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## EU INTERNATIONAL TRADE IN TODAY'S ENTROPIC WORLD ECONOMY. A RESILIENT NEO-PROTECTIONIST PERSPECTIVE

Monica Burcă-Voicu\*, Mircea Teodor Maniu\*\*

### Abstract

*As political events in EU and all across the world unfold in a less and less predictable manner, we witness a de facto return of the most developed economies to various stages of neo-protectionism, mainly of non-tariff consistence. The WTO's global trade liberalism, approach that was also the blueprint of EU's economic policy during a long period of time, seems to be somehow worn out today. Our paper tries to identify those coordinates that could be described as optimal in the process of evolution of the domain towards strengthening the protection of EU's single market and meanwhile not jeopardizing European international trading chances through various retaliation effects. We attempt to illustrate our view through some Romanian examples of the economic trade-off implied by the liberalization of the domestic market following EU membership.*

**Keywords:** international trade, EU single market intra-trade, liberalization, protectionism, competitive advantage.

**JEL Classification:** F 13 Trade Policy. International Trade Organizations, F15 Economic Integration, F43 Economic Growth of Open Economies, F63 Economic Development

### Preliminary

We conduct this investigation during a time when both exogenous, mostly political factors, but definitely also endogenous, mostly developmental factors, re-shaped the world trading patterns of the last

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decades, as designed within the more and more liberal frameworks of GATT, WTO, EU or other significant bilateral or multilateral agreements. Far from engaging ourselves in the challenge of identifying all those factors that are illustrative indeed for this process, we would like to shape this research on the grounds of the following three characteristics of the world trade today, characteristics we believe to be relevant for the Romanian and also EU context. First of all, we are witnessing today a massive switch of the critical mass of the world trade, from the traditionally developed economies towards several emerging ones, or regionally clustered economies, with dramatic consequences in the areas of fragmentation of production, industrial specialization in some areas along with deindustrialization in complementary areas, or miscellaneous non-economic effects.<sup>1</sup> Nevertheless huge income discrepancies among countries will persist, indicating the fact that practically all the growth and development scenarios elaborated during these recent years were far from achieving their goals.

Secondly, the trade flows of today, freed by many of the traditional tariff burdens changes day by day. The value added becomes clearly a factor of crucial importance and the decomposition of exports, imports, re-exports and re-imports, in terms of value added, becomes relevant not only when investigating the efficiency of the international trade, but as an indicator of the sustainability of a certain growth model, adopted by a specific country.<sup>2</sup> Depending on their ability to detect the economic impact of various layers of the foreign trade, some countries would succeed in designing an adequate policy of the kind while others would fail and witness on the long run the diminishing of their wealth, though being net exporters. Last but not least, a succession of events, but specifically the global financial and economic crisis

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<sup>1</sup> Johansson Asa, Guillemette Yvan, Murtin Fabrice, Turner David, Nicoletti Giuseppe, Maisonneuve Christine, Bagnoli Philip, Bousquet Guillaume, Spinelli Francesca, "Long-Term Growth Scenarios", *OECD Economics Department Working Papers*, No.1000, 2013 pp. 5-6 [<http://www.oecd-ilibrary.org/docserver/download/5k4ddxpr2fmr.pdf?expires=1470119979&id=id&accname=guest&checksum=7A70D7E8B156BA5F70CE7A8B42A1EA19>], accessed 01.08.2016.

<sup>2</sup> WTO, Trade in value-added and global value chains: Explanatory notes, 1/2015, pp. 2-3, at [[https://www.wto.org/english/res\\_e/statis\\_e/miwi\\_e/Explanatory\\_Notes\\_e.pdf](https://www.wto.org/english/res_e/statis_e/miwi_e/Explanatory_Notes_e.pdf)], accessed 02.08.2016.

that hit the world in 2007-2009, jeopardized the chances of evolving as planned only a couple of years before towards real convergence in the largest single market of the world, namely EU. After almost a decade of boost induced by the introduction of the single currency, with the EU intra-trade still expanding, as the Union enlarged during the 2000s, EU's external trade started to show structural weaknesses. Productivity and overall European competitive advantage on the world trading stage is obviously decreasing as benchmarked to East Asia or North America.<sup>3</sup> The operational hypothesis here would be that international trade would increase in relative terms, as benchmarked to the increase of intra-trade, therefore a debate concerning the assets and liabilities of a new kind of protectionism, EU scale, seems appropriate.

### **EU - a champion of world trade liberalization**

Following the post WW II experience of the implementation of the *Marshall Plan* and since the merger in 1967 of the three initially independent institutional pillars (ECSC, EEC and EAEC) into EEC, the creation of the *European Single Market* went steadily ahead. This evolution could not be conceived other than analyzing the gradual departure from the historical protectionism that was illustrative for most of the European countries and the open switch towards free trade support. The fact that most European countries, EEC or EFTA members, or, and this statement clearly positioned from a peculiar angle, even CMEA ones, praised the benefits of various layers of trading integration, at least the abandonment of tariffs, common external tariffs, contributed in time to the aggregation of the so called *Single European Act* (SEA), act gathering more than 300 specific measures at the end of the 80s and the inception of the 90s. The fact that precisely during this period Europe got politically reunited gave another strong boost to the process, through whatever transition towards free market meant for the democracies of Central and Eastern Europe. But in fact it was the ineluctable process of globalization that both explicitly and insidiously became relevant for more and more areas of the world, a process objectively forging the

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<sup>3</sup> Eurostat, International trade statistics introduced. Main statistical findings, 2016, at [[http://ec.europa.eu/eurostat/statistics-explained/index.php/International\\_trade\\_statistics\\_introduced](http://ec.europa.eu/eurostat/statistics-explained/index.php/International_trade_statistics_introduced)], Accessed 01.08.2016.



ultimate propensity of EU to take the same kind of trading principles externally as adopted internally.

The reality that EU acknowledged GATT, and since 1995 WTO's global liberal arrangements shows the Union's dedication to the fundamental principles of non-discrimination, lowering to the maximum possible both tariffs and quotas, build a more competitive and reasonable predictable international business environment. EU and WTO also share two other trajectories, both critical at this start of the millennium: actively supporting the less developed countries and eradicating poverty worldwide on the one hand, protecting the environment through the priority given to the sustainable development on the other.<sup>4</sup> Acceding to various international organizations' policies as an economic block, organizations such as UNDP, WTO, ILO, OECD, to name only a few with global economic exposure, is in fact a serious and complex challenge of representing often divergent interests and balancing between general principles and peculiar interests, a task that was one of the most difficult to undertake by the Union during the last decades, especially since enlargement towards CEE.<sup>5</sup> But however difficult this process appeared to be in time EU managed to become the first regional trader, with exports totaling 33% of the world trade in 2014, followed by NAFTA with 14% and ASEAN with 7%.<sup>6</sup> This situation should be judged in connection with the reality that toady about 2/3 of the European trade flows are actually branded as domestic, being intra-EU trade.

EU could be easily considered a champion of the free trade also due to some specific features that gave trade among European nations an impetus that was simply not possible elsewhere, precisely due to the lack of these specifics. First of all is the fundamental principle inscribed even in the founding *Treaty of Rome*, namely the interdiction to provide state aid as distorting a fair competition. Secondly the significant reduction of direct costs, due to a plethora of factors such as: adopting common technical standards, adopting and constantly updating incentive *Common Customs*

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<sup>4</sup> Andreas R. Ziegler, *Trade and Environmental Law in the European Community*, Oxford: Clarendon Press, 1996, pp. 231-238.

<sup>5</sup> I.M. Anghel, G. Silași, A. D. Crăciunescu, *Diplomația Uniunii Europene (și regulile acesteia)*, București: Universul Juridic, 2015, pp. 248 -256.

<sup>6</sup> WTO, *International Trade Statistics 2015*, 2/2015, pp. 26; 50, at [[https://www.wto.org/english/res\\_e/statis\\_e/its2015\\_e/its2015\\_e.pdf](https://www.wto.org/english/res_e/statis_e/its2015_e/its2015_e.pdf)], Accessed 03.08.2016.

*Tariffs* (CCT), creating in 1985 and expanding the free circulation *Schengen area*, and last but not least the adoption in 1999 of the single currency *Euro*. It is beyond doubt that many assets of this liberal approach were in fact accompanied by economic liabilities that was translated into the still in place *opt-out system*, the incomplete and operational difficult *Euro-area*, to a certain degree to the unwanted degree of monopolization of the single market in some industrial areas and even to the incomplete removal of various regulations jeopardizing free trade by translating them from the national level to the Union's. As the ongoing TTIP and CETA negotiations show, there is an increasing level of discontent towards multilateral agreements that are seen less as trading opportunities and more as menaces to economies already weakened by crisis, migration waves and external factors such as terrorism.

### **Regional integration and world fragmentation**

Could we interpret this outcome, seen here from a trading angle, as a temporary setback, due to exogenous factors or as an endogenous fault in the design of the *Single Market*, left heavily unprotected against tendencies such as de-industrialization? As a recent OECD conducted study, forecasting the evolution of the world trade in the following 50 years revealed, usually countries showing propensity for accelerated liberalization of the world trade, initially engage in regional schemes of the kind. 38 countries are identified as falling in this category till 2030, EU 28, EFTA, NAFTA, Australia, New Zealand and Japan,<sup>7</sup> and all of them though "embarking" on the liberalization trajectory, have good reasons to be less enthusiasts concerning tariffs. Analyzing the growth projections of the 42 OECD countries, along with other 105 developing economies as investigated by the *Centre d'études prospectives et d'informations internationales* and modeling trade as *MIRAGE (Modelling International Relationships in Applied General Equilibrium)* a computable general equilibrium model for trade policy

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<sup>7</sup> Jean Chateau, Lionel Fontagne, Jean Foure, Asa Johansson, Eduardo Olaberria, "Trade patterns in 2060 world economy", *OECD Journal: Economic Studies*, 2015, pp. 68-69, at [[http://www.keepeek.com/Digital-Asset-Management/oecd/economics/trade-patterns-in-the-2060-world-economy\\_eco\\_studies-2015-5jrs63llqgjl#.V6Ax79KLQdU#page3](http://www.keepeek.com/Digital-Asset-Management/oecd/economics/trade-patterns-in-the-2060-world-economy_eco_studies-2015-5jrs63llqgjl#.V6Ax79KLQdU#page3)], Accessed 03.08.2016.

analysis, with such parameters as GDP, labor supply, savings, etc.,<sup>8</sup> relevant conclusions are drawn in order to sketch trade scenarios under imperfect competition, that are more or less consistent with the forecasted juncture of the world economy. One of the main findings is that regional liberalization, EU type, would eventually bring more benefits than global liberalization of the trade, at least for the developed countries.

A first and quite emotional answer to such a statement would be that this is a valid argument for what the anti-globalists and not only call *Fortress Europe*, namely a regional organization that promotes complete freedom within its borders but is reluctant to be just as open outside the borders. The concept has been vigorously revisited following the migrant crisis.<sup>9</sup> If one considers the difficulties of implementing the single market for services, and even more difficult the labor single market (difficulties culminating with the *Brexit*), if one adds the strong necessity to re-industrialize EU, following the migration of most of its manufacturing sectors towards more cost effective areas, the answer could be again affirmative. But just as in the case of the potential abandonment of the *Schengen* facility, today more than a commercial feature, but already an epitome of EU, facing the influx of economic migrants, just as in the case of the potential giving up of the Euro, following financial distress, as in the Greek case, the decision should be taken only in a larger, developmental framework, that would inevitably indicate also the political consequences of such a strategic move. The tense political situation in today's Europe could be significantly worsened by EU's new stiffness in this respect. But frankly put this does not mean that such an approach would be inconsistent with the policy adopted in various periods by important trading countries such as USA, China, Japan or Russia.

The *Treaty on European Union* (TEU) signed in 1992 in Maastricht is commonly known for the so called *Maastricht criteria*, allowing or not a certain country to adopt the Euro, but it embeds also extremely important

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<sup>8</sup> Mohamed Hedi Bchir, Yvan Decreux, Jean-Louis Guérin, Sebastien Jean, "MIRAGE, a Computable General Equilibrium Model for Trade Policy Analysis", CEPII, No.17, 2002 pp. 27-29, at [[http://www.cepii.fr/PDF\\_PUB/wp/2002/wp2002-17.pdf](http://www.cepii.fr/PDF_PUB/wp/2002/wp2002-17.pdf)], Accessed 04.08.2016.

<sup>9</sup> Stefan Lehne, "The tempting trap of fortress Europe", *Carnegie Europe*, April 21, 2016 at [<http://carnegieeurope.eu/2016/04/21/tempting-trap-of-fortress-europe/ixdx>], Accessed 04.08.2016.

provisions concerning the main targets of EU's trade policy. Defining EU's economy as an open economy, eager to become more competitive over the global stage, acknowledging the fact that multilateral trade issues today should be dealt under the auspices of WTO's *Doha Development Agenda* (DDA) the treaty is the epitome of the openness of the Union's external trade policy. The ongoing TTIP and CETA negotiations add weight to this statement. But if we observe the evolution of commodity and services flows from and into EU during the last two decades, the overall capital and FDI flows and the crucial emigration-immigration balance, it turns that the ideal of EU to become more competitive as benchmarked to the major trading players of the world is far from being achieved. On the contrary, many of the traditional European comparative advantages are evidently slipping away. It is not by chance that the prestigious *Journal of European Integration* entitled its special issue dedicated to the 20 years anniversary of the treaty *Maastricht Treaty: Second Thoughts after 20 years*.<sup>10</sup> Therefore and grounded on these facts, the option to follow the same track, along the present day coordinates as in the near past seems at least debatable. More internal integration, with all its evident benefits, is not reflected in assets to be found through international trade.

### **The option of reconfiguring EU's trade policy**

In a relatively recent book some reputed authors are asking themselves why the liberal and neo-liberal ideas seem to be so resilient in the European economic environment of the last quarter of century.<sup>11</sup> The failure to deliver the forecasted results shows a significant difference between the rhetoric of policy deciders and the terrain day by day reality. We believe this concept of resilience is appropriate indeed for the outlook of the EU's external trade policy. As the classical liberal vision of building the economy grounded on free trade, could be retrieved both in the mainstream of

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<sup>10</sup> *Journal of European Integration*, Maastricht Treaty: Second Thoughts after 20 years, Taylor and Francis Online, Volume 34, Issue 7, 2012 at [<http://www.tandfonline.com/toc/geui20/34/7>], Accessed 05.08.2016.

<sup>11</sup> Vivien A. Schmidt, Mark Thatcher, "Theorizing ideational continuity: The resilience of neo-liberal ideas in Europe", in Schmidt, V.A., Thatcher, M., Eds., *Resilient Liberalism in Europe's Political Economy*, Cambridge: Cambridge University Press, 2013, pp. 1-10.

economics but also in most heterodox approaches<sup>12</sup> since the early 90s a libertarian view with monetarists inflexions combined with a *sui generis* neo-Keynesian policy (at least in the Central and Eastern European countries) was common. This truly resilient view of the overall development of EU's economy often contradicted the liberal trade policy, especially after *Maastrich* inducing mixed results throughout the Union. As we observe the evolution of the CEE external trade in the 80s, it is not out of place to notice that CEE of the late XX-th century could be retrieved in the economic archetype represented by the XIX-th century Germany.<sup>13</sup> This historical comparison is somehow enhanced by the already observed negative signals given by United Kingdom, signals that gave birth to the *Brexit* more than 20 years later. Is such an argument enough in order to believe that a *neo-Listian* type of protectionism, EU scale, would be an appropriate answer to the present day economic problems in EU?

Definitely not at first sight, but if one takes into consideration the latest evolutions on the world political stage, the answer could be certainly much more elaborate. A recent study of the reputed think tank *Moody's Analytics* underlines the radicalism embedded in Donald Trump's electoral statements when it comes to migration and trade. If this vision, grounded on the heavy criticism of the creation of NAFTA in the early 90s, USA's endorsement of China's WTO membership in the early 2000s and the present stage of TTIP negotiations with EU is to become an official US trading policy during the next couple of years, then we can expect that also significant retaliatory policies to be conceived. Such as imposing an average 45% tariff on imported Chinese commodities until China will abandon the policy of keeping its currency artificially low, in order to run important surpluses in the trade with US. Or, a 35% tariff on goods that are manufactured in the neighboring Mexico by American companies that systematically outsource jobs outside the country.<sup>14</sup> The other main source of concern in this respect

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<sup>12</sup> Mark Skousen, *The Making of Modern Economics. The Lives and Ideas of the Great Thinkers*, London & New York: Routledge, 2001, pp. 103; 455.

<sup>13</sup> Paul Kennedy, *The Rise and Fall of the Great Powers. Economic Change and Military Conflict from 1500 to 2000*, London: Unwin Hyman, 1988, pp. 471-474; 482-484.

<sup>14</sup> Mark Zandi, Chris Lafakis, Dan Wite, Adam Ozimek, "The Macroeconomic Consequences of Mr. Trump's Economic Policies", *Moody's Analytics*, 2016, pp. 3; 6-7; 9-10; at

comes from China, but has a completely different macroeconomic consistence. As a *McKinsey Global Institute* comprehensive research indicates, China is on the brink to change radically its economic model, which is ripe for a productivity push, since the average productivity would be still less than one third of the OECD's average, while the country made a huge technological leap during the last decades.<sup>15</sup> Such a strategic move cannot be successful without significant consequences for the trading model of this extremely important global exporter.

The classic, liberal vision concerning the world trade of the 90s has been already shaken by the crisis and later on by the various political events that enhanced the entropy of the global economy, at unprecedented levels. But we must notice that already during the early 2000s specialists differentiated between regionalization and globalization, admitting that some form of regionalization could oppose liberalization, acting as vehicles of trade diverting.<sup>16</sup> While the common opinion was that expanding regional trade would have impacts at global level and consequently regionalization would be nothing but a specific form of globalization, this assessment could be interpreted in various ways if we are dealing with the European case. There is no other economic model throughout the world comparable to EU. So, both the historical and geographic best practices that could calibrate the European policy of the kind might be irrelevant. Just as EU adopted a completely different approach as the US when it comes to the default policies following the crisis, a more or less limited in time departure from the global, WTO type of policies could be a decent answer today. Not only to the job saving leg of the economic process, but also to the strong need to re-industrialize Europe, in order not to lose completely those features of the economic framework that were created with the support of the industrial civilization that emerged precisely here and then spread across the world. If

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[<https://www.economy.com/mark-zandi/documents/2016-06-17-Trumps-Economic-Policies.pdf>], Accessed 25.07.2016.

<sup>15</sup> Jonathan Woetzel, Yougang Chen, Jeongmin Seong, Nicolas Leung, Kevin Sneader, Jon Kowalski, "Capturing China's \$ 5 Trillion Productivity", *McKinsey Global Institute Report*, 2016, at [<http://www.mckinsey.com/global-themes/employment-and-growth/capturing-chinas-5-trillion-productivity-opportunity>], Accessed 26.07.2016.

<sup>16</sup> Spyros Economides, Peter Wilson, *The Economic Factor in International Relations*, London, New York: I.B. Tauris Publishing, 2001, pp. 165 – 174.

such a move could be branded as neo-protectionist and accordingly sanctioned by EU's main trading partners, this is probably a risk that European policy makers should evaluate soon.

### **A Romanian perspective**

Debating a topic such as protectionism cannot be properly done in Romania prior to invoking the contribution of Mihail Manoilescu to the theory of the domain.<sup>17</sup> A strong advocate of industrialization, of the creation of a real middle class and valuing autarky as a mean to expand domestic demand and market, Manoilescu's works, though circumscribed to the economic juncture of the interwar years and to the political limitations of the epoch, impacted significantly on the development of several Latin American countries in the post-war period, but eventually on Romania's development, somehow paradoxically, during the years of communist regime. To what extent is still valid such a view, that once purged by any ideological component would include the main topics that are today critical for the Romanian economy, again this is debatable. But we must acknowledge that job creation, reinstatement of industry as the main output provider and overall developing with a growth engine that favors a proper balance between domestic consumption and export are current priorities of the country. To a large extent, an approach that would be slightly more leaned towards the domestic market, both in terms of output and demand, and less on foreign trade, would be a direct consequence of the inappropriate economic policy conducted during the early years of introducing market economy and free competition. At that point, the inability to maintain at least some strategic tracks that would prevent the demise of most of the industry, created the potential for emigration less than a decade later, due to the lack of jobs domestically. And this opened a vicious circle that started in the 2000s and can be observed even today. The country has one of the most liberal trade policies, FDI frameworks, land acquiring provisions and completely endorses EU economic policies, even those that are mandatory only for the *Eurozone*.

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<sup>17</sup> Mihail Manoilescu, *Forțele naționale productive și comerțul internațional. Teoria protecționismului și a schimbului internațional*, București: Editura Științifică și Enciclopedică, 1986.

A relevant indicator for the efficiency and overall economic impact of the Romanian foreign trade could be found analyzing this trade in value added and the creation of global value chains, addressed to both developed economies and developing ones.<sup>18</sup> Admittedly, it is difficult to evaluate how trade liberalization under the aegis of the political demand to join NATO and EU contributed to the increase of welfare of the country. Or, to put it in counterfactual terms, how would have been the economic outlook if a more domestically centered model (as for instance the Polish one) would have been in place. But the reality that the country lost most if not all significant non-EU trade destinations could be interpreted as a major liability during a time when the European construction and institutionalism is at stake. There is no other example, within Central and Eastern Europe, of a country so willingly abandoning its decades long earned trading assets as Romania.<sup>19</sup> The almost permanent oscillation between liberalism, sometime even with libertarian flavors and a neo-Keynesian policy that was no more than a perverted reflection of the former political regime's view, made a lethal concoction for the Romanian economy for most of the 90's and 2000s. Apparently it is the crisis that triggered the interest for revitalizing the endogenous components of the economy instead of accepting without any critical interpretation the exogenous, mainly EU but inevitably also global components shaping our economic life.

As a strong voice of Romania's integration within EU's structures devised the term, following the crisis, we are about to witness "the great re-configuration" of the European economic model.<sup>20</sup> It would be obviously an oversimplification to say that through a foreseen treaty EU would have to opt between the liberal, sometime branded as *anglo-saxon* model and the real *social market economy* that was for too many years no more than an empty of content slogan for EU. Nowadays many European nations are backing the idea that the *Europe of nations* should not be replaced by the *Europe of*

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<sup>18</sup> WTO, Trade in value-added and global value chains: statistical profile: Romania, 3/2015, at [[https://www.wto.org/english/res\\_e/statis\\_e/miwi\\_e/RO\\_e.pdf](https://www.wto.org/english/res_e/statis_e/miwi_e/RO_e.pdf)], Accessed 02.08.2016.

<sup>19</sup> Mircea T. Maniu, "Reconsidering the Adoption of the Euro in Today Romania", in Adrian C. Păun, Dragoș Păun, eds., *The convergence of Diversity. The European Model*, Cluj-Napoca: Presa Universitară Clujeană, 2014, pp. 281 – 287.

<sup>20</sup> Vasile Pușcaș, *Uniunea Europeană. State-Piețe-Cetățeni*, Cluj-Napoca: Eikon, 2011, pp. 151-155; reprinted from *Foreign Policy Romania*, September 2011 issue.



*multinationals* with all the implications deriving from such a drift. Summing up all the data concerning Romania at our disposal, we would endorse such a view and would state that a first relevant move towards such an outcome would be precisely the revisiting of the trade mechanisms and policies. Far from suggesting a withdrawal in national autarky, we strongly support launching a nationwide debate concerning the options that the Romanian economy would have today over the European and global markets. In our opinion today we can observe, throughout Europe and obviously in our country too, a new equilibrium between the national coordinates of the economic life and the European ones. And an already reached social critical mass in order to approach these matters rationally and professionally.

## **Conclusions**

The constant changing patterns of the recent global economic evolution have created a lot of challenging perspectives for the future evolution of the EU trade and its global future role as one of the most important international player. Debating the future challenges that lies ahead for the EU in the context of the international economic flows we should take into consideration here some of the recent events that will reshape, change or at least influence the future of the global trade trends, opportunities and frameworks. Such example are related to topics concerning the latest evolutions on the world political stage, the important yet unknown economic medium and long term future implications of the recent Brexit, the demographic important and significant changing demographic evolution – ageing of the population with its important effects generates on the long run for the stability of the fiscal policies and for the flexibility and productivity of the labor market. Moreover, we should underline here the changing role and future potential influence played by countries like Turkey (its new future approach towards different economic trade partners and even more so towards the EU), or we can add here China as one of the most important and influential actor and its recent slight slowdown of its economic growth.

Achieving a higher level of competitiveness will raise many challenges due to the fact that currently the economies of the Member States are differently developed from the competitiveness point of view and by this

classified in the international rankings at different hierarchical levels with considerable distance between the places occupied (examples: Finland-4th and Germany-5th or Croatia 77 and Greece 80, etc.<sup>21</sup>

The European policy makers, in order for the EU to become more competitive as a whole in the near future, should take into consideration when trying to generate adequate provisions concerning the main targets of EU's trade policy by the global nowadays realities concerning: the access to the limited resources (we refer here primarily to the natural ones and in particular the energy for instance), or the constant increasing government debt and high fluctuations in flows of capital for a series of global economies facts that have already created a series of important negative effects during the past 2008 financial crisis.

As we have already mentioned one of the most relevant indicators for the efficiency and overall economic impact of the Romanian and also EU foreign trade could be found by analyzing the trade expressed in terms of its value added and the creation of global value chains, addressed to both developed economies and developing ones. Related to this, and also to the highly debated topic of the reindustrialization process of the EU we should underline here the importance of the future construction of the EU industrial policies, based on the fact that the European Union will also have to try to ensure a higher level of competitiveness in sectors such as energy or the environmental protection in order to be able to support innovation policies and educational targeted ones due to the constantly rising level of global competition.

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<sup>21</sup> WEF, The Global Competitiveness Report 2014–2015, Editor: Klaus Schwab, Geneva, 2014, p.14-15, [[http://www3.weforum.org/docs/WEF\\_GlobalCompetitivenessReport\\_2014-15.pdf](http://www3.weforum.org/docs/WEF_GlobalCompetitivenessReport_2014-15.pdf)], Accessed 5.07.2016;

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## THE EUROPEAN SINGLE MARKET: OPPORTUNITIES FOR ENTREPRENEURS – THE CASE OF ERASMUS FOR YOUNG ENTREPRENEURS

Nicoleta Dorina Racolța-Paina\*

### Abstract

*The "Erasmus for Young Entrepreneurs" programme (EYE), part of the larger context of the European Single Market bringing a series of opportunities to the SME sector, was launched by the European Commission in 2008 with the stated purpose to develop and strengthen the culture and spirit of entrepreneurship in the EU member states. This study contains an analysis of the effects the programme has had on entrepreneurship in terms of achieved objectives, benefits brought to entrepreneurs following their participation in the programme and processes facilitated by the programme.*

**Keywords:** entrepreneurship, Erasmus for Young Entrepreneurs, EU.

**JEL Classification:** L26, M13

### 1. Premises

At present, The European Single Market provides companies in the members states access to 28 national markets, namely to 510 million potential clients, thus facilitating their business through: the principle of mutual recognition; the standardisation of technical or quality criteria for products, services and production processes; the adoption of new regulation for service provision (in the view of eliminating the existing barriers); administrative burden reduction; easier access to public procurement

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markets (in the other member states); an increased protection of intellectual property rights.<sup>1</sup>

Over time, the European economy has faced major structural challenges, namely competitiveness and growth on the one hand, the hurdles of entrepreneurship on the other hand, accompanied by the impact of a major economic crisis that started manifesting itself in 2008. Such was the context that saw the birth of the Europe 2020 Strategy. Its stated priorities are: smart growth: developing an economy based on knowledge and innovation; sustainable growth: promoting a more resource-efficient, greener and more competitive economy and inclusive growth: fostering a high-employment economy delivering social and territorial cohesion.<sup>2</sup>

The role of small and medium-sized enterprises (SMEs) in the European economy has been highlighted in numerous official documents, the main arguments relating to the added value brought by this sector (including its share in the total added value at market level), the number of jobs created (which, in turn, represent over half of the total number of jobs in the market) and the large share of micro-enterprises (in terms of number) in the non-financial sector. Thus, at EU28 level, in 2014 SMEs represented 99.8% of the total number of enterprises in the non-financial business sector, with over 90 million employees (that is 67% of the total number of employees) and they generated 58% of the value added.<sup>3</sup> These positive results kept throughout 2015 thus: “... just under 23 million SMEs generated €3.9 trillion in value added and employed 90 million people. They accounted in 2015 for two thirds of EU28 employment and slightly less than three fifths of EU28 value added in the non-financial business sector”<sup>4</sup>. Moreover,

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<sup>1</sup> European Commission, 20 Years on the European Single Market, 2012, p. 32, [[http://ec.europa.eu/internal\\_market/publications/docs/20years/achievements-web\\_en.pdf](http://ec.europa.eu/internal_market/publications/docs/20years/achievements-web_en.pdf)], 24 June 2016.

<sup>2</sup> European Commission, Europe 2020. A European Strategy for smart, sustainable and inclusive growth, COM(2010) 2020, Brussels, p. 7, [<http://ec.europa.eu/eu2020/pdf/COMPLET%20EN%20BARROSO%20%20%20007%20-%20Europe%202020%20-%20EN%20version.pdf>], 24 June 2016.

<sup>3</sup> European Commission, Annual Report of European SMEs 2014/2015 SME start hiring again, 2015, p. 3.

<sup>4</sup> European Commission, Annual Report of European SMEs 2015/2016 SME recovery continues, 2016, p. 6.

entrepreneurial activity is among of the major drivers of economic growth<sup>5</sup>. Our interest in mobility in the framework of entrepreneurship is due to the multiple dimensions of this concept: mobility of people, mobility of knowledge, mobility of ideas, mobility of infrastructure and social mobility<sup>6</sup>. This study is restricted to only one of the dimensions implied by the mobility of people and that is the exposure of entrepreneurs to an international business environment by their physical presence in a SME in another country for a period of 1-6 months. The main purpose of this study is to analyse the effect that the *Erasmus for Young Entrepreneurs* (EYE) programme has had on entrepreneurship in the context of the efforts made by the EU institutions to create a favourable environment for the development of entrepreneurship. This research falls into the category of evaluative research<sup>7</sup>, being oriented towards determining the effects of certain actions, more specifically, a European programme which targets entrepreneurs. In fact, this is a qualitative research, which we consider to be the most appropriate option (the alternative being a quantitative research), knowing that this type of research can be targeted at identifying the way in which the mobility of people can influence entrepreneurship<sup>8</sup>. The research comes under the category of grounded theory, an inductive methodology, which uses unstructured techniques, namely document content analysis – the analysis of those official documents that show statistics referring to the EYE programme and of the testimonials of EYE participants, which can be found on the official website.

This paper is structured as follows: a presentation of the evolution of entrepreneurship in the general context of official actions by the EU institutions, a description of the EYE programme followed by an analysis of

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<sup>5</sup> Dominiek, Post; Han, van der Meer; Matthijs, Hammer, "Organizational Blueprints for Growth in Service Firms", in On-line Journal *Modelling the New Europe*, Issue no. 16/2015, p. 105, [<http://neweurope.centre.ubbcluj.ro/wp-content/uploads/2012/05/On-line-Journal-No.-16-September-20151.pdf>], 22 June 2016.

<sup>6</sup> Erik, Lundmark; Asa, Waern, "What is mobile in entrepreneurship?", HELIX Working Paper, Linköpings Universitet, UniTryck 2008, p. 16, [<http://liu.diva-portal.org/smash/get/diva2:757772/FULLTEXT01.pdf>], 24 June 2016.

<sup>7</sup> Miller, 1991 quoted by Sorin Dan Şandor, *Metode și tehnici de cercetare în științele sociale*, București: Tritonic Books, 2013, p. 61.

<sup>8</sup> Erik, Lundmark; Asa, Waern, "What is mobile in entrepreneurship?", HELIX Working Paper, Linköpings universitet, UniTryck 2008, p. 18, [<http://liu.diva-portal.org/smash/get/diva2:757772/FULLTEXT01.pdf>], 24 June 2016.



its effect on entrepreneurship in terms of objectives achieved, benefits to entrepreneurs following their participation in this programme and processes facilitated by the programme, followed by a set of conclusions.

## **2. Entrepreneurship – a long-standing goal of the EU**

Stimulating entrepreneurship is one of the main challenges in all EU member states. The benefits brought by entrepreneurship are economic as well as social. The diversity of definitions of entrepreneurship is due to the diversity of perspectives from which it can be approached; in fact, it is a *multifaceted phenomenon*. In the official EU and OECD documents we identify the following definitions of entrepreneurship:

- Entrepreneurship is the mindset as well as the process of creating and developing economic activity, risk-taking, creativity and/or innovation, as well as a good management of the whole process, whether it be a new or existing organisation<sup>9</sup>. We consider that the value of this definition resides in the identification of several aspects related to entrepreneurship: mindset and action from entrepreneurs (seen as a heterogeneous group, regardless of the criteria used, which are age, gender, training level, etc.) and scope (any sector or type of business, whether self-employed or companies, which can be at various stages of the business life-cycle: pre-start, growth, transfer, re-start or exit).
- Entrepreneurship is a creative capacity at individual level which manifests itself regardless of whether the individual works independently or is part of an organisation, in the form of being able to identify opportunities and take them in order to produce new value or have economic success.<sup>10</sup> Pursuant to this approach, the creativity associated to entrepreneurship is vital to the competitiveness of enterprises, regardless of the type of market (existing or emerging) or sector that they activate in. We consider

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<sup>9</sup> Commission of the European Communities, Green Paper Entrepreneurship in Europe, Brussels, 21.1.2003 COM (2003) 27 final, p. 6, [[http://ec.europa.eu/invest-in-research/pdf/download\\_en/entrepreneurship\\_europe.pdf](http://ec.europa.eu/invest-in-research/pdf/download_en/entrepreneurship_europe.pdf)], 20 July 2016.

<sup>10</sup> Entrepreneurship in Europe, [<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3An26023>], 24 July 2016.

that the value of this definition resides in mentioning the newly-created value besides economic success.

- Entrepreneurship is an entrepreneurial activity, meaning the entrepreneurial action of a human being whose aim is to generate value via the creation or expansion of the economic activity, the identification and exploitation of new products, processes or markets not restricted to creating financial well-being, with other possible results being: increasing employment, tackling inequalities or environmental issues<sup>11</sup>. This definition appears in the publications of OECD-Eurostat Entrepreneurship Indicators Programme (EIP), which was launched in 2006, with the aim of developing the various dimensions of measuring entrepreneurship and the main drivers of this phenomenon.

If we analyse the aforementioned definitions, we are able to identify two major dimensions of entrepreneurship and those are *mindset* (also comprising capacity) and *action* (or process), both being essential to its success in the market.

At EU level, entrepreneurship as a component of the SME field is a priority which dates back to the 80s, when the year 1983 was declared the “European Year of the small and medium-sized enterprises and craft trades”<sup>12</sup>. According to this document, the governments of the member states of the European Community (what the European Union was called back then) were asked to make additional efforts for: improving the conditions of SMEs creation; eliminating administrative and technical barriers that can constitute a disadvantage to the trade activity of SMEs; creating or extending the existing schemes of consultancy services for the consultancy of SMEs in clearly-defined fields; promoting the innovation capacity of SMEs through the strengthening of their technical competence. By analysing these government requirements, we notice that part of them

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<sup>11</sup> OECD, Entrepreneurship at a Glance 2016, Paris: OECD Publishing, 2016, pp. 12-13, [<http://www.oecd-ilibrary.org/docserver/download/3016021e.pdf?expires=1479569564&id=id&accname=guest&checksum=586B3D8AC838667345AD6B64C502037C>], 30 September 2016.

<sup>12</sup> Parliamentary Assembly, 1983 “European Year of the small and medium-sized enterprises and craft trades”, Resolution 798, 1983, p.1, [<http://www.assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=16209&lang=en>], 20 July 2016.

are still valid now, 30 years on. There is still the need to improve the access of SMEs to funding, to ensure consultancy services for SMEs, to make sustained efforts to develop and strengthen their capacity for innovation, even though the general context is a lot different due to EU's current size (there are now 28 member states, compared to 10 in 1983) and the rapid development of information technology and communications.

The history of the SME sector at EU policies level starts in 1989, when "a separate Directorate General for SMEs (DG XXIII) was created, with the role to administer a series of SMEs-focused measures (which formed the embryo of the EU's enterprise policy)"<sup>13</sup>. DG XXIII's remit spanned the craft and SMEs sector, and together with DG Industry, DG XXIII acted in the field of enterprise policy<sup>14</sup>. The importance of this directorate not only resides in its novelty, but also in its approach. Thus, DG XXIII, which has the advantage of having close connections with the trade associations in the member states, organised numerous meetings with SMEs representatives throughout the 90s in order to identify their specific needs.

In 2000, The European Charter for Small Enterprises is adopted (within the "General Affairs" Council in Lisbon on 13<sup>th</sup> June 2000, and approved at the European Council held in Feira on 19<sup>th</sup> and 20<sup>th</sup> June 2000). Thus, SMEs are seen as a driving force for innovation and job creation in Europe, with their main characteristics being, on the one hand, the so-called sensitivity to changes in the market and on the other hand, their dynamism, especially when it comes to providing new services, creating new jobs and encouraging social and regional development<sup>15</sup>. What is more, the document highlights the importance of entrepreneurship in the context of a new economy where certain values are strong: knowledge, commitment and flexibility. Going through the ten lines of action in this document, we notice

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<sup>13</sup> Debra Johnson, Colin Turner, *European Business: Policy Challenges for the New Commercial Environment*, Routledge, 2005, p. 134.

<sup>14</sup> Opinion of the European Economic and Social Committee on the Proposal for a Decision of the European Parliament and of the Council amending Council Decision 2000/819/EC on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005) COM(2004) 781 final — 2004/0272 (COD), Official Journal of the European Union, 2005, p. 1, [<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52005AE0245>], 20 July 2016.

