation to Russia in 1812, Bessarabia was subject to the same governing regime as Moldavia of which it was an integrant part. Therefore, neither history nor the historical documents regarding Bessarabia can avoid speaking about the administration of Bessarabia up to annexation without speaking about the Divan of Moldavia to which Moldavia was subjected. There is no property in Bessarabia which does not have documents issued by the Divan of Moldavia. Up to these days (until 1868), during lawsuits, in Bessarabia numerous barristers invoke the decisions of the Divan which, having been confirmed by Moldavian princes as diplomas (chrysobulles), according to article 1606 of vol. X of Russian Civil Laws, cannot be annulled by our courts and thus preserve their entire value and power"[32].

In 1862, a cultivated Russian traveller, Afanasiev-Ciujbinski, visited Bessarabia. He would mention that, except the district of Khotyn, Bessarabia was inhabited only by Moldavians, who completely ignored the Russian language. Their language was very close to Italian and was derived from Latin. The Moldavian had a typical beauty, broad mind and sensitive heart, but lived in difficult conditions because of the oppression he was subjected to. Afanasiev- Ciujbinski would therefore revolt against "the self-titled patriots of the police who, in the regions (of Russia) with minority populations, propagated Russian as a means of knout and fist"[33].

In 1918, in "Bessarabia", the Russian geographer professor L.S. Berg, later elected member of Russian Academy and president of the Russian Society of Geography, stated: "During the Russian occupation of 1806-1812, present-day Bessarabia was called Moldavia, lying on the left side of the Prut. But soon after annexation it was officially given the name Bessarabia, which designated only its southern part or Budjak"[34]. What were the reasons for

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[31] Cesar Stoika, Titus Stoika, *op. cit.*, p. 17.

[32] *Ibidem*, pp. 13-14.

[33] Mircea Muşat, Ion Ardeleanu, *De la statul geto-dac la statul român unitar*, Scientific and Enciclopedic Press, Bucharest, 1983, p. 405.

[34] Anton Crihan, *Drepturile românilor asupra Basarabiei după unele surse ruseşti*, Eminescu Press, Bucharest, 1995, pp. 9-10.

changing the name? Professor Berg explains further on: "The reason why the name of the southern part was extended to the entire province was diplomatic, for the Russian officials interpreted the notion of Bessarabia in a broader sense, i.e. with reference not only to Budjak but also to the entire region Between the Prut and the Dniester"[35].

Beside Russian and French considerations, there are also other scholars coming from the European space who confirmed the Romanian character of the territory between the Prut and the Dniester.

The German naturalist and ethnographer, Rudolf Kulemann, in an article published in 1867, in "Revue historique du Sud-Est europen", would make significant considerations on ethnic composition, language and history of Bessarabia: "In school, the priest is the teacher and the parish clerk assists him -, but very few children attend it. Teaching is done in Russian, although the population of Bessarabia speaks Romanian and only in the north, towards Podolia, do Russian and Ruthenian elements mix"[36]. Moreover, the German traveller would observe the exodus of a part of the Bessarabian population to western Moldavia, following the annexation to the Russian Empire. Many of them went to Moldavia, to which they had once belonged and still did in terms of language, customs, land organisation. To fill the country, which was scarcely inhabited, Russia set up there a sort of colony as was once Romulus in Rome. It really took no notice of passports and other documents. Jewish merchants, retiring captains, colonels, post office clerks and God knows what other people ran there to become landlords without knowing or wanting to know anything about agriculture"[37].

Despite the opposition of the Romanian element, the Romanian nature of the province was constantly eroded. The population became more and more mixed, especially in towns, as immigration from the neighbouring provinces increased. While, in 1817, the Moldavian had represented 86% of the population, at the end of the century, according to the Russian census of 1897, they only accounted for 56%. Most of the boyars who could have led the Moldavian community were gradually assimilated by the Russian nobility. The Orthodox Church underwent an inexorable process of centralisation and Russification, starting with the moment when its activities and clergy passed under the control of the Holy Synod of the Russian Orthodox Church of Sankt-Petersburg. The intellectual and cultural life stagnated as Russian became the official language of teaching in state schools and Romanian

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[35] *Ibidem*, p. 10.
[36] Nicolae Iorga, *Informaţiuni germane despre România şi Basarabia pe la 1860-1870*, National Culture Press, Bucharest, 1927, pp. 11-12.
[37] *Ibidem*, p. 12.

stopped being an object of study, Romanian publications lessened to a great extent and literary creations practically ceased[38]. However, maternal language and traditions survived in villages, where the Moldavian population was overwhelming, and in parishes where priests and believers resisted or simply ignored the instructions from Sankt-Petersburg.

As for the socio-economic situation of Bessarabia under the Tsarist domination, "Russian travellers, - says L. Casso – who had travelled through Bessarabia in late 19th century and known it before, found no changes for the better. They even confirmed that Bessarabia had been in a better situation under the reign of the Romanian princes than it was after 15 years spent under the Russian sceptre".

Thus, the Russian general and writer Mihailovschi-Danilevschi, who accompanied the Tsar in his voyage through southern Russia and Bessarania, wrote in 1929: "11 years ago I came to Bessarabia and I have found no improvements since then".

The Russian writer Storojenco also wrote in 1829: "I cannot see the situation of the inhabitants has progressed, on the contrary, when our armies occupied Bessarabia in 1806, it was in a much more flourishing condition"[39].\

Russo-Turkish wars led to profound economic and territorial changes. Therefore, in 1856, after a new Russo-Turkish war, the counties of Cahul, Ismail and Bolgrad (in southern Bessarabia) were given back to the Principality of Moldavia, but in 1878, following another Russo-Turkish war in which Romania was also involved, these territories were incorporated again in the Russian Empire[40].

Transnistria, an integral part of Moldavia and a territory inhabited mostly by Romanians, had the same sad destiny as Bessarabia, being subject to an intense process of denationalisation and Russification.

By virtue of the *principle of self-determination*, proclaimed by Lenin, by the great Russian revolution and by the American president Wilson, the Bessarabian population, expressed, through administrative, political, professional, etc. bodies, in several times, their unshaken desire to unite with the Motherland.

However, proclamation of Union with Romania could only happen by vote of the national assembly, which represented the entire Bessarabia, all social classes and all nationalities living here.

The "Council of the Country" – the supreme body in Bessarabia – did it. It proclaimed the union first under some conditions, then under none.

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[38] *Istoria românilor,* Corint Press, Bucharest, 2003, p. 338.
[39] Pan Halippa, *Publicistică,* Museum Press and Romanian Cultural Foundation, Chişinău, 2001, p. 133.
[40] Nicolae Dabija, *op. cit.,* p. 388.

Here is the first decision of the *Council of the Country*, made on 27 March 1918: "In the name of the people of Bessarabia, the Council of the Country declares: that the Moldavian Democratic Republic (Bessarabia), bordered by the Prut, the Dniester, the Danube, the Black Sea and the old boundaries with Austria, torn off by Russia more than a hundred years ago from the body of the old Moldavia, by the power of the historical right and the right of kinship, based on the principle that peoples nowadays should decide their fate from now on and forever, unites with its Mother Romania".

After solving the agrarian issue, which was the main condition of the Union of 27 March 1918, the Council of the Country renounced all the conditions stipulated by the above-mentioned document.

Here is the motion adopted by the Council of the Country on 27 November (old style) 1918:

Following the reunification with the Motherland of Bukovina, Transylvania, Banat and the Hungarian counties, inhabited by Romanians, between the Danube and the Tisa – the *Council of the Country* declares: that Bessarabia renounces the conditions of union stipulated by the act of 27 March 1918, with the conviction that in the Romania of all Romanians – the purely democratic regime is ensured in the future.

The Council of the Country, in the eve of the formation of the Romanian Constituent, whose members have been elected by universal vote, having solved the agrarian issue, in order to meet the needs of the population, declares that it annuls all the conditions present in the act of Union of 27 March and accepts, without further conditions, the Union with Motherland: Romania".

Finally, the will of the people of Bessarabia, of reunification with Romania, was expressed for the last time during the elections of November 1919, within the Constituent Assembly of Great Romania. The elections were free, which was solemnly acknowledged by the representatives of the minorities in the Chamber and the Senate, based on the universal equal, direct and secret vote.

72, 8% of the total number of registered electors turned up at ballot boxes, which represented a crushing majority of the population of Bessarabia.

These elections represent more than the best plebiscite and proved that the annexation of the Bessarabian population to Romania was done out of their unshakable will. Of the 90 deputies elected in the Chamber, 78 were Romanians and 12 were representatives of the national minorities".

Most of the Soviet historiography labelled the union of Bessarabia with the Motherland, over the course of 1918, as a territorial rape committed by Romania, for Romanian troops led by General Ernest Broşteanu crossed into the territory of Bessarabia in January 1918. But what was the historical reality?

On 28 July 1917, the first delegation of the Moldavian central military committee of Kishinev arrived in Iaşi, demanding, in the name of the inhabitants of Bessarabia, that General Scherbachev should organise several Moldavian national units in the capital of Bessarabia. The Russian general agreed to it, but stated that he had no right to authorise the establishment of a unit, recommending the delegation to address the Ministry of War[41]. Against the confusing political and military background of the Tsarist Empire, the delegation of the Central committee could not get a meeting with Kerenski, instead it convoked in Kishinev on 20 October the Moldavian military congress that 600 Moldavian soldiers and 500 representatives of all professional categories attended[42]. Consequently, we may observe that this body had a representative character, for it represented the will of the Moldavian population.

The Congress ran during 20-22 October 1917 and it proclaimed the autonomy of Bessarabia, election of an office to organise the Parliament, called the Council of the Country, and of 44 soldiers of the Congress as deputies in the Council of the Country[43].

Under the conditions of Bolshevisation, the Tsarist army disintegrated towards the end of 1917 and some of the troops that had returned from the front set up between the Prut and the Dniester, causing a state of anarchy, characterised by plundering and killing of the population in the province. In such circumstances, the government of the Moldavian Republic, by the act of 22 December 1917 and following the efforts made by the delegation composed of Ioan Pelivan şi Vladimir Cristi, demanded military support from the Kingdom of Romania in order to disarm the Bolshevik gangs that were threatening the stability of Bessarabia. Consequently, considering this request, the Great Romanian Headquarters sent Division XI under the command of General Ernest Broşteanu who, on 8 January 1918, crossed the Prut, followed, shortly after, by other Romanian troops[44].

On 27 March 1918, during the session of the Council of the Country, the representative body of Bessarabia, presided by Ion Inculeţ, 86 deputies voted for the Union with Romania. O all the deputies, only three were against, the remaining 36 abstained and 13 were absent[45]. By the Declaration of Union of the Country Council decided: "In the name of the people of Bessarabia, the Council of the Country declares: <<The Moldavian Democratic Republic

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[41] *Albumul Basarabiei în jurul marelui eveniment al Unirii*, Official Gazette and the State Printery, Printery of Kishinev, 1933, material taken from N.A.R.M., fond 36 7704, file 36, f. 124-125.
[42] *Ibidem*, f. 127-128.
[43] *Ibidem*, f. 129.
[44] *Ibidem*, f. 192-193.
[45] *Ibidem*, pp. 221-222.

(Bessarabia), bordered by the Prut, the Dniester, the Danube, the Black Sea and the old boundaries with Austria, torn off by Russia more than a hundred years ago from the body of the old Moldavia, by the power of the historical right and the right of kinship, based on the principle that peoples nowadays should decide their fate from now on and forever, unites with its Mother Romania>>"[46].

By the very provisions of the document, the act of union had a profoundly democratic character, the new Romanian state guaranteed "the respect of all rights of the minorities in Bessarabia", whereas "personal freedom, freedom of printing, speech, faith, assemblies and all public liberties" were to be guaranteed by Constitution (Appendix)[47].

Therefore, the union with the Kingdom of Romania was an act of mutual will of the Romanians living on both banks of the Prut and not an act of violence imposed by the Romanian troops present on the territory of the old region of historical Moldavia.

The incorporation of the province between the Prut and the Dniester with the Romanian historical space was furthermore recognised by the ideological parents of Communism, Karl Marx and Friedrich Engels. That is what the two state in certain manuscripts published in Moscow: "Never has Russia reached such a large border-territory. At the same time, it made a step forward beyond its natural borders. If Catherine's occupation was excusable with the chauvinistic Russians, Alexander's had no excuses. Finland – is the country of the Finns and Swedes, Bessarabia – of the Romanians, the congress of Poles – belonged to the Poles. There can be no question here of annexing scattered relatives and kinsfolk, bearing Russian names. Here we have an uncovered violation of other territories, occupied by mere (plain) theft"[48].

Out of a desire to criticise the "Tsarist imperialism", the issue of Bessarabia was approached by Karl Marx in other manuscripts as wee. Thus, speaking about the Erfurt Conference, stating that Napoleon gave his consent to Russia, in relation to the annexation of the two Romanian Principalities, Marx would say: "Soon after that, the war broke out between France and Russia. Alexander needed his troops stationed on the Danube. He proposes peace to the Turks who, having been expelled from the Principalities 10 years before, felt happy to regain the two provinces, even losing half of Moldavia. The treaty of 28 May 1812. The Porte renounces Bessarabia. Turkey could

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[46] *Ibidem*, p. 220.

[47] *Ibidem*.

[48] Karl Marx, Friedrich Engels, *Manuscripts*, volume XVI, part II – Friedrich Engels, Publication and correspondence, Editorial Office of the Marx-Engels-Lenin Institute of the Central Committee of the Communist Party of the Soviet Union, editor V. Adoraţki, Printing House of the Central Committee of the Communist Party of the Soviet Union, 1936, p. 21.

not cede what did not belong to it because the Ottoman Porte had never been suzerain over the Romanian countries. The Porte itself had admitted that when, at Karlowitz, forced by the Poles to cede Moldo-Wallachia to them, it replied that it had no right to make any territorial cession for the capitulations gave it only a right of suzerainty"[49].

Vladimir Ilyich Lenin, the founder of the Soviet state, launched the principle of self-determination of nations within the Tsarist Empire, recognising the right of the population of Bessarabia to decide their political destiny, namely to unite with the Kingdom of Romania. The Romania officer from Bessarabia Sachelarie Vladimir, speaking about this issue before the judicial authorities of investigation after he had been arrested by the communist regime established in Romania after 1945, stated: "The undersigned Sachelarie Vladimir, born on 26 May 1896 in Kishinev, the Soviet Moldavian Socialist Republic (the name given to this territory after the Soviet invasion of 1944 in World War II), the son of Neculae and Maria, having Romanian citizenship and nationality, divorced, formerly married to Valentina born Sumovscaia, studies: theoretical baccalaureate and Military School of Infantry of Gori-Caucasus-USSR, familiar with the Russian language, no properties, investigated by the People's Court in 1945-1946 after having been suspected of crimes of war but the case was filed for I was found not guilty, former active colonel in command of the C.F.R. Gendarmerie Legion, last domicile in Bucharest, Şos. Olteniţei, no. 68, presently held…".

To the question "When were you employed in the army and what positions did you have?", he answered: "After graduating from the military school in Caucasus, I was promoted sub-lieutenant in 1915 and assigned to Regiment 2 Vânători of Turkestan. In 1917, according to (Lenin's) Slogan "Self-Determination of the Peoples of Former Russia", I came to Kishinev as I had Moldavian descent. I was captain. In 1918, after the Union of Bessarabia with the Kingdom of Romania, being an active officer, I was transferred to the Romania army, being assigned with the rank of captain as a translator of Russian with the Ministry of Army"[50].

More than 200 years after the abusive annexation of Bessarabia to the empire of the Romanovs, the Russian writer Aleksandr Solzhenitsyn, in his work "The Russian Question at the end of the 20th century", condemned the policy of expansion carried out by the Tsarist Empire in Europe, stating indirectly the illegitimacy of the Russian authority in the territory inhabited by Romanians: "By renouncing these fevered seizures of territories wouldn't it have been better to comply with the Peace of Tilsit, so favourable to Russia,

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[49] K. Marx, *Însemnări despre români (manuscrise inedite)*, published by acad. A. Oţetea and S. Schwann, Romanian Academy Press, Bucharest, 1964, p. 106.
[50] *Archives of C.N.S.A.S.*, file P 013076, Vol. 1, f. 30.

and stay away from the European brawl, to consolidate ourselves and mend our country form the inside?"[51].

Furthermore, in a more direct manner did the Russian author voice his opinions in an issue of of the "Literaturnaia Gazeta" magazine in 1990: "What is Russia: real Russia means Russia, Ukraine and Byelorussia **a**nd this should remain so at all costs [...] I see things this way: It should be stated loud, clearly and urgently: Three Transcaucasian Republics, four from Central Asia and also Moldavia, if it is so drawn towards Romania as a nation...

The 11 Republics shall separate and this is inevitable and irreversible"**.** To these Solzhenitsyn adds Kazakhstan, which, he says, has superficial borders[52].

"Having proved historically our rights over Bessarabia since very ancient times, having showed the opinions of the greatest Russian intellectuals regarding the ethnographic issue, having recalled the latest events still fresh in everybody's minds, how Bessarabia, being given over to the devastations of Tsarist-Bolshevik armies in disarray, chose to make his own destiny out of its own will, as have done other provinces, such as: Ukraine, Finland, Poland, etc., we still have to see what the love of the Bessarabian people for Russia could rest on, as the Pan-Russians of Bessarabia and Northern Bukovina claim, that if, in an absurd way, a Romanian government should accept a plebiscite, they would prefer the latter."

But these Pan-Russian patriots forget to clarify one question: who would they unite with? The Tsarist or the Bolshevik Russia? Is the regime of the soviets the legal heir of Tsarism? Or is it some political adventurers, who usurped the throne of the Romanovs in order to introduce, instead of the old autocracy, supported by oligarchy, the tyranny of ignorance and inconsequence.

Why would Bessarabia, which has groaned under the Tsarist knout for 106 years, yearn for Russia???

Is it because Russia has closed all Moldavian schools, making the cultural progress of the entire Bessarabian people virtually impossible?