<sup>15</sup> European Council, *European Charter for Small Enterprises*, 2000, p. 1, [<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3An26002>], 22 July 2016.

that a lower importance is attributed to mindset than to process or action in entrepreneurship; there we can only find two principles: education and training for entrepreneurship and availability of skills. This focus on entrepreneurship as process or action is to be found in the Lisbon strategy (2000), with one of the priority areas for action in this sector (proposed by the Commission after revision, in 2005) being unlocking the business potential, which implied stimulating the business climate, encouraging start-ups, reducing red tape and taking positive actions to streamline the access to funding<sup>16</sup>. An important step on the European agenda regarding entrepreneurship was the publishing by the Commission of the Green Paper “Entrepreneurship in Europe”, where entrepreneurship performance at EU level is defined as “people’s attitudes towards entrepreneurs or the number of actual entrepreneurs, ... also .. dynamism in entrepreneurial activity and entrepreneurs’ performance”<sup>17</sup>. As an answer to the 10 questions in the document focusing on two fundamental aspects for Europe: ‘How to produce more entrepreneurs?’ and ‘How to get more firms to grow?’, the Commission adopts the Action Plan: The European agenda for Entrepreneurship, in 2014, as a strategy framework to spur entrepreneurship in the context of an insufficient exploitation of the entrepreneurial potential and even a deficit thereof, as well as a deficit in the process of encouraging European citizens to become entrepreneurs<sup>18</sup>.

In 2008 the European Commission adopts the Small Business Act for Europe (SBA) with the general aim to improve the approach of the overall policy concerning SMEs. “ ... *Small Business Act* aims to improve the overall policy approach to entrepreneurship, to irreversibly anchor the “Think Small First” principle in policymaking from regulation to public service, and to promote SMEs’ growth by helping them tackle the remaining problems

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<sup>16</sup> European Parliament, DG for Internal Policies, The Lisbon Strategy 2000- 2010 An analysis and evaluation of methods used and results achieved, Final Report, 2010, p. 82.

<sup>17</sup> Commission of the European Communities, Green Paper Entrepreneurship in Europe, Brussels, 21.1.2003 COM(2003) 27 final, p. 8, [[http://ec.europa.eu/invest-in-research/pdf/download\\_en/entrepreneurship\\_europe.pdf](http://ec.europa.eu/invest-in-research/pdf/download_en/entrepreneurship_europe.pdf)], 20 July 2016.

<sup>18</sup> Commission of the European Communities, Action Plan: The European Agenda for Entrepreneurship, Brussels, 11.02.2004 COM(2004) 70 final, p. 4, [<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52004DC0070&from=EN>], 20 July 2016.

which hamper their development”.<sup>19</sup> According to the SBA, an essential factor of SMEs development in the EU is a proper environment, which implies that the perception of the role of entrepreneurs and risk-taking change and more precisely, that entrepreneurship and the will to take risks should be appreciated by all players in society, whether it be politicians, administrations, citizens, the media, etc.<sup>20</sup> The SBA comprises a set of 10 principles referring to the design and implementation of policies at EU level and at member state level; a set of new legislative proposals based on the “Think Small first” principle (covering state aid, VAT, late payments, etc.) and a set of new strategic measures for the implementation of the 10 principles. The SBA relates to the present study in the sense that it is the framework that defines a series of programmes that target the development and strengthening of entrepreneurship and entrepreneurial culture, such as the European SME Week, Erasmus for Young Entrepreneurs, European Network of Female Entrepreneurship Ambassadors.

A step forward at EU level is taken in 2013, when the *Entrepreneurship 2020 Action Plan. Reigniting the entrepreneurial spirit in Europe* is adopted, comprising the idea “Our challenge – more entrepreneurs for Europe”<sup>21</sup>. This document mentions the exchange between knowledgeable entrepreneurs from various countries should be fostered, an aspect present also in the EYE programme.

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<sup>19</sup> Commission of the European Communities, “Think Small First” A “Small Business Act” for Europe, Brussels, 25.6.2008 COM(2008) 394 final, p. 4, [<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52008DC0394&from=EN>], 24 June 2016.

<sup>20</sup> Commission of the European Communities, “Think Small First” A “Small Business Act” for Europe, Brussels, 25.6.2008 COM(2008) 394 final, p. 5, [<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52008DC0394&from=EN>], 24 June 2016.

<sup>21</sup> European Commission, *Entrepreneurship 2020 Action Plan. Reigniting the entrepreneurial spirit in Europe*, Brussels, 9.1.2013 COM(2012) 795 final, p. 3, [<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52004DC0070&from=EN>], 22 June 2016.

### 3. Erasmus for Young entrepreneurs (EYE) – a successful initiative of the EU

#### 3.1. The EYE Programme – objectives and functioning

The EYE Programme came about as an action that implements the first principle of the SBA - “Create an environment in which entrepreneurs and family businesses can thrive and entrepreneurship is rewarded”-, the stated aim being “to promote exchanges of experience and training by giving nascent entrepreneurs the possibility to learn from experienced host entrepreneurs and improve their language skills”<sup>22</sup>. When it was launched, the stated purpose was clarified: “It aims at helping new entrepreneurs to acquire relevant skills for managing a small or medium-sized enterprise by spending time in an enterprise in another EU country”<sup>23</sup>. What is desired through this exchange and training programme that ensures the physical access of entrepreneurs in the European market is to develop and strengthen entrepreneurship, as well as foster the professional and personal development of the beneficiaries of the programme.

EYE is a cross-border exchange programme which has one overall objective and four specific objectives, the participants to the programme being new entrepreneurs (NEs) and host entrepreneurs (HEs) (see *Figure 1*).

According to the Guide of the programme<sup>24</sup> the NEs category includes nascent (i.e. “would-be”) entrepreneurs, who are at the stage of actually planning on starting their own business based on a realistic business plan, and the entrepreneurs who have recently started their own business (which has been operating for under 3 years), while the HEs category includes successful and experienced entrepreneurs (ideally owners of small-scale or micro-enterprises) or persons who are directly involved in entrepreneurship as managers of SMEs. In order to achieve these objectives

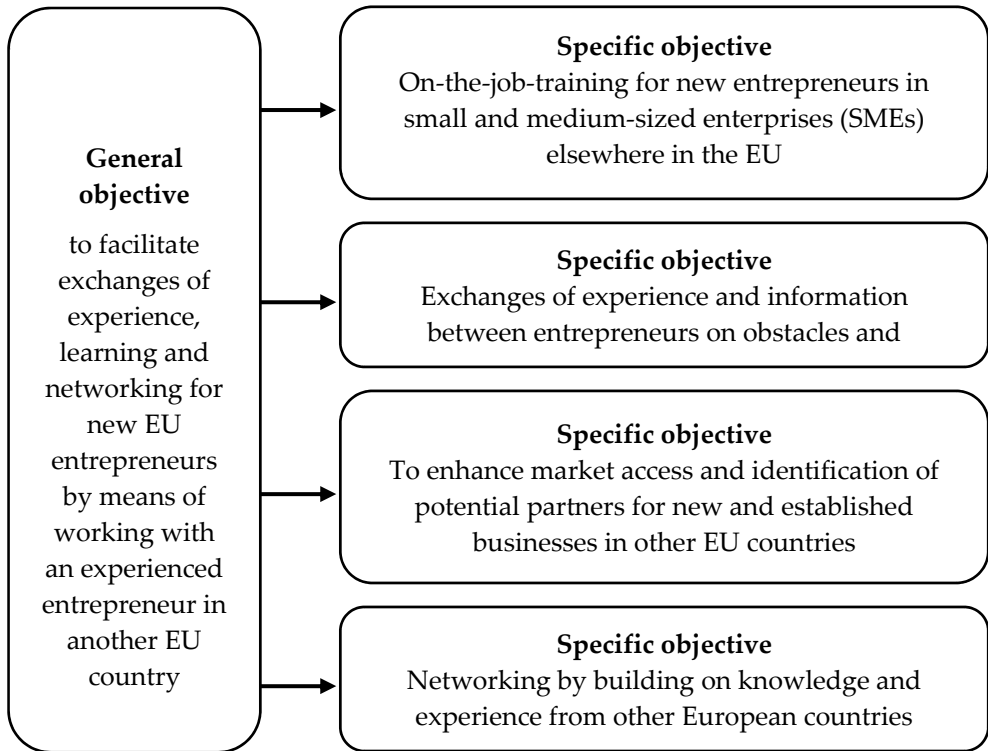
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<sup>22</sup> Commission of the European Communities, “Think Small First” A “Small Business Act” for Europe, Brussels, 25.6.2008 COM(2008) 394 final, pp. 5, 7, [<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52008DC0394&from=EN>], 24 June 2016.

<sup>23</sup> European Commission, Erasmus for Young Entrepreneurs. Programme Guide, pp. 2-3, [<http://www.erasmus-entrepreneurs.eu/upload/Programme%20Guide%20EN%20May%202015.pdf>], 22 June 2016.

<sup>24</sup> European Commission, Erasmus for Young Entrepreneurs. Programme Guide, pp. 5, [<http://www.erasmus-entrepreneurs.eu/upload/Programme%20Guide%20EN%20May%202015.pdf>], 22 June 2016.

(see Figure 1), the EYE Programme provides practical and financial help for NEs to stay with an HE in another EU country; the bodies that facilitate this process are called *intermediary organisations* (IOs) and the *Erasmus for Young Entrepreneurs Support Office* (SO).



*Figure 1.* The objectives of Erasmus for Young Entrepreneurs<sup>25</sup>

Financial support is given to NEs to contribute to the travel expenses to and from the HE country, the accommodation and living costs throughout the stay. Procedure-wise, the European Commission, currently via the Executive Agency for Small and Medium-sized Enterprises (EASME) (initially via the Enterprise and Industry Directorate-General) launches calls for project funding at IOs level (the first was launched in 2008 with a budget

<sup>25</sup> European Commission, Erasmus for Young Entrepreneurs. Programme Guide, pp. 2-3, [<http://www.erasmus-entrepreneurs.eu/upload/Programme%20Guide%20EN%20May%202015.pdf>], 22 June 2016.

of €2.85 million, followed by many others in 2011, 2014 and 2015, the budget going up from call to call, to €6 million in 2015<sup>26</sup>). In time, the EYE Programme has known real strengthening, growing from a pilot-programme to being part of the Entrepreneurship and Innovation Programme (EIP), part of the Competitiveness and Innovation Framework Programme (CIP) and then of the Programme for the Competitiveness of Enterprises and Small and Medium Enterprises (COSME), a programme led by the Executive Agency for Small and Medium-sized Enterprises (EASME). In 2016 a whole new level of implementation of the EYE programme was reached when the call for concluding the Framework Partnership Agreements (FPAs) for 2016-2020 was launched, with the follow-up selection of consortia by the IOs, which in turn will put forward work programmes for the 5-year period<sup>27</sup>.

We consider that one of the key-points of the EYE programme is the activity of the IOs, which are selected directly by the European Commission. The IOs are organised as partnerships between EU member states, which help them carry out their main task, that is to facilitate building successful relationships between NEs and HEs and to provide services in the process of matching an NE with an HE (for instance, through promotion, information, induction, validation of application, establishing contacts, issuing contracts,

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<sup>26</sup> European Commission, Enterprise and Industry Directorate – General, Pilot Project “ERASMUS for young entrepreneurs” Call for Proposals ENT/ERA/08/311 Grant Programme 2008, p. 12, [[http://euro-rdt.cstb.fr/Documents/Textes/T1182\\_ENT\\_ERA\\_08\\_311call.pdf](http://euro-rdt.cstb.fr/Documents/Textes/T1182_ENT_ERA_08_311call.pdf)], 24 June, 2016; European Commission, Enterprise and Industry Directorate – General, Preparatory action ‘ERASMUS for young entrepreneurs’ 21/G/ENT/ERA/11/311A, Grant Programme 2011, p. 12, [[http://euro-rdt.cstb.fr/Documents/Textes/T1542\\_call\\_text\\_en\\_6800.pdf](http://euro-rdt.cstb.fr/Documents/Textes/T1542_call_text_en_6800.pdf)], 24 June, 2016; European Commission, Executive Agency for Small and Medium-sized Enterprises (EASME), Call for Proposal – COS-WP2014-4-05 Erasmus for Young Entrepreneurs, pp. 7-8, [<http://ec.europa.eu/easme/sites/easme-site/files/documents/erasmus-for-young-entrepreneurs-call-for-proposals-2014.pdf>], 24 June 2016; European Commission, Executive Agency for Small and Medium-sized Enterprises (EASME), Call for Proposals Erasmus for Young Entrepreneurs COS-EYE-2015-4-01 (Call-ID), pp. 7-8, [<http://ec.europa.eu/easme/sites/easme-site/files/documents/Call%20for%20proposals.pdf>], 24 June 2016.

<sup>27</sup> European Commission, EASME, Call for Proposals Erasmus for Young Entrepreneurs Framework Partnership Agreement (FPA) 2016-2021, COS-EYE-FPA-2016-4-01, p. 5, [[https://ec.europa.eu/easme/sites/easme-site/files/documents/call\\_for\\_proposals\\_erasmus\\_young\\_entrepreneurs\\_2016.pdf](https://ec.europa.eu/easme/sites/easme-site/files/documents/call_for_proposals_erasmus_young_entrepreneurs_2016.pdf)], 24 June 2016.



logistic support, etc.). Basically, as their name says, these organisations broker the relationship between NEs and HEs (2 IOs are involved, one for each entrepreneur's country), thus being an important guarantor of the quality of the results obtained. The duration of stay of an NE with an HE is of 1-6 months, with the possibility of breaking it down into smaller time units (with a minimum duration of one week over the course of 12 consecutive months)<sup>28</sup>.

### 3.2 *EYE Programme – outcomes and outputs*

As mentioned before, in order to achieve our goal we adopt a qualitative research methodology, which is part of the inductive-type grounded theory, resorting to unstructured techniques, namely an analysis of the official documents which comprise statistics referring to the EYE programme and testimonials of the participants, which can be found on the official website of the programme (<http://www.erasmus-entrepreneurs.eu/>). Given that the EYE programme was launched with a specific purpose in mind, namely a set of specific objectives (see Figure 1), the assessment of its effects on entrepreneurship will be correlated with them. More precisely, in what follows we will analyse the output and outcomes of this programme starting from the idea that output refers to what is produced by a business (goods, services) and outcome refers to the changes and benefits brought by the output to clients and even the enterprise.<sup>29</sup> For the EYE programme the outputs and outcomes are defined as follows:

- the number of NEs and HEs who applied, the number of NEs and HEs who were accepted, the number of relationships (given by the number of NEs who benefited from a mobility) – all these being outputs;
- the experience gained, the skills developed or even acquired, the information taken in by the NEs – all these being outcomes.

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<sup>28</sup> European Commission, Erasmus for Young Entrepreneurs. Programme Guide, pp. 2-3, [<http://www.erasmus-entrepreneurs.eu/upload/Programme%20Guide%20EN%20May%202015.pdf>], 22 June 2016.

<sup>29</sup> Deborah, Mills-Scofield, "It's Not Just Semantics: Managing Outcomes versus Outputs", in Harvard Business Review, November 26, 2012, p. 1, [<https://hbr.org/2012/11/its-not-just-semantics-managing-outcomes>], 24 June 2016.

As for the effect of the EYE programme on entrepreneurship in terms of outputs, an analysis of the published data (see Table no. 1) leads us to the following conclusions:

- the analysed programme has reached its overall goal, the total number of NEs who benefited from an internship with an HE in another EU state during the analysed period (2009-2015) being of 3, 256, showing a great increase compared to base year 2009 (with a peak of 7 times bigger in 2014);
- the manifestation of entrepreneurship has known an upwards tendency if we refer to the total number of applications received – 12, 353 (with a starting point of 1,201 applications in 2009) and to their growth rate (compared to 2009), which started at 2.1% in 2010 and reached 42% in 2012 and even 101% in 2014;
- the interest shown by NEs in the programme surpasses that of the HEs, with the number of applications by NEs representing 61.15% of the total number of applications received during the analysed period, the same percentage being found at annual level, as well (with a margin of  $\pm 5\%$ );
- the quality of applications by NEs has improved over time, the share of applications received turned into mobilities has been on the rise (except 2015, as according to the Call that year<sup>30</sup>, visits would only start on 1<sup>st</sup> January 2016).

Outputs	Year							Total
	2009	2010	2011	2012	2013	2014	2015	
Total number of applications received (NEs and HEs)	1,201	1,228	1,314	1,706	2,114	2,414	2,376	12,353
Annual growth rate of applications received (%)	Base year	2.1	9.4	42.04	76.01	101%	97.83	

<sup>30</sup> European Commission, Executive Agency for Small and Medium-sized Enterprises (EASME), Call for Proposals Erasmus for Young Entrepreneurs COS-EYE-2015-4-01 (Call-ID), pp. 7-8, [<http://ec.europa.eu/easme/sites/easme-site/files/documents/Call%20for%20proposals.pdf>], 24 June 2016.

Total number of applications received (NEs)	792	758	833	996	1,248	1,449	1,478	7,554
Total number of mobilities (finished exchanges)	102	309	342	540	715	819	429	3,256

Table no. 1 – EYE results (2009 – 2015)<sup>31</sup>

So as to determine the success rate of the EYE programme in terms of results, we have made a qualitative content research, a research method that “represents a systematic and objective means of describing and quantifying phenomena<sup>32</sup>”. Within the preparation stage we decided upon the following: to use the data on the official EYE programme website (<http://www.erasmus-entrepreneurs.eu/>), section Success Stories and take the testimonials of entrepreneurs as a unit of analysis. Thus, we have analysed 69 testimonials by 40 NEs and 29 HEs (unfortunately, 11 of the HEs targeted by the NEs did not have testimonials on the website), all participants in the programme in the period 2009-2015 and coming from 22 countries of the 28 EU member states.

During the organisation stage, the analysis was done through open coding for the content of testimonials and in the end all similar codes were grouped within one major theme (each having sub-themes).

In what follows we present the final stage, that of reporting the results of our qualitative content research. The analysis of the content of testimonials by NEs and HEs has led to the identification of two major themes, each having several sub-themes, as follows:

- benefits of participating in the EYE programme:
  - personal development – for NEs;

<sup>31</sup> Erasmus for Young Entrepreneur, The European Entrepreneur Exchange Programme, Facts, January 2016, p. 1.

<sup>32</sup> Schreier, M. 2012, quoted by Satu Elo et al., “Qualitative Content Analysis: A Focus on Trustworthiness, SAGE Open, January-March 2014, p. 1, [<http://sgo.sagepub.com/content/spsgo/4/1/2158244014522633.full.pdf>], 24 June 2016.

- own business development and future start-up development – for NEs;
- access to valuable human resources – for HEs;
- preparation for or even presence in the international market – for HEs.
- processes facilitated by the programme:
  - sharing of experience and ideas, sharing of expertise, information exchange, knowledge exchange.

In the following we will briefly describe each of the above-mentioned sub-themes.

In the case of NEs, personal development as a benefit of participating in the EYE programme had several aspects: entrepreneurial mindset; personal, business and entrepreneurial skills; knowledge (including culture and other aspects specific to business strategies, from innovative ideas to details very specific to the field of the HE's business, like business models and ways of conducting business); trust (in one's own business project, in one's ability to put ideas into practice).

In the case of the chosen sub-theme, the development of own business or future start-up for NEs, we have identified several elements: the connections made during the participation in the EYE programme, which facilitate the presence in the HEs market; the possibility of digital exports; the development of innovative projects together with HEs; implementing own project and defining the business strategy; possible future professional collaborations with HEs.

An important category of benefits brought to HEs by the EYE programme is access to a valuable human resource, with the following elements mentioned: referring to a NE as an *aspiring entrepreneur willing to cooperate, share knowledge and learn*; good business relationships developed; the enthusiasm and breath of fresh air brought by NEs; the help offered by NEs; the new ideas brought by NEs, that have contributed to new perspectives for the HE's business.

Regarding preparation for or even presence in the international market of HEs as an impact of the EYE programme, the aspects mentioned were the actual presence of the HE's business in the domestic market of the NE; access to information concerning the NE market and the developing of a partnership with the NE; the launch of a business partnership by the HE

with the NE, which materialised in the expansion in the international market of the HE's business; the increase of opportunities for collaboration and presence of the HE's business in the NE's host country market; joining a network, increasing promotional activity and opening up new channels of distribution in the view of gaining presence in the international market.

With regards to the major theme identified following the content analysis of the testimonials by the entrepreneurs participating in the EYE programme, called *processes facilitated by the programme* (the sub-themes being: share experience and ideas, share expertise, exchange information, exchange knowledge), we notice that all these are made possible by the relationships between NEs and HEs, which leads us to conclude that we are facing a win-win situation.

Taking into account the results of the content analysis, we appreciate that the EYE programme has a major impact on entrepreneurship, with outputs and outcomes being both part of that.

#### 4. Conclusions

In the context of EU priorities - smart, sustainable and inclusive growth<sup>33</sup>, the role of SMEs in the European economy is extremely important.

This sector brings a significant contribution as added value (including its share in the total added value), number of jobs created (these are over half of the total number of jobs in the market) and presence in the non-financial sector (the share of micro-enterprises, number-wise, being of over 90% in 2015<sup>34</sup>).

The mobility of persons as a component of mobility in an entrepreneurial context, together with the mobility of knowledge, mobility of ideas, mobility of infrastructure and social mobility<sup>35</sup>, is the general framework in which this study places the access of NEs to the international

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<sup>33</sup> European Commission, Europe 2020. A European Strategy for smart, sustainable and inclusive growth, COM (2010) 2020, Brussels, p. 7, [<http://ec.europa.eu/eu2020/pdf/COMPLET%20EN%20BARROSO%20%20%20007%20-%20Europe%202020%20-%20EN%20version.pdf>], 24 June 2016.

<sup>34</sup> European Commission, Annual Report of European SMEs 2015/2016 SME recovery continues, 2016, p. 6.

<sup>35</sup> Erik, Lundmark; Asa, Waern, "What is mobile in entrepreneurship?", HELIX Working Paper, Linköpings Universitet, UniTryck 2008, p. 16, [<http://liu.diva-portal.org/smash/get/diva2:757772/FULLTEXT01.pdf>], 24 June 2016.

business environment, through the physical presence at a HEs in a country different from that of origin, for a period of 1-6 months. In this context, the main purpose of this study is to analyse the effect that the EYE programme has had on entrepreneurship given EU's efforts to create a favourable environment for the development of the small business sector. In order to reach our purpose, we made an evaluative research<sup>36</sup> targeted on determining the effect of the EYE programme on entrepreneurship. This research falls within the category of an inductive-type grounded theory and uses unstructured techniques like document content analysis. The documents analysed were official documents (which present statistics referring to the outcomes of the programme analysed) and testimonials by participating entrepreneurs, which can be found on the official website of the programme.

Referring to our purpose, the main conclusion of this study is that the EYE programme has a major positive effect on entrepreneurship and that the overall objective has been reached (see Figure no. 1) and so have the specific objectives derived from it. In terms of outputs, the results of the programme are impressive, with a total number of NEs that benefited from a traineeship in a different EU country over the analysed period (2009-2015) of 3, 256, a figure that steadily increased (with a maximum of 7 times in 2014 compared to 2009).

In terms of outcomes, the results of the programme are extremely valuable for both categories of entrepreneurs (new and host). They include personal development, the development of the business or future business (this includes the perception of NEs and HEs as a valuable resource and the preparation for or even presence in the international market of the business owned by the HE).

Therefore, we appreciate that the EYE programme is a successful one. This programme is made possible by the existence of the European Single Market and by funding through the Programme for the Competitiveness of Enterprises and Small and Medium Enterprises (COSME) and the mechanism of calls for IOs, which starting this year have a 5-year approach through Framework Partnership Agreements (FPAs).

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<sup>36</sup> Miller, 1991 quoted by Sorin Dan Șandor, *Metode și tehnici de cercetare în științele sociale*, București: Tritonic Books, 2013, p. 61.

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# THE REFORM OF THE PUBLIC PROCUREMENT SYSTEM – A PREMISE OF INCREASING ABSORPTION OF EUROPEAN FUNDS AND FOSTERING COMPETITION ON THE SINGLE MARKET

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## Abstract

*Under the auspices of the two Acts on the Single Market (2011, 2012) and the Europe 2020 Strategy, and given that the financial risks involved and the tight connection between the public and private environments may transform public procurement into a vulnerable area faced with unfair commercial practices, with the 2007-2013 programming period providing numerous such examples in Romania, there has been a need for a new approach to procurement. This has implied, on the one hand, the adoption of clear, coherent, stable and predictable legislation (transposed from European legislation), and on the other hand, the reconfiguring and broadening of granting procedures.*

**Keywords:** public procurement, value thresholds, subcontractors, direct payments, competition, granting criteria

The creation of the Single Market, the core and principal economic engine of the European Union, is a permanent exercise and a central element in the European programme of measures aiming to overcome the severe economic crisis over the last years. In this context, in 2011, the European Commission adopted the Single Market Act (I), through which it launched 12 levers for growth, competitiveness and social progress, one of which pertained to public procurement. The latter aimed to modernise the European and national legislative framework, so as to implement a balanced policy, capable of sustaining the demand for goods and services which

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respect the environment, are socially responsible and innovative, in order to provide contracting authorities with simpler, more flexible procedures, and to facilitate the access of SMEs to the market.

The year 2012 saw the adoption by the Commission of a second set of measures (the Single Market Act II), marking one more step in the evolution towards a well-developed, integrated Single Market.

The 2020 Strategy presented in the Communication from the Commission of 3 March 2010, entitled "Europe 2020, A European strategy for smart, sustainable and inclusive growth, ecological and favourable to inclusion" is one more market instrument employed so as to attain intelligent, sustainable growth, supporting inclusion and ensuring a more effective use of public funds<sup>1</sup>. The strategy promotes the idea of a competitive, environmentally-friendly economy, based on science and innovation, with high levels of employment, productivity and social cohesion, oriented towards the efficient consumption of resources. Nevertheless, strengthening the Single Market also depends on the existence of healthy, well-connected national markets, on which competition and the access of consumers can stimulate economic activity and innovation.

Amid the two Acts on the Single Market and the Europe 2020 Strategy, and given the financial risks involved and the tight connection between the public and private environments, public procurement is likely to turn into a vulnerable area, confronted with unfair commercial practices. The 2007-2013 programming period provided numerous examples in this respect, in the case of Romania. This made it necessary to have a new approach to procurement, which involved, on the one hand, the adoption of clear, coherent, stable and predictable legislation (transposed from European legislation) and on the other hand, the reconfiguring and broadening of granting procedures.

At European level, the legal framework in the area of public procurement was reformed with the entry into force of three normative documents: Directive 2014/24/UE of the European Parliament and the Council on public procurement, Directive 2014/23/UE of the European

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<sup>1</sup> See, for more details: Adrian-Gabriel Corpădean, "Europe 2020 – A 'Soft' Agenda for Central and Eastern Europe?", in *The EU as a Model of Soft Power in the Eastern Neighbourhood*, EURINT Conference Proceedings, Ed. of Al. I. Cuza University, Iași, 2013. Editors: Ramona Frunză, Gabriela Pascariu, Teodor Moga, pp. 220-230.

Parliament and the Council on granting concession contracts, and Directive 2014/25/UE of the European Parliament and the Council on acquisitions made by entities conducting their activity in the sectors of water, energy, transport and postal services<sup>2</sup>.

Transposing European legislation<sup>3</sup>, on 26 May 2016, Romania adopted the legislative package pertaining to public procurement, as follows: Law no. 98/2016 on public procurement<sup>4</sup>, Law no. 99/2016 on sectoral acquisitions<sup>5</sup>, Law no. 100/2016 on concession of works and of services<sup>6</sup>, and Law no. 101/2016 on remedies and means of appeal in matters of granting public procurement contracts, sectoral contracts, and contracts on concession of works and services.<sup>7</sup>

The general objective of the National strategy in the area of public procurement<sup>8</sup> is to efficiently spend public funds, by increasing the quality of the procurement process and by enhancing administrative capacity. This strategy proposes a new approach in matters of public procurement in Romania, by shifting the emphasis from procedure to process, from the value of the contract per se to the value-for-money principle and to the cost of the entire lifecycle of a purchase, from overregulation to supple legislation built on three levels: primary legislation (classic, sectoral acquisitions, concessions, remedies), secondary (application norms) and tertiary (guides), thus engendering a coherent vision, in a key moment, in which the new directives in the field required member states to shift to a new paradigm, considering public procurement as the main instrument for unlocking economic growth at European level.

In retrospect, we can state that the public procurement system built under the auspices of E.G.O. no. 34/2006 was confronted with the inability of contracting authorities to conduct public procurement procedures,

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<sup>2</sup> All of which were published in the Official Journal of the EU no. L94 of 28 March 2014.

<sup>3</sup> The deadline for transposing it into national legislation was 18 April 2016.

<sup>4</sup> Published in Official Journal no. 390/23.05.2016.

<sup>5</sup> Published in Official Journal no. 390/23.05.2016.

<sup>6</sup> Published in Official Journal no. 392/23.05.2016.

<sup>7</sup> Published in Official Journal no. 393/2016.

<sup>8</sup> The strategy was approved through G.O. no. 901/2005, published in Official Journal no. 881/2005. The strategy can be consulted at [<http://anap.gov.ro/web/wp-content/uploads/2015/12/Strategia-Nationala-Achizitii-Publice-final.pdf>], 15.09.2016

corroborated with intricate legislation, which was difficult to use and interpret in a unitary fashion, frequent legislative change<sup>9</sup>, and the lack of transparency and effectiveness of investments.

However, it cannot go unnoticed that albeit it was desired that the current primary legislative packet be supple, as well as extremely loyal to the Directives, with operational and guidance details in secondary legislation, i.e. the online system of guides, one cannot speak of a simplification of public procurement legislation, given that the primary package amounts to over 400 pages, meant to replace the 130 pages of E.G.O. no. 34/2006. This excess of regulation is not solely the fault of the Romanian lawmaker, as it is also prompted by the large amount of information from the Directives that have been transposed. These have not only substantially altered the previous legal framework, but have also created new juridical institutions (for instance, the innovative partnership, the European Single Procurement Document etc.), or enshrined the jurisprudence of the Court of Justice of the European Union (e.g. the provisions referring to the modification of public procurement contracts have incorporated the conditions of the *Presstext* ruling into the text of the Directive<sup>10</sup>).

Our aim here is not to present *in extenso* the entire Romanian legislative package, as the length of this study does not allow it, but to analyse the impact of certain legislative changes in matters of public procurement on granting contracts financed from European funds.

Firstly, it is to be noted that the value thresholds are set in lei, not in euros, which is meant to counter the negative effects of currency rate fluctuations. For example, contracting authorities are entitled to directly purchase products or services when the estimated value of the contract is

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<sup>9</sup> For instance, before it was abolished, E.G.O. no. 34/2006 suffered 20 modifications.

<sup>10</sup> Through its decision of 13 March 2008 in the matter C-454/06 of *Presstext Nachrichtenagentur GmbH*, the European Court of Justice ruled on the conditions in which the modifications brought to an existing contract constitute a new grant of a public procurement service contract, having as a consequence the fact that prior to that, there may have to take place a new granting procedure. The Court rules that not every change, be it insignificant, brought to public procurement service contracts, requires a prior granting procedure, unless there occur substantial changes, which, concretely, are likely to engender unfair competition on that market and provide the trading partner of the contracting authority with preferential treatment compared to other potential service providers. This alone justifies a new granting procedure. The decision can be consulted at [<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:62006CC0454:RO:HTML>], 15.09.2016.

below 132.519 lei. In the case of works, direct procurement may be carried out if the estimated value is below the 441.730 lei threshold (art. 7 par. 4 of Law no. 98/2016)<sup>11</sup>.

Another novelty element is the possibility to make direct payments to subcontractors. Given the lack of a distinction depending on the type of contract<sup>12</sup>, direct payment to subcontractors is allowed not only in the case of works and service contracts, but also of those for the supply of products.

Thus, when the procurement contract includes a clause on debt cessation in favour of subcontractors pertaining to the part(s) of the contract which are fulfilled by the latter, a contracting authority will be able to make payments directly to subcontractors. This occurs on condition that their work is confirmed through documents accepted by all three parties involved, namely the contracting authority, the contractor and the subcontractor, or the contracting authority and the subcontractor, when the contractor unjustifiably blocks the confirmation of fulfilment of obligations assumed by the subcontractor (art. 218 par. 1 and 2 of Law no. 98/2016).

The advantages of this payment mechanism are incontestable, since the subcontractor is not obliged to wait for the complete execution of the procurement contract and the receipt of payment by the contractor, so that the latter would subsequently honour its obligations to the subcontractor. Starting from the premise that in many situations, the subcontractors are SMEs, it is our view that the creation of this mechanism indirectly eases the access of this type of business actors to the public procurement market.

It is to be noted that this provision, obstinately claimed by the business environment, can lead in certain cases to an administrative overload of the contracting authority, which could be faced with the

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<sup>11</sup> According to E.G.O. no. 34/2006, direct procurement was allowed only if the estimated value was lower than the 30.000-euro threshold, for products and services, and 100.000 euros, for works.

<sup>12</sup> In the light of the provisions of art. 45 par. (1) – (2), and art. 188 par. (2) lett. h) and par. (3) lett. g) of E.G.O. no. 34/2006, in the doctrine we encounter the opinion that subcontracting is possible only in the case of service and works contracts, and not just in that of supply contracts, where the use of subcontractors is more justified. See Călin Alexa, *Participarea subcontractanților în procedurile de achiziție publică - când și în ce condiții este posibilă*, [[http://www.avocatnet.ro/content/articles/id\\_32645/Participarea/subcontractantilor/in/procedurile/de/achizitie/publica/-/cand/si/in/ce/conditii/este/posibila.html](http://www.avocatnet.ro/content/articles/id_32645/Participarea/subcontractantilor/in/procedurile/de/achizitie/publica/-/cand/si/in/ce/conditii/este/posibila.html)], accessed on 20.09.2016.



situation of managing not only the procurement contract signed with the entrepreneur that has several subcontractors, but also the contractual ties with the latter. This would occur in terms of both payment and the fulfilment of obligations assumed by the subcontractors.

Like under the auspices of E.G.O. no. 34/2006, the lawmaker did not limit in any way the quota allocated to the subcontractor, who could theoretically carry out as much as 99,9% of the contract, as long as the requirements in the granting documents are fulfilled, in which case the main contractor will only have the ability to manage the contract.

Ending the controversy triggered by E.G.O. no. 34/2006 regarding the possibility to subsequently name subcontractors<sup>13</sup>, Law no. 98/2016 allows not only to replace, but also to involve new subcontractors in the implementation period of the contract, with the fulfilment of the following requirements: the works/services that are about to be subcontracted have been stipulated in the offer without initially indicating the option of their subcontracting (art. 151 lett. b) of the norms); the contracts concluded between the contractor and the subsequently declared subcontractors mandatorily include at least the following elements: the activities to be subcontracted, names, contact details, legal representatives of the new subcontractors, the value of the work carried out by the new subcontractors; the contracts concluded with the subcontractors are to be presented to the contracting authorities upon their request (art. 152 of the norms); the presentation by the new subcontractors of a statement on honour through which they assume the provisions of the tender book and technical proposal submitted by the contractor, pertaining to the activity subjected to subcontracting; the existence of an agreement by the contracting authority on the involvement of new subcontractors (art. 156 of the norms).

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<sup>13</sup> Art. 96 par. 2 of G.O. no. 925/2006 clearly provided only for the possibility to replace the initial subcontractor chosen through the offer, which led to restrictive doctrinary interpretations, with respect to the inadmissibility of subsequent nominations. It has been shown that admitting to the contrary, when the initial offer did not mention the existence of subcontractors, would imply the alteration of this initial offer, given that the candidate took full responsibility for the risks of carrying out contractual obligations through its own means. See *idem*.

Anticipating that subcontracting in the implementation period of the project, when the initial offer did not include the option of subcontracting works/services, is a potential source of competition distortion, the Romanian lawmaker conditions the right to involve new subcontractors during the execution phase of the contract by the unsubstantial modification<sup>14</sup> of the public procurement contract (art. 159 of the norms).

It also becomes apparent that the new law encourages the division of contracts onto lots, so as to facilitate the access of SMEs to public procurement contracts, as it is known that such economic agents, with a low number of employees, reduced financial resources, and relatively little experience with major contracts, are unable to compete with large companies. Hence, the contracting authority that does not resort to granting the contract based on lots has the obligation to justify this decision.

The division of the contract onto lots does not, however, alter the procurement procedure that needs to be followed for granting each lot (art. 11 par. 2 of Law no. 98/2016), the estimated value of the purchase being the combined estimated value of all lots (art. 17 corroborated with art. 18 of the law). Moreover, one acknowledges the right of contracting authorities to set a limit on the number of lots that can be attributed to the same provider, even when offers can be placed for more or all lots (art. 141 par. 5 of the law), along with the possibility to grant contracts by combining more lots and granting them to the same provider, if, upon applying the granting criterion, this would be more advantageous to the contracting authority than granting the respective lots separately to several providers (art. 148 par. 1 of the law).

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<sup>14</sup> According to art. 160 of the norms, the subsequent nomination of subcontractors that were not mentioned in the initial offer does not account for a substantial modification if the following conditions are simultaneously met: a) the inclusion of a new subcontractor does not have an impact on the fulfilment of qualification/selection criteria, or on the application of the granting criterion reported upon the evaluation of offers; b) the inclusion of a new subcontractor does not alter the price of the contract between the contracting authority and the contractor; c) the inclusion of a new subcontractor is strictly necessary for the fulfilment of the public procurement contract; d) by including a new subcontractor, the general nature of the public procurement contract is unaltered, i.e. the objective of the contract, as well as the main indicators denoting the results of that contract, remain unchanged.

Then, by comparatively examining the simplified procedure<sup>15</sup> and other procedures applicable for larger values of the purchase, we notice that in the case of applying the simplified procedure, the economic agent can invoke the support of a third party for a maximum of 50% of the demand established in the light of art. 113 par. 11 lett. c) of Law no. 98/2016, so that, implicitly, it should possess its own experience in the amount of 50%. On the other hand, in the case of the other procedures, for meeting eligibility criteria it is unlimitedly accepted to have the support of a third party. This difference in “treatment” may be explained through the fact that smaller-value procedures are not subjected to European directives, which has allowed for this differentiated legislative approach that does not, however, meet the needs of SMEs. Therefore, it cannot go unnoticed that the standpoint of the Romanian lawmaker does not provide SMEs without their own similar experience with a chance to participate in public procurement procedures, albeit there may be a commitment on the part of the supporting third party to be held accountable along with the winning candidate for the execution of the public procurement contract. This commitment can be fully exploited in the case of contracts that imply granting procedures with an estimated value situated above European thresholds.

Significant alterations have also been made in the case of the criteria used<sup>16</sup> for deciding on the most advantageous offer from an economic standpoint, namely: the lowest price; the lowest cost; the best quality-price ratio; the best quality-cost ratio.

Without a doubt, the “lowest price” criterion is a comfortable and accessible one, but it does not constitute a guarantee of quality procurement, as it has become evident chiefly in the case of European-funded projects. This

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<sup>15</sup> From the corroborated interpretation of the paragraphs of art. 7 of Law no. 98/2016, it becomes apparent that below the thresholds of 132.519 lei (for products and services) and 441.730 lei (for works), one resorts to direct procurement; above these thresholds, but below the limits of 23.227.215 lei for public procurement / framework agreements on works, 600.129 lei for public procurement / framework agreements on goods and services, and 3.334.050 lei for public procurement / framework agreements on services referring to social services or other specific services, stipulated by appendix no. 2, the simplified procurement procedure is used.

<sup>16</sup> Art. 198 of E.G.O. no. 34/2006 provides for two granting criteria in the case of public procurement contracts: either the most economically advantageous offer, or, solely, the lowest price.

is one of the reasons why this criterion cannot be used by contracting authorities in the case of contracts focusing on intellectual services (for instance, design, audit and consultancy services), and which involve high-complexity activities, as well as of public procurement contracts dealing with works or services pertaining to projects of trans-European transport infrastructure and county roads (art. 187 par. 8 of Law no. 98/2016). In the case of the other types of contracts, it is not forbidden to use the “lowest price” criterion, so it is for the contracting authority to decide the extent to which the criterion invoked meets the needs of the latter so as to achieve quality procurement (in other words, whether the effectiveness of the investment depends solely on cost).

We also deem relevant the provision pertaining to the introduction of the European Single Procurement Document (ESPD)<sup>17</sup>, whose effect if the simplification of the process of taking part in public procurement procedures is that in this way one avoids the presentation by the applicants/providers of a significant number of certificates or other legal documents germane to selection and eligibility criteria. The Single Procurement Document consists of a statement on honour produced by the economic agent, with regard to fulfilment of eligibility and selection criteria, while only the winning candidate is obliged to submit all the original documents required, which implicitly leads to a reduction of the applications’ evaluation period.

The standard form also provides relevant information on the entities on whose capacities the economic agent relies on (third party, subcontractor), so that the verification of information can be conducted simultaneously with that of the main economic agent, and in the same conditions (art. 193 par. 2 and 3 of Law no. 98/2016).

Another novelty element is the possibility, when one aims to purchase products/services/works with a high degree of technical, financial or contractual complexity, or from areas marked by rapid technological progress, to carry out consultations on the market prior to initiating the procedure. This dialogue is to follow the principle of transparency, by means of SEAP. The consultation notice published on SEAP has to include, among

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<sup>17</sup> See, Implementing Regulation (EU) 2016/7 of the Commission of 5 January 2016 on the establishment of the standard form for the European Single Procurement Document, published in Official Journal no. L3/06.01.2016.

the mandatory details, those referring to the objective requirements and technical and/or contractual constraints which characterise the needs of the contracting authority germane to that particular consultation; the deadline by which the proposals of interested parties are submitted, as part of the consultation process; the deadline by which the consultation process is active etc. (art. 18 par. 1 and 2 of the norms).

One last aspect we wish to underline is that most problems related to the old public procurement legislation emerged in the implementation of European-funded projects. To overcome such obstacles as the ones encountered in the 2007-2013 programming period, the new legislation provides that it is the task of the contracting authority to set its own contracting strategy for each purchase, in which it would estimate the time frame for preparing procurement documents and prepare the entire lifecycle of the procurement contract. It would also anticipate decisions germane to the type of contract envisaged to be chosen and the means of implementing it, the payment mechanisms within the contract, allocation of risks, risk management measures, penalties for failing to comply with or for wrongful implementation of contractual obligations etc. Doubtlessly, a correct strategy enables contracting authorities to comply with the activity calendar graph.

**Conclusions.** It is obvious that the new legislative package succeeds in rendering the public procurement system generally more flexible, by creating a relatively favourable framework for the more effective use of public funds. The provisions referring, amongst others, to the division of the contract onto lots, setting shorter terms, higher thresholds, instruments meant to simplify and increase the efficiency of the selection process of economic agents (for example, the European Single Procurement Document), or to enhance communication between the contracting authorities and the private environment (through the transparent and equidistant consultation of the market, prior to the initiation of the granting procedure) are meant to foster acquisitions from both European funds and the state budget, as well as to ensure a more active participation of SMEs in granting procedures.

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**ENHANCING CULTURAL EXPERIENCE THROUGH THE  
IMPLEMENTATION OF EEA GRANTS.  
A CASE STUDY ON ROMANIAN-ICELANDIC COOPERATION\***

**Adrian-Gabriel Corpădean\*\***

**Abstract**

*The aim of this article is to raise awareness about the cultural impact of the international projects sponsored by the grants of the European Economic Area, by means of a comprehensive case study on the relations between an eligible entity from Romania, i.e. the European Foundation for Urban Culture, based in Cluj-Napoca, and the Edinborg Cultural Center from Ísafjörður, Iceland. Our focus first lies on the description of the EEA Grants programme, with facts pertaining to its evolution and implementation framework, only to concentrate then on Romanian funding opportunities in this respect, and the major cultural areas that have been assisted by the aforementioned mechanism. As a case study, we have made use of qualitative research methods, including interviews, in situ inquiries and document analyses, stemming from two projects implemented by a Romanian and an Icelandic cultural organisation, having yielded best practice examples, one of which aims to pave the way for future EEA applications, following an experience exchange conducted in Ísafjörður by the two authors of the present article, in April 2016.*

**Keywords:** EEA Grants, cultural projects, Romania, Iceland, best practice

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## 1. EEA Grants – a Funding Tool for Cohesion and Understanding

To understand the nature of the funding opportunities this study is dedicated to, one must first explore the particular traits of the European Economic Area, or EEA, which have enabled it to provide support to a large number of actors from countries requiring progress with regard to economic and social cohesion in Europe. The EEA is a union between the 28 member states of the European Union and three countries that have not opted for EU membership, for various reasons, i.e. Iceland, Liechtenstein, and Norway. Created in 1994, it has been a way of ensuring the integration of the aforementioned countries into the internal market of the European Union<sup>1</sup>, marked by the four freedoms of movement, of goods, services, capitals and people, as envisaged by the Single European Act and furthered by the Treaty of Maastricht. Short of actually joining the European Union and participating in the decision making mechanisms of the latter, the EEA solution has been a convenient endeavour for three of the four member states of the European Free Trade Association (EFTA), with the exception of Switzerland, which rejected EEA membership following a referendum in 1992 but remains connected to the internal market through a series of agreements.<sup>2</sup>

The degree of integration into the single market is quite high, with members adopting most of the *acquis communautaire* germane to the latter, with notable exceptions in such areas of the Common Agricultural Policy and the Common Fisheries Policy. According to the EEA Agreement, concluded in Porto, in 1992, every country which is supposed to join the European Union will automatically submit an application for the EEA, thus preventing any form of separation from the two supranational actors. As for the objectives of the EEA, apart from the important achievement of enforcing the four freedoms of movement, one encounters cooperation in areas of paramount importance for the member states, some of which fall under the supporting competence of the European Union, such as education, culture and tourism. Other such priorities are placed in the category of ‘shared competence’ with respect to the Community framework and include

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<sup>1</sup> Thérèse Blanchet, Risto Piipponen, Maria Westman-Clément, *The Agreement on the European Economic Area (EEA): A Guide to the Free Movement of Goods and Competition Rules*, Oxford: Clarendon Press, 1994, p. 4.

<sup>2</sup> Jorri Duursma, *Fragmentation and the International Relations of Micro-states: Self-determination and Statehood*, Cambridge University Press, 1996, p. 187.

research and development, social policy, consumer protection, as well as environmental issues. These priorities are envisaged as ‘flanking and horizontal’ policy areas and are governed by the same principles as the ones on the single market of the EU. In effect, for the purpose of endowing the concepts utilised in this research with more accuracy, we will make a terminological distinction between the ‘single market’, so as to describe the borderless territory (economically speaking) of the European Union, while for the EEA we shall prefer the term ‘internal market’, as it frequently occurs in both literature and official documents emanating from the organisation itself.<sup>3</sup>

To render the distinction between the EU and the EEA even more accurate, it is to be mentioned that the latter, unlike the former, does not deal with a customs union and a common commercial policy, in the economic field, or with a common foreign and security policy, and justice and home affairs, in the intergovernmental cooperation among its member states. As it becomes apparent, the EEA is not endowed with a common currency, hence it does not implement the Economic and Monetary Union in the way it is conceived starting with the Treaty of Maastricht. On the other hand, the decision-making process of the EEA relies on a so-called two-pillar structure, with one set of institutions belonging to the EFTA and another to the EU, commonly engendering such bodies as an EEA Council, a Joint Committee a Parliamentary Committee and a Consultative one. Without making this a focus of our paper, it is nonetheless worth emphasising that the decisions of the EEA are usually taken by means of consensus.<sup>4</sup>

As for the financial support that we intend to analyse, we must first make a conceptual distinction, given that on the one hand, one can refer to EEA Grants, which constitute support mechanisms offered to a number of 16 countries in Europe by the three donor states, i.e. Norway, Iceland and Liechtenstein (in the order of their respective financial contribution), and on the other hand, to Norway Grants, which are placed under similar auspices, having one donor and a number of 13 beneficiary states. The focus of these sources of funding notably lies in East-Central Europe, with some differences between the two mechanisms, as EEA Grants encompass Spain,

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<sup>3</sup> Friedl Weiss, Clemens Kaupa, *European Union Internal Market Law*, Cambridge University Press, 2014, pp. 23-24.

<sup>4</sup> Thérèse Blanchet, Risto Piipponen, Maria Westman-Clément, *op. cit.*, pp. 27-29.

Portugal and Greece, which are absent from the beneficiaries of Norway Grants, whereas both include Cyprus and Malta, as outsiders of the geographical area we have proposed. Thus, the countries in East-Central Europe benefitting from support from both sources are: Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.<sup>5</sup>

The objectives of the sponsors in both cases are to contribute to the reduction of economic and social disparities on the internal market, which is in keeping with the definition of the Cohesion Policy of the European Union, which, in the light of the Lisbon Treaty, is aimed at reducing economic, social and territorial cohesion. Since one of the most objective indicators used in assessing cohesion, notably from the economic standpoint, is GDP/capita, it comes as no surprise that EEA and Norway Grants are chiefly directed towards the less experienced member states of the EU, with the inclusion, in the former case, of three countries from the Mediterranean region, suffering from severe economic problems, from sovereign debt to unemployment. Moreover, some transversal priorities of the EEA and Norway Grants have been taken into consideration, meant to promote democratic values in the beneficiary countries and to strengthen the rule of law, as well as to provide more protection of the environment and ensure equal opportunities, tolerance and security. It is also significant that the countries benefitting from EEA and Norway grants are encouraged to perform best practice exchanges with the donor states, so as to consolidate bilateral relations and engage in a useful transfer of knowledge. While the system utilises the same principle as the European Union to decide on eligibility for funding, namely a country should stand below the threshold of 90% GDP/capita compared to the Union's average, it becomes clear that East-Central Europe is the main target of the funding.<sup>6</sup>

The history of the financial mechanisms we are referring to comprises three phases, namely the Financial Mechanism (1994-1998), the Financial Instrument (1999-2003) and the EEA and Norway Grants (implemented in two successive multiannual financing periods, 2004-2009 and 2009-2014).

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<sup>5</sup> Official website of EEA/Norway Grants, [<http://eeagrants.org/Where-we-work>], 6 April 2016.

<sup>6</sup> Helen S. Wallace, Mark A. Pollack, Alasdair R. Young, *Policy-Making in the European Union*, Oxford University Press, 2010, p. 236.

The separation of the financial assistance into the EEA and Norway Grants places more emphasis on the contribution and commitment of the Government of Norway to the successful implementation of the overall programme, albeit it is to be stated that the former remains by far the most prominent sponsor of the EEA Grants too, with a contribution of 95.8%, while Iceland has a share of 3.0% and Liechtenstein adds 1.2%. As it becomes apparent, in the case of the Norway Grants, the Norwegian Government is the sole sponsor, and it engendered 61 programmes worth a total of 804 million euros in the last funding period.<sup>7</sup>

In the 2009-2014 multiannual exercise, the sponsors reached agreements with the governments of the beneficiary states following a needs-based analysis in each particular case, so that the calls for projects meet the demands for development of each country included. A programme operator is responsible for the implementation of the programme in the beneficiary states and works in cooperation with the EEA and Norwegian Grants authorities. This is comparable to the EEA Grants for 2009-2014, which accounted for 86 programmes worth a total of 993.5 million euros.<sup>8</sup>

The question that arises at this point is whether there will be a new multiannual framework for the implementation of the EEA and Norwegian Grants, following the conclusion of the previous one. Indeed, the answer is positive, to the extent that at this time (April 2016), there are 20 calls for projects open, including bilateral funds meant to further cooperation between the beneficiary and the donor states. According to the website of the Norwegian Government, through an article published on 20 July 2015, an agreement was reached with the EU on a new funding period for EEA and Norway Grants, comprised between 2014 and 2021, with contribution on the Norwegian side of around 388 million euros per year and 15 beneficiary countries in the EU.<sup>9</sup>

Some of the objectives of the new framework are in keeping with the Europe 2020 Agenda and the country-specific recommendations issued by

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<sup>7</sup> Official website of EEA/Norway Grants, [<http://eeagrants.org/Who-we-are/EEA-Grants>], 6 April 2016.

<sup>8</sup> Progress Report by the EEA Joint Committee to the 44th meeting of the EEA Council, EEE 1608/15, Brussels, 13 November 2015, p. 3, available at [<http://data.consilium.europa.eu/doc/document/ST-1608-2015-INIT/en/pdf>], 6 April 2016.

<sup>9</sup> Norway Mission to the EU, Norway's financial contribution, [<http://www.eu-norway.org/eu/Financial-contribution/#.VyKZav196Uk>], 6 April 2016.

the European Commission, including tackling youth unemployment, energy security and climate change, according to a statement made by Norway's Minister of EEA and EU Affairs Vidar Helgesen. Moreover, specific matters in East-Central Europe like living conditions for the Roma population, cross-border crime, consolidating democracy and human rights, have been included as priorities, in keeping with the previous commitments of the sponsors. To address the issue of migration, the area of justice and home affairs has been taken into account as part of the funding strategy. Meanwhile, since the aforementioned problems concern the entire area, the EEA and Norway Grants will also address non-beneficiary countries in the Eastern neighbourhood of the European Union, particularly Ukraine and the Republic of Moldova.<sup>10</sup>

To sum up, the short but meaningful history of the EEA and Norway Grants has revealed an important financial contribution in pecuniary terms, albeit clearly inferior to the much more widespread structural funds. That said, the implementation of projects has proved to be quite effective, given the good communication with the sponsor and the relatively reduced bureaucracy, again by comparison with projects implemented under the structural funds. What is, however, more significant is the best practice exchange in such fields as democracy and civic participation, with countries that have effective governance systems from the standpoint of the closeness between their citizens and central authorities (an exception has occurred in the recent political spat in Iceland, triggering a political crisis, while on the side of the beneficiary countries, Hungary has met with some disputes with the donors for a technical breach in the agreements). In spite of these challenges, it is our view that continuing the implementation of the programme is desirable and quite expected on the part of individuals, NGOs, private and public institutions alike, in the beneficiary countries.

## **2. EEA and Norway Grants in Romania**

This part of our paper presents in a brief manner the principal directions adopted by the EEA and Norway Grants in the case of Romania, as a key beneficiary of the programmes, as well as some quantitative data pertaining to the achievements in the country so far. This will then enable us

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<sup>10</sup> Official website of EEA/Norway Grants, [<http://eeagrants.org/News/2015/Agreement-secured-on-new-funding-round>], 6 April 2016.

to set the proper context for the case study envisaged for the purpose of this study, namely an analysis of a collaboration endeavour in the cultural area which may be considered a best practice example of the relations between an eligible actor from Romania and another from a donor country – in this instance, Iceland.

While in the 2007-2009 period, the total allocation of funds for Romania was 98.5 million euros, divided more or less evenly between the EEA and the Norway Grants mechanisms<sup>11</sup>, we witnessed an increase, in keeping with the overall approach of the sponsors, for the 2009-2014 time frame, to 305.95 million euros, most of which being allocated through the EEA, in the amount of 190.8 million euros. Albeit in comparison with the allocation of structural funds (Romania had 91.6 billion euros allocated in the interval comprised between 2007 and 2013)<sup>12</sup>, this sum may appear to be particularly small, such an assessment would be superficial, given the financial capabilities of the donor states compared to the size of the Community budget, but also if one takes into consideration the priority areas that fall under the sponsorship of the EEA and the Norway Grants.

The key areas of support of the EEA and the Norway Grants are in keeping with the needs that have arisen in the development of the Romanian state after two decades of transition, and cover matters germane to social, economic and justice affairs. Thus, in the former case, one should emphasise the commitment of the sponsors to the resolution of problems of vulnerable groups, such as the Roma minority, through projects that fill some of the gaps left by the implementation of the Structural Operational Programmes for the Development of Human Resources (POS DRU), in its 6<sup>th</sup> Priority Axis.<sup>13</sup> Furthermore, with regard to economic issues, the grants stress the importance of encouraging green enterprises and the kind of entrepreneurship that promotes such endeavours, under the auspices of the general EU and EEA focus on sustainable development. Not least, from a judicial standpoint, the grants are aimed at fighting against cross-border

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<sup>11</sup> Allan F. Tatham, *Enlargement of the European Union*, Austin: Kluwer Law International, 2009, p. 175.

<sup>12</sup> Official website of EEA/Norway Grants, [<http://eeagrants.org/Where-we-work/Romania>], 6 April 2016.

<sup>13</sup> Guvernul României, *Programul Operațional Sectorial Dezvoltarea Resurselor Umane 2007-2013*, October 2007, Bucharest, pp. 109-116.

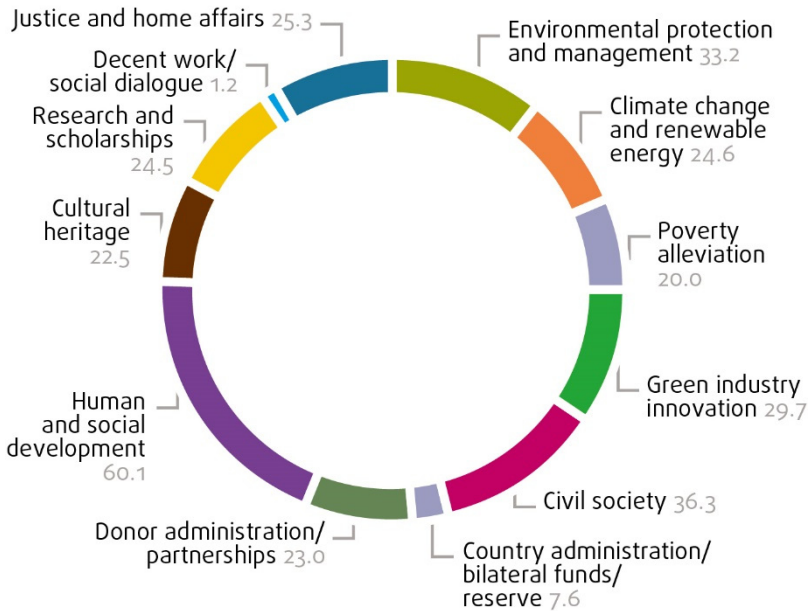
crime and at supporting Romania in its lengthy and quite sinuous reform in this sector. Special elements encountered as leitmotifs in this process are addresses, such as the consolidation of civil society, social justice and democracy.

The figures inscribed in the reports of the EEA and the Norway Grants authorities, pertaining to Romania's use of the funding made available to it, reveal notable results, not only from a quantitative viewpoint, but also from that of innovation and sustainable growth. Such data reveals, for instance, that 2696 professionals in the legal field have been provided with training on matters like count management and human rights, hence contributing to the reform and efficiency of the Romanian justice system. Moreover, 444 researchers have been included in programmes involving partners from EEA countries, which is an important achievement, considering the national budget allocation for research and development, 0.36% of the national GDP for 2016, i.e. the lowest in the European Union. To add to the list of accomplishments, 30 Romanian NGOs have been included in international partnerships with the donor states, also at the level of local administration, and 695 people have benefitted from better healthcare and information on the latter.<sup>14</sup>

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<sup>14</sup> Official website of EEA/Norway Grants, [<http://eeagrants.org/Where-we-work/Romania>], 6 April 2016.

DISTRIBUTION OF FUNDING (gross allocations)



**Chart 1:** Distribution of funding from EEA and Norway Grants to Romania (2009-2014), expressed in millions of euros

Source: EEA Grants, Romania:

<http://eeagrants.org/Where-we-work/Romania>, 18 April 2016

As this graphic representation reveals, the funding allocated to Romania in the latest multiannual budget show balance and fair correspondence to the needs identified in society, with the lion’s share attributed to human and social development, as a supplement to already existing EU-funded programmes sponsored from the European Social Fund. Then, the need to consolidate Romanian democracy and conduct best practice exchange and even benefit from a spill-over effect on the part of the donor states is reflected by the amount of money allocated to the development of civil society. Romania’s efforts to meet the objectives of Europe 2020 in the matter of environmental protection<sup>15</sup> are assisted also,

<sup>15</sup> Europe 2020 in Romania, [[http://ec.europa.eu/europe2020/europe-2020-in-your-country/romania/country-specific-recommendations/index\\_en.htm](http://ec.europa.eu/europe2020/europe-2020-in-your-country/romania/country-specific-recommendations/index_en.htm)], 6 April 2016.



with funding going to the challenging areas of environmental management and the development of green energy/industry, in which case the country's assessed potential is considerable. Other notable contributions include justice, research, administration, cultural heritage and the fight against poverty. This accounts for the involvement of a broad range of beneficiaries, from NGOs to administration personnel and cultural actors, in whose care the sponsors deem it desirable to organise exchange activities and the transfer of best practice from the systems of the EEA states.

### **3. Case study on a relevant EEA Project collaboration endeavour conducted between a Romanian and an Icelandic organisation**

The final section of this research has as its main focus the analysis of a collaboration between a Romanian and an Icelandic cultural institution, which has been rendered possible through the EEA Grants and whose sustainability is taken care of through the same financial mechanism, which is, in our view, a desirable model to be implemented within the structural funds framework as well. The authors of this article have gathered most of the data for this case study while being directly involved in a cultural exchange sponsored by the EEA, which occurred in Ísafjörður (Iceland) on 4-6 April 2016, at the Edinborg Cultural Center, while representing the European Foundation for Urban Culture of Cluj-Napoca. The activity, pertaining to Measure B (Collaboration and exchange of experience) of the Fund for Bilateral Relations (PA17/ RO13 Promotion of diversity in culture and arts within European cultural heritage) follows the successful implementation of an EEA project, named *Binding Europe through Cinema and Dance*. In this project, the applicant is the European Foundation for Urban Culture of Cluj-Napoca, while the two EEA partners are the Reykjavik International Film Festival and the Edinborg Cultural Center of Ísafjörður.<sup>16</sup>

The results of this project include two cultural projects rightfully described by the organisers as *courageous*, namely the International Festival of Contemporary Dance *STEPS* and the *COMEDY CLUJ* International Film Festival, in other words two events that have left an important imprint on the cultural openness that has marked the city of Cluj-Napoca in the last years, also through the incentive granted to it following its nomination as

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<sup>16</sup> Data taken from reports provided by the Foundation for Urban Culture of Cluj-Napoca.

European Youth Capital in 2015. In the words of the project manager, Ms Cristina Irimie, “for *STEPS* International Festival of Contemporary Dance, the audience was invited to discover a complex and always changing world full of passion, energy and rhythm. Between June 2015 and March 2016, 120 artists from world-renowned dance companies from five European countries presented six shows, truly great mixes between sensations, sounds and moves. 4354 attended the events and we are sure more full houses are to follow as the project is still going on. The festival had a team of 20 people and 300 volunteers ready to help. 47 accredited journalists attended the events as members of the press.” As for the second major cultural output of the project, Ms Irimie added: “The second element of the project, *COMEDY CLUJ* International Film Festival, offered the public better knowledge of a cinematographic genre that often hides behind the comedy shell more complex aspects of life that are familiar to all of us. The festival provided a creative platform for networking and thought sharing between artists, cinematographers and members of the audience. The approach of the human-festival relationship generated a warm, open and welcoming space. 54 people worked as a team to develop and run the festival, helped by 150 volunteers. 32 guests (directors, actors, screenwriters, producers and film critics) and 97 national and international journalists attended the festival as accredited members. Due to collaborations with photo-video sections of the Universities of Cluj, 160 students were able to view the films screened throughout the 10 days and to interact with the teams behind them”.<sup>17</sup>

The impact of the project has been due not only to the quality of the cultural events organised, as it clearly emerges from the previous descriptions and from the positive reactions of critics and media alike, but also from innovative activities at the level of implementation. For instance, the project has included a mentorship programme, due to which ten young people from Romania and Iceland have been trained in the area of cultural management and are expected to promote the development of other similar cultural initiatives. This covers a gap in cross-cultural projects, namely the somewhat insufficient involvement of the younger generation in the writing, management and evaluation of international cultural initiatives.<sup>18</sup>

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<sup>17</sup> Data taken from official report to the EEA management authority.

<sup>18</sup> Anita Harris, *Young People and Everyday Multiculturalism*, New York: Routledge, 2013, pp. 69-72.

This first project has been furthered, as we have previously mentioned, by a Bilateral Relations grant which has enabled two Romanian specialists (the authors) in the areas of cultural events and project management, respectively, to take part in a 3-day exchange in Iceland, for the purpose of ensuring the sustainability of the aforementioned project through the exploration of new collaboration prospects under the EEA and Norway Grants umbrella. The project supporting the exchange gave rise to a set of useful deliverables, which are likely to become the principal input in the preparation of another EEA/Norway Grants application, as part of the upcoming call. Such deliverables include a simulated application, with the required PCM elements<sup>19</sup>, including an estimate of the output indicators and the budget of a future project.

The relevant information regarding the involvement of the Icelandic partner, i.e. the Edinborg Cultural Center, was provided by Ms Matthildur Helgadóttir Jónusdóttir, whose expertise in areas such as cultural management and event planning had made it possible for the *Binding Europe through Cinema and Dance* project to be successfully implemented. The discussions benefitted from extensive attention on the part of the local community of an exceptionally active town, from an artistic standpoint, counting no more than 2.600 people, situated on the edge of the Arctic Circle, in the Westfjords of Iceland, namely Ísafjörður.<sup>20</sup>

What remains desirable is for the management authorities of the EEA and Norway Grants, both at the level of Romania, and - especially - at that of the donor states, take note of the results of this bilateral exchange and, most importantly, of the proposed application for a future project, when shaping the next calls. This would not only render the latter better suited to the needs of future beneficiaries, but it would also simplify the application process, since exchange programmes such as this have occurred throughout the beneficiary states and the donors.

#### 4. Conclusion

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<sup>19</sup> Harold R. Kerzner, *Project Management – Best Practices: Achieving Global Excellence*, Hoboken: John Wiley & Sons, 2010, pp. 35-36.

<sup>20</sup> According to the Official travel guide to the Westfjords, [<http://www.westfjords.is/en/inspiration/towns-1/isafjordur>], 6 April 2016.

It becomes apparent that the merits of EEA and Norway Grants lie in their ability to cover the priority areas that are either not the main focus of structural funds, or are completely absent in their use, within the East-Central and Mediterranean areas of the European Union. A mechanism implemented so as to reduce disparities in Europe and somewhat as a responsibility for contributing to the progress of the internal market, the grants have become popular among project managers, from the NGO and the administrative sectors, to name just two major categories of beneficiaries, for their coherent implementation and reporting mechanisms and their user-friendly nature. Since absorption and indicators are quite satisfactory in the implementation cycle which has closed, it remains desirable to witness the widespread return of calls for applications, under the recent agreement concluded with the European Union. Without a doubt, the EEA and Norway Grants are part and parcel of the Community framework and play a role in the progress of European countries towards commonly accepted goals such as the ones inscribed in the Europe 2020 Agenda. Their focus on social disparities, economic innovation, research and development, scholarships, green energy and environmental protection are univocally related to some of the principal indicators of the aforementioned Agenda, while the fight against poverty and for social inclusion are other transversal priorities shared by the EU and the EEA, as part of their common agenda. Moreover, the ability of the EEA and Norway Grants to match their calls for projects with the specific national problems in such sensitive areas as justice, civic participation and cross-border crime make them useful tools in an ongoing effort to consolidate public administration and the powers of the states in what one may boldly refer to as “New Europe”.

The cultural projects analysed from the standpoint of the beneficiary and participant have prompted us to comprehend the mechanisms needed for their successful implementation and the usefulness of collaborations between entities from a country such as Romania and donor states, not only for cultural reasons, but also for those of experiencing another managerial culture and approach to project implementation. EEA and Norway Grants remain, thus, in our opinion, a success story in project management and a useful focal point for eligible institutions seeking original collaboration endeavours.

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## FREE MOVEMENT OF PERSONS IN EU. SUCCESS AND FAILURE IN SOCIO-ECONOMIC INTEGRATION OF MIGRANTS IN THE NETHERLANDS

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### Abstract

*Free movement of persons represents one of the four pillars of the EU's Single Market and the concept has changed in meaning since its inception (from the focus on workers' rights to the European citizenship). Thus, the mobility of EU's citizens is highly supported (free movement within Schengen area, but free establishment outside of Schengen), while the migration of the third-country nationals has become more and more strictly monitored. The labour migration phenomenon is not at all a recent one, but the controversies related to the immigration policy have become part at the top of the EU agenda (see the relevance of the immigration theme on the latest BREXIT debates).*

*The aging labour force, the accelerated increase of the dependency ratios, the crisis of the pensions' systems, the young labour force manifesting a lack of interest for low skilled jobs and the restructuring reforms in EU economies ask for inflows of labour force originating outside Europe.*

*The present paper aims to investigate the concept of integration as a multi-form and multi-layered one, and to tackle the limits of the socio-economic integration of the newcomers, without supporting the populist discourse demonizing "the others."*

*We share the belief that EU needs both a new balanced common immigration strategy and well sounded socio-economic integration programs.*

**Keywords:** free movement of persons, socio-economic integration, labour migration, migration of third country nationals

**JEL Classification:** F15, F22, J61.

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## Preliminary

The process of migration is not something entirely new for our societies. The need to escape conflict and persecution or the desire to find a new and maybe a better life somewhere else has always determined people to migrate, leaving behind family, jobs, and communities. However, after the Second World War, migration has become increasingly global in character, involving all regions of the world, influencing demographics, regional development, cultural practices, etc. The present inflows of refugees led to alarming approaches adopted by receiving countries, from negative media coverage to denied access to EU borders. Still, we face an unprecedented number of newcomers, with different levels of education and skills, and a more balanced perspective on their integration is highly needed, taking into consideration both costs (access to accommodation, jobs, education, culture, etc.) and opportunities (like addressing the demographic disequilibrium, labour and skill shortages in fast-growing and declining sectors, contributing to labour-market flexibility). Therefore, we can refer to the concept of integration as the merger of two or more individual units to form a new greater unit or the inclusion of independent units into one greater entity. In social sciences, integration has the connotation of harmonization processes within a society between several roles, groups, organizations, or of inclusion of individuals or groups into the society. Immigrant integration can be described as the inclusion of individual newcomers (*whose roots do not reach deeper than two or three generations*) or groups into an existing receiving society. It is about the insertion of individuals bringing new cultures, habits, religious manifestations into the receiving society, meaning a two-way process.

Nowadays, in a general sense, the concept of integration implies a mutual adjustment of the components of a system, allowing it to form a new equilibrium. The system could take elements or features and could formulate its own characteristics, completely autonomous. The newly created structure can be considered as fully integrated, only when the relationships established between the elements that compose it are stable over a long period of time and could generate tangible spill over effects at the level of each component.<sup>1</sup> The interest for conceptualizing *integration* is not a new

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<sup>1</sup> Anca Otilia Dodescu, Conceptul de integrare – O abordare economică exhaustivă, 2004, [<http://steconomiceuradea.ro/anale/volume/2004/30.pdf>], 28 November 2015.

one, as Karl Deutsch defined international integration as the attainment, within a territory, of a "sense of community" and of institutions and practices strong enough to assure dependable expectations of "peaceful change" among its population.<sup>2</sup> Ernest B. Haas described integration as "the process whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations, and political activities toward a new and larger centre, whose institutions possess or demand jurisdiction over the pre-existing national states"<sup>3</sup>.

On the same line of thought, Leon N. Lindberg saw the integration rather as a political process in which the political actors from various national structures persuade to change their allegiance, hopes and activities towards a new political centre, whose institutions possess or claim jurisdiction over existing national states and the nations, who were willing and capable to conduct their internal and external politics independently, are now trying to take certain decisions together or delegate the decision making process to the central institutions that belong to the European Community<sup>4</sup>. Herman W. Hoen also brought an exhaustive definition which encapsulates the actual economic situation and describes the phenomenon as a fusion of economic units in larger groups and units. Integration is not an objective *per se*, but rather a way to accomplish this goal. In this sense, it is easy to determine the level, the shape and/or the magnitude of the Union. Moreover, "integration is a term whose conceptualization is unclear"<sup>5</sup>, according to S. Carrera, the vague characteristics of the term could lead to misinterpretation or narrow its significance. This could lead to a situation in which migrants have a vulnerable position in their relation with the receiving state and the EU, concerning their rights and obligations. He believed that the concept of integration is not defined as a process of social inclusion of immigrants, but

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<sup>2</sup> Karl W. Deutsch, *The Analysis of International Relations*, Englewood Cliffs: Prentice Hall, 1968, p.53.

<sup>3</sup> Ernst B. Haas, *The Uniting of Europe: Political, Social and Economic Forces 1950-1957*, Second Edition, Stanford: Stanford University Press, 1968, p. 42.

<sup>4</sup> Leon Lindberg, *The Political Dynamics of European Economic Integration*, Stanford: Stanford University Press, 1964, pp. 451-453.

<sup>5</sup> Sergio Carrera, A Typology of Different Integration Programmes in the EU, 2006, [[http://www.europarl.europa.eu/RegData/etudes/note/join/2006/378266/IPOL-LIBE\\_NT\(2006\)378266\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/note/join/2006/378266/IPOL-LIBE_NT(2006)378266_EN.pdf)], 02 December 2015.

rather it has embedded both legal and political mechanism of control through which the member states decide who enters and who stays in their territories (a clear expression of the principle of subsidiarity). According to his point of view, integration actually expresses the transition from social inclusion measures to the legal and statutory regulation. The concept can hide assimilation approaches or theories of acculturation. Carrera concluded that when referring to the social process by which an immigrant is included in the various spheres of social, cultural, economic and political state, it is better to use the concept of social inclusion, instead of integration<sup>6</sup>.

### **Latest Policies and Actions of the European Union regarding migration**

In December 2004, the Council of the European Union launched *The Hague Programme* which focuses on “strengthening freedom, security and justice in the European Union”<sup>7</sup>. The program aims at the creation of common principles for the immigrant integration that should include the following aspects:

*“Integration:*

- *is a continuous, two-way process involving both legally resident third-country nationals and the host society;*
- *includes, but goes beyond, anti-discrimination policy;*
- *implies respect for the basic values of the European Union and fundamental human rights;*
- *requires basic skills for participation in society;*
- *relies on frequent interaction and intercultural dialogue between all members of society within common forums and activities in order to improve mutual understanding;*
- *extends to a variety of policy areas, including employment and education”.*<sup>8</sup>

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<sup>6</sup> *Ibidem.*

<sup>7</sup> Council of the European Union, *The Hague Programme*, 2004, [[http://ec.europa.eu/home-affairs/doc\\_centre/docs/hague\\_programme\\_en.pdf](http://ec.europa.eu/home-affairs/doc_centre/docs/hague_programme_en.pdf)], 30 January 2016.

<sup>8</sup> *Ibidem.*

*The Hague Programme* contains a detailed and comprehensive definition for integration. It clarifies the need for anti-discrimination policies as a part of effective integration programs. Moreover, it is also stated that integration would imply respect of basic values, and would require basic skills for participation in the civil society. These elements have to be taken into consideration and applied by every Member State.

*The Stockholm Programme* sets out EU priorities freedom in the area of freedom, security, justice, asylum, immigration for the period of 2010-2014. Based on previous achievements of *The Tampere Programme* (1999) and *The Hague Programme* (2005), this programme aims to address future challenges and to strengthen furthermore the area of justice, freedom and security through actions that are focused on the interests and needs of the citizens. The Proactive policies for migrants aim to ensure that the rights and obligations of the third-country nationals legally residing in Member States are comparable to those of the Union's citizens.

The most recent immigration strategy launched by the European Union was presented in May 2015 by the European Commission - *The European Agenda on Migration*. In short, its main purpose is to identify and register the arriving immigrants and to help investigating/preventing the migrant smuggling networks. Regarding the long-term priorities, the Commission has established four pillars in which it wants to operate: reducing the incentives for illegal immigration by focusing on the root causes behind it, saving lives and securing the external borders, "strengthening the common asylum policy" and "developing a new policy on legal migration"<sup>9</sup> – by combining moves to foster better integration, and a clearer matching of immigration to labour-market needs in host countries, with an increasing focus on development in countries of origin.<sup>10</sup>

Throughout 2016, several reports on *Managing the refugees' crisis* have been launched by the European Commission<sup>11</sup>, in an attempt to address the most urgent matters of granting access to newcomers, securing borders,

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<sup>9</sup> *Ibidem*.

<sup>10</sup> Russell King, *Migration: Facing Realities and Maximising Opportunities*, 2016, [[https://ec.europa.eu/research/conferences/2016/migration-challenge/pdf/migration\\_conf-r\\_king.pdf#view=fit&pagemode=none](https://ec.europa.eu/research/conferences/2016/migration-challenge/pdf/migration_conf-r_king.pdf#view=fit&pagemode=none)], 05 June 2016.

<sup>11</sup> See more here: [[http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/index_en.htm)]

preventing illegal migration, and only one proposal with specific reference to integration of migrants – a new Directive of the European Parliament and of the Council *on the conditions of entry and residence of third-country nationals for the purposes of highly skilled employment*.<sup>12</sup>

### **International Migration - facts and challenges**

Nowadays, international migration has reached the level of *high-politics* and “is a process whose economic, social and demographic consequences for receiving and sending countries are hotly debated by government officials, civic groups and others”<sup>13</sup>. Furthermore, international migration has never been as pervasive as it is today and never before has it been accorded such priority by statesmen concerned with issues of national security and identity. In a world where the significance of internationalization of basic social and economic institutions and processes is being increasingly acknowledged, a volume on this topic brings an important contribution to the debate- Mary Kritz, Lin Lean Lim and Hania Zlotnik - *International Migration Systems: A Global Approach* (1992) – due to the migration systems theory embedded in it: international migration is a process that takes its significance from, and finds its causes and consequences within a broader system.