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[51] Alexandr Soljeniţîn, *The Russian Question at the end of the 20th century*, Anastasia Press, s.l., 1995, p. 63; the Russian author condemned in his work Russia's military and political intervention in the Romanian space in other historical moments as well: for example, in relation to the 1848 Revolution, he said that "Nicolae sent troops in Moldo-Wallachia to repress the agitations there, doing that in collusion with Turkey and against a Christian people… So strange was or cause (*Ibidem*, p. 67); in the context of the fall of the Soviet Union (1991), Al. Solzhenitsyn recognised indirectly that the territory between the Prut and the Dniester belonged to the Romanian cultural and political space: "We finally must understand: Transcaucasia should pursue its own destiny. So should Moldavia, the Baltic Countries as well, Central Asia all the more." (*Ibidem*, p. 142).
[52] Aleksandr Solzhenitsyn, *How should we rebuild Russia?*, in "Literaturnaia Gazeta", No. 38 (5312) of 1990, pp. 1-2.

Is it because it Russified its churches and thus prevented the Romania people from preying to God in their native language? (Archbishop Paul Lebedev, Serafim, Ciciogov etc.)

Is it because they removed the language of the natives from all positions in the Country (administration, justice etc.)?

Is it because they closed the Moldavian national printery, founded in 1813 by Metropolitan Gabriel Bănulescu, for the only reason that Romanian books were printed here?

Is it because the Moldavian intellectuals were forbidden to fill public positions in Bessarabia and were sent to Poland, Caucasus and other places?

Is it because they expatriated the Moldavian peasants to Manchuria and the Caucasus, deceived by the agents of the Minister of Foreign Affairs and prompted to leave Bessarabia, where they died because of poverty and climate, by order of the Tsar?

Is it because Russia brought to Bessarabia, amid wretched peasants, all kinds of nationalities, foreign scum for colonisation, granting them various privileges?

Is it because they exiled here, in Bessarabia, all the evil-doers of the old Russian empire and former Soviet Union?

As for Russia, what would be the reason for Bessarabia to need to be annexed by it or remain under its control or sphere of influence?

Who in Bessarabia would like a constitutional regime to be led by these people deprived of scruples and ideals, who mocked at religion, family and all the other social establishments which aim at attaining anarchy all over the world?

What honest hard-working affluent citizen of Bessarabia would want to give up the love of his family, human dignity, properties and praising his Country and to unite with Russia for the sake of these comrades that remind the people of Bessarabia of the Turks and the Tartars?

Who can stand against the return of Bessarabia under the wing of the Motherland Romania but a few boyars such as KRUPENSKY, PURIŞCHIEVICI, CRISTI, ŢIGANCO etc., so that later the Communist scum introduced in Bessarabia after 1990 and then given the Power, as the agents of Moscow VLADIMIR VORONIN, PETRU LUCINSKY, DEACOV, IURIE ROŞCA, ..., who, not knowing the language and losing their privileges, and others selling themselves for money and high positions, pursue only their personal interests???![53].

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[53] I. Pelivan, *Drepturile românilor asupra Basarabiei*, Paris, 1920.

In the 20th century, the writer Aleksandr Solzhenitsyn, a victim of the Soviet repressive system, condemned the Tsarist expansionist policy and categorically admitted that Bessarabia belonged to the Romanian space.

In conclusion, in light of all the testimonies given by several Russian and European scholars and statesmen, the historical and ethnic rights of Romanians (Romania) to Bessarabia are incontestable and entail the nullity of the theories which affirm the existence of a "Moldavian" language and history.

The return of Northern Bukovina and Bessarabia to the motherland

After World War I, given the dissolution of the Tsarist Empire and of the Austro-Hungarian Empire, the two provinces, Bessarabia and Bukovina, returned to the motherland. The Union of Bessarabia and Bukovina with Romania in 1918 led to the consolidation of stability of the political life, democratisation of social relations, revival of the Romanian language in our territory, suppression of anarchy and plundering. After 1918 until 1940, Bessarabia witnessed the establishment of public order, end of social conflicts and of Russian occupation[54]. Unfortunately, the rounded unified Romania, resulted from the centuries of aspirations and having the legal consent of the Romanians living in the ancestral territories, dismembered after 22 years of existence in the summer of 1940, because of the blows received from the revisionist states the USSR, Hungary and Bulgaria.

On 26 June 1940, after conducting special consultations with the Nazi Germany, the leadership from Kremlin handed in to the government of Romania an ultimatum full of fakes, cynicism, desire to humiliate a neighbouring people who were weaker militarily speaking. Moscow insisted on being given northern Bukovina as "…compensation of that great loss brought on the USSR and the population of Bessarabia *(sic!)* by the 22 years of Romania's domination in Bessarabia"[55].

What happened on 27-28 June 1940, the Soviet ultimatums, the invasion and tearing off territories from Romania after the Molotov–Ribbentrop Pact, was, in fact, an aggression against the Romanian State, an open declaration of war if Romania had made a different decision, other than that to evacuate the population, a par of which managed to withdraw.

As a result of this criminal act of aggression, Romania could not remain immune against the terror and seizure of Romanian territories by the Soviet Union. Thus, the act of 22 June 1941, by which Romania started the war of liberation of the Romanian ancestral territories taken abusively by the Soviet Union, was a legitimate act of initiating the liberation of its territories

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[54] Anton Moraru, *op. cit.*, p. 179.
[55] *N.A.R.M.* Fond 691, file 39, tom 1.

from the Soviet assaulting state and a consequence of the latter's invasion in the Romanian territories of Bessarabia and Northern Bukovina.

We must ask ourselves and the present-day Russians and Ukrainians should too, why on 27-28 June 1940 Russia invaded Romanian territories in order to attach them to it if those lands had never been lawfully theirs, which Stalin himself admitted and so did the Communist central institutions, which published in Russian, at Moscow in 1936 the volume of Karl Marx and Friedrich Engels *Manuscripts, volume XVI, part II – Friedrich Engels, Publication and correspondence*, Editorial Office of the Marx-Engels-Lenin Institute of the Central Committee of the Communist Party of the Soviet Union, editor V. Adorațki, Printing House of the Central Committee of the Communist Party of the Soviet Union, 1936, p. 21, in which they argued that Bessarabia belonged to the Romanians. So, by publishing this volume in 1936, Stalin, the Central Committee of the Soviet Union through their political propagandistic Marx-Engels-Lenin Institute of the Central Committee of the Communist Party admitted, in fact, that Bessarabia, which they would invade later on 27-28 June 1940, was Romanian. So, what are we talking about???, who are they, how would they be considered yesterday and today, except as invaders, imperialists who aggressively acted against Romania, tearing its territories over the course of the centuries.

In light of all those above mentioned historically, scientifically documented, we can argue that Romanians and Romania can never give or give up on their fellow countrymen and the territories they live in, territories which once belonged to them and are still lawfully theirs for centuries. Romania can wait for the proper moment but cannot renounce this national ideal.

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STUDENTS' REPRESENTATIONS OF THE QUALITY OF CONTENT, PROCESS AND OUTCOME OF EDUCATION

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The given paper is aimed at tackling aspects related to an objective evaluation of the quality of the result of a service, educational under discussion, provided by a higher education establishment. Besides evaluating the degree to which the result overlaps the requirements, a conclusion is needed on the quality of the process itself which underlies the educational offer, namely on how complete, organized, steady, available the process itself is. The university management should understand the current and future needs of their students', should meet and try to exceed its students' expectations. In this context, we have tried to highlight students' representations of the quality of content, process and outcome of education.

Keywords: *education; quality management; total quality management; students' representations of the quality of education.*

Aspects concerning the quality management of educational and scientific research services provided by higher education establishments have become of utmost interest over the recent years. In order to objectively assess of the quality of the outcome of any product or of any technological service, among which educational and scientific research services are undoubtedly the case, an evaluation of the degree of which the result overlaps the requirements is needed, alongside with a conclusion on the quality of the process itself which underlies the provided services. More precisely, a conclusion is to be drawn on the process and the extent to which the former is complete, organized, steady, accessible, aimed towards fighting divergence, incompatibilities etc.

Thus, the quality of the results deriving from the activity of a higher education establishment is to be backed up by the quality management of the main departments of the university under discussion.

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The extent to which process quality is measured actually overlaps to a large degree with the guarantee of the fact that the educational or the scientific research offer is fully in line with the customer's needs. The above mentioned guarantee is closely connected within the organization with a worldwide system of quality management. Basically, the quality management system within the higher education is provided by the requirements and recommendations of the ISO 9000 international standards, by the Total Quality Management (TQM) principles or by the European Fund of Quality Management Model (EFQM).[1]

The quality measurement of such processes is usually given by the guarantee of the fact that the educational offer launched on the market will fully correspond with the customer's needs. Such guarantees are established worldwide through implementing a quality management system in the organization. Thus, eight Total Quality Management (TQM) principles are defined and these are to be followed by the university management in order to improve their activity:

- customer-focused organization;
- leadership;
- involvement of people;
- process approach;
- system approach to management;
- continual improvement;
- factual approach to decision making;
- mutually beneficial supplier relationships.

One of the most important prerequisites for creating a quality management system is the existence of qualified personnel, especially in the field of quality management.

The quality management principles which derive from ISO 9000:2000 are firstly taken over by those establishments that have given up on the traditional methods of quality assurance and that rely on control. Many a European educational establishment has set as their primary objective both the way in which ISO standards can be implemented and the extent to which the university complies with the standards. The main reason why only a few educational establishments have been certified is the fact that ISO 9000 was initially set up for productive fields in the industry. Obviously, standard terminology does not refer to the educational field, while approaches apparently do not meet with educational processes.

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[1] *Method for Improving the Quality of Higher Education based on EFQM Model.*/ Expertgroup HBO Translation third version, November 1999.

Nevertheless, basic principles focusing on customer's needs are totally taken by educational structures. Accordingly, ISO 9000 standards can apply both to students and to university employees. Thus, it is compulsory to notice whether introducing standards does not break the high educational standards which have been set within the organization over many years of its existence. Such situations can arise through mechanically translating the successful experience gained in industry into education. Recently, Total Quality Management methods have gained ground and these should become the cornerstone of the modern education and the management system within Romanian universities.

The fundamental TQM principles, on which the university management system should rely at a first glance, are extremely clear and can be implemented in universities. Nonetheless, through introducing the quality management principles, change and improvement are needed in the current university management system. Still, there are drawbacks in the latter management system mentioned in the way that it lacks transparency. And that is why no answers can be given to questions such as *Do employees meet the working requirements? How efficient are these requirements? Does the outcome match the planned activities? On which grounds does mismatch arise? What can be done in order to optimize the system?*

Moreover, nowadays any university has set a quality management system that faces a series of typical problems, such as:

- non-employment of the new management principles by the teaching staff;
- the lack of qualified university managers;
- the lack of a specific methodology regarding means of implementing the quality management principles within higher education institutions.

Undoubtedly, the above-mentioned issues and many others will deepen because of the lack of university financial resources needed to change and improve their educational activity. Consequently, what is to be done?

The emergence of the new ISO 9000:2000 and the cohesion of the TQM principles allow the elaboration of a unique methodology, based on a process approach of the management and oriented towards the client's needs. Higher educational establishments view as *customers* the following categories:

- the state and its institutions which provide a plan for scientific and technical development;
- enterprises and service providers which are considered corporate clients of educational establishments;

- students who are directly involved in the educational process and who influence the quality of the learning process in the educational organizations.

Establishing a quality management system based on the opinion of all customer groups concerned and its continuous improving are most efficiently carried out through combining and employing the international standards ISO 9000:2000 and ISO 9004:2000 and through organization of self-evaluation methods, following the EFQM model.

At first, the above-mentioned procedure presupposes a multilateral self-evaluation of its own management structure, of the available resources, of the management methods and of the main processes that are influential of the efficiency of the university activity. Students and employees of all departments can be involved in the self-evaluation process. The self-evaluation is to be carried out by means of the simplest questionnaires, containing questions and answer choices structured on the main criteria of the EFQM model. The principal purpose of the self-evaluation is obtaining complete data on the university's activity, which will be of help in creating a quality management system, and also in showing the improvement potential and the correcting measures.

As far as carrying out the core principle of the quality management is concerned – customer-focused organization – it should be mentioned the fact that, unlike product marketing, the educational activity is a very complex process, closely connected with forming professional and personal traits of an individual. From this modern perspective, that defines the management process on subject-subject relations and which means that the learner is the manager of their own education, the student actually conscientiously chooses the educational establishment they would like to attend, the subject matters they would like to major in and so on.

Students' analysis regarding the need of quality education has become common currency, especially in the context of moving towards new educational standards which presuppose enhancing the amount of time allotted to self-study, that itself entails the student's awareness of their own training process. According to experts in the field, sociological research mirrors the evaluation of the quality of carrying out by the university of its functions as a social establishment, the criteria of choosing a certain higher educational establishment, the evaluation of the quality of a university from the student's point of view, the direct user's point of view.

Regarding the quality of *content* of education, students' representations could be measured by means of the following parameters[2]:

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[2] *Why does a modern engineer need culture?* Materials of inter-university scientific and practical seminar in Ekaterinburg, February 25, 2009/Edited by N.P. Konovalova, Ekaterinburg: Ural State Technical University – Ural Polytechnic Institute, 2009.

- learning necessary skills to be employed in the professional activity;
- learning basic knowledge;
- learning knowledge basic to personal development;
- learning knowledge needed in the market economy;
- the correspondence between the taught knowledge and the national educational standard.

As far as the quality of the educational process is concerned, the following criteria are to be taken into consideration:

- the high degree of expertise of the teaching staff;
- an individual approach of the student's educational activity;
- using new educational technologies in the learning process;
- appropriate learning organizational facilities ;
- employing active methods in the teaching activity;
- demanding educational requirements for students of university.

The quality of the outcome of the educational process derives from criteria, such as:

- the high level of professional training;
- multiple employment perspectives after graduating;
- the high level of the graduate's adaptability to the current socio-economic state;
- the graduate's high ability to self-development;
- the high level of general knowledge;
- obtaining a prestigious profession;
- obtaining a diploma issued by a prestigious university.

In conclusion, we could highlight the fact that quality education has become an essential characteristic of the current student, while, with the aim of meeting the requirements of direct users, teaching and administrative staff of the educational establishment should give special attention to the applied content of the subject matters under discussion. Moreover, self-training, resource working and applying theoretical knowledge to practical activity skills are of paramount importance and great help to learners.

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THE CONFLICT IN SYRIA:
THE FAILURE OF REDRESSING GENDER VIOLENCE IN ARMED CONFLICTS

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The paper aims to present the critical situation of women within the Syrian conflict. Women's vulnerability has determined rape to become a constant issue which accompanied war. In this article we will present the context of violence in Syria firstly analyzing the specificity of women's conditions during war. We will then take a look at the cultural context of conflicts in Syria by examining what happens to women in armed conflicts. We will conclude that armed conflicts exacerbate the global inequalities experienced by women. Thus, we will underline the intermingling existing between female discrimination and the prevalence of sexual violence in international and internal conflicts. Hence, special protection must be given to women in armed conflicts.

Keywords: gender; gender violence; armed conflict; Syria.

In addition to the literature in the field, this paper aims to provide new issues in order to clarify a crucial topic nowadays, namely that of the emerging forms of violence against women in armed conflicts. We chose to address this issue not only in terms of international humanitarian law, but also in relation to the prevention policy of gender violence. Therefore, structured in two dimensions, this study is mainly aimed at addressing various aspects of humanitarian and international criminal law in Syria, while highlighting the challenges and threats of vulnerable groups. Starting with a succinct presentation of the situation of women during conflicts, we must emphasize the specificity of the Syrian conflict within the wider geopolitical context.

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Victimization based on gender

The new semantics of the concept of "armed conflict" involves a combination of the legal regulations and customary law, which together acquire the power to protect those who seek help. First, we will examine the situation of women in armed conflicts. Women are vulnerable to sexual violence and abuse both at home and in shelters or refugee camps. Such violence against women occurs constantly and, although only a fraction of these cases are recorded or reported, thousands of women actually suffer. The victimization of women continued even after the emergence of humanitarian law and the conflicts in Vietnam, Algeria, Iran, Chechnya, El Salvador, Nicaragua, Sierra Leone, Palestine, Turkey, Lebanon show that all participants to the conflict were engaged in some form of the violence that has shaken these societies. Such violence crosses all cultural boundaries, but has been consistently unreported and unregistered, although these situations have led over the years to the death of countless women[1].

The situation of women in the community in which the conflict takes place has a significant contribution, especially in the areas characterized by a cultural dimension of gender violence[2]. Violence against women is perhaps one of the clearest examples of how the discrimination of women, which exists in all societies in peacetime and during armed conflicts, is exacerbated, being favored by the strengthened patriarchal structures[3]. For centuries, the rape of women was considered a sign of victory, a soldier's proof of masculinity and success, as well as a compensation for his service[4]. Since the time when women were considered property, the unrestricted access to the body of a woman was considered a reward for the participation in the war. There is the widespread belief that in any conflict there will be incidents of rape, against all logic or sense of morality and that they are impossible to prevent. Subsequently, sexual violence during armed conflicts came to be seen as a crime against the honor of family and nation[5].

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[1] Dagmar Herzog (ed.), *Brutality and Desire: War and Sexuality in Europe's Twentieth Century*, Palgrave, 2009, pp. 260-269.

[2] Giles, Wenona Mary, and Jennifer Hyndman, *Sites of Violence: Gender and Conflict Zones*, Berkeley: University of California Press, 2004, p. 24.

[3] Charlotte Lindsey-Curtet, *Women Facing War: ICRC Study On the Impact of Armed Conflict On Women,* Geneva: ICRC, 2001.

[4] Alona Hagay-Frey and Stefanie Raker, *Sex and Gender Crimes In the New International Law: Past, Present, Future,* Leiden: Martinus Nijhoff Publishers, 2011, pp. 9-13.

[5] *Rape As a Weapon of War: Accountability for Sexual Violence In Conflict: Hearing before the Subcommittee On Human Rights and the Law of the Committee On the Judiciary*, United States Senate, One Hundred Tenth Congress, Second Session, April 1, 2008. Washington: U.S. G.P.O., 2008.