According to Russell King, “migration is becoming increasingly diversified by new typologies and motivations. Thus, the classic binaries (forced vs voluntary, legal vs irregular, temporary vs permanent, high-skilled vs low-skilled, refugee vs economic migrant) are being blurred, so that we have hybrid and mixed forms of migration. A new important dichotomy has emerged: the distinction between the *aspiration* to migrate and the *ability* to do so. More and more would-be migrants aspire to move but are not allowed to, legally. Nevertheless many do find a means to migrate, as irregular migrants.”<sup>14</sup>

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<sup>12</sup> Available here: [[http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/directive\\_conditions\\_entry\\_residence\\_third-country\\_nationals\\_highly\\_skilled\\_employment\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/directive_conditions_entry_residence_third-country_nationals_highly_skilled_employment_en.pdf)]

<sup>13</sup> Mary M. Kritz, “Improving International Migration Governance”, in *International Migration and the Global Community*, no. 1, vol. 22, 2009, pp. 56–67.

<sup>14</sup> Russell King, *op.cit.*

Many countries have witnessed an increase in the percentage of their foreign-born population. Among OECD countries, at the top of the list stands Luxembourg, with 42 % foreign-born population, followed by Switzerland and New Zealand<sup>15</sup>. In 2014, “the number of people living in the EU-28 who were citizens of non-member countries was 19.6 million while the number of people living in the EU-28 who had been born outside of the EU was 33.5 million”<sup>16</sup>. If we compare these numbers with the population of the European Union, which at the moment is estimated around 508 million people<sup>17</sup>, we find that migrants constituted more than 10% of the total population. Furthermore, as it is estimated by the statistical office of the European Union, in the following years, this number will increase by 5%.

In December 2015, the *International Organisation for Migration* announced that around one million refugees fleeing persecution, conflict and poverty in the Middle East and Africa crossed into Europe, in 2015. According to OECD, 1.65 million persons applied for asylum in 2015<sup>18</sup>. Since 1960, Germany registered a total stock of more than 12 million migrants<sup>19</sup>, becoming the largest host country in Europe. Meanwhile, more than 3,600 people lost their lives in their attempt to search for a better life.<sup>20</sup> Indeed,

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<sup>15</sup> The Organisation for Economic Co-operation and Development (OECD), Foreign-Born Population (Indicator), 2016, [<https://data.oecd.org/migration/foreign-born-population.htm>], 29 January 2016.

<sup>16</sup> Eurostat, Migration and Migrant Population Statistics, 2015, [[http://ec.europa.eu/eurostat/statisticsexplained/index.php/Migration\\_and\\_migrant\\_population\\_statistics#Migrant\\_population](http://ec.europa.eu/eurostat/statisticsexplained/index.php/Migration_and_migrant_population_statistics#Migrant_population)], 29 January 2016.

<sup>17</sup> Eurostat, Population on the 1<sup>st</sup> of January 2015, 2015, [<http://ec.europa.eu/eurostat/tgm/table.do?tab=table&plugin=1&language=en&pcode=tps00001>], 29 January 2016.

<sup>18</sup> The Organisation for Economic Co-operation and Development (OECD), International Migration Outlook 2016, [[http://www.keepeek.com/Digital-Asset-Management/oecd/social-issues-migration-health/international-migration-outlook-2016\\_migr\\_outlook-2016-en#page1](http://www.keepeek.com/Digital-Asset-Management/oecd/social-issues-migration-health/international-migration-outlook-2016_migr_outlook-2016-en#page1)], 05 June 2016.

<sup>19</sup> Migration Policy Institute, Migration Statistics, [<http://www.migrationpolicy.org/programs/data-hub/charts/top-25-destination-countries-global-migrants-over-time?width=1000&height=850&iframe=true>], 02 August 2016.

<sup>20</sup> UNHCR, A Million Refugees and Migrants Flee to Europe in 2015, 2015, [<http://www.unhcr.org/567918556.html>], 02 February 2016.

Europe is facing the highest number of refugees since the Second World War.<sup>21</sup>

The main issues on migration that EU faces nowadays refer to dismantling smuggling networks, reducing illegal migration, secure EU borders, reform the Dublin Mechanism, increase solidarity shared by EU member States for receiving the newcomers (the controversial quota system), sustainable integration programs.

### **Models of socio-economic integration of migrants**

Europe is a “*continent of integration* (Scholten *et al.* 2015) with increasing ethnic, cultural and religious diversity matched with pressures to accommodate to the ‘European fold’. Three histories of integration: well-established (France, UK, Germany etc.); recent (Italy, Spain, Ireland etc.); hardly begun (Poland, Hungary, Romania etc.)”<sup>22</sup>

When referring to integration, it is useful to distinguish between three major dimensions of integration: socio-economic dimension, legal and political dimension and the cultural dimension. Thus, any policy that seeks to promote the integration of immigrants must take into account all these three dimensions. According to Stephen Castles<sup>23</sup>, there are three different models of integration: *the model of differential exclusion* (Germany, Southern Europe), *the assimilationist model* (UK, France, the Netherlands) and *the pluralist model* (outside Europe, in USA, Canada, Australia). The main criticism to this classification is attributed to the fact that “it jumps together the United Kingdom, France and the Netherlands in one model, whereas most authors precisely point at significant differences in the approaches of these countries”.<sup>24</sup>

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<sup>21</sup> Agence France Presse, EU Says World Facing Worst Refugee Crisis since WWII, 2015, [<http://www.unhcr.org/cgi-bin/texis/vtx/refdaily?pass=52fc6fbd5&id=55d17e7b5>], 03 February 2016.

<sup>22</sup> Russell King, *op.cit.*

<sup>23</sup> Stephen Castles, "How Nation-States Respond to Immigration and Ethnic Diversity", in *Journal of Ethnic and Migration Studies*, no. 3, vol. 21, 1995, pp. 293-308.

<sup>24</sup> Han Entzinger and Renske Biezeveld, *Benchmarking in Immigrant Integration*, 2003, [[http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/legal-migration/pdf/general/benchmarking\\_final\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/legal-migration/pdf/general/benchmarking_final_en.pdf)], 12 December 2015.

James Hollifield<sup>25</sup> identified other three categories, such as: *the guest worker model* (Germany, Belgium, the Netherlands and Austria, with temporary immigrants and their stay is characterized in economic terms), *the assimilation model* (France, immigration is seen as a permanent phenomenon in which immigrants are welcome and given a legal status. Accordingly, migrants are expected to be fully incorporated in the country of settlement as individuals) and *the ethnic minorities model* (United Kingdom, Sweden and The Netherlands - migration is perceived as permanent, but the main difference from the assimilation model is that the migrants' origins and culture are granted, preserved and embraced "as positive marks of a diverse heritage."<sup>26</sup>).

Another important contribution to the classification of the main models of integration belongs to Anja Rudinger and Sarah Spencer<sup>27</sup>, who distinguish between *assimilation* (assimilation to a pre-existing, unified social order, with a homogeneous culture and set of values), *inclusion and participation* (granting access to and participation in a given society), *cohesion* (can be achieved in a pluralist society through the interaction of different communities that build a bond through the recognition of both difference and interdependence), *equality* (migrants and ethnic minorities obtain equal rights so that they become full partners and participants in the development of a cohesive society) and *multi-culturalism* (is guided by the principles of reciprocity, equality, diversity and cohesion).

Of course, all these models and patterns tend to simplify reality. They are constructed more from ideologies adopted by various states, than by the situation. For example, despite the ideological differences between France and Germany, the current progress of the integration process of immigrants in these two Member States is quite similar. Both states are applying, in most cases, the same measures and strategies to facilitate the integration process.

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<sup>25</sup> James Hollifield, "The Emerging Migration State", in *International Migration Review*, no. 3, vol. 38, 2004, pp. 191-211.

<sup>26</sup> Patrick Simon, *French National Identity And Integration: Who Belongs to the National Community?*, Washington, DC: Migration Policy Institute, 2012, p.7.

<sup>27</sup> Anja Rudinger and Sarah Spencer, *Social Economic Integration of Migrants and Ethnic Minorities. Policies to Combat Discrimination*, 2003, [<http://www.oecd.org/els/mig/15516956.pdf>], 02 August 2016.



It is therefore very important to look closely at the very content of these social policies aimed at integrating immigrants.

Despite the considerable political and ideological differences among states, in all countries, social policies that aim at integrating immigrants, try (after granting legal residence) to facilitate the access in the labour market under equal conditions. There is also a degree of similarity in the policies of granting citizenship, but also in efforts to combat discrimination, racism and xenophobia. Granting access to the migrant population on equal terms with other citizens in the institutions of the welfare state is considered the primary condition to facilitate their integration by most European countries.<sup>28</sup> On the other hand, in certain aspects, such as the one concerning the granting of citizenship as a central element of these policies, there are still significant differences, not only in ideological terms but also in practical terms. For instance, while the Southern European states tend to consider granting citizenship as a major condition for integration, the Nordic countries are focused on other issues, such as participation in political life and in the civil society. This is also the case for The Netherlands that has been offering mandatory Dutch course for non-EU immigrants by introducing the '*Newcomer Integration Law*' in 1998, which was revised in 2006. The main focus of these courses, besides obtaining a sufficient level in the Dutch language, is also to acquire some basic knowledge about the Dutch society. Furthermore, the Dutch example has been followed by other countries, such as Denmark, which in 1999 introduced the '*Danish Integration Act*', having as a purpose "to contribute to the newly arrived migrant's possibility for participation on an equal footing with other citizens in the political, economic, work-related, social, religious and cultural life of society; and to induce economic self-reliance"<sup>29</sup>. The same path has been followed by Finland, Germany, Austria and Belgium. Moreover, in 2003, France introduced the '*Contrat d'accueil et de l'integration*' which can be translated as the '*Integration contract*', aimed at teaching immigrants the core values and

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<sup>28</sup> Han Entzinger and Renske Biezeveld, *op.cit.* p. 16.

<sup>29</sup> Per Mouritsen and Christine Hovmark Jensen, *Integration Policies in Denmark*, 2014, [[http://cadmus.eui.eu/bitstream/handle/1814/32020/INTERACT-RR-2014\\_06.pdf?sequence=1](http://cadmus.eui.eu/bitstream/handle/1814/32020/INTERACT-RR-2014_06.pdf?sequence=1)], 18 March 2016.

norms of the French society and encouraged them to learn the local language.<sup>30</sup>

Hence, we can conclude that the national programs aimed at integrating immigrants generally consist of three main components: language training, orientation sessions and introduction to the culture of the host society and professional training and reorientation, closely linked to labour market. These programs, which are compulsory to a certain extent, are, in most cases, individualized to the needs of immigrants.

### **Integration of newcomers in the Netherlands**

Over the past few years, migration in the Netherlands has experienced sustained growth “due to its favourable position within Europe and its flexible labour force”<sup>31</sup>. Hence, it “remains an attractive country for investment and for foreign nationals to work”.<sup>32</sup> According to the Dutch Central Bureau for Statistics (*Centraal Bureau voor de Statistiek*, CBS), for the last thirty years, the Dutch population has increased by 2.4 million inhabitants. Three-quarters of this increase is attributed to people having at least one parent born outside the Netherlands. In the upcoming decades, international migration is expected to contribute significantly to the population growth. By 2060, the Netherlands is expected to have 0.9 million more first-generation immigrants, and 1.2 million more second-generation immigrants. On the other hand, the number of inhabitants of whom both parents were born in the Netherlands will decrease by almost 1 million. Moreover, the future population of the Netherlands will be comprised of mostly old people.<sup>33</sup>

Integration policies in the Netherlands mainly focus on the immigrant population of non-EU origin. Starting with the end of 1990’s, many new immigration and integration laws have been introduced. New

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<sup>30</sup> Han Entzinger and Renske Biezeveld, *op.cit.* p. 17.

<sup>31</sup> Joanna Apap, “Shaping Europe’s Migration Policy New Regimes for the Employment of Third Country Nationals: A Comparison of Strategies in Germany, Sweden, the Netherlands and the UK”, in *European Journal of Migration and Law*, no.179, 2002, p. 321.

<sup>32</sup> *Ibidem.*

<sup>33</sup> Centraal Bureau voor de Statistiek (CBS), Statistics Netherlands: 18.1 Million Inhabitants in 2060, 2014, [<https://www.cbs.nl/en-gb/news/2014/51/18-1-million-inhabitants-in-2060>], 26 April 2016.

immigrants who came in the country had to take mandatory integration courses which were financed by the Dutch government and organized by local municipalities. These courses comprised of implemented standards on a national level, specifically Dutch language courses and courses about features of the Dutch society.<sup>34</sup> However, there was no compulsory test to be taken after completing the courses. If immigrants did not take those courses without a valid reason, they were fined. The fine can be up to a maximum of 1,250 euro.<sup>35</sup> In 2006, the *Law on Integration (Wet inburgering)* was passed by the House of Representatives and the Senate and entered into effect starting with the 1<sup>st</sup> of January 2007. This law requires immigrants willing to integrate to learn Dutch and take an exam which is comprised of 5 parts: Reading, Listening, Writing, Speaking, Knowledge of Dutch Society (*Kennis Nederlandse Maatschappij*). Starting with the 1<sup>st</sup> of January 2015, a sixth part was added which assesses their understanding of the Dutch labour market (Orientation on the Dutch Labor Market). The integration period in which immigrants must pass the exam is 3 years.<sup>36</sup> In addition to this, another law known as the *Overseas Integration Test (Wet inburgering in het buitenland)* was introduced that applies to a specific type of immigrants, more exactly to nationals of certain countries<sup>37</sup> wishing to join family members or spouses in the Netherlands. The main issue regarding this legislation was the fact that immigrants have to take the test before they even arrive in the Netherlands, in order to obtain a residence permit.

The Dutch integration budget is one of the highest among the EU Member States. However, recently it has undergone dramatic cuts, particularly for Civic Integration. As of 2013 all third-country nationals wishing to remain in the Netherlands will have to pay for their civic integration course themselves, meaning that courses will no longer be

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<sup>34</sup> The Dutch Minister of Social Affairs and Employment, Integration – Research conducted by Radboud University, 2013, [<https://zoek.officielebekendmakingen.nl/dossier/32824/kst-32824-26?resultIndex=85&sorttype=1&sortorder=4>], 03 May 2016.

<sup>35</sup> Ministerie van Onderwijs, Cultuur en Wetenschap, Integration in the Netherlands, [<http://en.inburgeren.nl/inburgeren-hoe-moet-dat.jsp>], 18 May 2016.

<sup>36</sup> *Ibidem*.

<sup>37</sup> Citizens of European Union (EU) and European Economic Area (EEA) states and Switzerland, Australia, Canada, Japan, New Zealand, South Korea, and the United States are not required to take the test.

offered by Municipalities.<sup>38</sup> Another important point that is worth mentioning is that, in the Netherlands, statistics on the immigrant population are based on ethnicity and not on nationality or country of birth. There are two categories of people: either *allochtonen* or *autochtonen*. Autochtonen are the native population and allochtonen are persons with at least one parent born outside the country. A further distinction is made between Western and non-Western allochtonen. Western allochtonen are the category of people who came from Europe (excluding Turkey), North America, Oceania, Indonesia and Japan, while non-Western allochtonen are the category of people coming from Africa, Latin American, Turkey and the rest of Asia<sup>39</sup>.

The Netherlands is well-known as a country remarkably tolerant and multicultural. As previously stated, the Dutch society is very keen on having and respecting equal rights and opportunities for all ethnic groups. Since the 1990s, Dutch attitudes towards immigrants have been changing. This change is reflected in stricter immigration laws that have created a lot of debate and conflicts nationally and internationally. Recently, the multiculturalism of the country is put under question. Several empirical studies show that Dutch people consider immigrants as being insufficiently adapted to the Dutch society and multiculturalism is rather supported by immigrants than by native population. There are various problems that pose a threat to multiculturalism in the Dutch society, among which I mention the emphasis on the assimilation of immigrants, the failure to establish integration policies and also the permanent fear of terrorist attacks. The Dutch government is mainly accused of being “unable to achieve a state of integration and participation” and that the “multicultural experiment” has largely failed.<sup>40</sup>

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<sup>38</sup> Giuliana Urso and Anke Schuster, *Migration, Employment and Labour Market Integration Policies in the European Union*, Brussels: International Organization for Migration, 2013, pp. 221-222.

<sup>39</sup> Evelyn Ersanilli, Country profile No 11 – Netherlands, 2007, [[http://focus-migration.hwwi.de/typo3\\_upload/groups/3/focus\\_Migration\\_Publikationen/Laenderprofile/CP11\\_Netherlands.pdf](http://focus-migration.hwwi.de/typo3_upload/groups/3/focus_Migration_Publikationen/Laenderprofile/CP11_Netherlands.pdf)] 25 March 2016.

<sup>40</sup> Fons J.R. Van De Vijver, Saskia R.G. Schalk-Soekar, Judit Arends-Tóth and Seger M. Breugelmans, “Cracks in the Wall of Multiculturalism? A Review of Attitudinal Studies in the Netherlands”, in *International Journal on Multicultural Societies*, 2006, no.1, vol.8, pp. 102-118.

A study conducted by the European Commission in 2011 shows that, in general, Dutch people show a positive attitude toward migration and its effects. The population is willing to accept and protect asylum seekers and agree that the rules for them should be the same across the EU. A high percentage (85%) of Dutch people considers that legal immigrants should have the same rights as nationals. Furthermore, the Netherlands is one of the few EU states which agree that immigration enriches their country.<sup>41</sup> Another research regarding the public opinion on immigrants in the Netherlands identifies that “between 40 and 50 percent of the Dutch population is tolerant and their tolerance is remarkably consistent”<sup>42</sup>. Furthermore, “they are not prejudiced, do not distance themselves from immigrants, and grant them equal rights. They endorse individual freedom and resist attempts to close the national ranks against immigrants”<sup>43</sup>.

In summer 2016, the authors<sup>44</sup> conducted a survey for a total number of 100 respondents, among which, 50 were males and 50 females. Furthermore, a selection was made based on the language proficiency in English - the selected participants are native Dutch and fluent in English. The questionnaire (9 close questions and 1 open question) made use of negative statements instead of the positive ones to test the respondent’s opinions and to verify if the participants are strongly influenced by the statements and if their responses may be distorted because of them. The choice of negative statements was also made in order to prevent acquiescence, also known as yes-set answers which describe the general tendency of a person to provide affirmative answers to items of a questionnaire, regardless of the content of the items.

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<sup>41</sup> European Commission, Directorate-General Home Affairs, *Awareness Of Home Affairs Report*, 2012, [[http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_380\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_380_en.pdf)], 02 May 2016.

<sup>42</sup> Louk Hagendoorn and Edwin Poppe, “Consistency of Tolerance, Public Opinion on Immigrants in the Netherlands at the Turn of the Millennium”, in *Politics, Culture and Socialization*, no. 4, vol. 2, 2011, pp. 367-387.

<sup>43</sup> *Ibidem*.

<sup>44</sup> The field work was carried out by Hana Safaya, during her stay as an Erasmus student at Saxon University of Applied Sciences, department of Marketing and International Management.

<b>Dutch Public Opinion about Immigrants</b>	<b>Agree</b>	<b>Disagree</b>	<b>Neither Agree nor Disagree</b>
1. In the future, the rising number of immigrants would be a threat for the Dutch society	38 %	35%	27%
2. Immigrants take the jobs of natives	20%	61%	19%
3. Immigrants increase the rate of criminality	33%	34%	33%
4. Immigrants represent a burden for the social protection system	20%	44%	36%
5. Immigrants decrease the cultural values of a country	37%	46%	17%
6. For the good of the society it is better if immigrants keep their own customs and values	16%	59%	25%

*Table 1.* Dutch Public Opinion about Immigrants

The data above reveal that a significant percentage of respondents had a neutral opinion, for each statement. The reason for this could be the difficulty in choosing either agree or disagree, because it may depend on the circumstances. As one of the respondents stated, "in the above survey a couple of times I chose to neither agree nor disagree, because it is not as black and white as a simple yes or no. There is so much more to the situation than that". Another possible explanation could be the lack of information regarding this subject. Furthermore, 61% do not think that immigrants may take the jobs of native workers, while 20% agree with this statement. This high percentage may be attributed to the fact that usually, Dutch people are quite confident in their own capabilities. Therefore, according to their viewpoint there is a small change that immigrants might take their potential jobs. In fact, there is no evidence-based research which indicates that immigrants substitute for native workers. Immigrants tend to select places where jobs are readily available. In fact, immigrants end to boost employment effects in the long term by increasing the demand in the economy. This way they stimulate new businesses to open, creating more jobs for both immigrant and

native populations.<sup>45</sup> A third of the respondents consider that immigrants are a threat to safety.

According to the annual report published by Dutch Central Bureau for Statistics, “immigrants are more often suspected of having committed a crime than native Dutch and western people”<sup>46</sup>. However, for the last 10 years, the higher proportion of foreign suspects compared with native Dutch suspects has remained fairly stable. Concerning the immigrants who have arrived in the Netherlands since 2004, Poles, Bulgarians and Romanians are least often suspected of a crime, while Moroccans, Surinamese and Antilleans most often<sup>47</sup>.

With regard to the fourth statement, 44% of the participants disagreed with the fact that immigrants represent burden on the welfare system, while a significant portion of 36% refrained from giving an answer. As a matter of fact, immigrants and their descendants pay more in taxes than they consume in government services in terms of net present value. According to an article written by D. Griswold, “low skilled immigrants do impose a net cost on government, in particular on the state and local level, but those costs are often exaggerated by critics of immigration and are offset by broader benefits to the overall economy”<sup>48</sup>.

Concerning the cultural aspect of the country, the majority of respondents did not consider that foreigners degrade the Dutch cultural norms and values. In spite of that, when it comes to the possibility to keep its customs and traditions, the opinion of 60 % of respondents indicated that Dutch people prefer immigrants to give away or abandon their own customs and values and adopt the Dutch features of culture.

However, if we make a detailed analysis by separating the answers according to the gender, the situation turns out to be slightly different. One can easily observe from the table below that percentage of females

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<sup>45</sup> Amelie F. Constant, 5 Reasons Why Immigrants Do Not Take Natives' Jobs, 2015, [[http://www.huffingtonpost.com/amelie-constant/5-reasons-why-immigrants-\\_b\\_8036814.html](http://www.huffingtonpost.com/amelie-constant/5-reasons-why-immigrants-_b_8036814.html)], 01 April 2016.

<sup>46</sup> Centraal Bureau voor de Statistiek, Annual report on integration 2012, 2012, [<https://www.cbs.nl/en-gb/publication/2012/51/annual-report-on-integration-2012-summary>], 01 April 2016.

<sup>47</sup> *Ibidem*.

<sup>48</sup> Daniel T. Griswold, “Immigration and the Welfare State”, in *Cato Journal*, no. 1, vol. 32, 2012, p. 159.

**disagreeing** with each statement is considerably higher than the male one, except the fifth statement in which the percentage is the same. Concerning the sixth statement, one can easily observe that men do not really agree with immigrants keeping their own customs and norms and they would rather prefer foreigner to acquire the national values. On the other hand, the research shows that the female population is more open and tolerant towards immigrants. Women would not necessarily imply or require immigrants to abandon their individual values, but rather to embrace and carry on their cultural background.

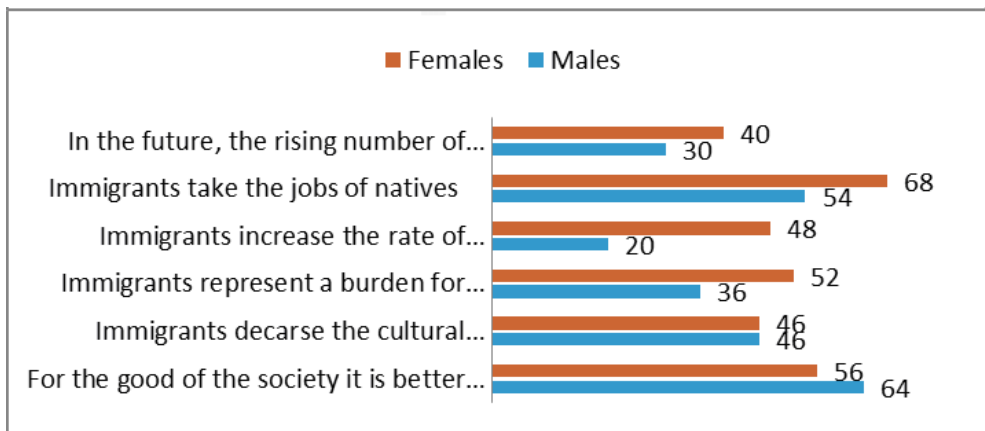


Figure 1. Dutch Public Opinion about immigrants according to the gender

Another important aspect in the data analysis was to identify what are the conditions that an immigrant must meet in order to be considered integrated by Dutch citizens. The table below indicates that the highest percentage of respondents (31.91 %) think that first of all, the immigrant must speak Dutch in order to be considered integrated. Secondly, immigrants need to know and respect the national legislation so as they can integrate properly. In the famous book of G. Hofstede, "Cultures and Organizations: Software of the Mind", the Netherlands is described as a country with a high score on *Uncertainty Avoidance*. What this implies is that Dutch people feel the need to have rules and respect them accordingly due to the fact that it makes them feel more secure. That is also the reason why Dutch people consider that immigrants have to know and respect the national legislation. Also, the foreigner must be adapted, meaning to know



the norms and values of the Dutch society and have an appropriate behaviour which is accepted by the others. 1 in 8 people consider that an immigrant is integrated when h/she has a good financial situation following a steady job or a business development. On the other hand, the acquisition of citizenship together with a definitive residence is not seen as important parts of integration.

<b>When do you think a migrant has achieved full integration in the Dutch society?</b>	
a) When he/she knows the language	32%
b) When he/she has a stable job, a good financial situation, their own business	12 %
c) When he/she knows and respects the national legislation	29 %
d) When he/she is adapted, has a good behaviour which is accepted by the others	22%
e) After a long period of time when he/she has a definitive residence	2%
f) When he/she acquire citizenship	4%

*Table 2.* When do you think a migrant has achieved full integration in the Dutch society?

One can easily observe that according to Dutch citizens' perspective, a foreigner integrates properly due to his/her personal efforts, meaning: knowing the language, compliance with laws, cultural adaptation, and employment. Migrants are primarily responsible to take charge of the integration and to acquire the knowledge and skills needed to build a self-reliant life in the Netherlands. Learning the language is a prerequisite to participate in the Dutch society. Knowledge of language is common, connects people and creates opportunities. Integration also requires people to know the Dutch norms and values and live accordingly and treat each other respectfully. The analysis of the surveys as represented in the above table, leads to the following conclusion: integration is a personal matter that each must accomplish as much as possible.

Furthermore, the respondents were asked how the Dutch State should provide social support and assistance for immigrants.

<b>Through what methods the Dutch government should offer support and social assistance for immigrants?</b>	
a) Through special supporting programmes	36 %
b) Offering the same support as for the Dutch nationals through existent social programmes	42 %
c) Basic limited support	19 %
d) No support, of any kind they should make it on their own	3 %

*Table 3.* Through what methods the Dutch government should offer support and social assistance for immigrants?

Most of the participants consider that immigrants should receive the same social support as Dutch nationals, through existing social programmes. However, a significant percentage (36%) agreed that foreigners should receive special supporting programmes. It seems that, a reasonable segment of Dutch citizens realize it is important for foreigners to be supported, not only through social programs that already exist and accessible to every citizen, but also through targeted programs that meet the needs and specific problems immigrants might face during the process of integration into the Dutch society. What came as a surprise was that almost 20% of respondents believe that immigrants should be offered only basic limited support, while 3 % did not want to give support of any kind and considered that foreigners should handle the situation by themselves.

In order to have a better understanding of how the Dutch society perceives the process of integration, the respondents were asked to indicate the most appropriate method in offering supporting programmes for immigrants.

<b>The most appropriate method in offering supporting programmes for immigrants</b>	
a) Directly through public institutions that are specialized in this field	42 %
b) Through financing the NGOs	4 %
c) Through hiring specialized companies	8 %
d) A combination between the above mentioned options	48 %

*Table 4.* The most appropriate method in offering supporting programmes for immigrants

According to the analysed data of the surveys, Dutch citizens consider that the most appropriate method is a combination between hiring specialised companies, financing Non-Governmental Organizations (NGOs) and though specialized public institutions. The main downside of this option is that it delegates responsibilities between different parties and it makes it hard to coordinate the actions of all the groups which are involved. On the other hand, a substantial percentage (42%) believes that best option is directly through public institutions that are specialized in this field. This way, the Dutch government could take care and support immigrants throughout their whole process of integration. Only 8% of the participants agreed that hiring a specialized independent company would be the best option, while 4% believed that financing the NGOs which advocate for immigrants would constitute a good option.

With regard to the open question concerning their opinion on the current refugee crisis, most respondents considered that the refugees have precarious and dangerous circumstances in their home country and should be our moral obligation to support them, if they cannot support themselves. However, the main issue is to be able to distinguish between those who really need help and those who take advantage of the situation and enter illegally in the country.

As stated by one of the participants, the topic of the refugee crisis “is a really tough issue. Of course, they are welcome, since the situation in their home country is unbearable. However, money and capacity is limited and we cannot accept ALL of them, just like any other country. This might sound hard but it is reality. Furthermore, they bring a different culture which will challenge the narrow/minded Dutch who might have problems understanding other cultures. This leads to difficult situations such as (violent) protests”.

## **Conclusions**

In the nowadays migration turmoil, the integration of newcomers in Europe remains a project in the making, with opposite approaches, various needs to be met. Nevertheless, the recent refugee’s crisis brought into attention that newcomers’ “marginalization makes them easy targets for scape-goating by far right parties, which have gained increasing support

throughout Europe by exploiting fears and inciting resentment"<sup>49</sup>. Still, the free movement of labour is one of the most tangible benefits of European integration. Therefore, Europe needs a genuine comprehensive new strategy for both granting access and integration of the migrants.

Various models of integration can be found in Europe, where the Netherlands represents a country remarkably tolerant and multicultural. Still, since the 1990s, Dutch attitudes towards immigrants have been changing, reflected in stricter immigration laws causing a lot of debate and conflicts nationally and internationally. The positive change is brought by the young generation, growing up in a different culturally heterogeneous society, manifesting more tolerance towards foreigners. Furthermore, women appear to be more in favor of immigrants than men, according to our study.

Our recommendations are for the Dutch government to take into consideration that the current integration policies can be improved and capitalized - the potential of the young highly skilled to address the skills shortages in certain sectors, a valuable source for development. By supporting access to education and the labour market, the above mentioned policies will gain efficiency.

Each country, and the Netherlands is no exception, has to find its own balance and specific response on the issue of immigration and integration of foreigners, security and human rights, and find a proper equilibrium between its economic and demographic interests and respect for human dignity.

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<sup>49</sup> Rudiger Anja and Sarah Spencer Social, *op. cit.*

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## THE USE OF EUROPEAN SOCIAL FUND IN SOCIO-ECONOMIC INTEGRATION. CASE STUDY: ROMANIA

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### Abstract

*Our paper analyses the 2007-2013 and 2014-2020 funding periods in terms of budgets, targets, measures, types of Operational Programmes, accession rate, concrete impact and further recommendations, all from youth employment perspective, with more insight on Romania's case. This topic is of most interest since the member states use the ESF to design, develop and implement custom-made actions adapted to their national priorities and needs. The ESF can be viewed as a pillar of ensuring the socio-economic integration of the Member States in the context of the European Single Market.*

**Keywords:** European Social Fund, Europe 2020, Employment, Youth, Romania

### Introduction

If "Europe was and has to remain (...) a model and an ideal of welfare and economic development"<sup>1</sup>, then, from our perspective this scope can be achieved only if the situation that the employability rate will be high enough to:

1. The social assistants are no longer a burden for the state. This objective can be achieved by reducing their number throughout a series of functional and integrated measures, such as creating new job opportunities, along with capacitating the able for working people, but unemployed (professional training).

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<sup>1</sup> Adrian Marino, *Pentru Europa: integrarea României: aspecte ideologice și culturale*, Iași: Polirom, 2005, p. 19



2. The citizens are satisfied by their social status and they are active citizens, both productively and participatory in the decisional process. The impact of this aspect is the growth of participation and quality of life at local level, with effects at European level, as well.
3. The youth can achieve their personal and professional development potential. This means that the society has the basis to ensure the sustainability of the proposed economic measures, both on short and long term.

But, this vision is achievable only if there is a convergence between the employment policies, the youth aspirations and the market needs. This triad represent the central pillar for ensuring the economic and social convergence within European Union, solely because there is a convergence between the proposed and implemented measures and the planed effects, both at society and individual level, in the context of increasing level of competitiveness at global scale. Thereupon, this article analyses to what extent the European funds (for Romania - POSDRU 2007-2013 and POCU 2014-2020) are correlated to the real need of labour market and if the POSDRU results are relevant enough to argue a correct implementation of the non-reimbursable funds accessed by Romania.

Consequently, regarding that both in European Union and in Romania the unemployment rate among youth is a thorny problem, the level being “unacceptable high”<sup>2</sup>, with an employment rate of 22,5% in 2014<sup>3</sup> in Romania. Moreover, the Europe 2020 Strategy establishes as a major objective for the population aged 20-64 years to increase the employment rate to 70% for Romania, as compared to 65,7% as it is in the present. This is a difficult goal to achieve considering that one of the major challenges is the adaptation of this workforce to the new requirements of the labour market,

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<sup>2</sup> European Commission, Youth on the Move – An Initiative to Unleash the Potential of Young People to Achieve Smart, Sustainable and Inclusive Growth in the EU, Bruxelles, 2010, p. 2, [[http://www.mae.ro/sites/default/files/file/Europa2021/Tineret\\_in\\_miscare.pdf](http://www.mae.ro/sites/default/files/file/Europa2021/Tineret_in_miscare.pdf)], accessed on: 20.01.2016

<sup>3</sup> National Institute of Statistics, Employment and Unemployment in 2014, Press Release, 2014 [[http://www.insse.ro/cms/files/statistici/comunicate/com\\_anuale/ocup-somaj/somaj\\_2014r.pdf](http://www.insse.ro/cms/files/statistici/comunicate/com_anuale/ocup-somaj/somaj_2014r.pdf)], p. 2

characterized by innovation, competitiveness, mobility of transversal skills, especially digital skills<sup>4</sup>.

On the same note, given that there is a discrepancy between the European Union and the USA and Japan regarding the university graduates<sup>5</sup>, the Europe 2020 Strategy outlines as the main objective to achieve at least the 40% rate of tertiary graduates in the population aged 30-40 years<sup>6</sup> (for Romania the target is 26,7%<sup>7</sup>).

The Social dimension of European Union is to ensure the cohesion and social convergence of all components of social policy on security and social transfers, access to education and training, decent housing and jobs, non-discriminatory access to the labour market regardless of gender, ensuring equal opportunities etc. In this respect, there has to be researched to what extent these social policies are effective and what are their costs relatively to their results. Thus, the article examines the situation of Romania within the Lisbon Agenda and the Europe 2020 strategy - mid-term review (2010-2015, the implementation of EU funds which are designed to ensure the social cohesion, and it analyses the funds established for 2014-2020.

In order to ensure employment, social and economic progress, social inclusion and protection, the European Union operates through three mechanisms/ instruments<sup>8</sup>:

1. Legislation instruments - such as treaties, directives, recommendations, communications;
2. Political instruments - such as the European Semester, multi-level governance, the open method of coordination;
3. Financial instruments - such as providing grants, the European Programme for Social Change and Social Innovation.

Hence, this article refers to the last of them in order to shape and to better understand the complexity of European funds, basing this research on a number of primary documents and secondary, using techniques of

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<sup>4</sup> European Commission, Youth on the Move – An Initiative to Unleash the Potential..., 2010, p. 2, [[http://www.mae.ro/sites/default/files/file/Europa2021/Tineret\\_in\\_miscare.pdf](http://www.mae.ro/sites/default/files/file/Europa2021/Tineret_in_miscare.pdf)], accessed on: 20.01.2016

<sup>5</sup> *Ibidem*

<sup>6</sup> *Ibidem*

<sup>7</sup> The objectives for Europe 2020

<sup>8</sup> European Commission, Flipbook on Youth, [[http://europa.eu/pol/pdf/flipbook/ro/employment\\_ro.pdf](http://europa.eu/pol/pdf/flipbook/ro/employment_ro.pdf)], accessed on 18.03.2016

qualitative research (analysis, synthesis, comparison) and quantitative (statistics). The purpose of this work is to investigate the evolution and impact of European funds on the Romanian society, focusing on increasing employment among young people.

The research methodology analyses official implementation and evaluation reports for 2007-2013 on Structural Operational Programme Human Resources Development (POSDRU) and programme guidelines for 2014-2020 on Operational Programme Human Capital (POCU). Thus, this paper uses a mixed methodology, qualitative and quantitative, by analysing secondary sources from reports, statistics, state recommendations elaborated at national and European level.

### **Types of EU Funds**

With the Lisbon Treaty, the European Union sets several objectives, amongst achieving total employment rate and social progress, promoting economic, social and territorial cohesion in order to ensure sustainable development and economic growth. Thereby, for 2007-2013 programming period there were established three main objectives: the “Convergence”, “Regional Competitiveness and Employment” and “Territorial Cooperation”. To achieve them, the European Commission (EC) has provided these countries with financial assistance through the Structural Funds. Communities Union structural funds are available to cover a wide range of areas where interventions can be made to develop and modernize them. Such covered areas are from infrastructure to agriculture, from environment to offering professional reconvention for retaining the unemployed. For 2007-2013 there are three financial instruments, which are called structural funds: European Regional Development Fund (ERDF), European Social Fund (ESF) and the Cohesion Fund. The convergence objective was financed from all three funds and the aim was to increase the employment rate especially in less developed regions. The Regional competitiveness and employment objective was financed through ERDF and ESF with the declared purpose of enhancing competitiveness and attractiveness of less developed regions, as well as enhancing the employment rate. And the last objective, Territorial cooperation, funded by ERDF, envisaged strengthening cross-border and inter-regional

development from coastal development to rural development or relations between SMSs and environmental issues<sup>9</sup>.

### EU Funding for Romania during 2007-2013

The total amount allocated to Romania through Structural and Cohesion Funds for the programming period 2007-2013 was over 19 billions Euro: over 12 billions Euro for the Convergence objective, out of which over 6 billions Euro allocated from Cohesion Fund and almost 0,5 billions Euro are assigned for the Territorial cooperation objective<sup>10</sup>. Below we present several indicators for the absorption rate for Romania during 20107-2013.

Operational Programmes 2007-2013	Financial allocation (EUR)	Expenditures statements sent to EC (current absorption rate)		Reimbursements from EC (effective absorption rate)	
		Value (EUR)	%	Value (EUR)	%
		1	2	3=(2/1)*100	4
POS CCE – Sectorial Operational Programme Increasing the Economic Competitiveness	2.536.646.054	1.921.495.382	75,75	1.498.392.916	59,07
POAT - Sectorial Operational Programme Technical Assistance	170.237.790	137.529.290	80,79	137.529.290	80,79

<sup>9</sup> Vasile Ionel Popescu, Constantin Liviu Popescu, "Absorption of European Funds in Romania During 2007-2013", *International Conference on Marketing and Business Development Journal*, Vol. I, No. 1/2015, pp. 359-365.

<sup>10</sup> The Representative of European Commission in Romania, European Funds in Romania, [[http://ec.europa.eu/romania/eu\\_romania/romania\\_eu/funds\\_romania/index\\_ro.htm](http://ec.europa.eu/romania/eu_romania/romania_eu/funds_romania/index_ro.htm)], accessed on 10.09.2016

<b>POS MEDIU - Sectorial Operational Programme Environment</b>	4.412.470.138	3.138.270.256	71,12	2.945.575.050	66,76
<b>POR - Operational Programme Regional Development</b>	3.966.021.762	2.567.809.921	64,75	2.567.815.128	64,75
<b>POS DRU - Sectorial Operational Programme Human Resources Development</b>	3.476.144.996	1.894.810.402	54,51	1.726.868.138	49,68
<b>POS T - Sectorial Operational Programme Transportation</b>	4.288.134.778	2.686.323.663	62,65	2.686.323.663	62,65
<b>PODCA - Sectorial Operational Programme Administrative Capacity Development</b>	208.002.622	194.215.274	93,37	170.562.150	82,00
<b>TOTAL</b>	<b>19.057.658.140</b>	<b>12.454.188</b>	<b>65,80</b>	<b>11.733.066.335</b>	<b>61,57</b>

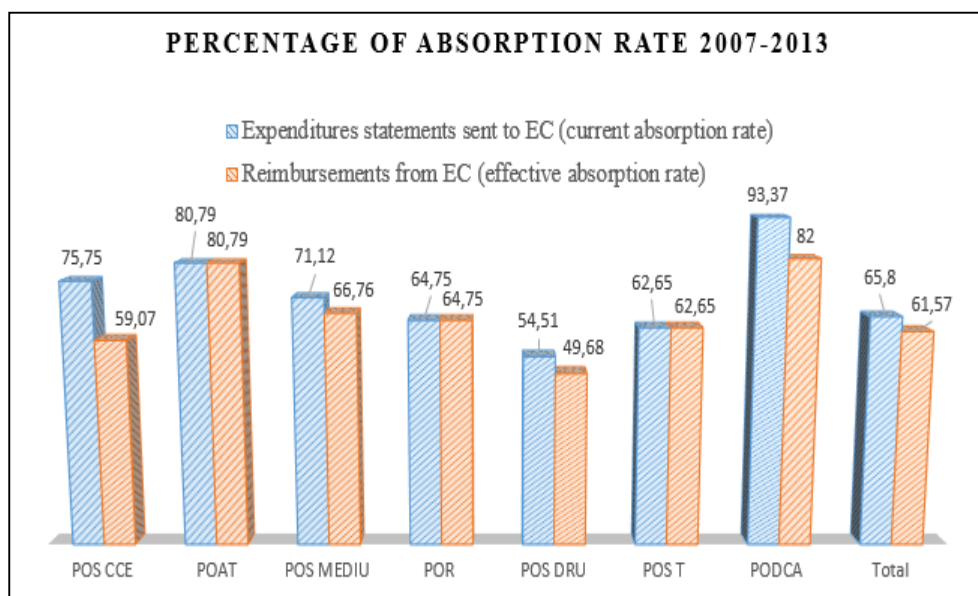
*Table 1. Financial allocation and absorption rate for Romania (2007-2013)<sup>11</sup>,  
Source: The Ministry of European Funds*

After analysing this table, one may conclude that the absorption rate was low, only 61,57%. Amongst the operational programmes with the highest absorption rate we can mention: PODCA and POAT, the rest of them are below 70%. And considering that both funding programmes addressed

<sup>11</sup> By 31<sup>st</sup> of March 2016.

national and local public administrative institutions, one can question the real success of EU funds in Romania in terms of achievement of the planned objectives and results.

Another conclusion is that Romania has to receive cca. 800 million Euro from the EC. The highest rates are registered for POS CCE and PODCA, as presented in the graph below.

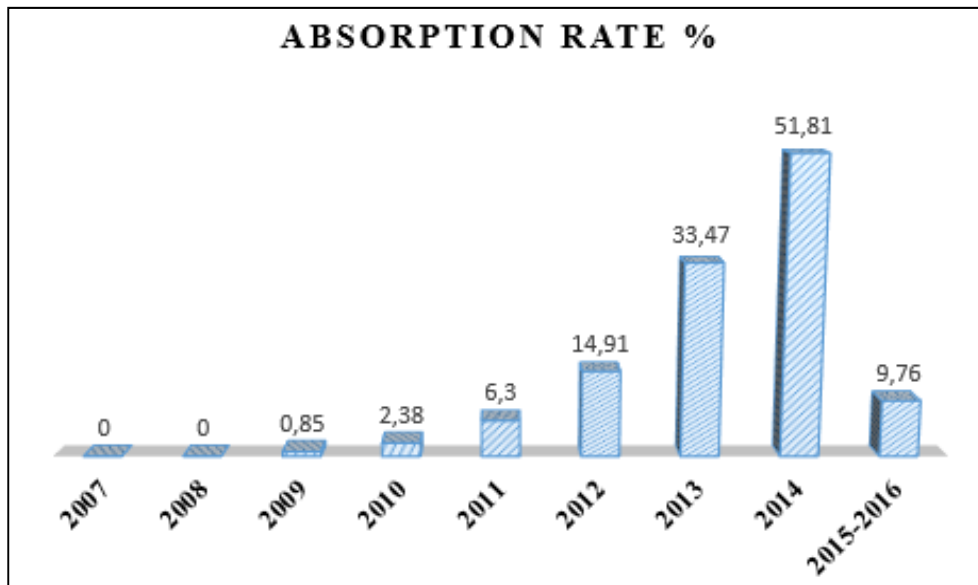


**Graph 1.** The Percentage of Absorption Rate for 2007-2013

Source: The Ministry of European Funds

The absorption rate by years is presented in the graph below. The highest registered rate was in 2014, after the planned funding period, meaning that Romania continued in 2014 and 2015 to fund projects using EU funding. By the end of 2009, Romania accessed under 1% of the allocated structural funds, as a consequence of being unprepared and not having the administrative capacity to manage the offer and the request regarding EU funds (the government was unable to attract and redirect the EU funds due to its own limitation and the lack of beneficiaries' expertise to absorb the funds). On one side, the Romanian Government had very low financial and

administrative capacity, and on the other side, the possible beneficiaries were unfamiliarised with the new EU post-accession funds. Unfortunately, this trend continues in the new programming period 2014-2020.



*Graph 2.* The Percentage of Absorption Rate by year for 2007-2013

Source: The Ministry of European Funds

During the 2007-2013 funding period, there have been some serious problems in administrating the funds, and during 2009-2010 five out of seven operational programmes have been stopped as a consequence of irregularities especially regarding the procurement procedures. Discovered irregularities reflected an absorption rate that highlighted a high gap between the absorption obtained as a result of payments to beneficiaries from the budget state, which is 15.6% and the real absorption, from the actual reimbursements from EC, which was three times lower<sup>12</sup>. Afterwards, the Ministry of European Funds, mentions that, for instance, for POS CCE, in May 2012, there were over 5.000 projects unevaluated yet, which questions

<sup>12</sup> Bianca Gealămancă, Paul Zai, „Abordări privind absorbția fondurilor structurale în România în perioada 2007-2013”, *Revista Transilvană de Științe Administrative*, 2(33)2013, pp.76-88.

the administrative capacity of the Management Authorities to attract structural funds<sup>13</sup>.

Nevertheless, as reported by the EC in August 2014<sup>14</sup>, Romania had several important achievements in relation to employment:

- created more than 8.151 jobs among which 617 research jobs;
- investment aid to 1 253 SMEs;
- provided training, counselling and other type of individual support to over 850.000 people.

On the evaluation report regarding youth<sup>15</sup>, POSDRU is the operational programme evaluated from the point of view regarding relevance towards the needs of youth. From this perspective, the general objective of this funding programme was to develop the human capital and to increase the competitiveness, by correlating the education and lifelong learning and ensuring increased opportunities for the participation of a future modern, flexible and inclusive labour market for 1.650.000 persons<sup>16</sup>. The specific objectives were focused on: increasing the quality of education and lifelong learning opportunities, entrepreneurial culture, increasing the work force productivity, youth, long term unemployed and non-active persons from rural areas insertion on labour market, improving the employment public services<sup>17</sup>. This operational programme had four measures which explicitly addressed youth and seven measures targeting implicitly youth and there was no measure dedicated exclusively for youth. One of the shortcomings of this operational programme, as shown in the report, was that the definition of “youth” was unclear.

During the implementation of POSDRU the term “youth” meant wither persons aged 15-24 years old, or students, or there is no specific definition in the programme guide. As a consequence, there is very difficult

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<sup>13</sup> Ministry of European Funds, The Absorption of Structural and Cohesion Funds, 2014, [[http://www.politicaromaneasca.ro/files/documente%20noue/Absorbtiadfondurilorstructurale\\_sidecoeziune.pdf](http://www.politicaromaneasca.ro/files/documente%20noue/Absorbtiadfondurilorstructurale_sidecoeziune.pdf)], accessed on 10.09.2016

<sup>14</sup> European Commission, Cohesion Policy, August 2014, [[http://ec.europa.eu/regional\\_policy/sources/information/cohesion-policy-achievement-and-future-investment/factsheet/romania\\_en.pdf](http://ec.europa.eu/regional_policy/sources/information/cohesion-policy-achievement-and-future-investment/factsheet/romania_en.pdf)], accessed on 10.09.2016

<sup>15</sup> \*\*\* LOT 2: Ad-hoc Evaluation of POSDRU Intervention on Youth Report, [<http://old.fonduri-ue.ro/posdru/images/downdocs/raport.lot.2.pdf>], accessed on 10.09.2016

<sup>16</sup> *Ibidem*, page 12, accessed on 10.09.2016

<sup>17</sup> *Ibidem*



to evaluate the achievements of this funding programme regarding youth, especially because there were several proposed standard activities which involved adults as well, such as training activities<sup>18</sup>.

Specific Area of Intervention – explicit measures for youth	Indicator	Achievements
DMI <sup>19</sup> 5.1	The number of long term unemployed participants in integrated programmes - youth	157%
DMI 2.1	The number supported students in the transition from school to work	81%
	The number of career counseling services beneficiaries	31%
DMI 1.2	Students who benefited from operations financed in higher education institutions	20%
DMI 6.2	The number of participants in training/ retraining programs for vulnerable groups - young people leaving the state child protection system	10%

**Table 2.** Results concerning youth by areas of intervention

Source: LOT 2: Ad-hoc evaluation of POSDRU intervention on youth report

As shown in the above table the first two areas of interventions had the highest specific indicator rates, but there are two shortcomings mentioned in the report<sup>20</sup>:

<sup>18</sup> \*\*\* LOT 2: Ad-hoc Evaluation of POSDRU Intervention on Youth Report, [<http://old.fonduri-ue.ro/posdru/images/downdocs/raport.lot.2.pdf>], page 58, accessed on 10.09.2016

<sup>19</sup> In Romanian, DMI refers to Major Area of Intervention. POSDRU had seven priority axes, and each of them has several Major Area of Intervention.

<sup>20</sup> \*\*\* LOT 2: Ad-hoc Evaluation of POSDRU Intervention on Youth Report, [<http://old.fonduri-ue.ro/posdru/images/downdocs/raport.lot.2.pdf>], page 146-147, accessed on 10.09.2016

1. The data for a series of specific indicators could not be used to draw relevant considerations;
2. Each of the aforementioned areas of intervention was launched during 2007-2013 for several times with very different results from 0% to a higher percentage in achieving the specific indicators regarding youth.
3. These are preliminary results by the end of March 2015 as detailed in the aforementioned report.

To conclude, POSDRU had several achievements, but as a consequence of poor definition of terms and specific objectives and indicators targeting youth, the achievements made in this regard could not determine relevant considerations. For the next funding period, improvements should be made in terms of programmes guides and establishing relevant indicators which address real problems connected with country strategies.

### **EU funding during 2014-2020**

There are eleven thematic objectives for the 2014-2020 financial framework<sup>21</sup> regarding technology and innovation, access to IT&C, the competitiveness of SMEs, the agricultural and the fisheries and aquaculture sectors, low-carbon economy in all sectors, climate change and risk prevention and management, environment and resource efficiency, transport and infrastructure, labor market, social inclusion, education, training and vocational training for skills and lifelong learning, and, the last one is focusing on strengthening the institutional capacity of public authorities and stakeholders and efficient public administration.

EU funds allocated to Romania during the period 2014 – 2020 are 43 billion Euro: for Cohesion Policy 22,9 billion Euro; for Agricultural Policy 19,7 billion Euro; and from European Fund for helping disadvantaged people 0,44 billion Euro and European Fund for Fisheries and Marine Affairs

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<sup>21</sup> Ministry of European Funds, Operational Programmes, [<http://www.fonduri-ue.ro/po>], accessed on 28.09.2016

0,44 billion Euro. The total allocation by the funding programme is presented below<sup>22</sup>.

Operational Programme	Value in billions of EUR
Operational Programme Infrastructure	9,41
Operational Programme Human Capital	4,22
Operational Programme Competitiveness	1,33
Rural Development National Programme	8
Operational Programme Support for Disadvantaged Persons	0,44
Operational Programme Technical Assistance	0,21
Operational Programme Administrative Capacity	0,55
Operational Programme Fisheries and Marine Affairs	0,17

*Table 3.* Total funding allocation for 2014-2020,  
Source: The Ministry of European Funds

The envisaged measures for youth during 2014-2020 are addressed through four priority axes (PA): PA 1 – Jobs for youth, PA 2 – Improving the situation of youth from the NEETs category, AP 3 – Jobs for all and PA 6 – Education and competencies. The PA 3 and 6 address implicitly youth, offering support activities for increasing the employment measures for youth, but not only. On the paper everything looks bold, achievable and relevant for the targeted groups. Nevertheless, the current funding period started in 2014, but as stated by Corina Crețu, Romania has started with the left foot:

“For the 2014-2020 period, as we have said repeatedly, it worries me the slow start in the implementation of projects. Until now, Romania has an absorption rate of European funds of 0% in the 2014-2020 funding period.”<sup>23</sup>

<sup>22</sup> Ministry of European Funds, The Absorption of Structural and Cohesion Funds, 2014, [[http://www.politicaromaneasca.ro/files/documente%20nou/Absorbtiifondurilorstructurale\\_sidecoeziune.pdf](http://www.politicaromaneasca.ro/files/documente%20nou/Absorbtiifondurilorstructurale_sidecoeziune.pdf)], accessed on 10.09.2016

<sup>23</sup> Agerpress, Corina Crețu: It Worries Me the Slow Start in the Implementation of Projects for 2014-2020, August 2016, [<http://www.finantare.ro/corina-cretu-ma-ingrijoreaza-startul-lent-in-implementarea-proiectelor-pentru-perioada-2014-2020.html>], accessed on 15.09.2016

For the new programming period, the Ministry of European Fund plans to take several measures to accelerate the absorption rate:

1. Further simplification and streamlining the implementation of the programs and the projects;
2. Reforming the regulations and procedures regarding the public acquisitions system (standardized documentation, reducing the number of documents required operators etc.);
3. Involving the banking system in the process of accessing and implementing the operational programmes;
4. Achieving 80% absorption rate.

## Conclusions

According to the report of Erste Group<sup>24</sup> Romania has achieved the lowest EU funds per capita in the EU cohesion policy for the period 2014-2020, 164 euros per inhabitant per year, half of Slovakia and Hungary. The analysis covered six countries in Central and Eastern Europe, namely Romania, Poland, Hungary, Slovakia and Croatia. Romania was also the country with the lowest European funds earmarked for education, research and development: less than 8% of total funding available for the period 2014-2020. Hungary's situation is similar, with an allocation of less than 10%, versus 20% in the Czech Republic, 15% in Poland, 14,5% in Slovakia. With an absorption rate of 90% in 2014-2020, Romania would enhance economic growth by 0.8 percentage points per year, the highest potential in the region, compared with 0.7 points in Hungary, 0.6 points for Croatia, Poland and Slovakia 0.5 and 0.3 points for the Czech Republic, estimated the Erste analysts.

During our research, we have encountered the same problems mentioned in relation with the EU funds absorption in Romania, namely bureaucracy, corruption, poor management from the management authorities, and the lack of experience in project management for the potential beneficiaries of EU funds.

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<sup>24</sup> Erste Group, EU Cohesion Policy 2014-2020: Will EUR 167bn of EU Funds Give CEE a Boost?, 2014, [[https://www.erstegroup.com/content/dam/at/eh/www\\_erstegroup\\_com/en/Presse/pressemeldungen/2014/pi20140311-en.pdf](https://www.erstegroup.com/content/dam/at/eh/www_erstegroup_com/en/Presse/pressemeldungen/2014/pi20140311-en.pdf)], accessed on 28.09.2016

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## SINGLE MARKET UNCERTAINTY IN THE GLOBAL CONTEXT

Tiberiu-Tudor Salanțiu \*

### Abstract

*The contribution of this paper is to estimate the single market uncertainty in the connectivity with the global financial network. This research presents the approach used in quantification of the risks based on the information derived from macro variables and standard deviation. The paper focuses on the technical fan-chart to link the data to the forecast predictions.* **Keywords:** single market, uncertainty, Fan-Chart, risk distribution

### Introduction

Global and regional quantitative analysis has an important bearing on the assessment of situations prospects and political decision constructions<sup>1</sup>. However, in time these analyses are subject to a range of variables that could influence projection of reality in decisional process. The uncertainty as an effect could represent the events with low- probability but with high-impact; these continuity of forecast errors in history of the decisional process conducts in time to volatility development on the stress points. Whenever the decisional processes are based on analytical results, it is important to exist some indications about the quality of results as error measures.

In this paper we present a *Fan-Chart* application on the EU single market in a context where the market has a "harmonized" degree with the global financial network and known sensitivity to the global fluctuations and risks. The purpose of the research is to recognize the borders of the uncertainties domain which surround the connectivity with the global

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<sup>1</sup> Franziska Ohnsorge et al., "Quantifying Uncertainties in Global Growth Forecasts", *World Bank, Global Economic Prospects, Special Issue*, no. 2, 2016, pp. 79-95.



network. Through this we follow to determine the degree of the forecasting distribution of variables which can influence the dynamic vector sensitivity.

The paper is structured as follows: the first section is an overview of the theoretical framework used in the application construction; the second section presents the application of the model and interpretation of the results. In the first part of this section we represent the chart of data used and their projection in a *Fan-Chart* construction. The goal of this process is to identify the links between markets patterns and global risk variables. Secondly, we will use a benchmark instrument to analyze the forecasting process and categories according to perceptions associated with links between patterns and variables. The advantages of this protocol is that it creates an imagine about the asymmetrical distributions and the effects on the performance metrics in a discrete time line. The last section is dedicated to concluding remarks.

## Theoretical framework

We begin this section by defining and discussing the main theoretical concepts which will be used in the *Fan-Chart* construction. In the last part we develop research framework based on the model proposed by Blix and Sellin<sup>2</sup> and Kannan and Elekdag<sup>3</sup>. The update for this model will represent the repartition of the market risk indicators to the global variables, through this we want to correlate the dependence of this two variables class which can create uncertainties.

In the classical sense the uncertainty is correlated with the no sense action of decider to assign probabilities to the out-put or to actions<sup>4</sup>. In analytical research this perception is linked with the impossibility to make prediction about the situation evolution in a continuing time or to anticipate the possible effects which result from an event. In social science an equivalent concept of uncertainty is chaotic evolution which describe in simple terms the lack of patterns which define stable models of change.

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<sup>2</sup> Marten Blix, Peter Sellin, "Uncertainty Bands for Inflation Forecasts", *Sveriges Riksbank Working Paper Series*, no. 65, 1998, pp. 1-20.

<sup>3</sup> Prakash Kannan, Selim Elekdag, "Incorporating Market Information into the Construction of the Fan Chart", *IMF Working Paper*, WP/09/178, 2009.

<sup>4</sup> Michael D. Resnik, *Choices: An Introduction to Decision Theory*, Minneapolis: University of Minnesota Press, 1987, p. 14.

Therefore, in our research will we report to the uncertainty which exist in real situations as a result of integrating such factors as: randomness, incomplete information, fluctuations or dynamic operators.

The relevance of uncertainty in the single market analysis comes from the discussion about shocks, which can affect the economy equilibrium points. Secondary, the uncertainty is about the behavioral predictions as well as the information mechanism changing at once with the interface between actors.

Following this structure in our analysis, the uncertainty will represent a random parameter associated to the measurement results which can characterize the dispersion of probabilities given by the risk variables. The result of this interpretation will allow measurement uncertainty through the standard deviation of the *Fan-Chart*.

The second concept discussed in this part is the single market. In order to operate with this concept, we will depart from the classical view and will report it as a formal model. Therefore, we will consider a continuous time model in a infinite horizon where the single market is a logical space  $\mathcal{M}_t$ ,  $t = 1, 2, \dots, T$  defined through a function  $\mathcal{M}_t = \mathcal{M}_{\mathcal{R}} \times \mathcal{M}_{\mathcal{V}}$ . In this application  $\mathcal{M}_{\mathcal{R}}$  is the real dimension of the market which incorporate norms, perceptions, boundary, actions and actors. And  $\mathcal{M}_{\mathcal{V}}$  is the virtual dimension of the market constituted by the interface among actors, signal information, variables and reports among other elements. The existing domain attributed for each of the dimensions are:  $\mathcal{M}_{\mathcal{R}} \in [0, 1]$  which represents the logical possibility degree to compose the market with the constitutive elements. The second domain is  $\mathcal{M}_{\mathcal{V}} \in [1, \omega, \omega_0, \omega_1, \dots, \omega_n]$ , where  $\omega_n$  is the number of reality projection in the cognitive mapping of the actors. What results from these domains is an indexes set of events such as: what is happening in  $\mathcal{M}_{\mathcal{R}}$  is indexed by  $m \in [0, z]$ , and the events from the  $\mathcal{M}_{\mathcal{V}}$  go with  $m^* \in [z, 1]$ , where  $0 < z \leq 1$  is a measure of the single market size and actors decisions magnitude are normalized in 1. This index represents a labeling of the activity into single market through the rapport between real events and perception of these by the involved actors.

Because our space represent an interface among actors with a capacity of information and goods transfer, it is possible to be characterized through a graph  $G = (V, \beta)$  where  $V$  is the set of the actor involved and  $\beta$  is the set of the links among them. Due to the fact that number of the implied

actors is impossible to account, to maintain the analysis tractable we relate the  $V$  set as a immeasurable size of actors from the states to stakeholders  $V = \int_S^A \downarrow$ . Therefore, the structure of the market will be a probabilistic distribution of links and actors which can exist in one moment of time in the space  $\mathcal{M}_t$ . This relationship is expressed through mapping  $G = P(2^n, \odot)_{t=1,2,\dots,i; i = n, \dots, T}$  where  $2^n$  is the possible number of combinations between actors and links,  $P$  is the probability distribution and  $\odot$  is an operator which modify the network structure.

What we want to put in evidence through this expression of the market is the stochastic character and the fact that markets have a dynamical structure. Firstly, the stochastic process describes the evolution of the market in terms of random variables ( $\bar{v}; v = \{v_1, \dots, v_z\}$ ) which influences the evolution vector in a period of time. The second character, according to Bayoumi *et al.*, defines in the single market context the law of capital motion<sup>5</sup>, which is described as:

$$K_{t+1}(j) = (1 - \delta)K_t(j) + \Psi_t K_t(j) \text{ where } 0 < \delta \leq 1 \quad (1)$$

where:  $\delta$  is depreciation rate,  $\Psi_t K_t(j)$  capital accumulation, where  $\Psi(\cdot)$  a function of the investment/capital ratio  $I_t(j)/K_t(j)$  such as  $\Psi(\delta) = \delta$  and  $\Psi(\delta) = 1$ .

Under the convergence of these theoretical elements it is possible to describe the macroeconomic benefits of an increased competition under the influence of international variables. In economical terms this convergence can be interpreted as a cycle life of the actors investments on the single market where the capital is subject to the variable impact on capital motion. Therefore, the cycle of capital with different fluctuations is described as a triangular fuzzy number with the deviation limits given by the investment integration degree on the market. So, considering that the investment integration degree on the market represents the capital membership function on the market  $\mu(c)$ , we can define it through the next expression:

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<sup>5</sup> Tamim Bayoumi et al., "Benefits and Spillovers of Greater Competition in Europe: A Macroeconomic Assessment", *ECB, Working Paper Series*, no. 341, April 2004, p. 16.

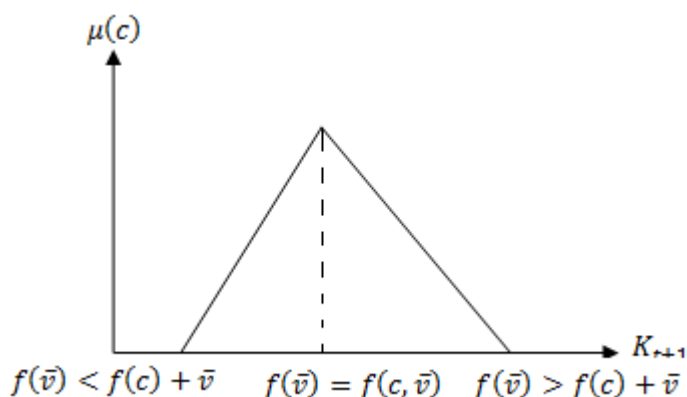


Fig. 1 Fuzzy number of capital cycle life

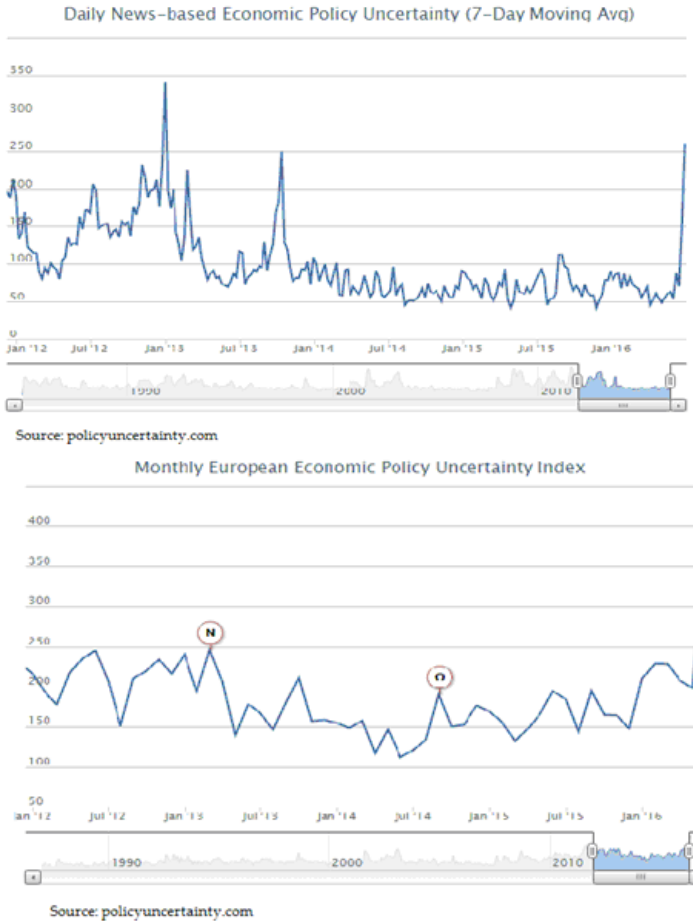
$$\mu(c) = \begin{cases} ((K_1(t+1) - (f(v^-) < f(c) + v^-)) / ((f(v^-) = f(c, v^-)) - (f(v^-) < f(c) + v^-)), & \text{if } (f(v^-) < f(c) + v^-) \leq \\ \leq K_1(t+1) \leq (f(v^-) = f(c, v^-)) & @((f(v^-) = f(c, v^-)) - K_1(t+1)) / ((f(v^-) > f(c) + v^-) - (f(v^-) = f(c, v^-))) \end{cases}$$

where:  $f(\bar{v}) < f(c) + \bar{v}$  is the investment at the beginning and describes that value of investment under a variable influence that is higher than the negative impact of variable,  $f(\bar{v}) = f(c, \bar{v})$  is the investment maximum point when the value of capital flow is equal with the impact of variable, and  $f(\bar{v}) > f(c) + \bar{v}$  is the situation when the investment accumulate a risk degree and becomes uncertain in time. The last element treated is the risk indicator of the single market fluctuation. In order to calculate de risk degree of the single market fluctuation and its uncertainty it is necessary to make some assumptions regarding to distribution function as well as the risk factors which influence the dynamics of the market. According to other authors<sup>6</sup> we can use an economic uncertainty index to make the measurements of the economic policy uncertainty and after that to compare it with the model proposed by the Cardarelli et al<sup>7</sup>. The last model consists from two elements which are used to characterize simultaneously the global growth forecast and an individual growth, which in our case is the single

<sup>6</sup> Kevin L. Kliesen, Uncertainty and the Economy, *Federal Reserve Bank of St Louis*, 2013, [<https://www.stlouisfed.org/publications/regional-economist/april-2013/uncertainty-and-the-economy>], 29 June 2016.

<sup>7</sup> Roberto Cardarelli, Financial Stress, Downturns, and Recoveries, *IMF Working Paper*, 2009.

market. The idea of this comparison is to reveal the differences between asymmetric effects created on the global level and the projection of this into single market.



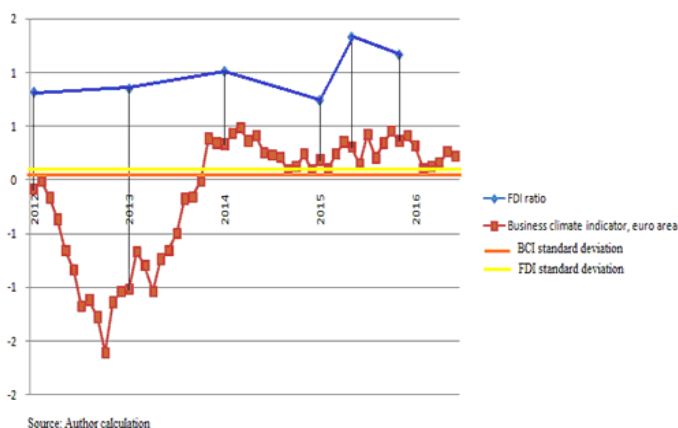
*The projection of the global economic uncertainty in European economy is revealed by the fluctuations path between max and min points in European Economy policy. In contrast, the implied risk of European economy does not have a significant projection on global uncertainty modulation.*

**Fig. 2.** Economic Uncertainty Index comparison<sup>8</sup>

<sup>8</sup> Note: in the second graphic the N point shows the Euro zone stress from February 2013, and the O point is the Greek crisis from August 2014. For more details about methodology used in index calculation see Scott R. Baker *et al.*, Measuring Economic Policy Uncertainty, October 2015, [<http://www.policyuncertainty.com/media/BakerBloomDavis.pdf>].



**Relationship between FDI and Business climate indicator**



*Despite the global uncertainty projection, the single market and business perception tend to be more closed to the prediction distribution and to reveal a robustness. This state, makes the single market to offer a stability degree to investments, with a positive dispersion of portfolios losses in risk conditions.*

**Fig. 3.** Index performance and perception of the single market evolution<sup>9</sup>

<sup>9</sup> Data for this graphics are used from: Bloomberg, OECD and European Commission, <http://www.bloomberg.com/quote/SX5E:IND>; [http://ec.europa.eu/economy\\_finance/db\\_indicators/surveys/index\\_en.htm](http://ec.europa.eu/economy_finance/db_indicators/surveys/index_en.htm); <http://stats.oecd.org/Index.aspx?QueryId=64225#> online, [Accessed: 07.July 2016]

## Constructing the Fan-Chart

To estimate the uncertainty degree on the single market level, we need to aggregate the risk factors into a measurement of global risk and transposition of this in the single market. For this we need to select and weight each risk factors which have a correspondent in both reference dimension. Because our research is focused on the single market, we consider useful to use as survey-based indicators the pricing of options used by the stakeholders to hedge. We follow this direction of measures in order to provide data about the market trends perceptions under risk sensitivity in terms of decision changes as momentum strategies<sup>10</sup>, and to compute predictive percentages on uncertainty values change over underlying assets return<sup>11</sup>. Therefore, in this exercise the indicators used are:

1. *Market expectations.* Market expectations volatility, especially VSTOXX Index, is highly related with prospects of options price fluctuation and expectations on the single market<sup>12</sup>.

2. *Consumer price inflation.* The consumer price inflation HICP (average change in time between price paid by households for a specific, regularly updated basket of consumer goods and services<sup>13</sup>) describes the price evolution of goods and services which have the role to satisfy in direct way the consumer needs. The relevance of this index is that it shows us the money transactions in relation with market demands.

3. *Investment fund.* The investment fund refers to the assets and liability of these in a time series.

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<sup>10</sup> Yong Sakong, Dermot J. Hayes and Arne Hallam, "Hedging Production Risk with Options", *American Journal of Agricultural Economics*, vol. 75, no. 2, 1993, pp. 408-415, and Joelle Miffre and Georgios Rallis, "Momentum Strategies in Commodity Futures Markets", *Journal of Banking & Finance* 31, 2007, pp. 1863-1886.

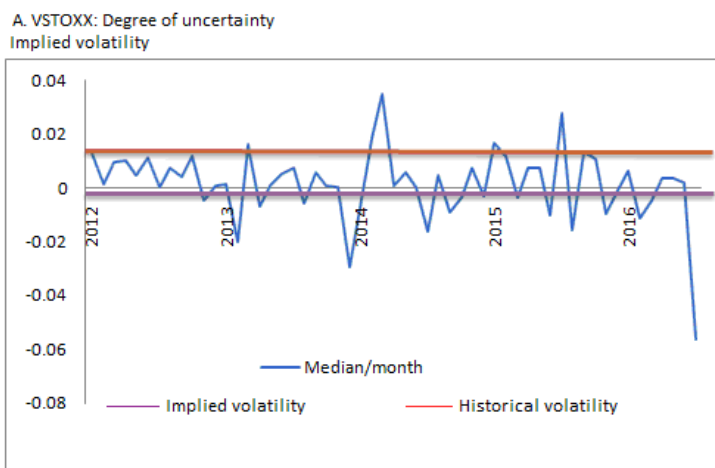
<sup>11</sup> Stephen J. Taylor, Pradeep K. Yadav, and Yuanyuan Zhang, "The Information Content of Implied Volatilities and Model Free Volatility Expectations: Evidence from Options Written on Individual Stocks", December 2007, [<http://wise.xmu.edu.cn/Master/News/NewsPic/200822615948282.pdf>], 29 June 2016.

<sup>12</sup> Note: This index have in composition the EURO STOXX 50 witch indexed the most important companies from European Union. Because of this the VSTOXX puts in evidence even the dynamics and roles of these companies on volatile evolution in time.

<sup>13</sup> <https://www.ecb.europa.eu/stats/prices/hicp/html/index.en.html>, 1 July, 2016.

Using these three indicators, the uncertainty and risk distribution (measured through the deviation and skewness) of the single market forecast is recovered from the link between the statistics of the volatility of the three market state trend indicators, assuming the existence of a linear relationship between them. To incorporate the above trend indicators into a measure of single market risk, the weight of each trend indicator volatility needs to be estimated. An option is to use the methodology proposed by Österholm<sup>14</sup> on the information incorporation and risk-neutral density model of Glatzer and Scheicher<sup>15</sup>.

This consists from a ruling scenario on data sets with unique information about the distance between market perception under volatility density forecast and movement trends for each situation. Through this approach we consider that we make a useful illustration for the discussion on the uncertainty distribution, with remarks that depend generally by the forecast model and situations put in analysis.

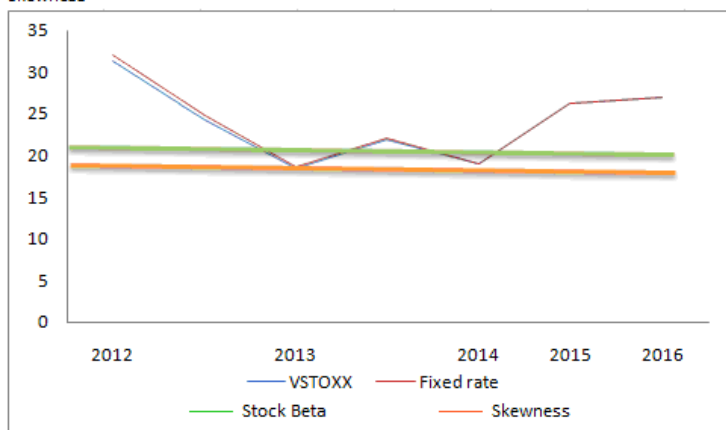


<sup>14</sup> Pär Österholm, Incorporating Judgement in Fan Charts, *Scandinavian Journal of Economics*, vol. 111, issue 2, 2009, pp. 387-415.

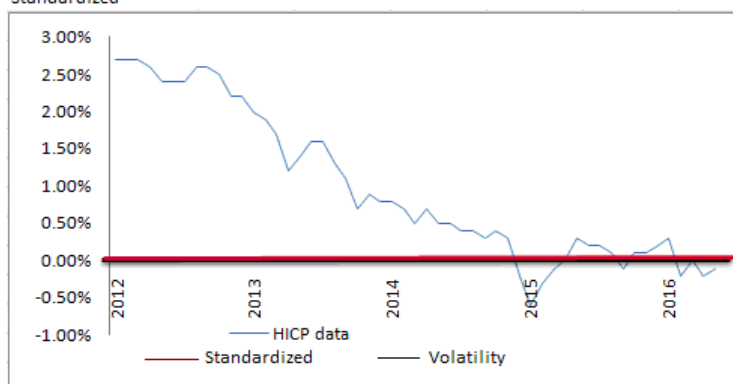
<sup>15</sup> Ernst Glatzer and Martin Scheicher, Modeling the Implied Probability of Stock Market Movements, *ECB Working Paper*, no. 212, January 2003.