Directing attacks on civilians tends to shock us, no matter the context, causing inter-cultural normative assumptions and questioning their identity. In each of those conflicts, we deal with the implications of gender inequality on human behavior, superimposed on certain socio-political structures in confrontation. Women are subjected to the mistreatment by all parties to the armed conflict, the "allied" forces, the "enemy", from civilians to military personnel. Theories on the victimization of women in armed conflicts suggest that they are more exposed to violence and to the risk of becoming victims of armed conflicts, following the suspension of the state of social order. Among these theories, we notice the theory of the exposure to violence which states that the exposure to situations of risk increases the risk of victimization. In cases of rebellion / insurrection, the acts of violence are caused by the lack of obedience to the legal and moral norms. The differentiation made by the society between men and women, on aggression and violence, remains important, especially in traditional societies. Thus, the transformations in humanitarian law are also due to the current increase in the number of people who are left outside the protected categories. The degree and extent of brutality in modern atrocities is incompatible with domestic violence in peacetime, but both operate on similar principles. In the case of internal armed conflicts, people face discriminatory violence caused to individuals who are outside the category of belligerent.

We do not have to ignore that, during the assertion of atypical, asymmetric wars, rape and sexual slavery were used as tools of conquest and were part of the national struggle and ethnic cleansing that accompanied these battles. In both wars, atrocious sexual crimes were committed as part of the official policy of war. In 1993, as a result of these horrible crimes, feminists have engaged in international humanitarian law, in order to combat these heinous crimes. They have also sought to use the murders as a platform to change the law by a feminist perspective. These wars led to the establishment of two international criminal tribunals – one for the former Yugoslavia (International Criminal Tribunal for the former Yugoslavia), and one for Rwanda (International Criminal Tribunal for Rwanda), who judged sexual crimes against women. These Courts have made great progress in the treatment of sexual crimes during the war, in international law. Sexual crimes were not considered crimes; instead were treated as independent international crimes. However, in the end, neither the International Criminal Tribunal for the former Yugoslavia nor the International Criminal Tribunal for Rwanda has provided significant legal instruments that would enable progress.

Recognizing that rape harms the dignity of the victim, the Court held that rape is a form of torture[6], and recognized that physical contact is necessary in order to prove a sexual assault. The Court pointed out that, although rape is traditionally defined under state law as a "non-consensual sexual act", this definition is too restrictive. The Court held that: *as torture, rape is used for various purposes such as intimidation, degradation, humiliation, discrimination, punishment, control or destruction of a person. Often, in practice, rape is used as weapon of war*[78]. In Yugoslavia[9], it was concluded that the systematic attack on Muslim women was one that endangered the very existence of the Muslim community, and rape was clearly a state policy that required support, resources, as was the case of the so-called rape camps, schools turned into torture chambers for women[10]. So it could be concluded that the armed forces have sought to achieve ethnic cleansing by the fact that they raped, left pregnant, but also kept pregnant women in order to ensure the birth of children[11]. This was intended in order to achieve ethnic cleansing: men were killed on the battlefield; women gave birth to Bosniak and Croat children[12]. The systematic rape in the evidence presented may qualify as *genocide* as in T.P.I. Rwanda case, where Jean Paul Akayesu[13] was the first head of state indicted for rape in Rwanda. T.P.I. was called to interpret the 1948 Convention[14] on the Prevention of Genocide finding that: the accused had all the "mens rea" to commit genocide, and showed this criminal intent for the systematic rape of Tutsi women... in order to destroy their spirit, their

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[6] We recall here the arguments of the International Criminal Tribunal for the former Yugoslavia (ICTY) for the Celebici case, where rape was considered a form of torture, because it involved the challenge of a severe prolonged suffering that can be observed both physically and psychologically.

[7] *Human Rights Watch*, *Federal Republic of Yugoslavia: Kosovo Rape as a Weapon of Ethnic Cleansing,* New York, New York: Human Rights Watch, 2000.

[8] Celebici trial judgement http:// www. un.org/icty

[9] International Criminal Tribunal for the Former Yugoslavia, Prosecutor v. Radovan Karadzic: Judgment, April 28, 2000.

[10] The judges wrote that sexual violence "strikes at the very core of human dignity and physical integrity." The trial chamber noted that the discrimination element of the crime of torture is satisfied when such violence is committed against a woman because she is a woman (i.e., not merely because of her ethnicity International Criminal Tribunal for the Former Yugoslavia, Prosecutor v. Delalic: Judgment (Nov. 16, 1999), IT-96-21-T.

[11] Darfur Sudan, *Rape as a weapon of war: sexual violence and its consequences.*

[12] Pipe Kennedy and Stanley Penney, "Rape in War: Lessons of the Balkan Conflict in the 1990's." International Journal of Human Rights. Vol. 3, 4., 2000.

[13] Prosecutor vs Jean Paul Akayetsu ICT Rwanda indicted for genocide, crimes against humanity, grave breaches of article 3 common to the Geneva conventions.

[14] Article II of the *Convention for the incrimination of genocide.*

desire to live and to procreate[15]. The Court found that sexual violence is a crime against humanity or violation of art. 3 common to the Geneva Conventions and the Additional Protocol II; but, according to their magnitude, it may qualify as genocide; the Rome Statute criminalizes rape in art. 8, paragraph 2, letter 2, Section XXII, as a war crime; in art. 7, paragraph 1, letter g - for crimes against humanity, and forced pregnancy, although ambiguously defined in art. 7, paragraph 2, letter f, is seen as a form of genocide if the intention is to change the ethnic composition of a group[16]. The sentence pronounced in Akayesu case helped significantly to improve the potential of bringing criminals to justice for sexual crimes under the superior's liability even if it is not military. It was also the first time when an international court sentenced rape not because it is a crime of violence against women and a manifestation of male dominance, but because it is an attack on a community defined only by the racial composition, religion, national or ethnic origin. While entire communities suffer from the effects of armed conflicts and terrorism, women and girls are particularly affected because of their status in society and their sex[17]. The parties to the conflict often rape women, sometimes using systematic rape as a tactics of war and terrorism[18].

Authors such as Alona Hagay-Frey, Wenona Giles and Jennifer Hyndman state that, in armed conflicts, women's identity is sexualized[19]. They become victims of the physical dimension of their identity, as shown in the conduct of those who are resorting to such violence. Viewed as an object that can be conquered and possessed, a woman's body is representative for reclaiming a dichotomous relationship: possessed object and possessing subject. Beyond the effect of widespread terror within the civilian population, sexual acts can affect the way in which there is recognized men's inability to

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[15] *TPIR 2001 The Trial Chamber* held that rape, which it defined as "a physical invasion of a sexual nature committed on a person under circumstances which are coercive", and sexual assault constitute acts of genocide insofar as they were committed with the intent to destroy, in whole or in part, a targeted group, as such. It found that sexual assault formed an integral part of the process of destroying the Tutsi ethnic group and that the rape was systematic and had been perpetrated against Tutsi women only, manifesting the specific intent required for those acts to constitute genocide

[16] Cherif M. Bassiouni and Marcia McCormick, *Sexual Violence: An Invisible Weapon of War In the Former Yugoslavia*, Chicago: International Human Rights Law Institute, DePaul University, 1996.

[17] *Idem.*

[18] Assad's thugs are raping and impregnating women in Syria. 2012. Telegraph.co.uk, Apr 25, 2012, accessed on April 22, 2013.

[19] Alona Hagay-Frey and Stefanie Raker, *Sex and Gender Crimes In the New International Law: Past, Present, Future,* Leiden: Martinus Nijhoff Publishers, 2011, pp. 15-19.

protect their family and the community is affected in its security function[20]. Sexual violence can lead to the exclusion of women from the home community and, beyond the caused injury we deal with an injury to the community and to the social relations specific to extended families. Rape by the soldiers of the invading army destroyed any illusion still owned by the members of the defeated party. The raped woman's body has become a symbolic battleground, as it was trampled during the march of the victorious troops. The show played on the stage of the woman's body was a message sent between people - a convincing proof of the victory of one party and the defeat of the other party. Beyond the Chinese proverb "hang one enemy to warn a hundred", the state of insecurity generated by social conflicts caused the reluctance to join rebel groups for a belligerent camp. For the other party, when crimes are committed by rebels, we deal with the denial of social order, creating chaos as a normative basis to gain power. Everything that can be linked to the old regime is impure and must be punished, rape being seen as a weapon that does not require the involvement of resources or choosing a weaker victim who cannot fight[21]. By involving power relations, dependency is created, trying to punish what is regarded as a departure from the norm.

The conflict in Syria

In terms of the violence faced by the women in Syria, it is very important for the international society to actively intervene in order to ensure the protection of civilians in danger. This form of victimization of women is a manifestation of the social role and of the impact of gender on war development. Syria has ratified the Geneva Conventions in 1953 and it is, therefore, obliged to respect the Article 3 common to the Geneva Conventions that establishes protective measures and safeguards for vulnerable groups, especially for non-combatants. Geneva Conventions expressly provide that women shall be treated with all consideration due to their sex[22]. The Syrian society latently presents all the features for the use of forms of violence and serious prejudice to the behavior of civilians during war. Being based on a fundamental patriarchal paradigm, it puts its seal on the precariousness of life and democratic institutions, which once overturned open the way for the return to fundamentalism, by establishing governance around the Islamic law.

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[20] Séverin Cécile Abéga, *Les Violences Sexuelles Et L'etat Au Cameroun,* Paris: Karthala, 2007.

[21] Alona Hagay-Frey and Stefanie Raker, *Sex and Gender Crimes In the New International Law: Past, Present, Future,* Leiden: Martinus Nijhoff Publishers, 2011.

[22] Art. 12 of the *Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces.*

The modest status of women within the Syrian society is reflected in the way they are treated by society, in the existence of property rights, rights of inheritance, marriage and divorce laws, in the exercise of personal rights, in order to acquire citizenship or to seek employment. Given this lack of full involvement within the society, gender differences and their biological role, it is inevitable that an armed conflict does not have an extremely harsh impact on women. There is no legislation in place to address specific issues of domestic violence in Syria; the conflicts due to the ethnic membership to Sunni or Alawi groups feed the dehumanization risk of either of the party involved in combat[23]. Domestic violence has long been a taboo subject in society, but recently there is a return to the traditional values which deny the respect for women as individuals and overwhelm the one of mother or wife. Yet, domestic violence cases resolved in favor of women and penalizing the aggressor are almost nonexistent and the position of officials is one of solidarity with the aggressor.

Sexual violence, namely rape, is an offense under the Criminal Code of Syria, but the law does not recognize the concept of spousal rape. A violator will benefit from impunity if he agrees to marry the victim. In peacetime, women and girls who are victims of sexual violence and who talk about it or seek help from the police can be hit by a wall of indifference, hostility and the risk of being ostracized under the pressure to withdraw charges. In addition, women and girls who have been raped are then at the risk of violence by their own family, for bringing "shame" to the family honor[24]. Syrian women face strong pressure to comply with prevailing social norms regarding acceptable behavior in order to ensure that the "honor" of the family is preserved.

In Syria, reports show that in 2011 the number reached 60,000 victims although the real figure is likely to be much higher, and the number is nearly of one million refugees[25]. The number of rapes is unknown, but the Red Cross reports indicate that a number of over 4 million civilians are in need of assistance and point to the existence of a humanitarian crisis[26]. The conflict in Syria is qualified under the humanitarian law as an internal conflict where the conflicting parties are, on the one hand, the state armies and, on the other

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[23] http://www.law.emory.edu/ifl/legal/syria.htm

[24] Under the Criminal Code, perpetrators receive lower penalties for such crime or for violent crimes against women; in defense, the "honor" of the family is cited as a mitigating factor.

[25] New UN study puts Syria conflict casualties at many more thousands than reported. 2013. RTTNews, Jan 02, 2013, accessed on April 22, 2013.

[26] *Rape 'significant' factor in Syria conflict: Watchdog. 2013.* Alarabiya, Jan 13, 2013, accessed April 22, 2013.

hand, the forces representing the government led by Assad. Being part of the movement started in 2011, known as People's Spring, the Syrian uprising was particularly violent and the sanctions imposed by the international society are insufficient.

In this situation, the Protocol II to the Geneva Conventions of 1977 is applied, which, in its turn, lists and prohibits any kind of conflict causing harm to the people not involved within the conflict[27]. This includes vulnerable groups which need to be protected from the effects of conflict behavior and we specifically discuss about the treatment of children and women outside the international armed conflict, of the requirement to keep families united and to removed them from the combat areas if possible.

We are dealing here with a first application of the dilemma of humanitarian law: Syria is not a contracting party to Protocol II and, therefore, the treaty is not specifically applicable to the Syrian conflict.

However, as the International Committee of the Red Cross also informed[28] everyone concerned, many of the principles enshrined in Protocol II have become part of customary international law applicable to conflicts, and article 3 common to the Geneva Conventions is the cornerstone of the protection granted by the international humanitarian law during armed conflicts[29]. Article 3 common to the Geneva Conventions prohibits any

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[27] Art. 1 Material field of application 1. This Protocol, which develops and supplements Article 3 common to the Geneva Conventions of 12 August 1949 without modifying its existing conditions of application, shall apply to all armed conflicts which are not covered by Article 1 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol. 2. This Protocol shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature, as not being armed conflicts.

[28] Ennaji Moha. and Fatima Sadiqi, *Gender and Violence In the Middle East* London: Routledge, 2011.

[29] Article 3 common to the four Geneva Conventions of 12 August 1949 provides that: "In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed ' hors de combat ' by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, color, religion or faith, sex, birth or wealth, or any other similar criteria. To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

inhumanity, cruelty and inhuman treatment against persons not taking direct part in hostilities. Among the prohibited acts, we can include torture, humiliation, hostage taking, extrajudicial executions and murder. In addition, Article 3 provides for the medical care granted to those who are wounded or sick, acts that the Syrian government does not grant[30].

Conclusions

In recent years, the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Court (ICC) defined rape in the international arena as a crime of violence. It thus makes a distinction between honor and violence. Due to the intensive involvement of non-governmental organizations (NGOs), international criminal tribunals have begun to deal with sexual crimes and a future legislative reform is to be shaped.

Sexual violence does not have as passive subjects only those persons who are victims of the sexual act, but it also affects whole communities, by affecting the very values on which society is based. In this situation, the violation of a woman's body goes into the background, the group humiliation being the one which excels. In this respect, the international criminal law includes a problematic distinction: it operates in the public domain of the community, leaving the individual's private sphere untouched. Since the notion of community involved here is defined by its people, the distinction has generated several consequences. The victims are often excluded from the community of origin, which is a traditional, patriarchal one. Analyzing the cultural context of Syria, we conclude that, although it legally recognizes that women and men are equal, this cannot be strengthened by the everyday practice. The lack of gender equality policies makes the anomy state triggered by violence lead to insidious effects.

From events above we can see that, in Syria, the civilian population is displaced, destroyed, and rape is used as a "deliberate strategy to remove

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(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
(b) taking of hostages;
(c) outrages upon personal dignity, in particular humiliating and degrading treatment;
(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.
[30] Syria's protracted conflict: International response pathetic. 2013. People's Review, Mar 20, 2013. (accessed April 22, 2013).

civilians from their homes"[31]. Civilians were subjected (as they say) in relation to the destruction of community, social isolation, difficulty in benefiting from medical treatment, and insecurity. Thus, although 50 years have passed from the time of the Nuremberg and Tokyo trials, a time when the international law was silent and ignored the sex crimes committed in Nanking and Berlin, we can conclude that the promise of protection has been broken once more. Despite the protests organized by non-profit organizations and the evolution of the feminist movement, shocking crimes against female persons further characterize war. The violence committed in Syria must be investigated and the perpetrators must be held responsible. Moreover, political concepts such as the responsibility to protect must be axiologically refueled with the responsibility to prevent others from suffering.

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[31] *Fear of rape driving Syria refugee crisis,* 2013, *The Daily Telegraph*, Jan 15, 2013. accessed on April 22, 2013.

MERCENARIES OF THE XXIST CENTURY: THE STATUS OF PRIVATE MILITARY COMPANIES

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This paper aims to analyze some of the long-term implications of the new forms of conflict towards the rule of law, the rules of warfare, taking into account several factors such as: the legal status of non-state actors, the complexity of the relationships in conflict areas, the legitimacy and liability under the rules of the humanitarian law. This paper suggests that the symbiotic relationship that exists between private military companies and the parties involved in a conflict goes beyond the contractual obligations and into the rules of the humanitarian law.

Keywords: *private military companies (PMCs); mercenaries; combatants; liability.*

This paper aims to explore the new actors engaged in armed conflicts, taking into account the current transformations of geo-political relations. The facets of violence in the 21st century are constantly evolving, leaving behind the coding process conducted by the international society. The doctrine specialized in the geopolitical field clearly distinguishes between the terms used to describe these events, making a clear terminological delineation between "new" and "old wars". "Old wars" took place in a centralized and national world, based on state hierarchy. The impact of globalization has moved these geopolitical coordinates of states and led to the emergence of new types of conflicts, and the war on terror is a "new" war. In the 90s, conflict prevention was perceived essentially as a political-military activity designed to stop the war between states. Nowadays, the conflict prevention approach has changed its dynamics, because security threats are also

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changing, and this was also demonstrated by the event of 11th September 2001. Within this dimension, states have confirmed a series of principles and objectives for their involvement in the theaters of military operations, with implications for the regulated actors and behaviors.

This study tries to focus on the private military companies (PMCs) configuring the political and military dimension and the security risks arising from political or military threats; the risks approach is rooted in the failure to comply with the obligations specific to conflicts, human rights and nontraditional threats against states. The arguments and conclusions on private military companies presented within this paper are consistent with the dominant position of authors such as Christopher Kinsey, Hannah Tonkin and Sarah Percy.

New actors in carrying out conflicts: private military companies

Addressing security threats in a comprehensive and effective way represents a challenge in that it is necessary to move from identifying *ad hoc* solutions to a legal regulation based on a new "culture of security", limited to the principles of international law. As part of this comprehensive approach, the private actors engaged in military operations are a modern adaptation of the need for defense, of *justitiae executio*. The new semantics of the notion of armed conflict requires the conjunction of legal regulations and customary law, in order to meet the realities of the modern world, where the armed forces of a state are engaged in several operations and contract the security services provided by legal persons.

 Although increasingly contested by several participating countries[1], the effectiveness of humanitarian law faced with the new wars represents the cornerstone of this study, namely the recent issues regarding the ambiguous status of private military companies and how the International Society is aware of the legal gaps related to their liability and obligation to comply with the Geneva Conventions[2].

The author Peter Singer, in his book *Corporate Warriors: The Rise of the Privatized Military Industry*, establishes three general categories of PMCs:

1. Companies providing military force called "private security companies", which provide military and tactical assistance to its customers,

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[1] Dawn L. Rothe & Jeffrey Ian Ross. *Private Military Contractors, Crime, and the Terrain of Unaccountability*, Justice Quarterly, 2010, 27:4, 593-617.
[2] *The Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Geneva Convention II for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea; Geneva Convention (III) relative to the Treatment of Prisoners of War; Convention (IV) relative to the Protection of Civilian Persons in Time of War. See full text in* ARDU – *Dreptul internaţional umanitar al conflictelor armate*, Documente, Şansa Publishing House, Bucharest, 1993, pp. 145-278.

including the accompaniment to the frontline. Examples include Blackwater, Executive Outcomes (EO), Sandline, and Logo Logistics.

2. Companies providing consultancy, recruiting experienced officers, providing expertise for the customers' training and strategy in security (i.e. Blackwater).

3. Companies providing military assistance, with contracts of billions of dollars, for providing logistic services, for gathering confidential information. In this category the author includes companies like Halliburton, DynCorp, CACI, and Titan[3].

Within this analysis, we aim at understanding the historical and legal background essential to the analysis of the international obligations of the parties involved in an armed conflict. Private military companies are motivated by profit, and, throughout history, they have been a constant presence in the configuration of conflicts. The term private military company (PMC) is sometimes synonymous with the term mercenary, and they are almost as old as war itself, being a central component of wars until the mid nineteenth century[4]. Throughout history, due to their involvement in conflicts, the mercenaries' public perception has been a negative one. Mercenaries are neither soldiers forced to fight by a decree of mobilization, nor are they driven by worthy goals such as the desire to protect their country; they are ready to risk their lives for money. The modern industry of private military and security services shows that, currently, this phenomenon reaches an unprecedented magnitude, but shares some characteristics with their medieval counterpart. PMCs have been the source of scandals in the world press, due to their involvement in the Iraq operations theater and also to the amounts made available to them by the United States Department of Defense[5]. Once with the increase in international corporate operations through foreign investment, these types of military activities have gained an international dimension. However, the role of international capital markets is to make states and corporations to support each other, although the military power transfer to another subject than the State may indicate only a government's weakness in ensuring the security of its citizens.

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[3] Peter Singer, *Corporate Warriors: The Rise of the Privatized Military Industry*, Cornell University Press, New York, 2003, p. 2.

[4] Antonio Cassese, "Mercenaries" in Bernhardt R. (ed.), *Encyclopedia of Public International Law,* Instalment 1-7, North-Holland Publishing Company, Amsterdam, New York, Oxford, 1981-1984, pp. 255-257.

[5] William M. Solis, *Warfighter Support: A Cost Comparison of Using State Department Employees Versus Contractors for Security Services In Iraq.* Washington, DC: U.S. Govt. Accountability Office, 2010. accessed March 2013

http://permanent.access.gpo.gov/LPS122326/LPS122326/www.gao.gov/new.items/d10266r.pdf

The liability of private military companies

Like any other business entities, Private Military Companies (PMCs) are driven by the same decision makers: profit, economic activity and the creation of clientage[6]. Private military forces and private logistics support teams amplify the dilemma of a new category of combatants because of the loopholes in the original concept. The need for clear rules of the statute of private military companies is given by the risk involved by the security and protection tactical activities when they overlap an armed conflict. At the limit of "lawful or unlawful combatants", PMCs involve minimal supervision, a lack of transparency and they are not subject to the law of war. Without some form of control, they are free to take action as they deem appropriate in the space in which they operate. It is often unclear how, when, where, and what are the authorities responsible for the investigation, prosecution and punishment of such offenses. Unlike soldiers, who are liable under jus bellum and who can be held accountable under the military justice wherever they are, the entrepreneurs have no clear legal status, determined by the international law. Although there are two documents that restrict the activities of mercenaries, the Additional Protocol I to the Geneva Conventions of 1977 and the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, 1985, it is necessary to determine whether they are also applicable to private military corporations or to their employees. The Additional Protocol I is essentially meant to discourage mercenary activities by withdrawing them the status of war prisoner, but it does not criminalize criminal behavior[7].

Next, we are going to analyze the conditions set out in Article 47 of the Additional Protocol I of 1977 in order to define mercenaries. According to this document, the term "mercenary" extends to any person who:

(a) is specially recruited locally or abroad in order to fight in an armed conflict;

This condition excludes the volunteers who choose long term military service or who offer their military service in a foreign army, or as a result of individual enrollments (the French Legion) or on the basis of an agreement concluded by the national authorities with the state in whose army they serve (e.g. the Swiss Guards providing military service to the Vatican State). PMCs meet this criterion, using skilled human resources from the former Soviet states, or recruiting retired personnel.

(b) does, in fact, take a direct part in the hostilities;

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[6] Kinsey, Christopher. *The Transformation of War: The Rise of Private Contractors.* Abu Dhabi: Emirates Center for Strategic Studies and Research, 2009.

[7] Article 47 of the Additional Protocol I provides that: "a mercenary has no right to the status of combatant or war prisoner".

Only a combatant[8] and, more precisely, a combatant who takes part in the hostilities, can be considered a mercenary, as defined by Article 47. Therefore, this condition excludes foreign advisers and those who provide military technical expertise, even when their presence is motivated by financial gain. The increasingly advanced technological nature of modern weapons requires the presence of specialists, either for training the military personnel or for weapons proper maintenance. As long as these experts do not directly participate in hostilities, they are neither combatants nor mercenaries, being qualified as civilians not involved in combat. In this case, we note that even the PMCs have to provide only tactical services, but daily realities constantly redefine the object of their activity. If one party undertakes such an agent to provide security for its employees or for the facilities in the area that they serve, from the contract analysis it will be revealed that the PMC was not particularly hired in order to participate in the hostilities, although it can be drawn into the existent conflict by its mere presence. In addition, a conflicting party can hire a PMC in order to provide security services in a dangerous place, which will also involve its participation in "the armed conflict".

(c) is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a Party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar ranks and functions in the armed forces of that Party;

Among the arguments used in this article, we believe that the reason for which the mercenary engages in combat is crucial to his/her categorization. Unlike a volunteer who is driven by a noble ideal, the mercenary will provide services to the highest bidder, motivated by material gain. A party's lawful or unlawful cause is not taken into account when choosing one side or another. Nowadays it is imperative that a mercenary be better paid than the combatants in regular forces, the establishing criteria being *in concreto* correlated with the qualified purpose, namely with the imbalance between the effort made and the reward obtained, similar to the unjust enrichment.

(d) is neither a national of a Party to the conflict nor a resident of territory controlled by a Party to the conflict;

In the case of private companies, the socio-legal relationship with the state is not imperative, the psychological agreement, namely the express agreement to join the organization, the internalization of the organization's goal, being at the basis of the relationship between the company and its employees.

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[8] Combatants are defined under Article 4.A (2) of the Geneva Convention III as members of the regular forces, members of the army, militia or volunteer corps meeting the following conditions: they are commanded by a person responsible for his/her subordinates; they have a fixed sign recognizable at a distance; they carry arms openly; in their operations, they comply with the laws and customs of war.

(e) is not a member of the armed forces of a Party to the conflict; and (f) has not been sent by a State which is not a Party to the conflict on official duty as a member of its armed forces"[9].

By analyzing the provisions of Article 47, we conclude that PMCs could come in sections (a) and (b) if there would be made a broader interpretation of the notion of direct participation in the conflict. PMCs are less likely to fall into section (c) due to the difficulties in determining their purpose, in an era when the private interest outweighs the public one. PMCs could fall relatively easily in other sections, such as (d), which provides that the mercenary must have a different nationality. But article 47 imposes the obligation to fulfill all clauses simultaneously. In order to meet the issue raised by the categorization of PMCs under the humanitarian law, in 2005, the UN Human Rights Committee established a working group to monitor the compliance with the Convention which prohibits the recruitment, use, financing and training of mercenaries[10].The definition given by the Convention resumed the provisions of Article 47, adding that *the mercenary is specially recruited locally or abroad in order to participate in a concerted act of violence aimed at overthrowing a government or at undermining the constitutional order of a state or at undermining the integrity a territorial state*[11].

A new regulation in this area should explicitly require PMCs to adhere to the rules of warfare. In addition, future regulations should require that PMCs can assist under an agreement only the governments recognized by the international society or the movements internationally accepted as legitimate. Only the association with a legitimate and democratic state actor marks PMC activities as legitimate and provides a behavior in accordance with the rules of carrying out a conflict. In order to prevent them from becoming proxy to states for carrying out a war beyond the existing rules, it is necessary to determine how the contractors mandates the PMC in order to meet the scope of the agreement. Thus, critics believe that "the most appropriate means to consider private military forces liable are to make the government of origin liable for their activities"[12].

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[9] Additional Protocols of 8 June 1977 to the Geneva Conventions of 12 August 1949. Geneva: International Committee of the Red Cross, 1987, pp. 571-580

[10] UN General Assembly, *Drafting of an international convention against the recruitment, use, financing and training of mercenaries*, available at:
http://www.unhcr.org/refworld/docid/3b00f1ac17.html [accessed 31 March 2013]

[11] *International Convention against the Recruitment, Use, Financing and Training of Mercenaries*, 4 December 1989, UNGA Res. A/RES/44/34

[12] *Expert Meeting on Private Military Companies: Status and State Responsibility for their Actions*, Geneva, 29–30 August 2005,p.10, available at http://www.geneva-academy.ch/docs/expert-meetings/2005/2rapport_compagnies_privees.pdf

However, there are obstacles in the application of humanitarian law to private military corporations. Many private military corporations were involved in criminal activities during armed conflicts, acting as "dogs of war"[13]. Without liability, they were able to commit crimes and to support conflicts through their assistance provided to the rebels, as was the case in the Balkans, Sierra Leone, Liberia and Congo. For example, EO Company was a major provider of services during the apartheid regime in South Africa and has developed a partnership with big transnational corporations and with the local mining sector.

The role of governments in protecting these transnational corporations which commit international crimes is clearly to use paramilitary forces in order to commit abuses taking advantage of their lack of liability and protecting their image when the private military forces are accused of criminal activities. Another dimension is the explanation of the PMC behavior and the prevalence of the risk of involving themselves in abusive, violent acts, contrary to the customary law. A possible explanation is given by the very existence of impunity, knowing that while the military personnel is considered individually liable under the criminal law, corporations remain abstract subjects that are not liable under the law. Traditionally, the doctrine of command distinguishes between military and civilian superiors. In the context of the international armed conflict involving several states, it is well established that the principle of superior liability for ordering or committing offenses, for failure to prevent or punish crimes, does not apply only to military leaders, but also to the leaders of civilian groups. The entrepreneurs are civilians and, therefore, they are not part of the military hierarchy, although there is an observed hierarchy and managers can control the licit or illicit activities of their employees, acting in order to stop them. The criminal court in the former Yugoslavia and Rwanda does not distinguish between military and civilian leaders[14]. Article 7, paragraph (1) or Article 6 paragraph (1) of the Statute refers to "persons" who commit serious breaches of the

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[13] Benedict Sheehy, Jackson Nyamuya Maogoto and Virginia Newell, *Legal Control of the Private Military Corporation,* Basingstoke [England]: Palgrave MacMillan, 2009.

[14] In the Akayesu case, although the civil defendant acted as a proxy of the anti-Tutsi policy, authorized by the government, wearing military uniform and arms openly during the events of Ruwanda, 1994, the Court ruled that: Thus it is clear from the above that the laws of war must apply equally to civilians as to combatants in the conventional sense. Further, the Chamber notes, in light of the above dicta, that the accused was not, at the time of the events in question, a mere civilian but a bourgmestre (state official). The Chamber therefore concludes that, if so established factually, the accused could fall in the class of individuals who may be held responsible for serious violations of international humanitarian law, in particular serious violations of Common Article 3 and Additional Protocol II.

Geneva Conventions, being the bearers of state authority or acting as proxies of the government. These tools apply equally to military and civilian leaders of lawful or unlawful combatants; as such, it is considered that liability implies that they must be considered as international legal entities[15].

Some theorists have tried to explain this phenomenon by extending criminological theories, so it is considered that PMCs are more prone to illegal activities because of the impact had by the profits of those companies on the capitalist economic order. Another explanation may be given by Sutherland's theory of *differential associations*[16]. By joining a violent, disorganized environment, the members of military forces face an environment favorable to crime. In the absence of clear rules and of internalized discipline (according to the regular armed forces model) the members of private or security companies are more likely to react beyond the reasonable limits of the use of force in case of an attack. Their reaction to the situation in the field is questionable and it is also multi-faceted. Sutherland shows that crime is more pronounced during conflicts because there is an exposure of typically law-abiding individuals to phenomena requiring a rapid response. Here we must take into account that they are civilians coming from a protected environment and get into a theater of war completely different from a cultural point of view. Such a complex heterogeneous areal increases the number of contacts with violent patterns of behavior and the position of authority involved by this activity predisposes to abuses. Thus, Sutherland argues that, when the frequency rate of acts increases, it may lead to an epidemic due to the augmentation of criminal patterns of behavior made available to non-criminals.

Normally, civilian crimes fall into the jurisdiction of the country in which they are committed. But private military corporations typically operate in illegitimate or weak countries, or under the protection of governments which take action in order to stop their investigation. Therefore, prosecuting crimes at the local level can be difficult, operating at the limit of self-defense, unpredictability and specific risk. Moreover, while some countries have laws regulating private military corporations, often lack the means to implement them (e.g. South Africa), others provide legal behavior, but they are incomplete or contain significant loopholes, while others create laws to intentionally incompletely regulate the activities of PMCs, so as not to lose the alliance with some profitable companies[17].

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[15] Sarah V. Percy, *Regulating the Private Security Industry.* Milton Park, Abingdon, Oxon: Routledge for the International Institute for Strategic Studies, 2006.

[16] Dawn L. Rothe & Jeffrey Ian Ross*, op.cit.*, p. 611.

[17] There are also cases where the local prosecution is intentionally blocked. For example, in Iraq, Paul Bremer, head of the provisional government, took measures in order to ensure

In *Military Advising and Assistance: From Mercenaries to Privatization,* Donald Stoker states that especially the military operations in Iraq require a clear status because this conflict has no real borders, and the scope of the agreement cannot be divided into defensive or offensive acts. It is also noted that the Iraqi population does not differentiate between PMCs and the American soldiers, and the rebels consider them legitimate targets precisely because they assimilate them to the combatants[18]. We believe that, given the international dimension of services and the framework within which they operate, PMCs must comply with *jus cogens*, being held not only to respect their contractual obligations, but also to comply with the customary law when they engage in conflict areas. Due to the general purpose of protection, of the international humanitarian legal instruments, the delimitation of the categories of people bound under the provisions of Article 3 should not be too limited. The Rules of the Geneva Conventions and the Additional Protocols shall apply, therefore, normally, to the natural persons of armed forces under the military command of one of the warring parties, or to the persons who were legitimately mandated, and it is expected, either by their status, to represent the state, or because *de facto* they act as proxies in order to support or fulfill the war efforts. The objective of this approach would be to apply the provisions of humanitarian law in a way that best suits the purpose of basic protection.

Conclusions

We conclude stressing that the international relations have undergone a metamorphosis under the action of the events since 2001[19]. The world has changed since September 2001, as the instruments consecrated especially by the UN international community to promote the commitments for the observance of peace. Many of the rules until then were overthrown in the name of the security of the international society. Such an example is the emergence of non-combatants in the theaters of military operations that may be wrongly qualified as state agents of regular armed forces, because they

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immunity from the Iraqi prosecution for private contractors and for other agencies working under the auspices of other government agencies and special forces; under Memorandum no. 17, foreign contractors were granted immunity from the Iraqi law. See Coalition Provisional Authority Memorandum Number 17:) The primary role of PSC is deterrence. No PSC or PSC employee may conduct any law enforcement functions.
http://www.pbs.org/wgbh/pages/frontline/shows/warriors/faqs/cpamemo.pdf
[18] Donald J. Stoker, *Military Advising and Assistance: From Mercenaries to Privatization, 1815-2007.* London: Routledge, 2008.
[19] Benjamin Perrin, *Modern Warfare: Armed Groups, Private Militaries, Humanitarian Organizations, and the Law.* Vancouver: UBC Press, 2012.

have similar features, they wear a uniform and carry arms openly. As we have seen, their conduct raises human rights issues, and a relevant solution is the obligation to take measures by which the states contracting military services implement a set of minimum standards for the compliance with the humanitarian law. Under the circumstances of the uncertainty operating in the development of modern conflicts, the conflicting parties begin to be shrouded by fog and indeterminacy. Thus, the customary law must show its continuous praetorian vocation and determine the nature of these non-state actors through the extensive assessment of their level of involvement in acts that are similar to hostilities. Not incidentally, the customary law is crucial to the development of humanitarian law; we believe that, as non-state agencies are bound by Article 3 common to the Geneva Conventions[20], the private military companies, which benefit from the same resources, must also comply with the rules of warfare *ad seem*.

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[20] "In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed 'hors de combat' by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely (...); the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; (b) taking of hostages; (c) outrages upon personal dignity, in particular humiliating and degrading treatment; (d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for (...)".

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CURRENT SECURITY
IN MIDDLE EAST

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Middle East is one of the hottest regions on the planet. Despite the measures taken and all risks assumed by the intervention of a coalition led by the United States against the Taliban in Afghanistan and the dictatorship of Saddam Hussein led Iraq, the Middle East is far from reassuring perspective and still very close to the resurgence of a devastating conflict dimensions.

The hasty execution of Saddam Hussein by hanging did not solve any problem, and instead created new problems, both by offending the spirit of international and humanitarian community of the European continent, which is categorically against the death penalty and the Arab world, already divided and humiliated. However, hope has not disappeared yet in this troubled part of the world. There is still a chance that things will settle down, values accepted and respected and the human being protected.

Keywords: *Middle East; international organizations; sizes; technology; information.*

Our world is interdependent. In this dimension of interdependence, it progressed immensely, high technology and information technology enabled implementation of very special performance, significantly closer to the much – dreamt free movement of information society, a strong society, integral type, the company knowledge, which man is indeed a supreme being.

Unfortunately, this perspective does not automatically solve the world's problems, neither peace nor tranquility dreamt hoped not ipso facto eliminate poverty, injustice, gaps, In this world of tech component, about 45 million people die every year of hunger and malnutrition, while several million were forced to leave their homes to seek refuge and suffer from wars, conflicts and disasters of all kinds.