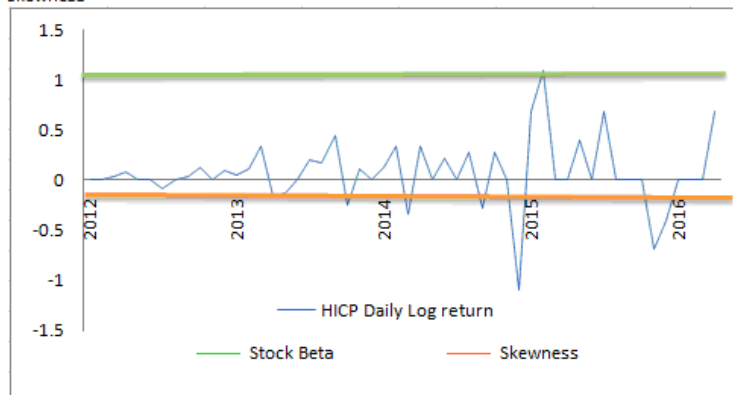
B. VSTOXX: Risk distribution  
Skewness

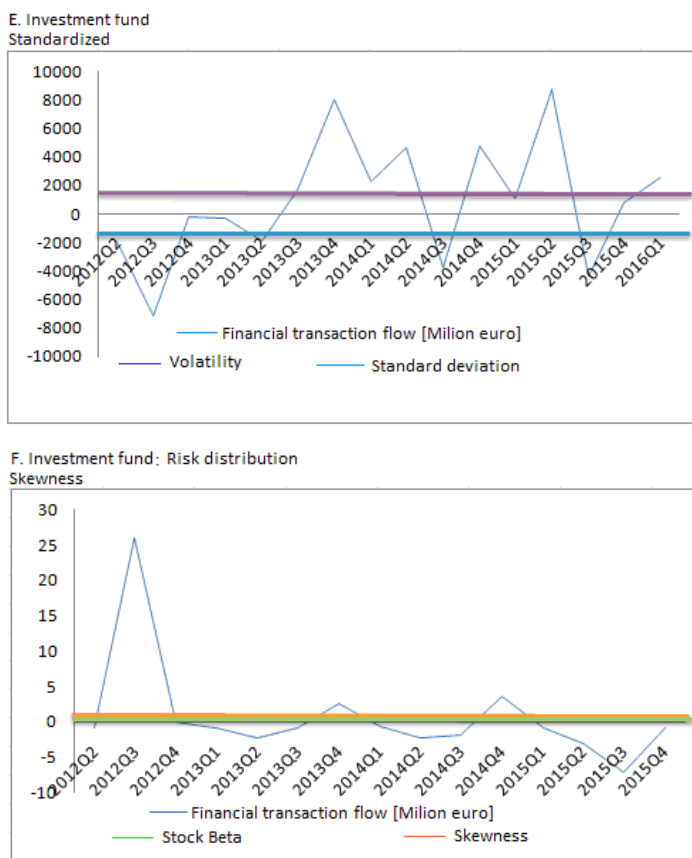


C. HICP: Degree of uncertainty  
Standardized



D. HICP: Risk distribution  
Skewness





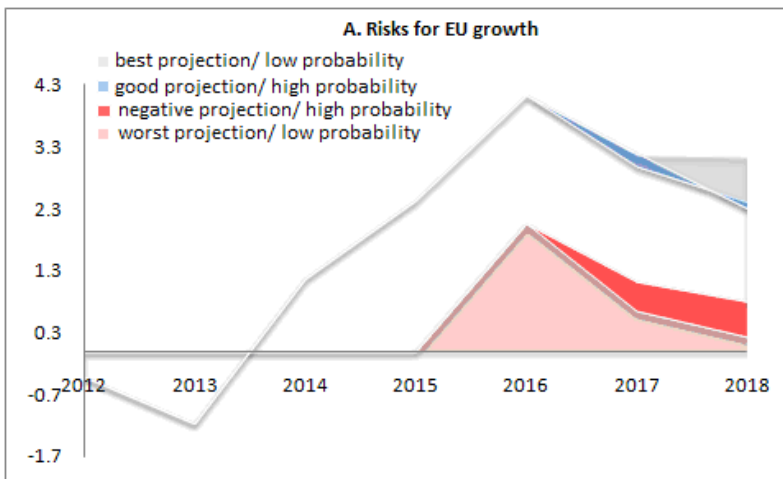
Sources: STOXX and ECB.

**Uncertainty.** The implied volatility of the market expectations and volatility of options forecasts are maintained in the historical limits until the first half of the 2016. This high negative slip represents a negative perception of BREXIT future risk on short time from investors, without affecting market integrity. Correlated with this, the implied volatility of HICP, combined with lower evaluation, create premise to adjust the future uncertainty degree through maintaining convergence. **Risk distribution.** The distribution on market expectation increases to the upside while investment funds have an upward trend. Dynamics in the skewness in terms of distribution spread tends to be symmetrical. Combined, these elements suggest an equilibrium interval of uncertainty and maintain the shock impact degree to global risk projection on medium time, despite the internal single market shock.

Fig. 4 Uncertainty and risk distribution for the single market trend<sup>16</sup>

<sup>16</sup> The implied volatility variance options on the VSTOXX is recovered using the Black-Scholes formula from 1- and 12 month- past put the market expectation. B. The stock beta of expectation on the VSTOXX is calculated using linear regression line (fixed rate operations

Now we turn to the *Fan-Chart* measurement to express the uncertainty using the indicators as parameters of the risk distribution. After we estimate the skew of each indicator chosen, we follow to interpret the distribution variance through the fuzzy number of capital cycle life. A convenient aspect of this application is that it highlights the crisp values of the linear relationship between the single market skewness and capital cycle life. We then use the result to compute the skew of single market evolution with the variance of global risk estimation as condition of elasticity.



daily ln, index daily ln). This skewness is measured on a 12 month interval in relationship with stock volatility and compared with single market standard deviation. The data source used are:

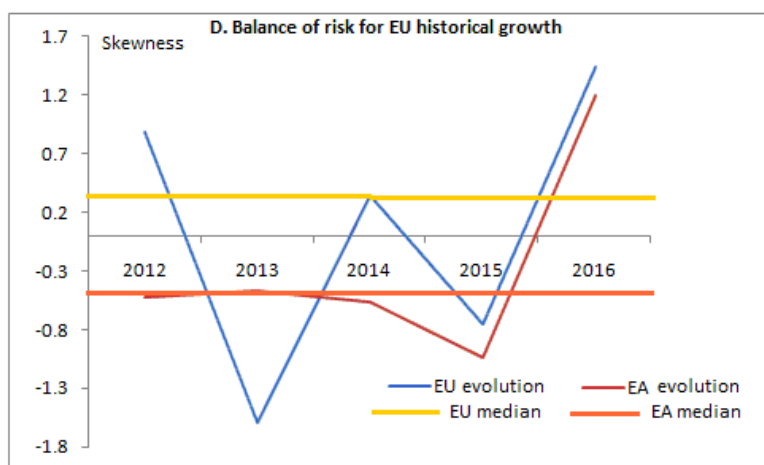
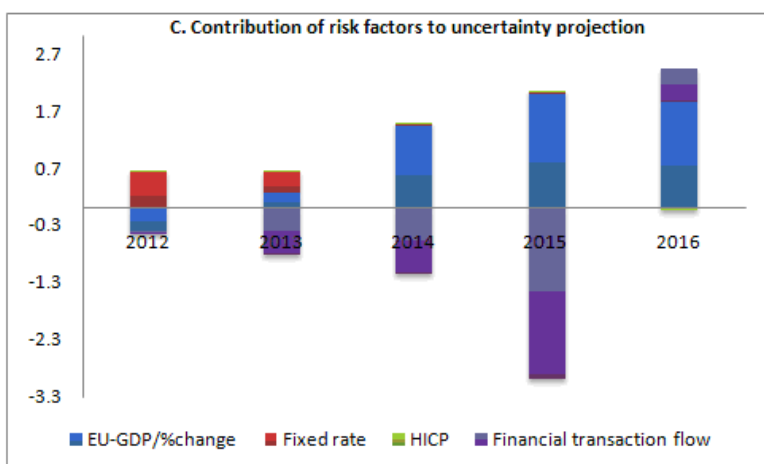
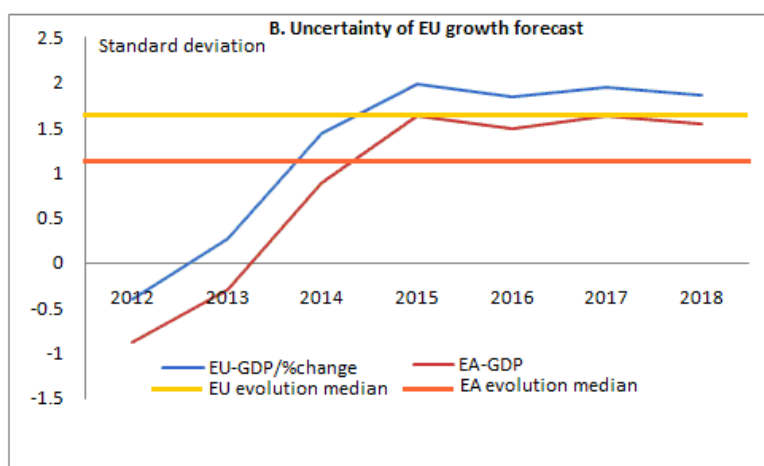
[https://www.stoxx.com/document/Indices/Current/HistoricalData/h\\_v2tx.txt](https://www.stoxx.com/document/Indices/Current/HistoricalData/h_v2tx.txt);

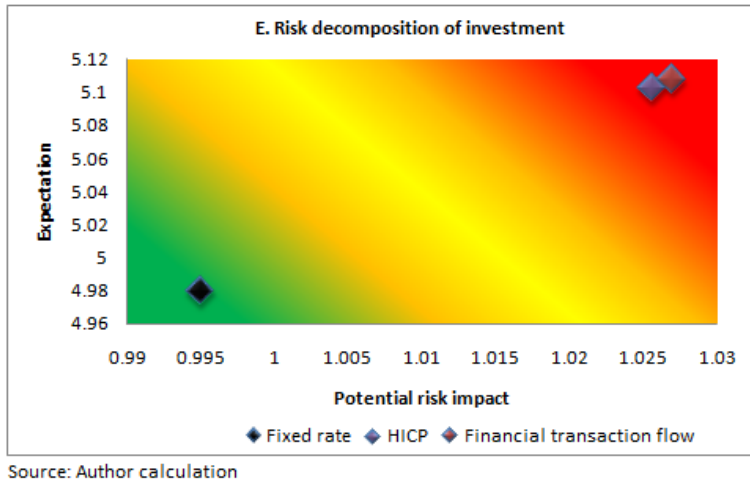
<https://www.ecb.europa.eu/stats/monetary/rates/html/index.en.html>;

<https://www.ecb.europa.eu/stats/prices/hicp/html/inflation.en.html>;

[http://sdw.ecb.europa.eu/quickview.do?SERIES\\_KEY=225.IVF.Q.U2.N.T0.A52.A.4.U4.0000.Z01.E&start=02-01-2012&end=07-07-](http://sdw.ecb.europa.eu/quickview.do?SERIES_KEY=225.IVF.Q.U2.N.T0.A52.A.4.U4.0000.Z01.E&start=02-01-2012&end=07-07-2016&submitOptions.x=0&submitOptions.y=0&trans=BF)

2016&submitOptions.x=0&submitOptions.y=0&trans=BF, online, [Accessed 11.7.2016]





**Uncertainty** around the single market growth forecast maintains the dynamic trends after the 2015 incidents and for the next years will be much above the historical median. Particularly, for the Euro area, the uncertainty projection will diminish and continue to remain in the historical corridor. Because of this difference, the risk propagation in global context of the EU market will acknowledge an asymmetric dispersion in the detriment of the positive potential and negative impact.

**Fig. 5.** Risk of single market growth<sup>17</sup>

The *Fan-Charts* show distrust intervals with percentual probability of fluctuations and distortions around the negative prediction realizations in contrast with the optimistical evolution in the 2016 (Fig. 5 A). In our *Fan Chart* applications we used information available and predicted up to 2018. They

<sup>17</sup> (A) The projections represent the probable scenarios which are to be developed from the virtual effects starting with 2015. The trend line is obtained through a gravity equation between Global GDP and E.U GDP percents from changes made by adding the  $\mu(c)$  as construction variable. (B) The dispersion is measured by the standard deviation. (C) The implication of the risk factors in comparison denotes the contribution as shocks in the GDP historical forecast. (D) The balance of risk is measured by the skewness. (E) In the Risk Decomposition of Investment, the calculation of point position is expressed through VAR<sub>95</sub> and CVAR<sub>95</sub>. The source data used are:

[http://www.imf.org/external/pubs/ft/weo/2016/01/weodata/weorept.aspx?sy=2012&ey=2018&scsm=1&ssd=1&sort=country&ds=.&br=1&pr1.x=86&pr1.y=6&c=163%2C998&s=NGDP\\_RPCH%2CNID\\_NGDP%2CTM\\_RPCH&grp=1&a=1#cs2](http://www.imf.org/external/pubs/ft/weo/2016/01/weodata/weorept.aspx?sy=2012&ey=2018&scsm=1&ssd=1&sort=country&ds=.&br=1&pr1.x=86&pr1.y=6&c=163%2C998&s=NGDP_RPCH%2CNID_NGDP%2CTM_RPCH&grp=1&a=1#cs2);

and <http://www.worldbank.org/en/publication/global-economic-prospects>, online [Accessed 21 July 2016].

illustrate that the link uncertainty forecast between E.U and global network has growth above the medium average and follow to overcome the historical point. The period around the E.U growth in 2015-2016 illustrates the mistrust influence captured in *Fan Chart*. We correlate the *Fan Chart* analysis with the economic indicators from the balance risk to reveal the influence degree of the internal factors on the uncertainty evolution. However, this comparison is a general one and does not take into account all the differences existing among E.U members groups.

Uncertainty in growth prediction for the interval 2016-2018 is estimated to overcome the historical limits through the rise of the negative projections which start to increase since 2016. This is the effect of two causes, firstly, it is the maintained volatility value, which can express a stagnation. Secondly, it is the investors' perception face to potential positive states variations in a context where the investments present a fuzzy degree of the global portfolios. Thereby, forecast uncertainty will know new types of variations, with a crispy composition, but will remain in the risk median. However, an important variable to the future evolution will represent the perception of the BREXIT process into global markets and the investors' positioning into E.U. Because of this, the risk fluctuations can reflect concerns and mistrust captured by the risk decomposition, where there exist an expectation trend that inflation and liability of investments to play a significant role in risk influence.

## Conclusion

In this paper, using the *Fan-Chart* methodology we estimated the single market uncertainty as a connectivity characteristic of the/with the global financial network. Through this initiative we followed to recognize the borders of the uncertainties domain which surround the connectivity channels with the global network. As an application we determined the degree of the forecasting distribution of variables which can influence the dynamics vector of sensitivity. The research methodology was based on the links between distribution skewness and balance risk. The novelty of this methodology is the assessment of the uncertainty risk forecast by the interpretation of data through cognitive mappings of the single market.

The aim of the paper was to provide an analysis for assessing the single market variables that are deemed to influence the market evolution under global uncertainty manifestation. Having this assessment done we attempted to discuss the risk forecast of the uncertainty over the projection distribution.

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**LE SÉNÉGAL ET LA GAMBIE : DEUX PAYS, « MILLE »  
FRONTIÈRES**

**SENEGAL AND THE GAMBIA: TWO COUNTRIES AND  
"A THOUSAND BORDERS"**

**Mamadou Bouna Timera<sup>\*</sup>, Amadou Abdoul Sow<sup>\*\*</sup>, Papa Sakho<sup>\*\*\*</sup>,  
Momar Diongue<sup>\*\*\*\*</sup>**

**Résumé**

*Le Sénégal et la Gambie ont répondu, depuis 2010, aux recommandations du Programme Frontière de l'Union africaine (PFUA) relatives à la délimitation et à la démarcation des frontières africaines. Issue d'un arrangement franco-britannique et abornée durant la période coloniale, la frontière sénégal-gambienne devait faire l'objet, dans ce cadre, d'une clarification des limites territoriales et d'une densification des bornes existantes. Toutefois, l'interprétation différenciée de l'héritage, les enjeux politiques, économiques et socioculturels font que la frontière de souveraineté est brouillée et souvent dédoublée d'autres types de frontières. Cette situation produit de multiples territoires et explique que la première mission de densification ait avortée et le processus compromis.*

**Mots-clés :** Sénégal-Gambie, frontières, délimitation, PFUA, territoires

**Abstract**

*Senegal and the Gambia have met the instructions of the African Union Border Program (AUBP) since 2010 about boundary delimitation and demarcation in Africa. Settled from a British and French agreement and bordered during the colonial times, the Senegalese–Gambian borderline should, in this respect, be clearly defined*

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*and the existing limits highly strengthened. Besides the opposing interpretation of the legacy, the political, economic and socio-cultural issues raised have served to confuse the border of sovereignty and often coupled it with different other borders. This situation has brought about many a territory proving that the first mission for border densification has failed and the process inconclusive.*

**Keywords:** Senegal-Gambia, borders, delimitation, AUBP, territories

## Introduction

Même s'il est remis en question par certains<sup>1</sup> le caractère, arbitraire et potentiellement conflictuel de la frontière africaine reste l'un des aspects les plus documentés dans la littérature scientifique sur les frontières. L'étude de la frontière sénégal-gambienne ne peut s'affranchir d'une telle perspective heuristique en ce sens qu'elle reste un archétype des frontières dessinées « à la règle et au crayon<sup>2</sup> ». En effet, cette frontière décrit le territoire gambien sous la forme d'une bande zonale incrustée dans l'espace sénégalais sur environ 300 km. Issue d'un arrangement franco-britannique<sup>3</sup>, la frontière est pourtant tracée sur des entités politiques, communautaires et linguistiques globalement uniformes de la Sénagambie.

Aujourd'hui, cette « unité » originelle semble se noyer dans des coupures et discontinuités qui dépassent les simples découpages coloniaux. Pour les deux Etats, ces coupures et discontinuités reflètent une perception différente des enjeux et défis contemporains liés, entre autre, à la gestion des territoires nationaux, à la construction de l'identité nationale, à l'encadrement des populations, etc. La Gambie est un petit État d'environ 40 km de large pour une superficie d'environ 12000 km<sup>2</sup>. Enveloppée par le Sénégal, elle est confrontée à un problème d'espace. De plus, la nature du

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<sup>1</sup> On peut lire à ce sujet l'ouvrage de Foucher M., *Frontières d'Afrique. Pour en finir avec un mythe*, CNRS Editions.

<sup>2</sup> Christian Bouquet, « L'artificialité des frontières en Afrique subsaharienne », *Les Cahiers d'Outre-Mer* [En ligne], 222 | Avril-Juin 2003, mis en ligne le 13 février 2008, consulté le 29 décembre 2015. [<http://com.revues.org/870> ; DOI : 10.4000/com.870 (2003)].

<sup>3</sup>Arrangement du 10 août 1889 sur la délimitation des possessions françaises et anglaises dans l'Afrique occidentale, ratifié par le décret du 12 mars 1890, Archives nationales du Sénégal (ANS) : Journal Officiel (JO) du Sénégal et dépendances du 8 mai 1890 et sous-série 1F 16.

pouvoir politique<sup>4</sup> et les liens avec les populations frontalières, du Sud notamment, brouilleraient les frontières d'État les rendant floues et potentiellement conflictuelles. De ce point de vue, la frontière n'apparaîtrait-elle pas moins comme une ligne de démarcation internationale que comme un front d'expansion territoriale ? En ce qui concerne le Sénégal, la Gambie est perçue comme une ancre qui divise le territoire national et isole la partie Sud. « Le mal casamançais » ne serait pas apparu en termes de rébellion si la Gambie n'avait pas existé au cœur du Sénégal, séparant les régions septentrionale et méridionale de ce pays <sup>5</sup> ». Au niveau des populations à la frontière, les liens de parentés, les économies parallèles et illicites, le jeu d'allégeance ou de méfiance par rapport aux États centraux, font que d'autres types de frontières se superposent aux frontières d'État et rendent leur co-gestion assez problématique.

### **Cadre théorique et méthodologique**

Notre hypothèse de travail porte sur le fait que les frontières résulteraient de la combinaison des processus de production d'espaces socio-nationaux et d'espaces socio-ethniques (d'identités, de solidarités, de complicités) transfrontaliers. L'objectif est de montrer que les processus de redéfinition ou de clarification des lignes de souverainetés postindépendances, le système politique ou d'administration mais aussi le jeu des acteurs (États, groupes socio-ethniques) par rapports aux enjeux et aux défis auxquels ils font face, constituent autant d'éléments démultiplicateurs de frontières. Autrement dit, les profondes différences et divergences qui résultent de ces processus, systèmes et jeu entre la Gambie et le Sénégal, expliqueraient l'existence d'une multitude de frontières entre les deux États plus que les tracés hérités des frontières. La question s'intègre bien dans le questionnement sur la nature de la frontière et principalement

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<sup>4</sup> Plusieurs rapports internationaux sur la Gambie font état de terreur et d'oppression (Amnesty international, juillet 2014 ; ONU, mars 2015, etc.).

<sup>5</sup> Ahmadou Fadel Kane, *Les frontières et leurs conséquences en Afrique de l'Ouest de la Mauritanie à la Guinée Conakry : espace mauritano-guinéen, tome 3 : frontières et sociétés*, Thèse de Doctorat d'État, Faculté des Lettres et Sciences Humaines, Département de géographie, 2010, p.1732.

sur ce qu'Achille Mbembé <sup>6</sup> appelle « les multiples genèses ». Contestant l'idée de frontières arbitraires ou achevées, l'historien note que les limites de souveraineté résultent en réalité d'un long processus qui intègre des dimensions politiques, sociales, culturelles et économiques. La frontière est tout d'abord et avant tout la condition d'existence des États, le cadre politique dans lequel se définit et se déploie leur système de gouvernance. Inséparable de l'identité nationale, la frontière apparaît comme essentielle, « la raison d'être des dirigeants et de leur propre titre à gouverner<sup>7</sup> ». Selon Dadié désiré Axel Nassa<sup>8</sup>, « elle est matérialisée dans l'espace par la présence de l'uniforme de l'agent de contrôle et de sécurité sur les points de passage aménagés aux frontières communes aux États ». C'est la frontière qui permet de faire le distinguo entre les différents territoires. Elle crée la différence et les possibilités de jeu pour les acteurs de l'économie transfrontalière ». Mais dans la réalité, les frontières ne sauraient être ni de simple démarcation de souveraineté, ni d'exclusif espace d'exercice de souveraineté. Pour Mamadou Mountaga Diallo <sup>9</sup>, les mobilités transfrontalières dans l'espace sénégal-gambien sont un exemple du rôle primordial des communautés frontalières « dans la naissance des territoires différents de ceux servant de support à l'État-nation.. ». Ceci montre que même si elle définit et légitime le pouvoir d'administration et de contrôle, la frontière reste une ressource, un entre-deux qui fonctionne sur la base d'une dualité voire d'une co-production des populations et de l'État. Cette co-production État et populations à la frontière aboutit à un enchevêtrement de territoires politiques, sociaux, économiques, culturels, etc. La construction de territoires politiques qui résulte des souverainetés nationales et de leur déploiement

<sup>6</sup> Achille Mbembe, "At the Edge of the World: Boundaries, Territoriality and Sovereignty" in *Africa, Public Culture* 12 (1), 2000, Version française adaptée, remaniée et actualisée par l'auteur, p 53.

<sup>7</sup> Christopher Clapham, « Frontières et Etats dans le nouvel ordre africain ». In BACH Daniel, dir.- *Régionalisation, mondialisation et fragmentation en Afrique subsaharienne*. Paris, Karthala, 1998, p.78.

<sup>8</sup> Dadié désiré Axel Nassa, « Les frontières nord de la Côte-d'Ivoire dans un contexte de crise », *Les Cahiers d'Outre-Mer* [En ligne], 251 | Juillet-Septembre 2010, mis en ligne le 01 juillet 2013, consulté le 31 janvier 2016, [http://com.revues.org/6092 ; DOI : 10.4000/com.6092], p.462.

<sup>9</sup> Mamadou Mountaga Diallo, « Mobilités socio-spatiales et production territoriale en Sénégal-gambie », *EchoGéo* [En ligne], 34 | 2015, mis en ligne le 15 décembre 2015, consulté le 25 janvier 2016, [http://echogeo.revues.org/14411 ; DOI : 10.4000/echogeo.14411], p.8.

dans les espaces frontaliers et celle de territoires issue des usages socio-économiques ou culturels de la frontière et leur imbrication constituent le cadre dans lequel s'inscrit cette étude.

L'analyse s'appuie sur l'exploitation des documents juridiques (arrangements, traités, accords,) des États, des procès-verbaux, rapports techniques et documents de travail des différentes commissions de délimitation. Cette documentation est complétée par l'observation directe de terrain, l'analyse et la restitution des expériences acquises dans le cadre des missions de délimitation et de gestion des frontières auxquelles nous avons pris part depuis 2010. Cette analyse des matériaux sur la gestion de la frontière sénégal-gambienne, les enjeux, les défis et les problématiques qu'elles posent permet de mieux contextualiser la réflexion.

### **L'espace sénégal-gambien : frontières d'État, frontières des groupes sociaux**

Le Sénégal et la Gambie appartiennent à un ensemble politico-historique nommé la Sénégambie. Selon Boubacar Barry, cet ensemble s'étirait de la Mauritanie méridionale au Nord aux deux Guinées et « évoluait malgré la diversité du peuplement ... dans une certaine unité dans l'organisation politique et sociale due à la convergence des mêmes influences au cours des siècles <sup>10</sup> ». C'est donc un ensemble relativement homogène au plan géographique, historique et politique mais renfermant des particularités socioculturelles qui se traduisent par l'existence de plusieurs groupes ethniques, des formes d'organisation socioculturelles différentes. A une échelle plus grande, deux grands ensembles humains s'étendent de part et d'autre du fleuve Gambie : les ethnies du Nord et celles du Sud. La Gambie (fleuve) apparaissait donc « à la fois comme la ligne de partage

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<sup>10</sup> Boubacar Barry, « Emission politique et dépendance économique dans l'espace sénégal-gambien du XVe au XVIIe siècle ». In *Revue française d'histoire d'outre-mer*, tome 68, n°250-253, année 1981, pp 37-52.

naturelle <sup>11</sup> entre les groupes et les sociétés et l'axe autour duquel plusieurs réseaux sociaux et économiques s'organisaient <sup>12</sup> ».

Le découpage colonial survenu à la fin du 19<sup>e</sup> siècle n'a été articulé ni à cet espace global, ni aux espaces particuliers des groupes sociaux. Il n'a pas non plus été pensé en fonction de la barrière naturelle qu'était le fleuve Gambie et qui justifie la partition de l'entité historico-politique d'alors en Sénégambie septentrionale et Sénégambie méridionale. Au contraire, les nouveaux Etats ont été taillés dans des formes qui s'écartent des solidarités et organisations territoriales existantes et à l'aide d'une géométrie transgressive et opportuniste<sup>13</sup>.

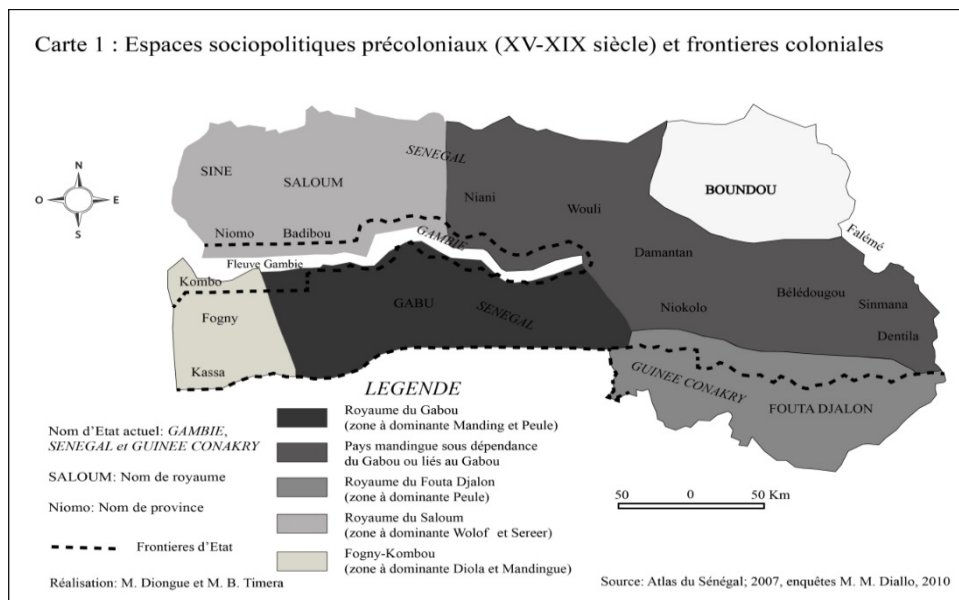
Ainsi les pays des Wolofs, des Peuls et des Sérères se retrouvaient à cheval sur la frontière nord du Sénégal et de la Gambie tandis que l'espace des groupes du Sud : Joolas, Manjacks, Baïnouks, etc., s'est scindé en deux territoires, gambien au nord et sénégalais au sud (*carte 1*).

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<sup>11</sup> Cette expression « ligne naturelle » est bien sûr discutable car ce sont les hommes qui décident d'articuler leur différence et donc la frontière sur un élément de la nature mais la nature ne crée guère de frontière.

<sup>12</sup> Ebrima Sall, « Sénégambie, territoires, frontières, espaces et réseaux sociaux », Travaux et documents Centre D'Étude D'Afrique Noire, Institut d'études politiques de Bordeaux, 1992, p.6.

<sup>13</sup> Ebrima Sall, *op cit.*, reportait que pour les Anglais, l'essentiel est d'accéder au commerce du fleuve Gambie alors que pour les Français, la Gambie devrait devenir tôt ou tard française. Boubacar Barry., *op.cit.*, a défendu l'idée d'un émiettement politique de la Sénégambie du fait du commerce atlantique.



La frontière entre le Sénégal et la Gambie est donc artificielle en ce sens « qu'elle ne repose sur aucun élément topographique et/ou hydrographique, mais plutôt sur les éléments astronomiques comme les parallèles et les méridiens <sup>14</sup> ».

Ce décalage entre le découpage colonial et les réalités sociopolitiques multiplie les frontières et crée de nouvelles normes d'organisation et de fonctionnement des territoires qui peuvent être éloignées des logiques endogènes. A l'inverse, en limitant le déploiement des réseaux de solidarités familiales, sociales, ethniques ou historiques, elles créent les conditions d'existence « des formes de subversion territoriale <sup>15</sup> ».

Ces normes d'état de fonctionnement ont ainsi pour effet de produire toutes sortes de déviances notamment les déplacements clandestins, les trafics illicites d'armes et de la drogue, l'exploitation clandestine des ressources. Elles peuvent également conduire les États centraux à théoriser sur des

<sup>14</sup> Mamadou Mountaga Diallo, *Frontières, stratégies d'acteurs et territorialités en Sénégambie: cas des frontières Sénégal-Gambie et Sénégal-Guinée Conakry*. Thèse de Doctorat géographie-aménagement, Université Paul Valéry Montpellier, 2014, p. 76.

<sup>15</sup> Abdoul Mohamadou et Boubacar Kanté, « Entre convivance et survivance. La Sénégambie méridionale : un espace frontalier en profondes mutations », In John Ogunsole Igue et Kossiwa Zinsou-Klassou., *Frontières, espaces de développement partagé*, 2010, Karthala, p. 107.



territorialités voire des sociabilités supposées douteuses et qui s'écarteraient des citoyennetés postulées.

Si la subséquence de la frontière coloniale, sur les espaces de vie et d'identité dans cette partie de la Sénagambie, a créé une multitude de limites et de discontinuités socio-spatiales, c'est que le processus de délimitation initié par les colons est lui-même itératif. Il a concerné plusieurs tentatives de délimitation créant par moment une juxtaposition institutionnelle des frontières et la nécessité pour les nouveaux pays indépendants de négocier de nouveaux tracés. Ainsi, l'histoire des relations entre le Sénégal et la Gambie est marquée par trois grandes délimitations des frontières terrestres : les délimitations coloniales de 1889 et de 1904<sup>16</sup> et la délimitation des Etats indépendants du secteur de Kantora en 1976<sup>17</sup>. La frontière maritime a été délimitée par le traité de 1975<sup>18</sup>. Malgré ces délimitations coloniales et postcoloniales, la frontière sénégalo-gambienne n'en reste pas de nos jours moins floue et potentiellement conflictuelle. Cette situation est en partie liée à l'échec de la confédération sénégambienne (1981-1989) jugée contraignante par la Gambie. Elle a installé « une méfiance réciproque entre les deux pays (à la crainte Sénégalaise d'une pénétration gambienne répond la crainte gambienne d'un encerclement voire d'une invasion) » (Jean-Claude Marut<sup>19</sup>)

Aujourd'hui, le Programme « Frontière de l'Union africaine » (PFUA<sup>20</sup>) donne l'opportunité aux États africains d'achever la démarcation de leurs frontières. Mais le Sénégal et la Gambie, engagés depuis 2010 dans ce processus de clarification des frontières, risquent de traîner longtemps les

<sup>16</sup> Accords conclus le 8 avril 1904 entre la France et l'Angleterre au sujet du Maroc, de l'Égypte, de terre Neuve, de l'Afrique. Archives nationales du Sénégal, 10F 12, (17).

<sup>17</sup> Traité du 9 juin 1976 portant délimitation des frontières terrestres au Kantora entre la République du Sénégal et la République de Gambie, signé à Banjul. Archives Ministère des Affaires étrangères (MAE), Sénégal. Le traité signé a été ratifié par les deux pays en 1978.

<sup>18</sup> Traité portant délimitation des frontières maritimes entre la république du Sénégal et la république de Gambie, signé à Dakar le 31 mars 1975, Archives Ministère des Affaires étrangères (MAE), Sénégal.

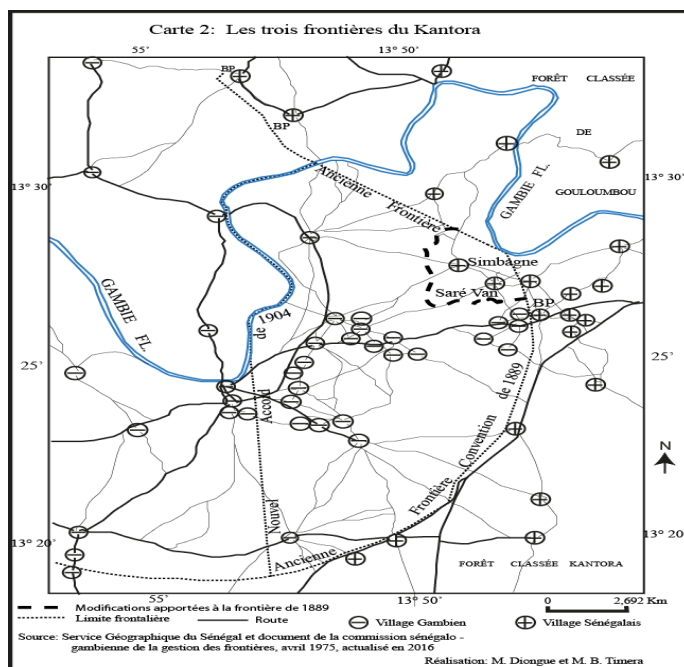
<sup>19</sup> Jean Claude Marut, « À l'Ouest, quoi de neuf ? Les obstacles à la paix en Casamance ». In *Les Cahiers d'Outre-Mer*, n°255, juillet-septembre 2011, p. 368.

<sup>20</sup> Le Programme Frontière de l'Union Africaine (PFUA) est mis en place depuis 2007. Il a pour principal objectif la prévention structurelle des conflits et l'intégration des États africains. Il appuie les États dans trois grands domaines : la délimitation et la démarcation des frontières, la coopération transfrontalière et le renforcement des capacités.

pièdes du fait de la lourdeur de l'héritage colonial et des énormes enjeux socio-politiques qui entourent la question de la frontière. Ces blocages nous amènent à identifier trois facteurs démultiplicateurs des frontières : l'interprétation différente des textes juridiques, les enjeux économiques et les représentations que les pouvoirs publics ont de leurs propres citoyens. Nous les analysons dans ce qui suit.

## L'interprétation des textes juridiques

Les délimitations postcoloniales montrent que les héritages n'ont pas été interprétés de la même manière, ce qui laisse entrevoir l'existence d'une multitude de frontières. Le document de travail n°1 retrace les processus de délimitations et renseigne sur le décalage entre les réalités du terrain et les préoccupations politiques des Etats coloniaux ou postcoloniaux. Il présente un espace de vie qui porte les stigmates de revendications et de compartimentages territoriaux sous l'effet de plusieurs frontières. Les levés de terrain effectués par les autorités gambienne et sénégalaise par rapport aux frontières instituées par l'arrangement de 1889 et la convention de 1914 ne correspondaient guère aux territoires de vie des populations (*carte 2*).



Si la frontière de 1914 a isolé de nombreux villages <sup>21</sup> gambiens revendiquant leur nationalité, l'arrangement de 1889, plus ancien, a aussi comme effet le confinement spatial des villages sénégalais dans ce qui apparaît dans ce cas comme étant le territoire gambien. Le nouveau tracé de 1976 devait corriger l'étranglement des terroirs et territoires villageois par les frontières nationales. Il a globalement repris le tracé de l'Arrangement de 1889 laissant, à la hauteur des villages de Simbagne et de Sare Van, l'ancien tracé pour décrire, vers l'ouest, une bifurcation au profit du Sénégal.

La frontière maritime repose sur un tout autre ordre puisqu'elle n'a pas fait l'objet d'accords ou de conventions des puissances coloniales. Mais sa délimitation n'en est pas moins problématique puisqu'elle a permis de révéler les multiples perceptions et représentations des Etats quant au tracé réel des limites maritimes et donc de nombreux territoires imaginaires.