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One of the hottest areas of the world is the Middle East. This area, which is home to a great civilization and culture, is one of the most troubled on the planet. Currently, almost the entire Middle East is a hotbed of crises and conflicts, that is, a space in which crises and conflicts are racing. There is, from the beginning a serious and disturbing question: Is the Middle East to be blamed for this situation? The answer is very complex and very complicated. It's hard to say that the blame for this situation lies with the countries actually suffering from this conflict. It's hard and it would be unfair and untrue. In our opinion, not unexpected victims are guilty of conduct, of a conflict with such complex cases, some coming from hundreds of years, and with so many implications.

Conflict in this area, we believe, has several important characteristics which make it completely and utterly special. First, we must say that tensions and conflicts here have at least two complementary dimensions: internal and external.

The *Internal dimension* highlights many unresolved problems, such as those in the Middle East, generating the always open and prolonged conflict between Israel and the Palestinians, involving active Hezbollah militia, tensions in areas Kurdish, Shiite and Sunni conflicts of spring, uncertainty, state of war and therefore the belligerence of some of the countries and peoples here, the issue of water resources issue, region specific lifestyle, but fully understandable from the world and many other existential problems present here for centuries.

The *External dimension* consists mainly of interest that countries have different power centers in the world not only for energy resources in the region, but also for dominating or stabilizing the area. This interest manifested for centuries and manifested today, differently expressed in different, often contradictory ways, sometimes pressure, sometimes by stratagems, which generate extremely complex effects of hostility, enmity and intolerance, a rational attitude, wise and very constructive. There are also cases of forced alignment, rushed to one side or the other, without a prior patient and consistency.

These two dimensions are interrelated. After all, the world is interdependent, and this characteristic is expressed both in the harmony of the world and in its conflicts.

Internal measurements do not entirely emerge from inside the area and external vulnerabilities are not built solely on internal elements of this world, but there are dangers, reactions, directly or indirectly, the world of the Middle East conflict or extremely tensioned, can generate them. An intense and prolonged conflict in the Middle East can always generate a much larger conflict, including other regions, which can be easily got rid of control and turned into a disaster.

Realities and meanings

Arabs and Muslims are a quarter of the world population. The potential of this population is huge and they have a great depth values. The Arab world has made outstanding contributions to the development of mathematics, to medicine, astronomy and many other fields. At the same time, it has kept and keeps unaltered values, traditions, customs, beliefs and respect. Like other great civilizations – Sinic, Hindu, Asian, European, African and so on for thousands of years – and civilization Arab (or Islamic, as called Huntington), is one of the great pillars of universal civilization. The values of the Arab world, beautiful and respectable in essence, spirit and its realities, give strength, moral resources, dignity and consistency.

Values do not contradict Islamic world with the values of other civilizations, but rather harmonizes perfectly with them. For example, the Old Testament, New Testament and Koran are writings that underlie the world of faith, which calls for harmony, respect, kindness and trust. All achievements in the Arab world belong, as values of the world, are part of the universal heritage. It's about values in the scientific world of architecture, construction, faith, cultural and moral values and even political values and economic, material. World unity is achieved by its values diversity, not conflictualitatea opposition and its interests. But if values harmonize both ab initio and after the event, and interests can be harmonized, both ante factum and after the event, by an effort of will and as a fact of consciousness, in order to put under control conflictualitatea and exploit the huge potential for collaboration and partnership.

Everything was done valuable in the Arab world is based on grace, effort, work, wisdom and faith. And this should be known, understood, admired especially respected. Therefore, what is happening today in this space of the great civilizations of the past, the Silk Road, the values that are part of the universal heritage seems incomprehensible. In our opinion, these places are not people but guilty of what is happening here today, but complicated transformations destabilizing effects of the Second World War and the Cold War mode (sometimes very hastily) that were analyzed, understood and solved the great problems of the political, economic, strategic and cultural right, traces of empires, wars, many disasters world and the way in which it was written, transmitted, and understood its history.

The Middle East is far from being stable and very far from being prosperous and the future – at least immediate future – does not, in our opinion, essential changes in this configuration troubled, tensioned of quasichaotic crises.

Features

Among the most important characteristics of this area could be located and the following:

1. Near and Middle East problem sizes are very complex, unfair and dangerous. Some are lost in the mists of history, others are effects of recent confrontations, but most are related to the dynamics sophisticated, complex and very complex current and future interests of all players large and small that are involved, in one form or another in this problematic area.

The complexity of these problems is their great diversity, multiple cases they generate and regenerate them located on very different levels – from the border to the interest of oil from the legitimate readjustment of the political, economic and social under the conditions of the new stage which mankind through at the battle of power and influence - the way in which powerful countries of the world, G 8 and, in particular, European Union, United States, Russia, Japan and China, the UN and Arab League relate to very complex dynamics of this region, the conflictualitatea here at roots and its effects.

Middle East injustice issues that relate to the disastrous effects of confrontations of interests, the realities of complex cases and even some ghosts of history are incurred primarily and most directly, the people here, the cities for thousands of years, the values of a heritage to whom respect must be included.

The danger lies in the possibility of extending the area of Conflictuality entire Middle East, and beyond, Central Asia, Africa also torn by specific conflicts and even in some parts of the European continent. The world is becoming increasingly interdependent. Philosophy and physiognomy network make it an extremely powerful entity, but extremely vulnerable vibrating every change.

2. Near and Middle East face all kinds of dangers and threats that currently exist in the world, from those related to weapons of mass destruction and the means CBRN terrorist continuing with the until the conflict generated by political extremism and great religious and economic differences.

There is already a fait accompli: India, Pakistan and Israel have nuclear weapons, and Iran has a nuclear program that creates a big problem. When it is considered that nuclear weapons were more or less under control, and people understood the enormous threat posed by WMD proliferation and the U.S., China, Russia, Britain and France have reached a certain management of this area North Korea and Iran - countries that President Bush included them in the so-called "axis of evil" – is developing a nuclear program which is considered to be dangerous. This is indeed a problem, even if Iran assured the international community that its nuclear program, namely poverty uranium only for peaceful aims, i.e. getting electricity.

But Iran has vast energy resources – oil and gas – which would allow rapid development and more beneficial energy without necessarily need to develop and put into practice a program to obtain nuclear power. However, in

September 2007, will enter the first Iranian nuclear power plant, one of the Buchehr, built with Russia, following a one billion dollar contract signed in 1995.

That one of the richest countries in the world oil calls for nuclear technology to get electricity seems a paradox. But today the world is full of paradoxes that have to accept and deal with. The nuclear program but greatly complicates things. There are, of course, the view that all countries in the world have the right to a nuclear program to obtain energy, if they so desire, while, according to other points of view, such programs create a sound to obtain nuclear weapons.

Under these conditions, assuming that Iran's nuclear program would envisaging nuclear weapons, who would feel threatened, if we take into account that Iran has never attacked anyone? Such questions there are, indeed. But they do not justify any nuclear weapons, in an age in which mankind should move immediately to nuclear disarmament. But even this may not be possible. Nobody gives up weapons they have. Of course, any additional nuclear weapon is an additional risk, especially in this area extremely sensitive to geopolitical and geostrategic changes, such as the Middle East. But solving such problems is neither simple nor handy. Will the Arab world and the international community should not be ignored, however. Because, after all, a viable solution can be found only to dialogue in and with the world.

3. Intervention by US-led coalition forces in Iraq to remove Saddam Hussein's dictatorial regime has created some preconditions for normalizing the situation in this country, but things are more complicated. High-tech war – War on Network – ended, but peace is delayed, whereas in Iraq has triggered a different war, a guerrilla war, a war of attrition (wear) that generates other problems (and they very serious), such as: bow conflictualitatea of Shia-Sunni, Jihad outbreak, public insecurity, destruction of the national economy, increasing social anomie, etc.

In our opinion, although tensions and conflictual network effects of an acute, specific to the chaos in Iraq will continue – and, unfortunately, perhaps will continue for a long time – there are some prerequisites to normalize the situation there, the most important think that might be found in:

• desire and will of the people of Iraq to cease hostilities and normalization of the situation;

• Arabian interests in reducing Conflictuality, prevent its expansion and normalization of the situation in the area;

• the interests of the United States and the European Union to reduce Conflictuality in the Middle East and normal access to exceptional and cheap energy resources found in the area;

• the interests of the international community and Arabian values be respected to ensure stability in the area;

• the interests of the Arabian League countries to address serious problems that generate conflicts and achieve a normal system of relations between countries in the region and between them and the world;

• the need to protect the value systems of Arab civilization unique and totally unique, empowering and consistency universal civilization;

• the interests of each country in the region or from outside to participate in preventing war and creating conditions for its development.

4. There are many points of view according to which almost all conflicts in the Middle East lies in the Palestinian issue. A careful analysis of serious events in the Middle East - the foundation problem de jure and de facto of Palestinian state, the implementation of the Roadmap, attacks of all kinds against the people of Israel, the recent Israeli military attacks against the Hezbollah militia in southern Lebanon , with painful consequences for this very beautiful country, Lebanon etc. – one concludes that the events in this space, even if most dynamic and most inflammatory in the geopolitical area are part of a more complex set of circumstances, the roots, causes, effects and planetary interests some come for hundreds of years, others very recent.

There is also some progress: a sustainable state of peace between Israel and Jordan, negotiating better toughening border between Egypt and the Palestinian side against the Smuggling of weapons through tunnels on the "Philadelphia" as Israel welcomes positive developments in the democratization of society in Lebanon etc.

In addition to the Palestinian problem and the hostile attitude of part of the Arabian world against Israel - some, including the leadership of Iran, Israel not only gives the word "Hebrew state" - there are many other problems that generate conflicts: water problem, problems caused by the actions of organizations of the Kurdish population, particularly in Iraq and Turkey, the issue of religious fundamentalism, economic disparities, in addition to those of the world: global warming, growing disparities between the rich and higher poor people, between North and South, which may turn into strategic faults, the unprecedented terrorism which, in our opinion, is becoming more and more danger with ADM, the most complex and surprising threat to world peace and security etc..

All this requires a political concept very flexible, very well prepared, based on detailed knowledge of the situation and its causes and, hence, the negotiations, partnership and highly political realism This concept must be put into practice by a multinational strategy primarily in the Arab world as an entity in diversity, and in consonance with NATO, the EU, the Group's main industrialized countries (G8) and other international organizations and bodies under the aegis of the UN. Must take into account that each country in the

region and understands the other, usually differently and rarely unified strategic situation, the realities and the events and, as such, can hardly be found common attitudes and ways acceptable to all of settling disputes and conflicts. But these paths necessarily found, as the alternative would be extremely dangerous and therefore unacceptable.

In our opinion, many concrete solutions to these problems depend not only on how to conjugate attitude of the President of Palestine National Authority (PNA), Abbas (Abu Mazen) in the Hamas, the Hezbollah leadership of Lebanon to that of Israel to implement the roadmap, with developments in Iraq, Afghanistan and Iran, but also how countries in the region realities and will harmonize with the attitude of European Union, the United States, the G 8 and Arab League to general and specific issue of the Middle East and in context of the Middle East. Solutions to these problems, although it will carry impression regional, have, however, scale and global connotation, the whole world.

In conclusion, we believe and hope that the Middle East will not occur, at least in the medium term, a major conflict, but a major revival of reconciliation and convenient and lasting settlement of these conflicts that lasts too long. But as the Middle East is one of the areas with the highest degree of instability and the low probability that the events referred to achieve, anything is possible. We hope, however, that the brunt of the past and the dialogue will prevail Conflictuality bloody. Large countries in the region, including Egypt, plays an undeniably and undoubtedly a significant role and a voice in solving this conflictual weight, irregular, asymmetric and, under certain conditions, could become very dangerous.

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THOUGHTS ON THE OPERATIONS OF MODERN GUERRILLAS

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The operations conducted by modern guerrilla movements are an expression of the irregular armed confrontation, giving substance to a complex phenomenon, of an unconventional nature. Modern guerrillas operate in a particular manner that nullify the advantages of regular forces and allows for the survival and development of the movement. Their operations are based on assumtions that time never ends, sizing space is not of a great importance, and the final objective is not to annihilate the enemy but to degrade its fighting will. Guerrilla operations mean clandestine posture and innovative approach. They are conducted with the support of the people and represent a hidden power, whose effects cannot be easily quantified.

Keywords: *unconventional war; guerrilla warfare; operations; insurgency; terrorism.*

The idea of studying the modern guerrillas' operations came to our mind years ago, as we understood their real importance for the contemporary security environment. In order to have a good analysis, we conducted this scientific endeavour bearing in mind the possible parallel that exists between conventional and unconventional wars.

The conventional/classic armed conflict is a war that opposes state armies, following conventions and abiding by rules and customs. It is a violent confrontation between legitimate, recognized armies, known also as "regular warfare"! In this respect, Andre Beaufre considered that "classical warfare exploits the technical dimensions and geographical features of states, being the struggle of a specialized branch of society."[1]

It is obvious that the unconventional war does not abide by conventions, being a genuine conflict, waged by other belligerent entities, under different forms of manifestation. The unconventional warfare is also closely related to

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[1] Andre Beaufre, *La guerre revolutionnaire*, Paris, Fayard, 1972, p. 5.

asymmetric/irregular warfare. Using the American publications as references, we present their definition of "unconventional warfare":

a. a 1992 version: "A broad spectrum of military and paramilitary operations, normally of long duration, predominantly conducted by indigenous or surrogate forces who are organized, trained, equipped, supported and directed in varying degrees by an external source. It includes guerrilla warfare, and other direct offensive, low visibility, covert, or clandestine operations, as well as the indirect activities of subversion, sabotage, intelligence activities, and evasion and escape."[2]

b. a 2011 version: "Activities conducted to enable a resistance movement or insurgency to coerce, disrupt, or overthrow a government or occupying power by operating through or with an underground, auxiliary, and guerrilla force in a denied area. "[3]

A peculiarity of the unconventional warfare is that political and economic aspects of the struggle are of a high importance, differing from the conventional warfare which stands for an almost pure military confrontation. We have chosen to analyse guerrilla operations, because guerrilla warfare is an important component of unconventional/irregular/asymmetric warfare.

The modern military theorists have begun writing about this subject since the second half of the 19th century. Carl von Clausewitz, Henri Jomini, T.E. Lawrence and Liddell Hart wrote about guerrilla warfare as partisan wars. Other theorists like Mao Tse-tung, Vo Nguyen Giap, Andre Beaufre, Che Guevarra, Carlos Marighella and Robert Taber viewed guerrilla warfare as a reference for revolutionary wars/classical insurgencies, while contemporary authors like Bard O'Neil and Steven Metz see it as a tool of modern insurgencies.

How do modern guerrillas express themselves?

In order to get an answer, we have to think about the typology and purposes of their operations. They act in accordance with a specific approach that gives them a temporary advantage and preserves their operational potential. From a military view, guerrilla warfare "is a form of warfare in which small, lightly armed groups use mobile tactics against a stronger opponent. Guerrillas employ small-scale attacks, such as ambushes and raids, to harass their enemy rather than to win a decisive victory in battle."[4]

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[2] *Joint Publication (JP) 3–05, Doctrine for Joint Special Operations,* The Joint Staff, Washington DC, October 28, 1992, p. GL-22.
[3] *Joint Publication (JP) 3–05,* April 18, 2011, p. II-9.
[4] U.S. Government, *Guide to the Analysis of Insurgency*, 2012, p. 1 at http://www. hsdl.org/ ? view&did=713599

Here are the main types of guerrilla operations/activities:

a. Intelligence collection activities (enemy situation, disposition, strength, intentions; ongoing and planned political, social and economic activities; security systems at governmental buildings, police stations, military depots, communication hubs, check points, etc);

b. Propaganda in local communities and proselytism over individual soldiers and civil employees of the opponent;

c. Psychological operations at local, national and international level, using legal and pirate media and the cyberspace;

d. Self-sustainement/protection/survival activities, including reception/ distribution of foreign aid and entrance on foreign soil in border areas, or on friendly ethnical/tribal areas;

e. Sabotages and subversion;

f. "Hit and run" operations against the political, economic and military objectives of the opponent (ambushes, raids, close range assaults, infiltrations and attacks from the interior, rocket attacks, mortar attacks, demolitions, improvised explosive device – IED attacks, vehicle-born IED attacks, road mine attacks, etc);

g. Terrorist actions as a tactical tool of insurgent movements (kidnappings and assassinations of opponent's political and military leaders, bomb attacks, suicide attacks, arson on government's/opponent's important objectives etc.).

After an ample investigation of contemporary conflicts, we have come to the conclusion that the purposes of guerrilla operations are:

a. to support the regular forces of the national Armed Forces, acting on the occupied territory (see Russian partisans in World War II);

b. to diminish the operational potential of an invading army/to support the regular army of an allied state which conducts operations against an enemy on the national territory, when the national regular army capitulated, disintegrated or was disbanded (see French resistance in World War II);

c. to support the regular forces of a different state, which operates on the national territory, against national governmental army, perceived as the enemy of the people (see South Vietnamese guerrillas that supported North Vietnamese regular forces against South Vietnamese forces, 1959-1975);

d. to liberate a territory from foreign occupation, or produce a social revolution by insurrectional movements, based on the mobilization of rural masses (see Mao Tse-tung in China, 1937-1945);

e. to produce a social revolution by means of a military focus insurgency (see the Cuban revolution, put on paper as a theory by Ernesto Che Guevara);

f. to weaken a government/force negotiations and obtain rights/material advantages/concessions, for a social group/minority (see Ivory Coast, Iraq);

g. to impose religious teachings/customs/believes (Pakistan, Afghanistan);

k. to prepare a revolution (Nepal, India);

i. to overthrow a political regime perceived as totalitarian, corrupt or incompetent and install a new one (Uganda, Libya, D.R.Congo etc.);

j. to remove from power a tribal/ethnical based regime and replace it with a regime representing another tribe/ethnic group (some states in Africa);

k. to get autonomy for a territory or get independence and separate (see Chechnya, Kosovo);

l. to control and exploit natural resources in a geographical area (Sierra Leone, D.R.Congo), or to nestle organized crime, in order to get financial resources (Columbia, Mexico, Nigeria, etc).

The influence of space, time and population on guerrilla operations

It is interesting to understand that guerrillas use space, time and population in a certain manner, both to survive and operate. They try to counter the superior military potential of an opponent by relying on local people, moving around to avoid destruction or capture, and surviving for a long time. If they operate on a small space/territory the survival is more important than the rhythm of operations. Guerrillas are forced to make extensive preparations, split into small cells and limit their operational footprint; usually they do not have enough room to maneuver, strike targets and withdraw to safe heavens.

A large territory is an important advantage for guerrillas who have better possibilities to conduct propaganda, establish bases and hideouts close in and attack enemy objectives with larger formations, with an increased rate of survival. An extended space creates problems for counter-guerrilla forces that had to split their troops in order to search for and engage guerrilla formations. At the same time, a large space allows for a multitude of fake and real guerrilla attacks and prevents an effective response of the opponent.

It is difficult to control a large territory, infested with guerrilla formations; regular forces have to provide perimeter, convoy and spot security, and to patrol and maintain reaction forces on a permanent basis. A piecemeal employment of regular forces might lead to a reduced operational capability, a complex logistical system with an increased rate of consumption, a reduced efficiency of the command and control system.

As we have seen, space is important for guerrillas, but time is their best ally! During a protracted, low intensity struggle, the employment of assets by guerrillas "will force the opponent to make a bigger effort, which

cannot be sustained for a long time." [5] They are not pressed to act in a certain amount of time, so they wait for proper conditions, before acting. Smart guerrillas delay the development of subsequent phases, to wear down the enemy and allow time for strengthening own forces. Time never ends, but resources do!

Regular forces of the opponent seek a quick decision, because they are not tailored and trained to drag on a stalemate, but to concentrate, maneuver and apply decisive force in order to annihilate the bulk of enemy troops. Clausewitz's model asks for a decisive employment of military power, in order to achieve the political goal of the war, in a short time. For a modern regular army time means a multitude of resources!

What about local population? We rally to the opinions of other authors who underline that local population has an essential influence on guerrilla operations and has to be approached in a holistic manner. Guerrilla formations spring up from local communities and develop with the support of local communities. Local communities are the breeding ground of a guerrilla movement, its backbone and blood. People represent the basis for the intelligence and support systems of guerrilla formations, and the pool of human resources from which fighters are selected or convinced to join.

Gaining the support of local people is a must for a successful guerrilla movement. If a local community has many grievances, being unhappy with a social, economic or political situation, there are good chances for a guerrilla movement to receive support. Using culture and religion as a tool is another method used by guerrillas. Some movements take advantage of the psychological profile of a certain group, influencing it in a desired way. They revive some territorial or natural resources disputes, social customs, or religious beliefs in order to embed a new spirit into people's hearts and make them active supporters.

Guerrilla movements develop in both rural and urban areas. Rural areas were the fiefdoms of modern guerrilla movements of the 20th century. Nowadays, there are still areas in some regions of the world, that offer good conditions for the establishment of local movements, due to peculiar terrain features and existence of social relations based on ethnical origins, religious ties and common economic interests. Rural areas in undeveloped countries suffer from a lack of large investments and economic enterprises, and are confronted with high unemployment, poor education and health care. Under these circumstances charismatic figures from the community can ignite rebellions, by steaming up people's support and enrolling the youth.

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[5] General A. Beaufre, *Introducere în strategie. Strategia acţiunii*, Military Press, Bucharest, 1974, p. 14.

The technological advance of the last decades is a disadvantage for rural guerrillas, because the opponent might have a better mobility and increased surveillance capabilities. They might be forced to live as small cells, dispersed over slow go or no go terrain, and to limit the scale of their operations.

Let's have a look at urban guerrillas! We think the accentuated industrialization and urbanization of the contemporary era, coupled with an unbalanced access to basic resources, have decreased the importance of rural areas and increased the importance of urban areas. As a result, guerrilla movements have greater chances to ignite, survive and develop in cities. Previous conflicts have shown us that a guerrilla movement can be successful, in places where people's support and direct involvement are maximized. It is hard to believe a rural rebellion in a sparsely populated region might have the magnitude of an urban insurrection, supported by the population of a big city.

In urban areas people can bring a greater contribution to guerrillas' efforts, mixing nonviolent actions with violent operations, over a crowded space, where regular forces are not in advantage. Regular forces might have modern surveillance and communication equipment, Special Forces, improved airmobile and riverine capabilities; however, they still have big problems in managing urban rebellions. We conclude that no matter of a rural or urban environment, without people's support a guerrilla movement cannot develop and has big chances of extinction.

Regular forces versus guerrilla formations

A short analysis will show essential differences that play a decisive role in the outcome of a guerrilla – counter guerrilla war. The campaigns/operations of regular/conventional armies look to detect, engage and annihilate the main forces of the enemy by a mass employment of maneuver and firepower, supported by a complex logistic system; they also aim at controlling the space of engagement.

We agree that conventional campaigns have clear objectives, but depend on time and space, and have operational patterns and limits. Time is always an important and pressing factor; operational planning, force generation, resources allocation and conduct of operations are intimately related to time. Area of operations as space of engagement is well established, in a direct relation to the type, size, organization of forces and their mission. Operations are complex, demanding a continuous planning and coordination of many elements that have been given particular tasks.

When talking about sustainment, it is obvious that human and material resources are needed in large quantities and their allocation takes in account

the missions of battle groups. The logistic support depends on the quality and control of existing territorial infrastructure. It is expected that battle groups achieve results that justify the expenditures. There is a permanent need for personnel trained in military occupational jobs of regular units, casualties being a constant presence of every armed conflict; human resources cannot be prepared and replaced overnight.

More than that, battle disposition is tailored for power projection and concentration of effects, but the elements have tactical limits and leave a clear footprint, easy to identify and locate. Finally, the multitude of variables that belong to such a system creates a high level of entropy.

On the contrary, guerrilla operations take in account that time never ends and sizing space is not of a great importance. Their objective is not to annihilate the enemy but to degrade its fighting will, by a relentless psychological harassment of its forces, combined with surprise attacks on weak targets, while maintaining guerrillas' operational potential. Guerrillas do not establish huge bases, do not need a complex logistic system, do not conduct large scale operations with big quantities of forces and equipment, and do not need an intensive training.

These are in our opinion, *the advantages of guerrilla formations*:
- An extended freedom of action; they strike where they want, when they want, taking into consideration their tactical capabilities and the strength of the target;
- There are no time limits; operations take place when guerrillas muster up enough combat power, the security situation is good and there are high chances of survival for the own forces;
- A simple planning; effective guerrillas choose carefully their future targets and design simple plans to close with and engage them, avoiding multiple-phase approaches and complex coordination;
- A simple execution, with swift maneuvers and limited fire support.

On the other hand, here are *the disadvantages of guerrilla formations:*
- A reduced mobility of large formations which can affect their operational performance; they might fail to deliver important blows on the enemy, due to the inability to concentrate rapidly and operate far from the permanent/ temporary bases;
- A lack of striking assets; they might use accurate intelligence and close with the target undetected, but fail to achieve decisive results because are unable to deliver the required amount of firepower;
- A limited training. Guerrilla fighters originate mainly from civilians of a diverse professional ground, having a limited

knowledge of military affairs. As a result, they have to refrain from complex tactical tasks and perform only simple operations;

- A great reliance on local population for safe heavens, hideouts, subsistence, which have to be balanced with the existence of a potential for treason.

We think *the results of a comparative analysis between conventional and unconventional*, applied to the relation between regular forces and guerrilla formations make us underline that:

a. A conventional military approach is directly related to the legitimacy of the political conflict and the subsequent military campaigns. The powerful actors choose the conventional way, because it preaches direct operations that produce decisive results in a short time;

b. There is a tendency of regular forces to slip towards a classic approach, and seek a quick decision, consisting in massive engagement that aims to neutralize or annihilate the enemy. This is a normal pattern, taking in consideration that regular forces receive a lot of training on classic operations, which are the essence of conventional warfare. They train to act following specific rules and patterns and expect the enemy to counter using the same set of techniques and procedures, meaning the same tactics;

c. Regular forces cannot disappear without a trace; they display footprints of a material and symbolic nature that can be easily monitored, and their tactical movements can be anticipated;

d. Regular forces mean an open power which is displayed permanently, measurable in time and space in terms of capacities and capabilities;

e. Weak forces avoid decisive confrontation in order to survive. Guerrilla movements usually represent weak military forces that display a limited operational expression in classical terms. However they are able to strike and survive, being supported by local people and living a clandestine life;

f. Guerrilla forces employ irregular patterns and procedures that nullify the military superiority of the regular armies. They do not control the terrain but use it in their favor. They do not rely on tactical repetition, but on tactical innovation;

g. Guerrilla forces mean a hidden power, because their operational capability cannot be easily quantified. The way guerrilla movements express themselves in a military way depend on the geographical location, historical roots, economic development, level of education and cultural characteristics of human communities living in a certain region;

As a whole, there are four basic requirements, important for guerrilla formations: a reason to fight for, because any guerrilla movement needs a cause and ignites as the only way of changing something that brought oppression,

injustice, sufferings, fear; a covert or open support from population, because due to their clandestine posture, guerrillas need a lot of aid, in order to survive, develop and conduct operations; a innovative tactical approach, based on mobility over a well known terrain, deception, surprise and rapid actions; temporary and permanent bases, where the core of the movement conducts planning, indoctrination and training, or builds material support for a later stage.

We conclude this analysis by underlining that guerrilla operations are a way of expression, adopted by the irregular forces against their opponents. This operational approach takes advantage of asymmetry as the prevalent nature of many contemporary conflicts. That's why modern guerrilla operations are based on doctrines, concepts, and flexible norms that display different organizational structures and tactical patterns. Guerrillas place a strategic importance on will and time in order to deny the opponent's superiority in military means and technology, and impose heavy costs on him. Guerrilla operations have a great potential, against traditionally organized and employed regular forces.

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THE INTEGRATION OF C4I SYSTEM
WITH FIRE CONTROL SYSTEMS

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The quest for an integrated system, a system which is ubiquitous, pervasive, robust, secure, easy to maintain and configure is still ongoing. One solution for this was found in the "system of systems" approach, IP transmission and standard interfaces between different systems which provide an excellent solution. However, this does not involve a unique system, but a federation of systems, which tends to develop a mount of intricate shortfalls when developing and modifying them. Probably, one possible way to solve this problem is to build a platform common for all the systems which all the developers can access and adapt their applications for. There is a need for an integrated system and this induces the justification of costs and effort. A refractory view about the real necessity of the armament systems being multilevel linked is not fully reasoned and may become detrimental. For many armament systems, Microsoft or Linux have become the developing operating systems. The data bases met in the systems are random (Oracle, MySQL etc.), and many of them use a standard IP for data transmission while some are using HTML for standardization.

There should be a unique system for all the applications within NATO and one of the important features would be the integration of artificial intelligence methods.

Keywords: integration, artificial intelligence, module.

An architectural approach of system integration

This article attempts to demonstrate a fully integrated system in the operational environment. First of all, the system is composed of modules and all the modules are written within the same software platform. For example a purpose only, the Matlab platform is chosen, but for a real purpose a dedicated platform should be used on the overarching architectural level.

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The architecture of the new system is based on modules[1]. One example of modular architecture is presented in figure 1: an example for the integration of C4ISR system of systems with fire control system (FCS).

This example will continue to be developed for the integration of systems with the extended use of artificial intelligence methods. One of the points is the increasing use of horizontal hierarchical collaboration, controlled by small modules integrated within the overarching architectural module.

This application in the example is modular and functionally built; each module has a submodule and each submodule has implemented some functions. This is based on a framework of architectural design and has the advantage of managing capabilities for a system.

Many of the horizontal links place a great burden on the computational power of the system which, in conjunction with artificial intelligence methods, determine the increase use of mainframe centers.
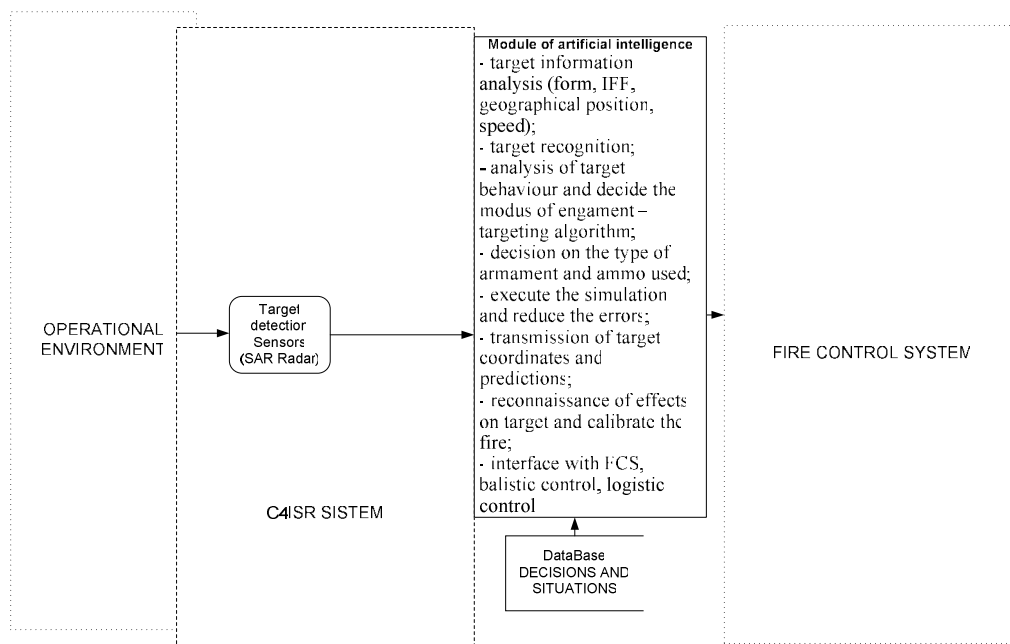
Fig. 1 *Module architecture approach between the C4ISR system and FCS*

Integration module for C4ISR and the submodule for target information

The *target information* submodule comprises two main functions: target acquisition and target recognition. First of all, the C4ISR system is programmed to send the information to the submodule. This receives the real time information about the targets and selects the targets according to the decision made by the targeting submodule. The process of recognizing the target is conducted by artificial intelligence. In this case, a back-propagation

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[1] http://www.nhqc3s.nato.int/ARCHITECTURE/docs/NAF_v3/ANNEX1.pdf

network with three layers is used. For the weight function of the network, a *logsig(f)* function is used. Input layer has *10* neurons, the hidden layer has *100* neurons and the output layer has *1* neuron. This configuration returns good results for the terrestrial targets. For instance in the example (figure 2), *2* tanks are recognized from the raw image of the terrestrial sensor. The image in figure 2 is of the latest radar sensor, synthetic aperture radar (SAR) adapted for terrestrial use. With the use of artificial intelligence, the recognized targets appear in the common picture as pictograms, not as electronically footprints, which help the operational view and planning process.

The targets are identified as friend or foe by the C4ISR system and their information is sent to the module for further processing. After recognizing the targets and establishing the position, direction and speed, the data (or information) is sent to the *decision and simulation submodule*.

The decision and simulation submodule is responsible for conducting the targeting process. This submodule has the following functions: establishing the behavior of the target based on pervasive tracking using the image taken from the C4ISR sensors, target position prediction using artificial intelligence methods, execute the fire, and evaluate the effects.

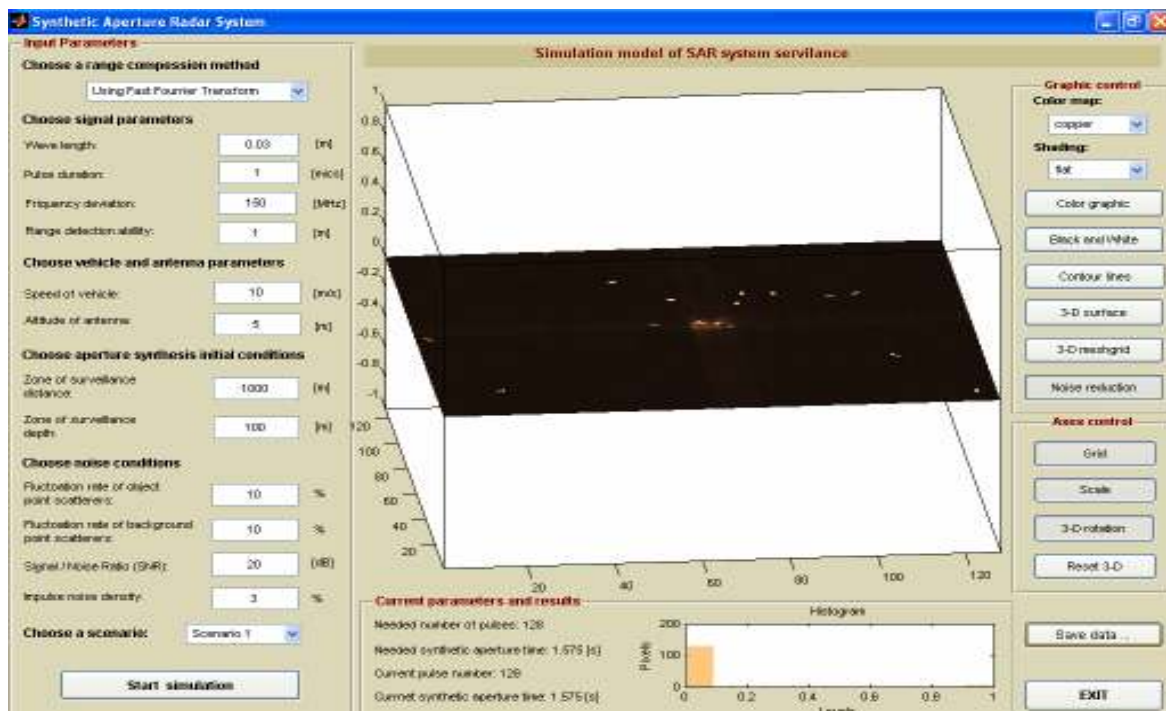This functional approach is similar to the NATO architectural approach[2].

Fig. 2 *API for the target information submodule*

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[2] *NATO architecture framework Version 3*, AC/322- D(2007)0048, NC3A, Chapter IV, p. 89.