L'examen des procès-verbaux des travaux de commissions techniques de gestion des frontières montre que le Sénégal et la Gambie ont encore un long chemin à parcourir pour arriver à des frontières stables, durables, sources de paix et de sécurité.

D'abord les commissions s'accordent rarement sur les mêmes textes historico-juridiques. Les opérations de délimitations du Kantora de 1976, la réunion des experts topographes de 1978 tenue à Dakar sur la frontière au niveau de Baria comme la récente mission de la commission technique mixte de 2015 pour la densification des bornes frontières dans le secteur Touba Tranquille ont toutes révélé l'écart d'approche et d'interprétation des bases institutionnelles et juridiques de la frontière.

Pour la Gambie, le seul texte auquel les deux pays doivent se référer dans la gestion de la frontière est l'arrangement franco-britannique de 1889. Dans la conception gambienne, ce texte est exclusif de tout autre dispositif récent et complémentaire. De plus, les marques frontières (bornes et autres formes de matérialités) doivent strictement le traduire sinon elles devraient être modifiées pour lui être exactement conformes. C'est dans cet esprit que la Gambie a demandé à la réunion des experts de 1978 sur la frontière dans le secteur de Baria ce qui suit :

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<sup>21</sup> On peut compter 24 villages sur le croquis. L'enquête que les autorités ont fait faire consistait à laisser aux villageois le soin d'énoncer leur nationalité. Telle a été le fondement d'un nouvel tracé, celui de 1974.

« Considérant les résultats de BP4<sup>22</sup> et BP5, la partie gambienne propose à ce que la BP4 soit déplacée de 3.66m équivalents à 12.30 pieds vers le nord et pour la borne BP5, il faudrait la déplacer de 39.62m soit 130.34 pieds vers le nord afin de se conformer avec la convention stipulant 13°35'36" ». (Procès-verbal de la réunion des experts topographes du 11/05/1978, Dakar, 1978).

Pour sa part, le Sénégal a toujours maintenu l'idée qu'il ne peut y avoir d'exclusivité de l'arrangement de 1889. Celui-ci n'est qu'un texte de délimitation et un descriptif général de la frontière. Il est nécessairement lié et précisé par les procès-verbaux de démarcation des années 1904 et 1905 qui instituent les bornes et autres signes tout aussi intangibles. Il a été rappelé dans le procès-verbal des opérations de reconnaissances de la frontière entre les piliers 75 et 76 de janvier-février 1925<sup>23</sup> qu'« il a été préalablement établi que les piliers placés en 1904 et 1905 par la commission de délimitation Cowie-Duchemin devaient être tenus pour exactement situés et partant intangibles<sup>24</sup> ».

La démarche qui consiste à faire un distinguo entre la frontière telle qu'indiquée dans l'arrangement et le tracé des bornes obtenu grâce aux opérations de délimitation est incompréhensible du point de vue du Sénégal d'autant que la matérialisation de la frontière est une disposition plusieurs fois consacrée. Le Procès-verbal<sup>25</sup> des décisions générales adoptées par la commission franco-britannique de délimitation des frontières de Koina du 10 décembre 1898 indique qu'« il est nécessaire que la ligne qui suit la frontière soit nettement établie et matérialisée autant que possible ». Parmi les décisions de la commission, la toute première porte sur l'obligation de reconnaître comme exactes les marques déjà établies par les commissions précédentes ».

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<sup>22</sup> Borne frontière (traduit en anglais : Boundary Pillars).

<sup>23</sup> Le document a été signé par la Partie française le 30 janvier 1925 et par la Partie anglaise le 12 février de la même année

<sup>24</sup> Procès-verbal des opérations de reconnaissance de la frontière entre les piliers 75 (Koussalan) et 76 (Sami), Archives nationales du Sénégal, 1925.

<sup>25</sup> Documents d'archives : Les décisions générales, From african West, n°576, page 10.

De tels désaccords donnent lieu à des pratiques et des postures souvent étranges<sup>26</sup>. A plusieurs reprises des documents cartographiques ou des tableaux de coordonnées des bornes ont été présentés sous des angles différents par les délégations des deux pays.

Chaque pays campant sur sa position, la même frontière suit donc différents tracés sur les supports cartographiques. L'exemple emblématique est la représentation de la frontière méridionale qui est confondue avec le parallèle 13°10' selon l'interprétation des Gambiens, mais qui est pour les Sénégalais la ligne reliant les segments de droites définies par les bornes frontières héritées<sup>27</sup>.

Ensuite, si les textes de références sont uniques, les contenus sont interprétés selon les intérêts des pays<sup>28</sup> et si aucune confusion n'est possible les arguments sont taillés dans d'autres types de légitimités. Dans ce dernier cas, l'exemple le plus significatif se trouve dans les positions prises lors de la délimitation de la frontière maritime entamée dès 1970 et effective seulement en 1975 (traité de délimitation du 04 juin 1975). Le territoire maritime de la Gambie étant enserré par les eaux sénégalaises, les négociations ont été ardues et menées en référence à une multitude de normes, de valeurs et d'instruments: le droit international, les conventions internationales, les valeurs universelles, la science, etc. Tandis que le Sénégal faisait prévaloir le droit international en la matière notamment les arrêtés de la Cour internationale de justice de la Haye<sup>29</sup>, la Gambie se montrait plus favorable à l'éthique et à une solution technique pour aboutir à une frontière juste et définitive.

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<sup>26</sup> Le directeur des études cartographiques de la Gambie a soutenu que la différence entre le parallèle 13°10' et les coordonnées des bornes est liée au déplacement possible des bornes.

<sup>27</sup> Presque aucune des bornes de la frontière terrestre sud n'est à 13°10'. Globalement elles sont sur axe incliné d'Ouest en Est, dont la position varie entre 13°10' 06'' à 13°09'54''.

<sup>28</sup> Le terme anglais « follow » qui veut dire suivre qui est contenu dans l'arrangement a fait l'objet de vifs débats. Le Sénégal estimant que suivre une chose ne signifie forcément pas en être confondu.

<sup>29</sup> Les arrêtés visés sont relatifs aux principes de délimitations des eaux territoriales qui reposent sur deux critères : le premier indique le plateau continental doit être le prolongement du territoire ; le second porte sur la proportionnalité entre l'étendue du plateau continental et la longueur des côtes.

*« Je crois avoir compris nos collègues, mais le problème que nous essayons de clarifier en ce moment est plus du domaine de la géométrie que de celui du droit. La délégation gambienne a l'impression que nous discutons en ce moment de droit international ». (Propos du Capitaine Sallah, chef de délégation gambienne<sup>30</sup>).*

Si chaque commission technique nationale a sa frontière, ce n'est pas uniquement les diverses interprétations des textes et la différence des systèmes et instruments de mesure qui sont en cause. Les commissions ne sont-elles pas à la solde de leur pays respectif. Les techniciens sénégalais sont certes généralement à cheval sur les arguments purement techniques et conformes aux règles internationales, aux principes édictés en matière de délimitation des frontières. Cela est-il lié au régime politique, à la nature du pouvoir et au modèle de citoyenneté ? Les techniciens gambiens largement liés par le régime autoritaire de l'Etat gambien sont-ils aussi libres ?

### **Les enjeux économiques : Le cas illustratif de Touba Tranquille**

S'il est vrai que « les petits faits <sup>31</sup> » ou pour se référer à l'espace les micro-territoires, les lieux singuliers peuvent rendre visible des enjeux sociopolitiques et économiques de dimension nationale et transnationale, Touba Tranquille, ce village litigieux à la frontière sud entre le Sénégal et la Gambie, peut être considéré comme un espace synecdoque, un prisme par lequel nous pouvons interroger les questions frontalières entre le Sénégal et la Gambie.

Touba Tranquille était à l'origine un quartier du village sénégalais de Touba, créé en 1958 par le chef de Canton<sup>32</sup>. Il fait partie d'un ensemble d'établissements humains situés le long et de part et d'autre de la frontière : Darsilami, Bourom, Dimbaya en Gambie et Tranquille, Foula, Dimbaya-Sénégal au Sénégal. La répartition humaine révèle que le peuplement est

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<sup>30</sup> Compte rendu de la réunion d'experts de la délimitation des frontières maritimes sénégalogambiennes, Secrétariat permanent sénégalais, Archives nationales du Sénégal, B33.

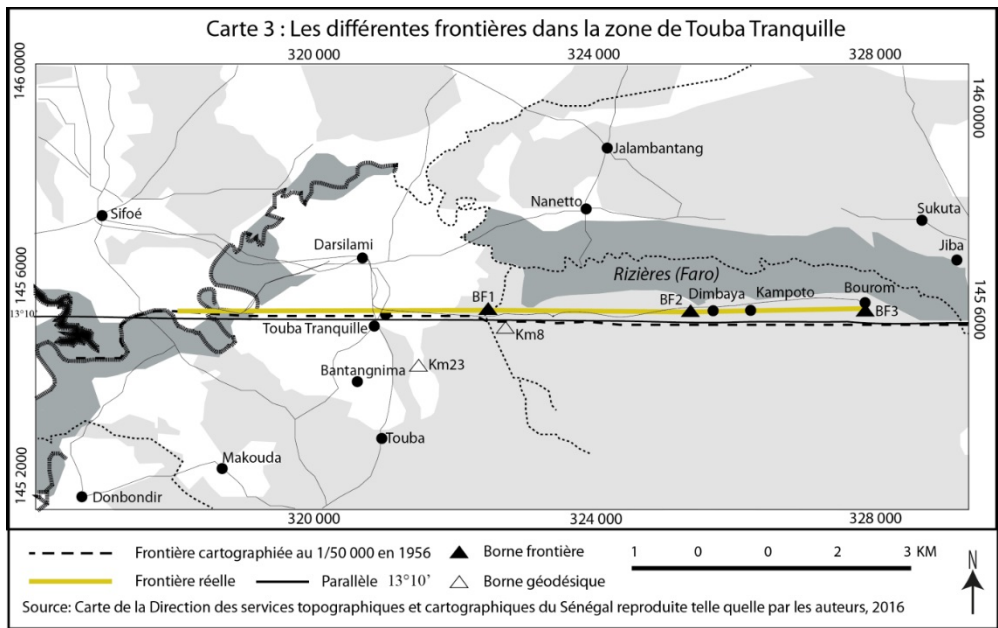
<sup>31</sup> Karine Bennefela, *Pour une géographie des bordures à l'heure globale : frontières et espaces d'activités 'informelles'*. HDR, Géographie, Université Paris Ouest Nanterre La Défense, 2012, p.35, HAL Id: tel 00850135, [<https://tel.archives-ouvertes.fr/tel-00850135>].

<sup>32</sup> Les populations ont rapporté qu'il s'agissait de Landing Diémé, chef de Canton de Diouloulou.

plus dense dans le territoire gambien que dans la partie sénégalaise. Ce talus humain, loin d’être le fruit du déterminisme naturel, est déjà une forme de discontinuité spatiale créée par les frontières politiques qui en sont en même temps l’expression.

Par rapport à la composition démographique, la zone est habitée par plusieurs groupes socioculturels dont principalement les Joolas, les Mandingues, les Balantes et les Peuls. Le wolof est une langue de communication utilisée par la plupart des groupes ethniques.

Du point de vue de la configuration géographique, la zone est caractérisée par la présence du bras de mer d’Allahein (San pedro dans les anciennes cartes) qui s’allonge vers l’intérieur des terres formant au nord de Darsilami un demi-cercle d’un rayon d’environ un kilomètre (carte 3). Cette aire constitue le seul et unique espace agricole de ce village.



Le cours d’eau se prolonge dans le territoire gambien jusqu’à la hauteur de Bourom (BF3)<sup>33</sup> sur environ 6 km (carte 3<sup>34</sup>). Situé à une centaine

<sup>33</sup> Borne frontière 3.

<sup>34</sup> La carte montre la difficulté d’interprétation et de lecture de la ligne frontière. Elle montre une juxtaposition de trois frontières contrairement à ce qui est indiquée dans la légende : le

de mètres de la frontière, dans cette partie, il s'étend dans un lit de terres marécageuses appelées « *faro* ». Ce sont des rizières qui peuvent être très étendues par endroit (entre Dimbaya et Bourom). Elles apparaissent donc comme un obstacle limitant l'expansion de l'habitat et de l'activité vers le nord, d'autant plus qu'elles sont impropres à la culture de l'arachide et du mil.

Cette situation explique que le Sud soit considéré par les cultivateurs gambiens comme leur zone d'expansion naturelle d'où une importante circulation de terres (prêts, ventes) dans la partie sénégalaise. De même, elle permet de comprendre les besoins de terres d'habitat du village de Darsilami qui empièterait sur le quartier sénégalais de Tranquille au Sud. Les premiers résultats de la densification avortée<sup>35</sup> (zone de Bourom, de Badjira –exemple du champ de Idrissa Sonko, à l'Est de Tranquille) montrent à suffisance qu'une partie des espaces et pistes de production, de l'habitat des populations gambiennes se trouve en territoire sénégalais. Cette situation conforte l'idée d'Achille Mbembé<sup>36</sup> selon laquelle « les bornes socio-spatiales des peuples ne recourent nécessairement, ni les limites officielles, ni les normes, ni le langage des États ».

Par ailleurs, Tranquille constitue un point de passage de la frontière, situé sur un couloir qui doit son importance à la grande proximité avec Brikama, l'une des grandes villes gambiennes, après Banjul, située sur le même axe et à moins de 12 km de bitume de la frontière. Si l'on ajoute à cela le fait que la législation gambienne interdit la coupe et l'exploitation du bois dans son territoire, on comprend le rôle crucial de ce couloir pour les Gambiens. On peut observer au quotidien le spectacle insolite de mouvements de dizaines voire de vingtaines de cyclistes chargés de charbon

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parallèle 13°10' comme élément de quadrillage considéré comme la frontière par l'Etat gambien, le tracé cartographique de 1956 le matérialisant comme ligne frontalière et la ligne frontière joignant les bornes frontières reportée dans le cadre de la mission de densification de nombre 2015.

<sup>35</sup>Mission programmée du 09 au 24 nombre 2015 à la frontière pour la densification des bornes dans le secteur de Touba Tranquille. Elle a été interrompue par la partie gambienne qui argumentait que la commission technique mixte n'a pas eu mandat de l'autorité pour poursuivre les travaux. Mais des rumeurs portaient sur le fait que les populations gambiennes à la frontière avertissaient que le tracé ne passerait pas par leurs villages.

<sup>36</sup> Achille Mbembé, op.cit. p.50



(3 à 4 sacs sur les porte-bagages des vélos) traversant la frontière pour ravitailler Brikima en charbon de bois.

En dehors de l'exploitation du bois et du charbon, d'importantes quantités de marchandises sont acheminées vers le Sénégal notamment vers la zone de Makouda, Dombondir, Boudock, Karantaba, etc. qui constituent un marché potentiel pour le commerce de Brikama. Ce qui montre que cette partie du Sénégal est perçue comme un espace vital pour les populations gambiennes, un espace frontalier d'usage plutôt qu'une limite politique d'État. L'absence de forces de défense et de sécurité sénégalaises sur cet axe conforte cette perception et laisse présumer que ces mouvements se maintiendront et seront sources de tension entre les populations.

### **Les représentations des pouvoirs publics par rapport aux populations**

Ces éléments de contexte permettent d'apprécier et de comprendre les véritables enjeux de la démarcation et de la densification. Ils peuvent expliquer aussi que la frontière entre le Sénégal et la Gambie n'est pas qu'une simple ligne de démarcation des souverainetés nationales. Elle traduit, à bien des égards, des situations complexes qui sont fonction des représentations des pouvoirs publics gambiens par rapport à l'État du Sénégal et au voisinage.

D'abord, comme apprécié plus haut, la frontière n'a pas le même sens selon que l'on soit au Nord ou au Sud. Contrairement à ce qu'on pourrait croire, cette différence est moins liée à la crise casamançaise au Sud que la perception que l'exécutif gambien et les groupes socio-ethniques alliés ont des groupes du Nord. Cette frontière nord avec le Sénégal est habitée essentiellement par les groupes Wolofs et Peuls et est perçue par le pouvoir gambien comme un lieu sociologiquement plus proche du Sénégal. Donc ces groupes sont considérés comme très complaisants, complices voire « à la botte » du Sénégal et auraient une citoyenneté subversive sinon douteuse. Paradoxalement, la présence de ces groupes signifie aussi la cohabitation avec le Sénégal et révèle une frontière tangible qui apparaît moins problématique puisque mentalement acceptée.

La frontière sud est par contre perçue dans une toute autre perspective. Espace de vie des groupes dits du Sud (Joolas, Mandingues,

Balantes, Mandjacks, etc.), l'espace transfrontalier apparaît comme un simple contenu (alphabet ou structure), un non-lieu d'un territoire imaginaire dont l'homogénéité territoriale, les relations fusionnelles (de sang) avec le pouvoir gambien et l'aspiration à un Etat-nation élargi constituent les principales marques.

Dans cette situation, l'existence du Sénégal comme sujet international est gommée ou substituée par les entités historico-culturelles locales qui restent les références. L'incident de Diouloulou du mois de novembre 2015 est significatif de cette posture. Un officier gambien en mission au Sénégal a été interpellé dans cette ville à bord de son véhicule de service portant un laissez-passer estampillé « Voiture en partance pour la République de Casamance<sup>37</sup> ». Les entretiens réalisés auprès des populations et des autorités déconcentrées du Sénégal révèlent que l'exécutif gambien fait régulièrement dans des opérations de charme à l'endroit des populations à la frontière : billet pour la Mecque, participation de la fanfare présidentielle gambienne à la fête villageoise de Kabirine, accès aux services sociaux de base, etc. Une telle posture fait que la frontière politique est plus ou moins biffée puisque les pratiques et les territorialités des populations apparaissent comme le prolongement du territoire gambien dans les espaces domestiques sénégalais<sup>38</sup>. (Voir extrait de l'entretien ci-dessous).

*« Matérialiser la frontière c'est bien ... Mais il faut que vivement l'État assure une bonne couverture téléphonique de la zone, met en place des infrastructures socio-économiques de base. Et qu'elles ne soient surtout pas des abris provisoires face à ce que Yayah Jammeh a su mettre en place à la frontière. Car Au finish, le Sénégal perd beaucoup de ses fils au profit de la Gambie, L'État n'a rien fait pour qu'ils se sentent Sénégalais. Même s'ils ont la pièce d'identité Sénégalaise, ils ont aussi la nationalité gambienne. Dans le vécu quotidien, ils utilisent le dalasi*

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<sup>37</sup> D'après les sources, le véhicule a été immobilisé et une protestation diplomatique a été servie à la Gambie.

<sup>38</sup> Mais il faut noter une citoyenneté plutôt ambiguë sinon des dissonances familiales à la frontière puisque si pour beaucoup les revendications territoriales de la Gambie sont le fait de cadres d'origine sénégalaise ayant fait leur scolarité et leur enfance en Gambie, pour d'autres ce sont leurs parents restés sénégalais et au Sénégal qui instrumentalisent cet Etat en vue d'une mainmise totale sur les ressources à la frontière.

*comme monnaie, les puces téléphoniques gambiennes ; ils vont à l'école gambienne et se soignent en Gambie....C'est Yayah Jammeh qui donne des billets pour la Mecque aux vieux de la zone, les 90% des mosquées de même que toutes les écoles arabes ont été construites par Yayah Jammeh. » (Entretien avec un représentant de l'État du Sénégal, le 15-11-2015 à Diouloulou).*

Les représentations de la frontière procèdent par ailleurs d'une certaine mystification<sup>39</sup> de soi et de son rapport à l'autre. Pour le cas de la Gambie, le territoire est présenté comme un bien sacré, un don de Dieu pour lequel le sacrifice suprême n'est pas exclu pour sa défense<sup>40</sup>. L'inviolabilité du territoire et de ses ressources est garantie par une législation sévère en termes d'accès et d'usages (interdiction stricte d'exploiter la forêt) mais aussi par la personnification des ressources du territoire. « Babaly Mansa », titre royal du président Jammeh, qui veut dire « roi des rivières » est révélateur de l'appropriation personnifiée et sacrée des ressources du territoire. A contrario, le territoire sénégalais apparaît dans l'imaginaire gambien comme une ressource profane, un marché dont la valeur économique est la seule condition d'existence<sup>41</sup>. C'est ce qui explique les coupes abusives et l'exploitation à grande échelle du charbon du bois indiquées plus haut.

Cette altérité construite dans les rapports de soi à l'autre, ou inversement, a aussi comme résultat le dédoublement de la frontière politique par d'autres types de discontinuités certes invisibles mais dont l'effet est palpable dans les rapports sociaux et dans les paysages. Ainsi, entre le Sénégal et la Gambie s'établit une frontière écologique qui marque la limite entre des formations ligneuses denses et bien conservées dans la partie gambienne et un espace quasi vierge qui porte les stigmates d'une exploitation abusive et non contrôlée dans le territoire sénégalais.

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<sup>39</sup> Gabriel Wackermann, *Les frontières dans un monde en mouvement*. Ed. Ellipses Collection Carrefours, 2003, p.52.

<sup>40</sup>Le ministre des collectivités locales et des coutumes venu présider la cérémonie d'ouverture des travaux de la commission mixte sénégal-gambienne du 05 novembre 2015 a indiqué que la Gambie verserait jusqu'à la dernière goutte de sang pour défendre son territoire.

<sup>41</sup> Lors de la mission de reconnaissance dans les villages frontaliers de novembre 2015, les populations gambiennes qui nous guidaient à retrouver les bornes, nous racontaient avec beaucoup de taquinerie la différence entre la forêt gambienne et la forêt sénégalaise.

L'observation permet de deviner la frontière politique révélée par l'étagement de la faune produit d'un côté par la conservation (Gambie) et de l'autre par la surexploitation (Sénégal).

## Conclusion

Les réponses aux questions de recherche vérifient relativement bien les hypothèses des démultiplicateurs de frontières analysés à travers le cas Sénégal-gambien. La première hypothèse valide l'existence d'un problème d'interprétation contemporaine par les autorités actuelles des États africains du découpage d'origine coloniale. En réalité, c'est l'écart entre le contenu des textes (arrangement de 1889) et leur matérialisation ultérieure sur le terrain (1905) qui constitue la véritable source du litige entre le Sénégal et la Gambie. Cela interroge la notion d'intangibilité brandie dès les années 60 pour garantir la paix et la stabilité des pays africains. Quelle intangibilité prime-t-elle ? Celle issue de la description (délimitation) ou celle issue de la matérialisation (démarcation) ? En attendant la réponse, le PFUA ne gagnerait-il pas à négocier un nouveau consensus sur ces frontières africaines ?

L'hypothèse des enjeux économiques comme facteur démultiplicateur, bien que de manière conjecturale, est également confirmée. Si dans le cas précis évoqué, il s'agit de ressources forestières et agricoles, ailleurs c'est l'existence de réserves d'hydrocarbures qui en est l'objet. Les perspectives d'une exploitation rentable du pétrole lourd off shore ont alimenté au cours des dernières années les difficultés des relations entre le Sénégal et la Guinée Bissau. Les relations conflictuelles entre le Cameroun et le Nigéria de la fin des années 1990 au sujet du Golfe de Bakasi entrent dans le même champ. Ces enjeux liés à l'existence de ressources très souvent naturelles en d'autres lieux de la frontière sénégalaise peuvent être structurels dans les relations géopolitiques comme en témoignent les tensions depuis l'indépendance sur la frontière entre le Sénégal et la Mauritanie dont le paroxysme est le conflit violent entre les deux pays en 1989. L'objet est ici l'accès aux ressources en eaux que constitue le fleuve Sénégal. Ces tensions, sur les tracés, ramènent dans le débat aussi bien scientifique que politique la question de l'intégration régionale : quel sens donner aux frontières dans une politique d'intégration régionale ?

La troisième hypothèse, sur les représentations des autorités publiques par rapport à leurs propres concitoyens qui, repose autrement sur les biais du découpage colonial des territoires des États africains, se vérifie également. C'est un démultiplicateur en ce sens qu'il discrimine les populations d'un même territoire selon ses relations socioculturelles de populations de territoires étatiques voisins et au-delà de son aspect conflictuel pose au plus haut niveau politique la question de l'unité nationale. Les formes les plus manifestes de ses effets se retrouvent dans l'histoire de nombreux pays africains, et dans l'actualité de pays comme la Côte d'Ivoire, le Mali, la Centrafrique.

En définitive, la frontière de souveraineté est doublée d'autres types de frontières qui rendent sa gestion difficile. Ce travail exploratoire soulève d'autres questions qui sont autant de pistes de réflexions sur les frontières africaines. Les autres pays africains et de la sous-région partagent-ils les mêmes démultiplicateurs comme la Gambie et le Sénégal ? Existents-ils d'autres démultiplicateurs que ceux analysés ? Comment passer d'une juxtaposition des frontières multiples à une intégration dans une frontière communément reconnue et partagée par tous les acteurs ?

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## QUIET DIPLOMACY: SOUTH AFRICA'S WAY OF DEALING WITH ZIMBABWE DURING THE PRESIDENCY OF THABO MBEKI

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### Abstract

*This article focuses on the various forms of interactions taking place between the governments of South Africa and Zimbabwe since 1999. It aims to unveil the particular actions that South Africa has taken to ensure that its neighbour stays on the path towards democratization, and tries to provide reasoning for any such action. Furthermore, unveils a particular strain of diplomacy deployed by authorities in Pretoria, one that values secrecy and in which contestation is avoided. South Africa is the regional hegemon, nonetheless, its interactions with Zimbabwe are non-intrusive to the point that they become difficult to quantify or qualify. The use of soft power and carrots, rather than sticks is due to a long-standing relationship between the two countries, both political and economic, rendering it difficult to force transition upon Zimbabwe, without risking a backlash, and without endangering both regional security and that of the citizens of Zimbabwe. With that in mind, the article concludes that the approach of Pretoria's government towards Harare is not necessarily detrimental to South Africa's long-term aspirations, even if it does not quench the thirst of critics calling for rapid democratization techniques.*

**Keywords:** quiet diplomacy, foreign policy, soft power, Southern Africa

### Introductory remarks

In the early 2000's Zimbabwe was facing a full-blown financial and economic crisis. The economy of the country was nearing collapse, partly "aided" by Harare's decision to militarily intervene in Congo, and partly due to bad macro-economic management from behalf of President Mugabe and his party-regime. This could have proven the perfect opportunity for South Africa to try to encourage the spread of democracy at a more rapid pace

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throughout the whole of the continent. However, following Mandela's lead, Mbeki preferred to use the tools of "quiet diplomacy", failing to swiftly deal with one of the vital issues in its neighborhood, and, at the same time, stalling the progress South Africa hopes for in the democratization process of the entire region. In short, many critics call this one wasted opportunity to speed up the consolidation processes in what is regarded as one of the last undemocratic spaces of the planet. It must be noted, however, that a set of characteristics specific to the Southern African region, delved upon herein, have impeded using the rapid democratization technics that the West has called for.

To understand the issue and why the government in Pretoria uses this form of "ultra-soft power", one needs to observe how quiet diplomacy came to existence, how it was utilized by Mandela, and only later, can its use by Mbeki be studied. This will be dealt with in what follows. Another part of the paper focuses on the specificities of quiet diplomacy as understood and applied by Thabo Mbeki. This particular way of interaction between the governments in Pretoria and Harare is analyzed and the reasons behind it are explained, as are its advantages and disadvantages.

### **Mandela and the birth of quiet diplomacy**

Even since the election of Mandela, the international community had high hopes for South Africa, and envisaged the country assuming the role of regional hegemony, with all its implications. The major hopes were that South Africa would become the leading peacemaker and peacekeeper of the continent, that it would revitalize organizations such as the African Union (AU) - at that time the Organization for African Unity - and that it would be an economic engine for the rest of the continent, but especially for southern Africa<sup>1</sup>. Mandela was quick to observe that Africa in general, and southern Africa specifically were central to the interests of South Africa, and admitted that "the concerns and interests of the continent of Africa should be reflected in foreign policy choices"<sup>2</sup>. He also reassured the United Nations that South

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<sup>1</sup> J. Barber, "South Africa's Political Miracle: The International Dimension", *South African Journal of International Affairs*, Vol 7(1), 2000, p.65.

<sup>2</sup> Nelson Mandela, "South Africa's Future Foreign Policy", *Foreign Affairs*, Vol 72(5), 1993 [<http://www.foreignaffairs.com/articles/49408/nelson-mandela/south-africas-future-foreign-policy>] retrieved 12 May 2015.

Africa is its partner and that ensuring peace, prosperity and democracy were common goals for the two actors<sup>3</sup>. This came at a time when the world order had recently been shifted and was sustained by one pillar of power, namely the United States of America. The USA, nonetheless had yet to fully grasp its role of sole hegemon, even though it had begun acting as a global policeman since 1991<sup>4</sup>. In this international climate, South Africa was increasingly becoming a valuable partner for the West – for it apparently had similar values articulated in similar discourses.

Mandela's approach in dealing with the Nigerian Dictatorship in the mid 1990's implied a certain degree of unilateralism from the onset, but, after negotiations failed with military leader Abacha, the country stayed somewhat isolated from its neighbors and pushed to handle the issue alone. Mandela believed on the onset that quiet diplomacy and arranged visits would enable South Africa to gain enough influence as to later exert it; that is why he sent Archbishop Desmond Tutu and Thabo Mbeki - Deputy President at the time – to lobby on South Africa's behalf. However, these tactics failed, and a number of activists accused of plotting a coup were executed in Nigeria, drawing Mandela some international criticism<sup>5</sup>. South Africa then pushed for the suspension of Nigeria from the Commonwealth and withdrew its high commissioner from the country in protest, leaving the majority of members of the Organization of African Unity (OAU) to blame what they considered a form of isolationism. South Africa was starting to have the leverage it had aspired for inside the OAU, but its willingness to use it, in conjuncture with pressure put on Nigeria was deemed tardy. In addition, Mandela was criticized for engaging the Abacha junta, and leaving aside, or neglecting Nigeria's democratic movement<sup>6</sup>. Mandela's failure resided in his wrong reading of Nigeria's dictator, and the assumption that the latter was willing to accept foreign intervention. South Africa soon

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<sup>3</sup> Nelson Mandela, Address by the President of the Republic of South Africa, Mr Nelson Mandela to the United Nations General Assembly, New York, 3 October 1994.

<sup>4</sup> In 1991, the first battles of a coalition led by the USA against Iraqi forces invading Kuwait commenced, marking US's armed involvement in the Gulf War.

<sup>5</sup> See J. Barber and B. Vickers, "South Africa's Foreign Policy", in A. Venter (ed.), *Government and Politics in the New South Africa*, Pretoria: J.L. van Schaik, 2001, p.339.

<sup>6</sup> Christopher Landsberg, *The Quiet Diplomacy of Liberation*. Johannesburg: Jacana Media Ltd, 2004, pp. 172-173

realized that in order for its diplomatic efforts to be successful, it required partnerships with the rest of the members of the OAU and the abandonment of unilateral approaches. This way of approaching Abacha was backed by a twofold argument: Nigeria had been a constant partner of Mandela's party - the African National Congress (ANC) - in its push for ending apartheid and there was a firm belief that speaking out against the illegitimate regime would only make it lash out even further, endangering the lives of many of its citizens.

The Lesotho intervention from 1998 demonstrated that South Africa was only inclined to resort to military action after shuttle diplomacy had failed and only in cases in which its security was at stake<sup>7</sup>. If Mandela hadn't intervened to contain the coup, South Africa was to be faced with a spillover of refugees and the threat of a national war program fallen under wrong hands. In the Democratic Republic of Congo (DRC), Mandela offered support to rebuild the country, as Kabila, the new leader faced domestic contestation. South Africa's reluctance to provide military assistance, continuously requested by Kabila, made countries in the region consider it was using a double-standard<sup>8</sup>, by comparison with what had happened in Lesotho.

In his relation to the leadership in Harare, Mandela utilized, however, different methods of engagement. In the first part of his presidential term, he occasionally visited Zimbabwe. On several occasions, he publicly thanked the people of Zimbabwe and Mugabe, for their constant support in the liberation struggle, as Zimbabwe had been, similarly to Nigeria, a country that had aided the ANC. Of course, Zimbabwe, at that time, was showing but few signs of an economic meltdown. It can be argued that the ruling, the Zimbabwe African National Union – Patriotic Front (ZANU-PF) party had done a good job of hiding their constant corruption and their poor resource management from external actors. Moreover, in the period leading to Zimbabwe's economic meltdown, its leaders were somewhat more restrained from full-blown anti-democratic practices. Furthermore, Mandela's actions as President of South Africa were not only praised by the international arena: his democratization mission in Africa was

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<sup>7</sup> *Ibidem*, pp. 164-165.

<sup>8</sup> *Ibidem*, p. 166.

met with skepticism by autocratic leaders, who considered it a clear threat to their political survival and tried to –even succeeding to some extent – delegitimize it by connecting it to a Western agenda.

### **Mbeki – a continuator of quiet diplomatic behaviour**

After Mbeki's 1999 election, it was decided that Pretoria engage the DRC both from a military standpoint –by sending peacemaking troops in the region – and from a political one – by trying to create a transnational government. Thabo Mbeki came to power with the vision of a financially prosperous continent which would also be politically independent, with South Africa at its core. The idea of an "African Renaissance" – concept coined by Cheikh Anta Diop, whom develops a blueprint to cure some hardships faced by African nations, be them economic, scientific or cultural<sup>9</sup> - implied that resolution of conflict would be achieved, that a new, inclusive regime predicating open markets and free trade would come across the region and that principles of good governance such as democratization and promotion of human rights will be respected<sup>10</sup>.

And here the case of Zimbabwe comes into question. If South Africa was pursuing such goals, how could it stand witness to the situation in Zimbabwe and not push, even aggressively for a solution that would guarantee the above-mentioned principles are respected in the region?

To complete this very important part of the paper, an elaborated part on diplomacy, its functions and its relation to power could prove useful, but the issue will not be tackled now; instead diplomacy will briefly be defined as a peaceful instrument that helps the fruition of foreign policy objectives. Its purpose is to mediate differences and avoid or resolve disputes.

Quiet diplomacy is a form of diplomatic interaction, characterized by moderation<sup>11</sup>. It can also be defined as "discussing problems with officials of

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<sup>9</sup> See Cheikh Anta Diop, *Towards the African Renaissance: Essays in African Culture & Development, 1946-1960*, London : Karnak House, 1996.

<sup>10</sup> Thabo Mbeki, address to the Corporate Council Summit, Chantilly, Virginia, April 1997, *The African Renaissance*, Occasional Papers, Konrad Adeneur Stiftung, Johannesburg, May 1998, pp. 9-11.

<sup>11</sup> T. G. Otte, "Kissinger" in G.R. Berridge, M. Keens-Soper and T. G. Otte (eds.), *Diplomatic Theory from Machiavelli to Kissinger*, New York: Palgrave, 2001, p.198.

another country in a calm way”<sup>12</sup>, generally by avoiding media exposure. Thus, some other features of quiet diplomacy include: personal or direct encounters between heads of state, government or high-ranking officials, the appearance of limited action, a context of bilateral or multilateral relations and the need for a calm atmosphere that allows and encourages dialogue to exist. Furthermore, a great deal of back-channeling is deployed. This is exactly the pattern of behavior identifiable in the case of Mbeki when dealing with the government of Zimbabwe. Quiet diplomacy, seemingly, has one trait that differentiates it from other forms of diplomacy, namely secrecy. While diplomatic conduct usually takes place in the lime-light, quiet diplomacy involves working in the background, with only some results made public, if such results are pleasing to one of the counterparts seated at the negotiation tables. Of course, if there is a blatant failure to achieve a result, what has happened behind closed doors can surface, fact which may delay or cancel further discussion.

If the principal foreign policy priorities for Mandela’s government had been solving conflicts throughout the region and reintegrating South Africa into the global community, Mbeki wanted a greater sense of unity amongst African states, and, most importantly, between southern states. In his opinion, closer economic ties and a form of economic integration would prove beneficial for all the countries involved<sup>13</sup>. After coming to power, the regime rapidly realized that a more pragmatic approach was needed in order to accomplish any of the above objectives, thus, while the continuous commitment to promoting democracy and human rights was not abandoned, national interest became an equally relevant driving force for external action<sup>14</sup>.

African Renaissance also came with the rhetoric of respecting state sovereignty and boundaries<sup>15</sup>. This kind of approach, solely reliant on soft power has both advantages and clear flaws. One advantage is that states

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<sup>12</sup> P.H. Collin, *Dictionary of Government and Politics*, Middlesex: Peter Collin, 1997, p. 89.

<sup>13</sup> D. Van Niekerk, G. Vand der Waldt, and A. Jonker (eds.), *Governance Politics and Policy in South Africa*, Oxford: Oxford University Press, 2002, p. 236.

<sup>14</sup> Barber and Vickers Op. cit. p. 362.

<sup>15</sup> G. Evans, “South Africa’s Foreign Policy After Mandela: Mbeki and his Concept of an African Renaissance”, in *The Round Table*, No. 352, 1999, p. 627.

usually perceive other states that "leave them alone" as benign actors and are inclined to involve themselves in negotiations more easily with such actors. The major disadvantage is that any turn-around of policy from benign actors automatically hurts their image both regionally and internationally. Shifts in the foreign policy doctrine of one nation have repercussions globally, and turning from a non-combatant stance towards that of an aggressive player can prove risky, especially in post-colonial places, where the perennial memory of direct state intervention in another state has left deep scars. Furthermore, interference can end up legitimizing unforeseeable actions from behalf of a government, if it finds its existence threatened by another or its power decaying.

Having in mind the vast criticism received for intervening in Nigeria, even if the social unrest in Zimbabwe created deep worries in Pretoria, any type of military intervention was out of the question, because it would come at the risk of sacrificing South Africa's foreign policy goals. Thus, the chosen alternative was to convince the Mugabe regime to embark on a path of further democratization by carrots, rather than sticks. The only problem with such a decision was the limited availability of possible rewards. The issue was further complicated by pressures coming from the West, which was calling for swift, decisive action. Mugabe, on the other hand, understood the complicated position in which South Africa had placed itself, and started driving a hard bargain.