The point for these fluent transitions is for the information about the target to be well processed and each application (module and submodule) to add some value and reasoning to the information. Therefore, the final steps of the information is to transform it into knowledge.

In the example, the next step is the submodule for decision and simulation, where the targeting process is carried on with all the steps and functions ("decide", "observe", "execute", "evaluate").Therefore, the C4ISR system and target information submodule are responsible for the functions; however, for the functions of "decide", "execute" and "evaluate", the decision and simulation submodule is consecrated.

The operating process of the submodule is shown in figure 3. The application programming interface (API) is simulating the tri-dimensional operational environment.
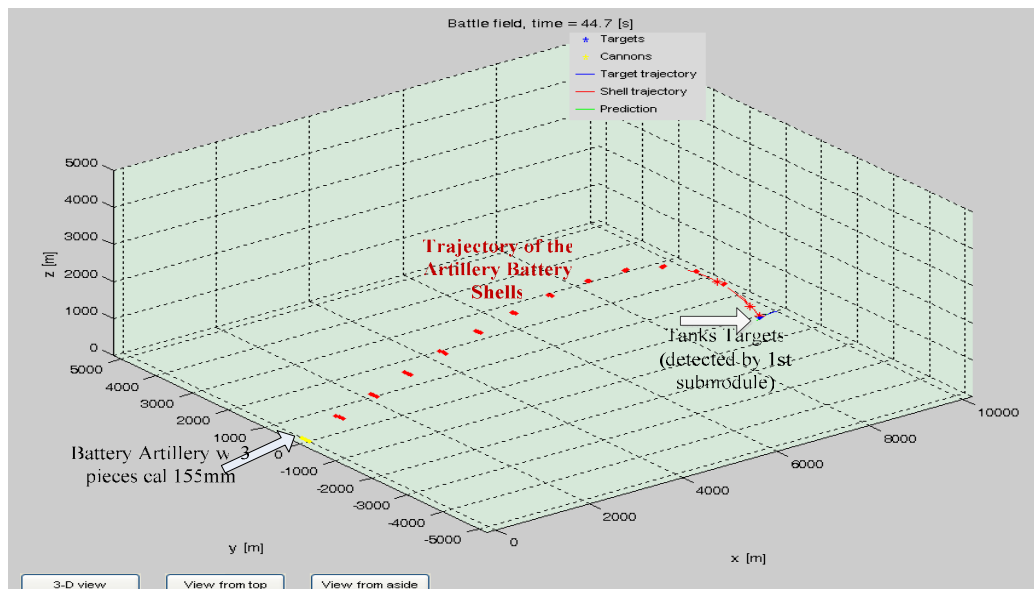

Fig. 3 *API for the 2nd submodule (decision and simulations)*

This submodule is built in a more complex manner, firstly because of the multitude of functions embedded and secondly for the choice not to break it down into submodules, which in this case, is very possibly and likely to yield better results. This submodule is also developed with the methods of artificial intelligence and here, neural networks with 3 layers are used. The input layer has 3 neurons; the hidden layer has 360 neurons and 1 neuron on the output layer. In this submodule, the neural networks which are used in the gun control domain are composed of one similar neural network for each direction (vertical and horizontal) for of the aiming process. The neural networks contain all the ballistic factors and continuously acquire data from the sensors of C4SIR system and armament system (artillery fire control),

adapt the next action accordingly and execute the corrections from the previous fire. Moreover, neural networks (NN) execute predictions of the target's next positions so the fires are more and more accurate and precise, based on the targets' behavior studied continuously since the targets were acquired. Other two main advantages of using NNs in the operating system are that the training process can be made after each experience, so the system become more aware and that it can work in an "assisted" mode (continuously learning from the human decisions and reasoning) or autonomous mode (independent, but with limitation implied by programming) and the fact that using the artificial intelligence methods instantly induce full knowledge about the operational environment acquired by the learning process.

Conclusion

The integration module which is comprised of the two submodules permits the full integration of the targeting process functions. The advantage of breaking the module in submodules is the ease of developing, along with the seamless integration based on using the same platform and the same main coordinates for the program development. We have chosen this example because it is not necessary to complicate the development of an add-on for the C4ISR system or FCS, but it is easy to develop the module which integrates the two with the required functions.

Besides, this module must have the possibility and the technicality to interconnect with any other module or system. This is why it is best to select an operating system common for all the developments of the armament systems which is perpetually flexible for accommodating all the requirements for the developers. But the most important addition to a universal operating system is using the embedded methods of artificial intelligence; the mature mathematical context and the limitless developments are supporting the quality of this addition.

Three new ideas are introduced: the existence of an universal operating system; methods of artificial intelligence embedded in the artificial intelligence; and prior to achieving this, modules can be constructed using the same platform and being fully integrated with the existing systems and also among them. These are supported by the example developed and detailed here of a module which creates the integration of the FCS with the C4ISR system.

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http://www.nhqc3s.nato.int/ARCHITECTURE/docs/NAF_v3/ANNEX1.pdf
NATO architecture framework Version 3, AC/322- D(2007)0048, NC3A, Chapter IV.

SECURITY ENVIRONMENT – QUALITATIVE TRANSFORMATION OF OLD CHALLENGES

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The accurate reporting of the state by the security environment is a crucial issue concerning the status and its development on the international stage. The determinants of security environment are constructed often on variables with extremely wide evolution range, in which states can still act mostly random and unpredictable.

The number of environmental determinants of security continues to change, new factors may occur at any time: therefore, the reporting of the environmental security must be made in real time. The economy, Knowledge, along with other parameters which traditionally influence the security environment, such as geographical boundaries, domestic and foreign policies characteristics, are suffering themselves changes/conversions under the impulse of technological development but also due to the depletion of natural resources and the rise of environmental issues. The development of informational technology propels us into informational era, giving new meanings to all these parameters and raising new challenges to the environmental security.

Keywords: *security environment; economy; knowledge; geographical barriers; technological development; informational technology; information era.*

Most approaches to the *security environment* refer to what seem to be its *current* characteristics, with very few of them trying to identify formative factors. As a rule one speaks of *security environment traits, security environment characteristics* etc. What was usually mostly debated was the concept of *security*, or furthermore *international security*. After the Second World War the concept of *international security* was closely tied to the *realpolitik* of relations between the two superpowers, aiming at maintaining equilibrium whilst reasonably satisfying the interests of both and their allies. Later on, when relations thawed with the disappearance of the USSR, the

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definition and scope of security gained new extensions, encompassing a larger array of threats to peace and stability, including the ones ensuing from changes to the environment, associated with resource depletion and pollution.

What is the *security environment* though?

One the most comprehensive definitions states that: *the security environment is a system, resulting from the dynamic interactions between a multitude of factors*[1]. The systemic nature of the *security environment* requires a correlated approach, by conducting a *systemic analysis* that would lead to its proper understanding. One assumes that for any state a rational approach demands a close correlation of its security strategy with its *security environment*. This entails following at least three stages: evaluation (*of the security environment*), planning and implementing. Often, in trying to define a states security strategy and its results, analysts tend to *compress* the three stages or to refer to the last two alone of the aforementioned. Thus, most of the time, failures in correctly tackling security issues are attributed to incorrect planning and implementation, regarding the conditions and transformations in the security environment as self obvious and implicitly understood by decision makers. Usually the possibility that states, or their governing factors to be more precisely, would have difficulties in truly understanding the security environment is disregarded as most bothersome things are. For example it is currently taken as a postulate that classic threats, classic conflicts respectively are highly unlikely. Using this assumption as a fundament certain responses to security issues are planned and implemented, with extremely important implications regarding the number, structure, equipment and training of military forces. Is equipment and most of all training focused on the so called *asymmetric warfare* truly the correct answer to the real security environment? Is there a thorough analysis on which these assumptions are based, or are they *evident, self obvious* and especially in accord with what *others* say? What if the parameters of these others *security environment* are different? Without overlooking planning and implementation flaws, the correct understanding and evaluation of the security environment are paramount for a systemic analysis of security issues and are, at the same time, the key elements for the success of any security policy. Correct and realistic understanding of the *security environment* will ensure the proper inputs for the next steps of action. Thus it becomes a matter of *understanding the problem of understanding the security environment*[2]!

Drawing a conclusion upon some studies of the field the security environment is determined by the following factors:

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[1] *Shiping Tang – A Systemic Theory of the Security Environment*
[2] *Ibidem.*

- Geographic boundaries;
- Interactions between states, with two components,
  - *Internal evolution* – aggregating *power*[3];
  - *External behavior – the capacity for self-restraint*[4];
- International hierarchy and structures;
- Technology (military).[5]

The weight and actuality of the listed factors are in a continuous change though. Geographic boundaries for example, have played a significant role over the course of time and although their importance has declined at present they are still of actuality. We can assume though that, not too long from now, with the *globalization of the capabilities*[6] of combat systems, their role will diminish considerably. As a consequence it is imperative that factors analysis is a *real time* process. Of course the real challenge is analyzing the interaction between the previously mentioned factors.

It is my opinion though that no theory can offer sufficiently powerfully prediction mechanisms to reach certainties in the analysis of the security environment and especially in predictions about its evolution.

If we examine the previously mentioned factors, that model the security environment, we observe that each of them is a variable with a large domain of fluctuation, in which states may still act randomly. Furthermore, I believe that the number of governing factors for the security environment is constantly changing, with the permanent possibility of new factors emerging.

Changes in the natural environment including the decrease in natural resources or limiting access to vital resources represent elements that influence the security environment. Environment factors, closely tied to political, economic, sociological, cultural factors often play an important part in the appearance and evolution of conflicts[7].

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[3] *Internal evolution* refers to a states capacity to singlehandedly assume its security by aggregating power through concentrating all resources and actions on a national level.

[4] *External behaviour* illustrates the capacity and reactions of the state to the transformations of the security environment around it, the way its reaction serves its interests or not. The capacity for self-restraint is a defining element for a state, showing its degree of aggressiveness. Considering that a states external behaviour depends upon its position in international hierarchies and structures (relative distribution of power)

[5] *End reference*

[6] Developing and extending aerial/ spatial surveillance, increasing precision and developing new long range weapon systems etc.

[7] "… when resources are scarce – whether energy, water or arable land – our fragile ecosystems become strained, as do the coping mechanisms of groups and individuals. This can lead to a breakdown of established codes of conduct, and even outright conflict.", *UN Secretary-General Ban Ki Moon.*

It follows that changes in the natural environment, particularly diminishing natural resources regardless of what these are, represent new determining factors of the security environment, that tend to surpass the aforementioned ones, as nature and resources degrade and ebb to a greater extent.

In the end, *the security environment has to be the reference system for the behavior of any national or international entity, in relation to which it aspires to develop in, at the very least, acceptable parameters of liberty, given the conditions of a climate of minimum conflict.* This is if conflict itself is not part of its own development strategy.

We can postulate that none of the determining factors of the security environment can decisively influence it on its own. Nonetheless, there have to be elements that originate the changes in the balance between these factors and that, as a consequence, constitute the engine that drives the evolution of the security environment. What are these? Why are states propelled in stating their internal environment, in what direction do they aggregate power and for what purpose? What leads to crossing, pushing geographic boundaries? Who inflicts international rules and for what purpose? Is the evolution of the security environment linear, ascending, in what concerns the number and value of determining factors as well as in their complexity and balance? Could a certain cyclicity be identified to this evolution and could we identify those elements we mentioned earlier by a process of reducing this cycle? These are questions we should naturally ask and find answers to when analyzing the security environment.

Portraying the *economy* as the only constant determining factor of the security environment would be a simplistic, unilateral approach. This is because *the human factor*, in its complexity, is frequently the source of spectacular and often unpredictable developments of the security environment. "The human need for self respect"[8] is also an instability factor, generating unending global changes, being driven by desire for power that is incumbent on force, economic supremacy and knowledge.

Of course, the evolution of human society, social, politic and even ethic restraints, diminishes or amends the essence of the previously shown phenomenon. Still, I think that its milestone value remains, even out of the consideration that even the most democratic and "collective" decision of a group actually stems from the decisive influence of an individual. It is so that referring to the most intimate drives of the evolution of human society will enlighten essential aspects regarding the security environment and the

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[8] F. Fukuyama, *The End of History and the Last Man* – appeals to the ideas of Kant and the dialectic of Hegel: every human has this need, once it is satisfied it resurfaces only on a higher level.

mechanics behind its transformations. The lieder, be it a person or a group, is the *administrator* of power, the one that *aggregates internal capabilities* and determines *external reactions* and implicitly the *capacity for self-restraint* of the entity he governs.

Knowledge has always been and shall remain a *means* of power amplification and so, indirectly, a way to influence the security environment. It was always intertwined with force and wealth to give birth to power. Knowledge is "aspired to" and used by power to make decisions and multiply wealth and force. More knowledge, more wealth and force. *Materializing knowledge* implies *developing technology*, including military technology. *Technological development* is the one that *blurs* natural borders and diminishes their role, offers solutions to the economy but also instruments of force to the administrators of power, generating reactions outside of social or national entities in accordance with the imposition of their interests upon other actors. If we consider the other dimension of *knowledge*, usually known as *intelligence*, which fundamentally streamlines any process by giving the *when, how, with what and where* one must act, we conclude that this is another factor that continues to influence the security environment.

The role of *knowledge*, including the spectacular evolutions in the way military conflicts have unfolded in the past years is well known. Technology and information domination have exponentially amplified the military power of those who mastered and wielded them.

The recent developments in the *information technology* have led to substantial changes globally, leading to the *information age* and *society*. *Information technology* is practically the cornerstone, the DNA of the *information society*.

I find that the information age is not yet a global phenomenon, but rather a phenomenon with global effects. This is, for the simple reason, that knowledge is "aspired" by power. A vast part of the world is still in the pre-industrial age, illiteracy is high and the ability to profit from the advantages of technology is not yet in the reach of a large chunk of the world's population. This those not mean that this part of the world and its population is not subject to the information age, but sadly this most often leads to increasing the disparity, under all its forms, to the powerful.

If we were to *merge* the visible effects of the information age on society, the closest image would be that of a complex machine, whose gears inexorably spin with an ever increasing speed, following ever more precise rules, centrifuging everything that those not abide by these rules. In such a

world, the winners seem to be *the organizations, the entities based on information,* who have found ways to adapt to the challenges of the information age by efficiently and timely using it. *Information based organizations*, as successful organizations, are practically the result of a *coevolution*[9] in the business world[10].

In conclusion, crossing into the information age and society deeply shapes the security environment both by its positive features and by the new challenges to security it brings.

The reflection of technological development in the military domain, particularly the development of the information technology, is without a doubt a new dimension of the Military Technical Revolution (MTR). Above anything else, in my opinion, the Military Technical Revolution is an endless race between technological progress and conceptual and organizational development and adaptation.

The crucial point so that technological progress, the development of weapon systems and operational innovation will transform into a Military Revolution is the capacity for adaptation and innovation of organizations.

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[9] *Coevolution*, as a concept, derives from complex adaptive systems theory and states that in biology after a certain number of reproductive cycles species adapt and influence each other in their evolutionary process.

[10] David S. Alberts, John J. Garstka, Frederick P. Stein, *NETWORK CENTRIC WARFARE: Developing and Leveraging Information Superiority.*

DECISION SUPPORT SYSTEMS – CURRENT STATE AND DEVELOPMENT TRENDS

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In this article, we are focusing on the trends of developing the decision support systems used in military crisis management. Thus, we start by emphasizing the need to use decision support systems in crisis management, then we are to analyze the current stage of decision support systems used in crisis situations and its trends of development. Consequently, we are also going to extract some relevant conclusions related to decision support systems in crisis management.

Keywords: *DSS; crisis management; artificial intelligence; data mining.*

Crisis management overview

The concept of "crisis management" has been really difficult to define in the current security environment. When studying literature in the field, on the topic of military crisis management, we encountered definitions formulated by national governments and international organizations such as NATO, European Union, United Nations, and OSCE. Because there are many various sources, this concept is defined in rather different ways. In order to illustrate their variety two relevant definitions of crisis management are listed:

• measures to identify, acquire, and plan the use of resources needed to anticipate, prevent, and/or resolve a threat or an act of terrorism. It is predominantly a law enforcement response, normally executed under federal law. (JP 3-28)[1]

• a timely, short-term intervention by an actor, or a coalition of actors, in order to mitigate an imminent deterioration of security conditions with the help of predominantly military means[2].

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[1] http://www.military-dictionary.org/DOD-Military-Terms/crisis_management

[2] Joachim A. Koops, *Effective multilateralism in peacekeeping, capacity-building and crisis management*, in Focus, 01/2010, http://www.effectivemultilateralism.info

There are common elements to most definitions of a military crisis: (a) a threat or a deterioration of security conditions, (b) a law enforcement response by an actor, or a coalition of actors, and (c) a short decision time.

In the crisis situation, decision making is a fundamental activity for the commander. This is not simple. The commander must perform „an estimate of the situation, a clear and concise statement of the line of action intended to be followed"[3] to the successful accomplishment of the assigned mission. The crisis is often determined by the rapidly changing situation that can generate some events with dramatic consequences. The commander's role is considerable because he must know when and what to decide for it "translates early his vision of the end state into action"[4].

Consequently, successful crisis management requires:

- the commander must think creatively and strategically to solve the crisis, because most decisions are unstructured;
- a rapid identification of the problems and a correct estimation of the situation, by partial knowledge of environment factors that cause the dynamics and uncertainty and their impact;
- the generation of a set of alternative solutions and testing their feasibility using methods or rules whereby the decisional alternatives can be generated, tested and ranked for selection;
- the solution that will be implemented must be chosen depending on the outcomes obtained and the goal or objectives' criteria;
- to take bold actions and act courageously for implementing chosen solution;
- to break away from the self-protective organizational culture by taking risks and actions that may produce optimum solutions in which there would be no significant losers[5].

The military crisis is more ambiguous and unpredictable than in the past. Decision making in this dynamic environment requests commander's cognitive capabilities. This complex environment is characterized by many variables with subtle interdependencies and predicting the total outcome may be daunting.

In addition, even though individual interactions among a system's variables may be well understood by the commander, to predict how the system will react to external factors such as a policy decision is often difficult.

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[3] http://www.military-dictionary.org
[4] http://www.au.af.mil/au/awc/awcgate/army/fm101-5_mdmp.pdf
[5] Farazmand Ali (ed.), *Handbook of Crisis and Emergency Management*, New York and Basel, Marcel Dekker, Inc., 2001, p. 4.

Furthermore, lately, the developed information and communication technology has allowed the use of new techniques to collect and store data in a digital format, new methods of data modelling and analysis. All of these, exploited efficiently, help the commander to better know the real situation and make some predictions about its evolution.

In this article, we are focusing on the trends of development of decision support systems used in military crisis management. Consequently, we may start by emphasizing the need to use decision support systems in crisis management, then we will analyze the current stage of decision support systems used in crisis situations and its trends of development, and finally we are to extract some relevant conclusions related to decision support systems in crisis management.

Decision support systems for crisis management

Innovations from information and communication technology made possible the acquisition and storage of data in a huge database. Many fields, including crisis management, have become increasingly dependent on the data collection, storage and processing. However, the abundance of data collected during the crisis makes it difficult to find information and to extract knowledge required by the commander in the decision making process.

The concept of decision support systems (DSS) is extremely broad, and its definitions vary, depending on the author's point of view. According to Turban, a DSS is "an interactive, flexible, and adaptable computer-based information system, especially developed for supporting the solution of a non-structured management problem for improved decision making. It utilizes data, provides an easy-to-use interface, and allows for the decision maker's own insights"[6].

There is a substantial amount of empirical evidence that human intuitive judgment and decision making can be far from optimal, and it deteriorates even further with complexity and stress[7]. In many situations, the quality of decisions can be improved by using DSS. The DSS decision making process avoids the deficiencies of human judgment and helps the decision maker to focus on relevant information. The DSS decision making process is presented in the next figure:

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[6] Turban E., *Decision support and expert systems: management support systems,* Englewood Cliffs, N.J., Prentice Hall, 1995.
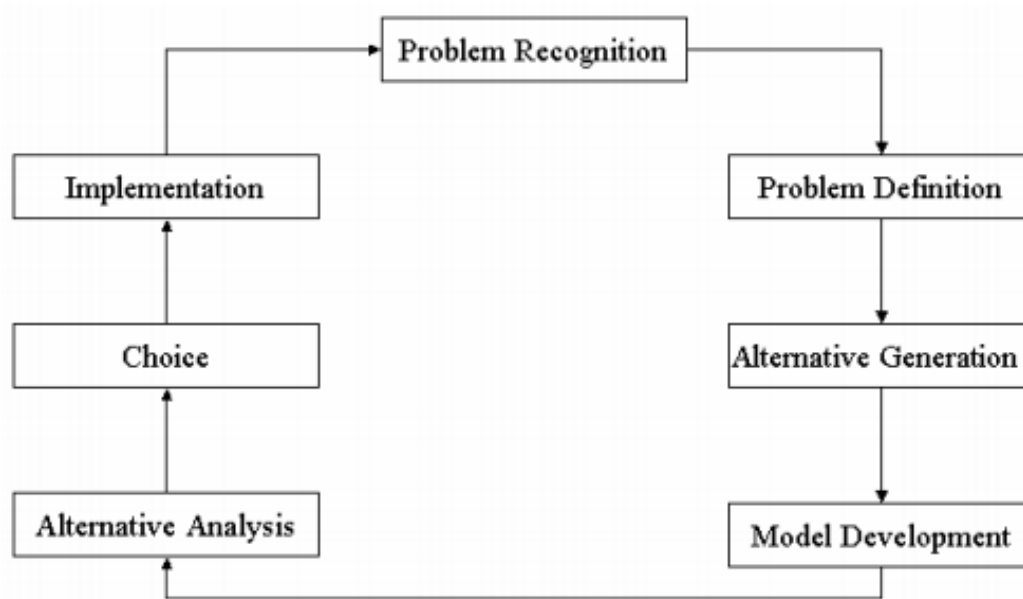[7] http://www.pitt.edu

Fig. 1 *The DSS decision-making process*[8]

The current DSSs have the following characteristics:

• a set of tools and services suitable for supporting decision at any levels of planning, operating, controlling and other activities associated with the preparedness of the country, region or company to face the crisis situations;

• a web-based application designed to deliver a wide range of features to help plan and manage crisis information;

• a web-based system intended to facilitate communication and coordination within and between the various government and non-government agencies involved in responding to major incidents.

• facilities for usage of GIS technology which may bring a clear overview about situations, resources, and current status on the territory, forecasts and planned actions as well as very understandable information for the public.

These DSSs can support choice among well-defined alternatives and build on formal approaches, such as the methods of database, statistical, and decision theory. The proper application of decision-making tools increases the efficiency and effectiveness of decisions, allowing the commander to make optimal choices for technological processes and their parameters, planning military operations, logistics, or investments.

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[8] Shim J. P., Warkentin Merrill, Courtney James F., Power Daniel J., Sharda Ramesh, Carlsson Christer, *Past, present, and future of decision support technology*, Decision Support Systems 33(2), 2002.

The future trends of decision support systems

More recently, DSSs have acquired new methods, often enhanced by various techniques originating from database, such as cognitive psychology, and artificial neural networks have been implemented in the form of computer programs for complex decision making. Using artificial intelligence techniques and diversification of data analysis methods, the progress of the Semantic Web, the emergence of new communication technologies and Web 2.0 are some challenges for future development of DSSS.

In the multinational crisis management, decisions are made by some members who "work together on a daily basis and have everything ready – planning, policies, processes, working practices and tools"[9].

Concerned by the growing volume of data stored in databases, researchers from the field of databases, statistics, artificial intelligence and pattern recognition, have begun to establish standard procedures to guide users in extracting useful information with the purpose of knowing the system described by those data.

The most recent DSSs are based on knowledge discovery in database and data mining concepts. Extracting relevant information from databases may cover the following aspects: descriptive modelling of the system, exploratory data analysis, predictive modelling, discovering patterns and rules, searching for content[10].

Descriptive modelling can be used in two ways: clustering and segmentation. Clustering (group analysis) is useful in pattern recognition for dividing a digital image to detect distinct regions with their edges or contained object recognition. Also, segmentation can be applied on demographic data in order to create homogeneous workgroups during the crisis. The number of groups is chosen by the decision maker.

Exploratory data analysis aims at exploring data by isolating characteristics suggestive of data and identifying potential structures and characteristics for generating hypotheses to explain the structure. These procedures are supplemented by modelling procedures and testing hypotheses. In general, these techniques are interactive and visual and rely on particular small data sets, the histograms of continuous or discrete variables, box plot diagrams, data partitions, etc.

The purpose of predictive modelling is to build a model to estimate the values of one variable knowing the values of other variables. In matters of classification, the predicted variable is categorical, while the regression

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[9] http://www.nato.int/cps/en/natolive

[10] Elena Şuşnea, *Utilizarea tehnicilor data mining într-un sistem educaţional de tip e-learning*, ProUniversitaria Publishing House, 2012.

variable is quantitative. The term "prediction" is used here in a general sense, without any notion of the continuous time involved. In crisis management, we can make predictions about the success or failure of an action based on certain factors, such as human resources, finance, environments factors etc.

Discovering patterns and association rules constitutes a real challenge for statisticians. They have been encountered when detecting outliers and consist in defining what behaviour is really unusual in the context of normal variability. In a multidimensional space, this can be difficult. Prior knowledge can be invaluable to an analyst's interpretation. Association rules can be successfully used in modelling various stages of crisis; thus, modelling from the first signs of crisis means beginning to build models on which the advice given by the system to be tailored and customized to the needs of the decision makers.

The search for content allows users to find patterns similar to the dataset. Datasets often contain text and images. For the text, the patterns can be a set of keywords and the user can propose discovery documents that may be relevant within a larger set of documents (e.g. Web pages). For images, the user can have such an image, an outline of a picture or a description of an image and can propose the discovery of similar images from a larger set of images. In both cases, both similarity and defining research strategy details are critical issues.

Knowledge discovery database and data mining are some laborious processes that depend on many factors, from the analyzed data, methods and techniques for extracting information to specialized skills and the ability to identify, assess and correctly operate the models and patterns extracted[11],[12].

Discussion and conclusion

In crisis management, the commander needs to know only essential information related to the crisis situation in a useable form in order to be able to make correct decisions. There are some differences between the information gathered and the information needed for prevention and action in crisis. The problem can be solved by DSS.

Some specific cognitive psychology techniques, artificial neural networks are implemented in the DSSs for helping the decision maker in a complex decision making process. The DSSs that are going to be developed in the future will try to emulate as much as possible the capabilities makers.

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[11] Tania Stoean, *Requirements over the projection of a software technology designed to train the young entrepreneurs in Romania*, The 9th International Scientific Conference eLearning and software for Education, Bucharest, 2013.
[12] Sorin Topor, Ion Calin, et al., *Despre informaţii şi sisteme informaţionale militare*, Bren Publishing House, Bucharest, 2008.

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http://www.pitt.edu
http://www.nato.int/cps/en/natolive

THE ROLE OF ACCOUNTING INFORMATION IN THE DECISIONAL SUPPORT OF THE MANAGERIAL TEAM

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The enterprises produce and use the accounting information grounding on the activity achieved. The gross form is transferred in the financial situations and then transformed into economic and financial indicators getting significant relevance for the users. In this context, it is important for the managers to use the accounting information as well as the indicators resulting from the systematic processing of the accounting information in order to support the adoption of efficient decisions for the better development of present and future works.

The future economic perspectives of an organization are based on the whole vision the managers have, on the continuous relation to the general, regional, local dimension of the business they run. By the global approach versus the own organizational realities, the managerial team can settle new guidelines, new steps or new directions of approach of the implemented management policies.

Keywords: *accounting information; financial indicators; economic efficiency; management team; managerial decision.*

Regarded in an organizational and particularly functional perspective, organizations have in their composition a financial-accounting department indispensable for the good processing of economic transactions. The functionality principle of the mentioned structure is provided by the attentive processing and analysis of primary justifiable documents, followed by the systemisation activity found in the semester or yearly financial situation and also in the specific economic and financial indicators emphasized in the explicative notes to the financial situations or in other support document of the analysis.

By this mechanism we can consider that the accounting information is produced by the organization and, on its turn, it determines the application of measures in the end producing new accounting information. The latter will be

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interpreted and analyzed in the following financial exercises, in which the economic and financial indicators will show if the approved managerial decisions were efficient or not. Practically, the accounting information by its presentation means helps the managers to approve decisions keeping in mind the concern for the identified errors.

The managerial team - a significant part of operative leadership

No matter the form of organization, the management style preferred by the company, the organization or the governmental level, the leadership mechanism embraces different stated forms by specific and special laws and also by own general disposition to be constituted for each public or private institution. To the previously mentioned issues, a significant share is added by the act of will settled by the constitutive act agreed on by shareholders, associates, or the single associate.

In Romania, the enterprises, companies with state, private, or mixed capital (as many institutions with majority state capital bears the generic name of *company* being often transformed by government decisions) no matter their organization form (SA, SRL etc.) also undergo research or commercial activities with respect to the instructions provisioned by Law no. 31/1990 on commercial societies or as regards some special law (IPURL, SPRI etc.), the Law no 86/2006 republished.

Thus, the lawmaker identified the managerial team as being:

- for shares societies in single system, the administrator is represented by one or many persons who form the board of trustees. Usually, these are assigned by the shareholders or even by the members of the board of trustees. In such situations, the competence of effective leadership can be delegated to a general director who can be or not a member in the administration board. Practically, the director is directly subordinated to the administration council;
- for shares societies in dualist system, the administration activity comes to a directorate under the attentive monitoring of the surveillance council (assigned by the general assembly of shareholders);
- for commanded societies on shares, the administration comes to one or many commanded associates assigned by the general assembly of the shareholders;
- for the societies with limited responsibility, the operative leadership can be delegated to an administrator in conformity with the associates' decision in the general assembly framework.

The managerial decision

The economic life and the commercial activity implicitly claim the application of some decisions. The resolutions analyze the events and transactions but consequently involve the views and also effective decisions of managers on the closing of contracts, employment of personnel, the dismantling of some departments, functional reorganizations, acquisitions, investments, etc. Such initiatives suppose knowledge and aptitudes by using at the highest level the capacity of managers to improve and even to send an impulse to the operational parameters culminating with the assessment of the results really obtained.

As regards the adoption of some efficient decisions grounded on the existence of some coordinated efforts, the statuary administrators (directly assigned by the constitutive act) or assigned (by direct vote of the general assembly of shareholders) start from the analysis of two aspects:

a) the operational goal of shareholders (associates, investors) consists in the maximization of profit being known that the *company directors have always been preoccupied by the administration and diminishing of costs*[1] but also *by the need to maintain or decrease the percentage of gross profit used on expenses*[2];

b) the analysis of some financial indicators starting from the accounting information comprised in the financial situations which follow:

- the analysis of previous events;
- it constitutes the basis of decision for future investments;
- it represents a means of financial assessment (diagnosis) of enterprises.

With respect to the profound mode, these considerations can signify the knowledge of *factors which lead to the profit, the monetary welfare or the stability of company or organization*[3], the accounting information often constitutes the starting point in the adoption of strategic institutional decisions.

Still, for the consolidation and improvement of the decisional act, the economic decision-maker must use wide spectre information in the internal and external environment (for instance, the financial situations of business partners in order to identify aspects regarding the liquidity, net thesaurus, or a potential state of insolvency).

Thus, information and particularly the accounting information actually represent a means of communication, a detailed issue of patrimony position which the organization stands on at a given moment following a sustained

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[1] Gabriel Apostu, *Oportunități pe timp de criză*, in „Curierul fiscal" no. 4/2009, p. 35.

[2] Terry Gaskin, *Indicatori financiari perfecți*, National Press, 1998, p. 57.

[3] *Ibidem*, p. 11.

economic initiative. We can say that *the managerial decisional system is focused on information extracted from accounting*[4] and therefore is granted to a remarkable attention to the manner of processing, synthesising and use of accounting information.
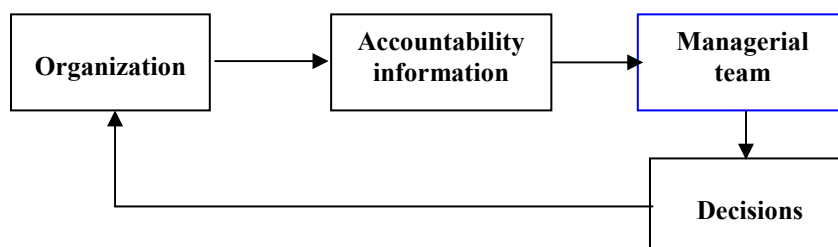

Fig. 1 *The mechanism used for adopting the managerial decision*

The relevance of accounting information

For a better understanding of the accounting information, it is important to underline that it is structured in the content of financial situations and restructured in the consecrated economic and financial indicators reflecting the level of monetary and non-monetary flows. They can be controlled and improved in order to reflect a revealing financial and patrimonial situation but also to maintain *a financial control of the business*[5] starting from the assumption that it reflects a correct, clear and true image of the economic activity.

The performance registered in a well-defined period can be measured very accurately with the help of accounting information which can be classified as:

- information on management activity;
- information comprised in financial situations.

In the same register, we can mention that analysing the results obtained and emphasized in informative financial situations the intern users (managers) can choose peculiar decisions on a multitude of situations, such as:

- means to distribute or redistribute resources on the organizational level;
- acquisition of human and material resources;
- extension to the other fields of activity;
- opening new work stations;
- engagement of credit lines;
- reorganization activity;

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[4] Nicolae Todea, Angela Ioana Mărginean Aurar, *Rolul şi locul contabilităţii manageriale în sistemul informaţional*, „Contabilitatea, expertiza şi auditul afacerilor" Magazine, no. 4/2011, p. 20.
[5] *Ibidem*, p.14.

- organizational restructuration;
- reporting the identified frauds, etc.

In order to be used by the internal users (the management team, for the efficiency of the adopted decisions, the shareholders for the investments made, the employees for the stability of their salaries and their workplace, as well as other salary stimulation measures) and the external users (clients, providers, other investors, control bodies of the state etc.), the accounting information should have four basic characteristics:

- intelligibility – the capacity to be understood and interpreted in silence by the users;
- relevance – the possibility to determine the adoption of some significant decisions starting from past events, present realities and future goals;
- credibility – the probability to lack significant errors;
- comparability – the possibility for the accounting information to be compared from one period to another.

The main role in the presentation and adoption of financial situation is played by the general assembly of stakeholders which has the right *to propose a budget of revenues and expenses as well as to settle an activity plan for the next financial exercise*[6] starting from the presented results.

The managerial team mandated to fulfil the prerogatives it was invested with bears the whole responsibility on *profit registered by the enterprises which is perceived as being a relevant indicator of reputation. The pertinence of the indicator of measuring as compared to the notion of social performance of the enterprise is often ambiguous.*[7]

Thus, by the simple interrogation and interpretation or transposition of accounting information in the consecrated economic and financial indicators one can estimate *the relativity of organization performances*[8] and, implicitly, the efficiency of the approached decisions.

Conclusions

In a century of globalization, information can become extremely precious, as it can be used with various purposes and being able to train a series of the most diverse decisions: organizational (restructuration, extensions, fusions, cessing of social parts etc.), investment (the acquisition of

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[6] *Legea 31/1990*, art. 111, alin. (2), lit. e).
[7] Daniela-Iuliana Popa, *De la responsabilitatea socială la performanţa financiară a întreprinderii*, „Contabilitatea, expertiza şi auditul afacerilor" Magazine, no. 1/2012, p. 16.
[8] Maria Berheci, *Rezultatul contabil, rezultatul economic şi valoarea creată - indicatori de apreciere a performanţelor întreprinderii*, „Contabilitatea, expertiza şi auditul afacerilor" Magazine, no. 8/2010, p. 16.

a credit line or a financial or operational leasing contract etc.), managerial (replacement of directorate, the most often), personnel (employments, detaching, promotions, salaries, bonuses growth, dismissals).

With respect to the accounting information, this is particularly useful not only in order to analyze the profit registered by a public organizational structure but also to assess the adopted decisions, correcting the errors where there is need for adjustment. If we take into consideration strictly the significance of accounting information for the managerial team, we must explain that on grounds of the data provided one can appreciate the future strategy and policies of evolution of the respective juridical entities.

We can conclude therefore that the managerial decisions are grounded, mainly, on the basis of some instruments, firstly scientific and then followed by economic and financial analyses accomplishing a role of controlling and assessing them.

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