In short, there are three main point on which Mugabe's government was attacked by critics: the land restitution problem, the economic crisis and a continuous oppression of the political opposition. Land restitution is one of Zimbabwe's historical wounds. Several attempts have been made since the 1992 Land Acquisition Act was passed – which enabled the government to acquire land through compulsory action. However, the land reform was going slowly and no decisive government action was taken in this regard until the end of the 1990's<sup>16</sup>. In 2000, the majority of Zimbabweans, rallied by the opposing party, Movement for Democratic Change (MDC), voted against the new constitution proposed by Mugabe's regime, fact which sparked a series of occupations of white-owned farms. The regime called the

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<sup>16</sup> P.L. Peters and N. Malan, "Caveats for Land Reform in South Africa: Lessons from Zimbabwe", in *South African Journal of International Affairs*, Vol 7(2), 2000, p. 154.

occupations, led by war veterans “spontaneous” and did not admit any involvement, but it soon became clear that government was behind everything, in a desperate attempt to flex their muscles in order to deter the opposition from consolidating their position within national politics. In order to keep the opposition isolated, a violent campaign was launched by ZANU-PF leaders against the MDC<sup>17</sup> and their supporters. The economic crisis in Zimbabwe is also connected with the fast-track land reform, but is not solely tributary to it. Zimbabwe saw its GDP gain constant momentum in its first decade of independence, with a slowing down only visible in late 1990’s. A series of taxes on luxury goods, the confiscation of accounts and the default on debt to the International Monetary Fund and the African Development Bank, as well as lowering interest rates are all triggers of the crisis<sup>18</sup>. The economic situation was further deteriorated when the Mugabe government decided to award war veterans with bonus payments and higher monthly pensions. The IMF and the World Bank subsequently suspended their funding on allegations of corruption. The price of food was high, unemployment was continuously growing and the national currency had lost all strength. Eventually, people began to riot in 1998, but the initial rioters were suppressed by military forces<sup>19</sup>. In August, troops were deployed to the DRC, where action lasted until 2002, having catastrophic results for the Zimbabwean economy. The country was already in the midst of an economic crisis, investors were fleeing, a large part of the agricultural sectors had fallen in the hands of people unable to manage production and war just amplified the entire situation. In this context South Africa stayed quiet, or, better put, acted quietly, although things were starting to boil in Pretoria. The intervention in the DRC, to which Zimbabwe participated was conducted in the name of the South African Development Community (SADC), without consent from South Africa. This was a major turning point for the government in Pretoria, as it saw both its influence inside the SADC contested, and that the international institution steered on a path which was

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<sup>17</sup> M. Meredith, *Robert Mugabe: Power, Plunder and Tyranny in Zimbabwe*, Johannesburg: Jonathan Ball Publishers, 2002, p. 178.

<sup>18</sup> P. Bond, “Zimbabwe: Pretoria’s New African Dilemma”, in *Indicator South Africa*, Vol. 19(1), 2002, p.16.

<sup>19</sup> Brown, *op. cit.* p. 1226.

contrary to its interests. South Africa rallied Mozambique and Botswana by its side, as Zimbabwe was now standing with Angola and Namibia, but this two-pillar setting inside the SADC was not very comfortable, given South Africa's aspiration to be the regional hegemon.

Constant negotiation was carried out between officials of South Africa and Zimbabwe, all in the absence of public condemnation by the former towards the actions of Harare, which had placed the country in the above-mentioned situation - a situation that had begun to spill over throughout the region.

It can be argued that the signs had been there all-along, and the systemic crisis in Zimbabwe did not appear out of thin air, being rather the result of a series of never-ending bad government decisions. A report produced by the Africa Institute of South Africa in early 2001, discovered a three-layered crisis in Zimbabwe: a crisis of legitimacy, one of expectations and one of confidence<sup>20</sup>. The consensus built in the course of the liberation struggle had been eroded, the economic meltdown of the country left people with high hopes and little possibility for their fruition, and the confidence in Mugabe's party to redress the situation was spiraling downwards<sup>21</sup>. The apparition of the MDC, led by prominent trade union activist Morgan Tsvangirai, and supported by the white elites, in 1999, further complicated things for Mugabe, as the nascent movement gained momentum by publicly attacking the regime.

Since 2007, Thabo Mbeki was mandated by the SADC to mediate negotiations between ZANU-PF and MDC, in order to create the necessary conditions for free and fair elections the following year. After violent protests broke out in Zimbabwe in early 2008, a power-sharing pact became the topic of discussion between President Robert Mugabe and Morgan Tsvangirai - Prime Minister at the time. In late 2008, a compromise was reached and a document was signed, thereby resulting in the national unity government of 2009. South Africa intervened in the process, mediating between the main parties, granted that the reconciliation of interests was not possible without foreign intervention. If South Africa had not previously played the card of

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<sup>20</sup> Africa Institute, "Report on the Africa Institute of SA Fact-Finding Mission to Zimbabwe", Pretoria, 2001, p. 5.

<sup>21</sup> *Ibidem*.



quiet diplomacy, it can be argued that Thabo Mbeki would not have been mandated by the SADC to broker a deal between the two large parties in Zimbabwean politics, nor would he had been seen as legitimate to be a broker, particularly by Robert Mugabe's party.

### **Reasons behind Pretoria's chosen behavior towards Harare**

Why did Mbeki opt for quiet diplomacy? There are a multitude of possible reasons, but the most plausible ones will be detailed in what follows.

First and foremost, the officials in Pretoria had had enough time to study the personality of Mugabe, and had realized that he is a "proud and stubborn man and any public criticism of him would have deepened his stubbornness and provoked a denunciation of Mbeki as a tool of the imperialists"<sup>22</sup>. Being in direct contact with Mugabe's regime for over two decades, the ANC's leaders understood who they were dealing with, and decided to act in such a way as to obtain the most out of the negotiations. As in the case of Mandela, Mbeki chose not to corner Mugabe, because the results would have been unforeseeable and the dream of an African-wide Renaissance could have shattered at any moment. Mugabe still had enough credibility and influence inside the SADC and inside other regional fora, granted to the fact that he had been a respected fighter for liberation and was one of the continent's ruling elders.

Second, using sticks in the form of economic sanctions would have proven perilous for South Africa's economy, due to the fact that Zimbabwe was its most important trading partner<sup>23</sup>. In addition, numerous South African companies operated in Zimbabwe. Thus, the Mbeki government acted in self-interest, by also taking into consideration that further economic destabilization in Zimbabwe could imply waves of refugees wishing to be resettled in South Africa.

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<sup>22</sup> Allister Sparks, *Jobless Time-Bomb*, [<http://www.news24.com/archives/witness/jobless-time-bomb-20150430>], 2008, retrieved 21 may 2015.

<sup>23</sup> John Daniel, Jessica Lutchman and Alex Comminos, "South Africa in Africa: Trends and Forecasts in a Changing African Political Economy", in Sakhela Buhlungu, John Daniel, Roger Southall and Jessica Lutchman (eds.), *State of the Nation: South Africa*, Capetown: HSRC Press, 2007, pp. 516-517.

Third, self-interest in the matter of wealth distribution is also worth mentioning. The leadership in Pretoria shares similar ideas with regard to the challenge of redressing the effects of colonialism. Although South Africa manifests a clear dissatisfaction with the methods used by Mugabe, it becomes clear that the governments share similar goals, especially in relation with the land restitution issue. The policy in this specific domain is conducive to an empowerment of black citizens by land allocation, but, while in South Africa it was conducted on a "willing buyer, willing seller" basis<sup>24</sup>, in Zimbabwe it could not proceed in such a way, given the fact the international donors which were supposed to carry the economic burden of such policies had expressed dissatisfaction towards the lack of transparency and had cut all funds. The invasion of white-farms which followed, made Zimbabwe an undesirable candidate for receiving aid, for all past donors.

Fourth, The ANC and ZANU-PF share a historical connection, both being liberation movements turned parties. However, as some commentators<sup>25</sup> argue, the "blood ties" uniting the two liberation-movements turned governing political parties don't necessarily run as deep as other critics envisage<sup>26</sup>, nor was their relation overwhelmingly harmonious. Despite this fact, the ANC wants to retain its central position in national politics, in the same way ZANU-PF does. Thus, it can be stated that ANC understands the importance of party supremacy, not only that of survivability. Whilst they will not engage their political opponents in the same way as ZANU-PF, they do not need to do so, granted the ANC's stronghold in national politics.

Finally, while South Africa can seemingly exert a great degree of leverage, an overall analysis of the two countries can bring some insight to the way in which they can interact amongst themselves, and in the international arena. There are quite a few traits that enable one country to wield political power, the most worth-mentioning being: the size of its economy, the size of its territory and population, the availability of

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<sup>24</sup> Klaus Deininger, "Making Negotiated Land Reform Work: Initial Experience from Colombia, Brazil and South Africa" in *World Development*, Vol. 27, 1999, pp. 651-672.

<sup>25</sup> Martin Adelman, "Quiet Diplomacy: The Reasons Behind Mbeki's Zimbabwe Policy", in *Africa Spectrum*, Vol. 39, No. 2, 2004, pp. 256-257.

<sup>26</sup> Alec Russel, *Bring Me My Machine Gun: The Battle for the Soul of South Africa, from Mandela to Zuma*, New York: Public Affairs, 2009, pp. 416-417.

important resources – most notably gas or oil, the overall size of industry, its strategic position, its military strength, its track-record of dealing with issues relevant to global power-houses and key players and, of course – the capacity of one government to interact with others. In virtually all these fields, South Africa scores above Zimbabwe, and, starting with the mid 1990's the cleavage has only become clearer. In this context, Zimbabwe has managed for quite some time now to punch above its weight and determine South Africa to treat it, on occasions, as an equal partner, even having the upper-hand in numerous instances<sup>27</sup>. Thus, it becomes unclear whether South Africa has the necessary leverage over Zimbabwe to affect its domestic policies in such a way as to ignite the spark of rapid democratization that the West is waiting for.

### **Conclusive remarks**

We are not certain that quiet diplomacy was the most efficient *modus operandi* that South Africa could have utilized in trying to tackle Zimbabwe's democratic deficit and its numerous slippages; however, we can observe that an aggressive, hard approach could have been detrimental for Pretoria's influence in the region and, subsequently, for its foreign policy objectives. Stating that any push to interfere in the national politics of another state can be perceived as an infringement of state sovereignty, we have observed that in the particular case of Southern Africa, such issues are not to be trifled with. Mugabe has certainly never refrained from voicing out his concerns, nor from attacking South Africa on the grounds of perceived imperialistic tendencies. Since the wounds of colonialism had not healed at the time, it would have been facile for other state leaders to join in and form a chorus of criticism, ultimately stripping South Africa from its title of benign neighbor and endangering the fruition of Mbeki's hopes for a renewed Africa with South Africa as its hegemon.

It must also be underlined that dealing with political leaders that have a strong, autocratic behavior will always constitute a difficult diplomatic endeavor. If such leaders also have a consolidated hold on state institutions, matters are further complicated. The government in Pretoria

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<sup>27</sup> See Lloyd Sachikonye, *Zimbabwe's Lost Decade: Politics, Development & Society*, Harare: Weaver Press, 2011, pp. 179-200.

had observed that Mugabe was not accustomed to contestation and feared that, by cornering him in any way, he could act in a way which is detrimental for the security of South Africa.

Furthermore, South Africa needed to be perceived as a benign actor in the future, so that it could ask to be deployed in tense situations, both nationally and internationally. As each conflict in its immediate vicinity can lead to an undesirable spillover, being amongst negotiators - such as in the situation between the two main parties in Zimbabwe - is very valuable, for South Africa may both provide advice that is synchronized with its own foreign policy agenda, and avoid repercussions on its own security.

Sanctions and other compliance inductive means would have been a strategic mistake, for it would have further impoverished the population of Zimbabwe and would have also hurt South Africa's financial interests. To conclude, the government in Pretoria chose the slow, but safe way in approaching Zimbabwe, and while this has attracted high levels of both national and international scrutiny, we claim that another path would have been perilous.

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## PAST IMPERFECT: HISTORY, IDEOLOGY, AND THE CULTURE OF CONSPIRACY IN OLIVER STONE'S PRESIDENTIAL TRILOGY

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### Abstract

*The present study is an attempt to analyse the representation of history in Oliver Stone's presidential films – JFK (1991), Nixon (1995) and W. (2008). All three films can be regarded as examples of conspiracy theory, a theme that is often present in the American director's works. The paper will also try to discuss whether these films can be considered legitimate interpretations of history, considering the impact that cinematic historical representations have in contemporary society. Critics have often argued that revisionist interpretations of history are rooted in Oliver Stone's leftist personal ideology that makes him always question the established political order. The paper discusses in turn each of the three films, arguing that JFK is Stone's most obvious attempt to formulate a revisionist history of the Kennedy assassination, Nixon is a powerful biopic portraying its protagonist as a flawed tragic hero, while W. is a less coherent and somewhat disappointing cinematic narrative of the life and presidency of George W. Bush.*

**Keywords:** Oliver Stone, conspiracy theory, cinematic history, revisionism, JFK, Nixon, George W. Bush, political film, ideology

### Preliminary considerations: film and history, film as history

One of the best-known contemporary German film critics, commenting upon the revived interest of filmmakers for historical films, referred to this phenomenon as "the return of history as film."<sup>1</sup> Anton Kaes's

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<sup>1</sup> This formulation is actually part of the title of Anton Kaes's work, *From Hitler to Heimat: the Return of History as Film* (Cambridge, Mass.: Harvard University Press, 1992) in which he discusses several well-known German films belonging to the New German Cinema (Rainer Fassbinder, *The Marriage of Maria Braun*, Hans Syberberg, *Hitler: A Film from Germany* and Edgar Reitz's *Heimat*, among others). For further reference, see also Kaes's article, "History as



words are an expression of a phenomenon that is overwhelmingly present in contemporary society, i.e. the way in which mass-mediated images imprint on our minds images of certain historical events, thus forming well-established criteria for comparison to any descriptions one might find in scholarly history books, for example. One might wonder, how many of us can think about the 1905 Russian Revolution without some scene from Sergei Eisenstein's *Battleship Potemkin* springing to mind? Or how many can read about the Vietnam War without recalling frames from Francis Ford Coppola's *Apocalypse Now*? As Kaes points out, film has come to replace both historical experience *and* historical imagination, to shape historical consciousness, becoming, in a sense, a kind of "memory bank" in which images of innumerable historical events are stored and recalled in an instant; in this respect, Kaes argues, film is transfigured into a redemption of memory, as it preserves details that memory, given its fallibility and subjectivity, might not.<sup>2</sup>

Whether one agrees to Kaes's view or not, the fact remains that films seem to have become legitimate sources of historical knowledge, being quoted as such by increasingly large audiences: as Marnie Hughes-Warrington noted, "for many people, 'history' is what they see in films and television programs."<sup>3</sup> However, in spite of such evidence, professional historians still view cinematic representations of the past as "fake" or "distorted history", being sceptical about the medium's possibilities of providing authentic recreations of past historical events. Certainly, there

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Film. Public Memory in the Age of Electronic Dissemination": "Cinematic images have created a technological memory bank that is shared by everyone and offers little escape. It increasingly shapes and legitimizes our perception of the past". In Bruce A. Murray, Christopher J. Wickham (eds.), *Framing the Past. The Historiography of German Cinema and Television*, Carbondale: Southern Illinois University Press, 1992, p. 310.

<sup>2</sup> Kaes, *op. cit.*, pp. 193-199.

<sup>3</sup> Marnie Hughes-Warrington, *History Goes to the Movies: Studying History on Film*, London and New York: Routledge Taylor & Francis Group, 2007, p. 1. Warrington quotes an American project entitled "Presence of the Past", designed to test people's knowledge of historical events: 81% of the 1500 subjects interviewed admitted they had watched fiction films, documentaries or television programs focused on historical events in the previous year, many more than those who admitted having read history books (53%). Almost all of them registered a stronger connection to historical events they had watched on film or television as compared to when they had studied history in school.

should be a distinction made among the various types of historical films: while historical documentaries are generally perceived as being more “authentic” representations of the past (especially if they include archival footage contemporary with the events represented), fiction films are usually dismissed by history scholars as “mere trivialisations” masquerading the past by employing devices such as *mise en scene*, costumes, make-up in order to attract viewers and make a profit: “The bare frame of historical events and characters quickly dissolves into the drama of the fictional protagonist and general anachronism. Costume drama is the term of disparagement often used by historians to evoke such films’ shallow and opportunistic treatment of the historical past.”<sup>4</sup> Nevertheless, in spite of the potential shortcomings of historical feature films (be them fictional, docu-dramas, biopics, etc.), I argue that any such film should also be analysed in terms of the claims it makes about itself: if the film itself claims to be an accurate representation of historical events, or if it purports to put forward a revisionist version of history, then its analysis in terms of “film as history” would be justified.

Not all professional historians have a negative view of historical films, but many such unfavourable reviews come from the fact that they routinely compare filmic history with written history, sometimes overlooking the fact that written history itself is not free from bias or criticism.<sup>5</sup> Robert Rosenstone has identified six major perceived shortcomings of historical films that most often form the basis of historians’ criticism: i) the packaging of history as comedy, romance or heart-wrenching drama; ii) their focus on the goals and motivations of individual characters to the exclusion of wider contexts; iii) privileging the emotional over the

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<sup>4</sup> William Guynn, *Writing History in Film*, London and New York: Routledge Taylor & Francis Group, 2006, p. 2. One such scholar who dismissed the potential of historical films to represent the past is Francois de la Bretheque; he argues that film always distorts truth, since filmic representations of history are to a large extent mediated by “the discursive, mental, ideological training” of the social grouping to which the “various ‘auteurs’ of a film belong.” (Quoted in Guynn, 3).

<sup>5</sup> Robert Rosenstone, “History in Images / History in Words: Reflections on the Possibility of Really Putting History into Film”, in *American Historical Review* no. 93, 1988, pp. 173-85. This apparent gap between “history in images” and “history in words” is also discussed by historian Hayden White in terms of a divide between “historiophoty” and “historiography”. (Hayden White, “Historiography and Historiophoty”, in *American Historical Review*, no. 93, 1988, pp. 193-99).

intellectual dimension of historical phenomena; iv) exaggerate attention devoted to mise en scene; v) the avoidance of multiple points of view or contradictory explanations; vi) insufficient background research on historical events.<sup>6</sup> Defending the idea that historical films and written histories are two facets of history, Rosenstone argues that “[...] the familiar, solid world of history on the page and the equally familiar but more ephemeral world history on the screen are similar in at least two ways: they refer to actual events, moments, and movements from the past, and at the same time they partake of the unreal and the fictional, since both are made out of sets of conventions we have developed for talking about where we human beings have come from [...]”<sup>7</sup> The purpose of many filmic histories is to make the viewer experience or re-experience the past by vicariously living its moments through story and image; to achieve this effect, filmmakers usually make the past meaningful by visioning it (turning past historical figures onto flesh and blood characters onscreen), contesting it (coming up with interpretations that run against the grain of accepted historical orthodoxy) and revisioning it (showing us the past in a new and unexpected light).<sup>8</sup>

Historical films are efficient tools in preserving the memory of past events that might otherwise fade into general oblivion with the passage of time, although – once again – historians tend to disagree about the adequacy of film and television to preserve an authentic, non-biased, unemotional memory of past events. However, even they grudgingly admit that cinema can impose indelible images onto collective memory and imagination that surpass any other forms and means of recollection: thus, filmic history becomes more “real” than “real history”<sup>9</sup> or, at least, it becomes the only form of history that ordinary people remember.

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<sup>6</sup> Robert Rosenstone, *Visions of the Past: The Challenge of Film to Our Understanding of History*, Cambridge, Mass.: Harvard University Press, 1995, p. 49. See also a more detailed discussion on these points in Warrington, p. 22.

<sup>7</sup> Robert A. Rosenstone, *History on Film / Film on History*, London: Pearson Longman, 2006, p. 2.

<sup>8</sup> Rosenstone, *History on Film*, p. 118.

<sup>9</sup> Guynn, p. 165. See also Kaes: “[...] history films increasingly replace not only historical experience but also historical imagination.” (*From Hitler to Heimat*, p. 196). For the relationship between memory and history, see also Paul Ricoeur, *Memory, History, Forgetting*, trans. Kathleen McLaughlin, David Pellaneur, 3 vols., Chicago: University of Chicago Press, 1984-

Arguably, American filmmaker Oliver Stone was well aware of the tangled relationship involving film, memory and history when he set out to direct his presidential trilogy: *JFK* (1991), *Nixon* (2005) and *W.* (2008). Rightfully considered one of the most talented and controversial contemporary American filmmakers, Stone never shied away from tackling “dangerous” subjects: the Wall Street greed and corruption (*Wall Street*, 1989), the Vietnam war (*Platoon*, 1986; *Born on the Fourth of July*, 1989; *Heaven and Earth*, 1993), American politics (the three films mentioned earlier), the excessive violence portrayed on mass media (*Natural Born Killers*, 1994), corruption in the world of American sports (*Any Given Sunday*, 1999). His reputation as an “uncomfortable director” was established especially following the release of his 1991 *JFK*,<sup>10</sup> the film built around disproving the official report of the Warren Commission concerning the assassination of president Kennedy. Oliver Stone’s political films are usually placed in a category of their own, considering that, more often than not, such American films tend to avoid controversial political issues or to treat them in a simplistic, superficial manner.<sup>11</sup> Stone has described himself on several occasions as a “cinematic historian”, expressing his discontent with the fact that history seems to be the private domain of professional academics and scholars, where film and filmmakers do not belong.<sup>12</sup> Thus, especially in his presidential films, he tried to present the public with a revised version of accepted history, one that film critics and historians have termed “conspiracy theory”; some of them have attributed Oliver Stone’s passion for controversy to the left-wing orientation that the director often hinted at: being a product of the revolutionary 1960s ferment, Stone grew up learning to be distrustful of “establishments” of any kind.<sup>13</sup>

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1988; Maurice Halbwachs, *The Collective Memory*, trans. Francis J. Ditter jr., Vida Yazdi Ditter, New York: Harper and Row, 1980; Eric Hobsbawn, *On History*, New York: New Press, 1997; Pierre Nora, *Realms of Memory: Conflict and Division*, trans. Arthur Goldhammer, New York: Columbia University Press, 1996.

<sup>10</sup> Rosenstone, *History on Film*, p. 4.

<sup>11</sup> M. Keith Booker, *From Box Office to Ballot Box: The American Political Film*, Westport and London: Praeger, 2007, p. 1.

<sup>12</sup> Oliver Stone, *Interviews*, Mississippi: University Press of Mississippi, 2001.

<sup>13</sup> Tom Pendergast, Sara Pendergast (eds.), *International Dictionary of Films and Filmmakers – Volume 2 (Directors)*, 4<sup>th</sup> edition, New York: St. James Press, 2000, p. 960; Jon Solomon, “The Popular Reception of *Alexander*”, in Paul Cartledge, Fiona Rose Greenland (eds.), *Responses to Oliver Stone’s Alexander: Film, History and Cultural Studies*, Madison: The University of

In what follows, I will attempt to analyse Oliver Stone's presidential films (*JFK*, *Nixon*, *W.*) through the lens of the culture of conspiracy agenda they seem to promote, while at the same time discussing the director's intention of challenging "official" history and ideology.

### **Conspiracy and the revision of history in JFK (1991)**

"*JFK* is a superb example of a film which doesn't tell history so much as revision it – through both its form and its message, with the two of them inextricably linked".<sup>14</sup> Hardly anyone can speak about Oliver Stone's *JFK* – the first in his trilogy of presidential films – without using words such as "conspiracy theory" and "rewriting history". The film provoked heated debates even before its release, being attacked by both the press<sup>15</sup> and film critics;<sup>16</sup> one of the most virulent critical pieces against the film was published in *The Nation* magazine, where Alexander Cockburn argued that *JFK*, "in its truly fascist yearning for the 'father-leader' taken from the children-people by conspiracy, [...] accurately catches the crippling nuttiness of what passes amid some sectors of the left as mature analysis and propaganda. [...] The film from which he [Oliver Stone] stands to make millions is undoubtedly one of the most willfully error-ridden pieces of 'historical reconstruction' in the history of cinema".<sup>17</sup> In turn, an article published by *Newsweek* magazine attacked the film and the filmmaker along similar lines: "A movie or a television show that re-creates history inevitably distorts history. It has to compress things into a short span; it has to extract clarity out of the essential messiness of life; it has to abide by certain dramatic

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Wisconsin Press, 2010, p. 45: "Stone is widely recognized as "controversial." This controversy stems both from his political position as a left-leaning filmmaker in an increasingly right-leaning sociopolitical climate and from his innovative and iconoclastic filmmaking techniques, which are in many respects very well suited to rendering his dramatized historical films."

<sup>14</sup> Rosenstone, *Film on History*, p. 128.

<sup>15</sup> Criticism coming from journalists could be justified by the fact that the film makes indirect accusations at mainstream media for failing the question the unsolved details of the JFK assassination for thirty years.

<sup>16</sup> Rosenstone, *Film on History*; Booker, p. 35.

<sup>17</sup> Alexander Cockburn, "JFK and JFK", in Carl Bromley (ed.), *Cinema Nation. The Best Writing on Film from The Nation. 1913-2000*, New York: Nation Books, 2000, pp. 286, 298.

conventions: major scenes, major characters, major speeches.”<sup>18</sup> What lies at the heart of all these attacks is probably Oliver Stone’s preoccupation with history and historical issues; what critics object to is not so much the sometimes simplistic or bombastic plot lines and characters, but rather Stone’s supposed misrepresentation of himself as a cinematic historian.<sup>19</sup> In addition, the interweaving of fictional footage with actual historical archival footage in a pseudo-documentary reconstruction style – which makes it very difficult for the average viewer to discern which scenes present events that actually happened from those that are part of Stone’s script – was the target of many acid comments from film scholars and historians.<sup>20</sup>

Nevertheless, despite such criticism, Stone’s *JFK* was hailed as “the most important political thriller of its time”,<sup>21</sup> fact proven by its eight Academy Award nominations (including Best Picture) and the two trophies it won (for Best Cinematography and Best Film Editing). Oliver Stone’s main purpose in making this film was to disprove the findings of the Warren Commission Report investigating the assassination of President John F. Kennedy (i.e., the fact the Lee Harvey Oswald acted alone in killing the president). In 1991, the ground was fertile for releasing such a film: at the time, sources and surveys indicated that approximately 75% of Americans attached any credibility to the Warren Commission Report.<sup>22</sup> The script of the film is largely based on two books: one written by New Orleans district attorney Jim Garrison (the film’s main protagonist, played by Kevin

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<sup>18</sup> “Twisted History”, in *Newsweek*, December 22, 1991.

<sup>19</sup> Rosenstone, *Film on History*, p. 112. There even seems to be a consensus among admirers and detractors alike that “whatever Stone is doing on film, it is certainly not history” (p. 113). In response, the filmmaker adopted an extremely subjectivist position in defining history: “What is history? Some people say it’s a bunch of gossip made up by soldiers who passed it around a campfire.” (Oliver Stone, “Stone on Stone’s Image”, in Robert Brent Toplin ed., *Oliver Stone’s USA: Film, History, Controversy*, Lawrence: University Press of Kansas, 2000, p. 47).

<sup>20</sup> Nora Ephron, “The Tie that Binds”, in Carl Bromley (ed.), *op. cit.*, p. 293.

<sup>21</sup> Philip C. DiMare (ed.), *Movies in American History. An Encyclopedia*, Santa Barbara: ABC-CLIO, 2011, p. 280.

<sup>22</sup> Gordon B. Arnold, *Conspiracy Theory in Film, Television and Politics*, Westport: Praeger, 2008, pp. 137-38. According to a different source, the figure of those who did not believe in the findings of the Warren Commission Report was 56%, still an overwhelming percentage when compared to that representing those people who viewed the Report as truthful – 19%. (“Twisted History”, *Newsweek*, December 22, 1991).

Costner), *On the Trail of the Assassins*, detailing his efforts to bring to justice those he believed were involved in the conspiracy to kill President Kennedy, and the other written by conspiracy theorist Jim Mars, *Crossfire: The Plot that Killed Kennedy*. The case presented in the film was convincing enough for the US Congress to adopt an act stipulating the reopening of the assassination investigation, although these efforts never materialized into any new evidence.

Stone's attempt to revision history on film prompted many critics to draw parallels to another very controversial American film, the notorious 1915 *The Birth of a Nation*, directed by D. W. Griffith – a film almost single-handedly credited with resurrecting the Ku Klux Klan.<sup>23</sup> Although Stone's history in *JFK* might be speculative, the film also includes more accurate information about the assassination and its aftermath than most contemporary viewers would be likely to come across;<sup>24</sup> as such, it stimulated some much-needed debate about the assassination and its place in recent American history, especially since, before *JFK*, similar films tended to treat presidents as heroic figures, icons of democracy personified by Abraham Lincoln or George Washington.<sup>25</sup> In making *JFK*, Stone reopened a painful chapter in the recent American past, which he identified as the starting point of an ongoing crisis at the very heart of the American dream: by choosing to open the film with President Eisenhower's farewell address in which he warned against the growing power of an all-powerful military and industrial complex, the director already hinted at the main actors who would taken part in the assassination conspiracy. Moreover, at the same

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<sup>23</sup> W. Bryan Rommel-Ruiz, *American History Goes to the Movies. Hollywood and the American Experience*, New York and London: Routledge Taylor & Francis Group, 2011, p. 205; Rosenstone, *Film on History*, p. 114; Tony Barta, "Screening the Past: History since the Cinema", in Tony Barta (ed.), *Screening the Past. Film and the Representation of History*, Westport: Praeger, 1998, 7. The Kennedy assassination was the defining event of an era for Stone, just like the Civil War was for D. W. Griffith: "Like Griffith, Stone attempted a paradoxical recreation of history: a film that, he argues, is 'true' to the facts and yet, making use of dramatic license, creates its won facts as an interpretation, a possible version of history. Like Griffith, Stone has been much attacked for doing so, even as his film has reopened interest in an event and its aftermath for a new generation." (Pendergast and Pendergast (eds.), p. 962).

<sup>24</sup> David Cook, *A History of Narrative Film*, 3<sup>rd</sup> edition, New York: Norton, 1996, p. 953; Arnold, p. 140.

<sup>25</sup> Booker, *op.cit.*, pp. 36-37.

time, Stone also raised the question of whether the past was knowable and representable, especially considering the powerful and shadowy forces preventing ordinary people from finding out the truth, as his films showed in numerous scenes. The film can be viewed as a work of modernist or even postmodernist history: it combines fictional events with real archival footage, uses various kinds of film stock and editing techniques, and presents events from competing perspectives.<sup>26</sup> In doing so, Stone questioned history as mode of knowledge (by using multiple perspectives) and asserted the people's need for it (during Garrison's closing address at the Shaw trial, the audience plays the role of a jury trying a conspirator).<sup>27</sup> In the film, Jim Garrison is the embodiment of good, ordinary citizens who deserve to know the truth about their murdered president – possibly, an alter ego of Stone himself.

The film claims to represent the Kennedy assassination “as it actually happened” through cinematic reenactments, using evident to postulate a knowable truth standing in opposition to the official version of events presented in the Warren Commission Report. In other words, Oliver Stone drew on the tradition of historical positivism to present a counter-historical narrative and to put forward his own historical interpretation.<sup>28</sup> This historical method is visible in film in at least three moments: the film's opening, Garrison's encounter with Mr. X in Washington (who was allegedly a high-ranking government official modeled after Admiral L. Fletcher Prouty), when the district attorney learned that the threads of the Kennedy assassination plot wove together Cuban insurgents, the CIA, the FBI, going all the way to the White House, and Clay Shaw's trial in New Orleans. The film thus wants us to dismiss any later historical information that challenges the view presented in the film (about Kennedy's decisions regarding Cuba, for instance) and put all our trust in the mythic Camelot of the Kennedy age; by doing so, the force of the historical trauma represented by his death is all the more devastating, making the need to catharsis greater and more acute.

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<sup>26</sup> Rosenstone, *Film on History*, pp. 128-29. Rommel-Ruiz, *op.cit.*, pp. 206.

<sup>27</sup> Stone actually came under a lot of criticism for the fact that he chose to present some evidence during the Shaw trial that only came to light some time after the event. (DiMare, p. 281).

<sup>28</sup> Rommel-Ruiz, *op.cit.*, p. 207.



Oliver Stone manipulated well-known pieces of evidence – such as the Abraham Zapruder home film<sup>29</sup> shot during Kennedy’s ride through downtown Dallas, which captures the moment of the assassination – may have fulfilled a secret wish that Americans had harboured: namely, that this film would actually clarify all the mysteries surrounding the murder. Therefore, in addition to its significance as an historical icon, the Zapruder film thus becomes *the* ultimate evidence of a conspiracy to kill the president, thus putting the final nail in the coffin of the Warren Commission Report. The Washington DC meeting between Garrison and Mr. X marks the transition from a “simple” conspiracy to kill the president to a metaconspiracy designed to involve the United States deeper into the Vietnam conflict, to the benefit of the “military industrial complex” that President Eisenhower mentioned in the film’s opening scene.<sup>30</sup> This meeting also reveals a possible motive for Kennedy’s assassination, namely the fact that the president was determined to put an end to the Vietnam war once he was re-elected.

The film’s ending, presenting Garrison’s closing argument before the jury (a scene that is fictional, because the real-life Jim Garrison did not deliver any closing statement), is supposed to tie up all the loose ends and answer all questions, especially the central one: “Who killed Kennedy?”: in Shakespearian fashion, Garrison states: “We have all become Hamlets in our country, children of a slain father-leader, whose killers still possess the throne. The ghost of John Kennedy confronts us with the secret murder at the heart of the American dream. He forces on us the appalling question: Of what is our Constitution made? What is our citizenship – and more, our lives – worth? What is the future, where a President can be assassinated under conspicuously suspicious circumstances, while the machinery of legal action scarcely trembles?” However, despite such powerful rhetoric, the trial fails to provide an essential link between Shaw and the metaconspiracy, which is

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<sup>29</sup> During the Clay Shaw trial, Jim Garrison claimed that the Zapruder film was being brought before the American public for the first time; although this might have been true for 1968 audiences (when the trial took place), it would have most certainly been untrue for 1991 audiences, when the film was released.

<sup>30</sup> Rommel-Ruiz, *op.cit.*, p. 211. The Vietnam war is actually the red thread connecting all three of Stone’s presidential films: in *JFK*, it provides the motive for murdering the president; the echoes of this murder are the unspeakable secret at the heart of *Nixon*, while the desire to avoid another Vietnam-like disaster pushed forward the agenda for war in Iraq in *W*.

probably why the jury were so quick in returning a not guilty verdict. Even so, Garrison obtains his moral victory: he is the only one to know the “real truth”, and vows to continue his quest to prove it to those who refuse to accept his theory: “The film’s point is as clear as it is predictable: recalling Plato’s image of the cave, Garrison advances towards the light, emancipated that he knows the truth about Kennedy’s murder and the sinister government forces at work, while others remained enslaved to the illusions—perhaps delusions that the government is not culpable in the plot to kill President Kennedy—produced by the cave’s shadows.”<sup>31</sup> Thus, the film seems to suggest that it is our moral duty to rewrite history and produce a new narrative, one capable of providing the closure, the catharsis that might heal the trauma of JFK’s assassination.<sup>32</sup> Critics have also argued that *JFK* appears to undermine its narrative discourse by retelling the story of Kennedy’s murder in a neo-positivistic manner, narrating the facts “as they actually happened”.<sup>33</sup>

Ultimately, whether one regards Oliver Stone as a talented filmmaker who does not shy away from controversial subjects or as a director who attempts to rewrite history in order to advance his own ideological agenda, *JFK* remains to this day the only American film that brought about the adoption of a congressional act.<sup>34</sup> For Oliver Stone, “The movie *JFK* is not history; it’s an act of devotion, a declaration of faith.”<sup>35</sup>

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<sup>31</sup> Rommel-Ruiz, *op.cit.*, p. 216.

<sup>32</sup> Stone’s decision to retell the story of Kennedy’s assassination through the eyes of Jim Garrison recalls the literary device employed by novelist Don DeLillo in *Libra*, where he tells the story from the fictional point of view of Lee Harvey Oswald. Both works adopt the method of historical narrativity in order to put their message across. (For a more detailed comparison between the film and the novel, see Rommel-Ruiz, *op.cit.*, pp. 219-25).

<sup>33</sup> Rommel-Ruiz, *op.cit.*, p. 225.

<sup>34</sup> In fact, Stone himself proved to be ambiguous with regard to the meanings of his film: on some occasions, he claimed that “a film such as *JFK* represented solid historical research and forced a government reexamination of the Warren Commission Report”, while some other times insisted that “he is merely a dramatist and thus his political “histories” should not be subject to the same sort of vetting brought to bear on the work of academic scholars.” (Quoted in DiMare, p. 877). At any rate, the film’s end titles reveal the fate of its main protagonists beyond the cinematic denouement: Clay Shaw was revealed as a CIA contact agent, Garrison was re-elected as district attorney; additionally, the 1979 House Assassination Committee ruled that a conspiracy to murder president Kennedy was probable.

<sup>35</sup> “Twisted History”, *Newsweek*, December 22, 1991.

### **The tragic hero with a tragic flaw: Nixon (1995)**

Unlike *JFK*, Oliver Stone's *Nixon* is less focused on an era and its political events as it is on the personality and life of former American president Richard M. Nixon (played by Anthony Hopkins in the film). As such, it belongs in the biopic genre, while *JFK* is an example of political thriller. Stone claimed on more than occasion that his interpretation on Nixon's life is "a classically tragic tale of the essentially good man who overreaches and thereby dooms himself to disgrace."<sup>36</sup> While some critics faulted Stone for presenting an overly simplistic tale that sheds little light on the shifting tide of popular sentiment that marked Nixon's political failures and triumphs or even for committing full-blown "character assassination",<sup>37</sup> others acknowledge *Nixon* an un underrated masterpiece, "the finest work of cinematic art of all films about presidents [...], one of the few attempts at a full-scale presidential film biography."<sup>38</sup> The film presents its protagonist following a Shakespearian model chronicling the rise and fall of a tragic hero with a tragic flaw: in Nixon's case, the tragic flaw seems to have been his marked tendency towards suspicion and paranoia, as well as his lifelong obsession with the difference between himself and the Kennedys.<sup>39</sup> *Nixon* can be regarded, in a sense, as a counterpart to the image of President Kennedy in Stone's earlier film: *Nixon's* JFK is an inexperienced political leader (a surprising representation of an historical figure that Stone was accused of hero-worshipping) who climbs to the top aided by his father's money, the family's political connections and a blatant electoral fraud in the 1960 presidential election.<sup>40</sup> Richard Nixon seems to be permanently overshadowed by Kennedy's presence (the film suggests that this because of petty bourgeois resentment), so much so that the viewer gets the feeling that Kennedy pervades the filmic narrative like Banquo's ghost.

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<sup>36</sup> Pendergast and Pendergast (eds.), *op.cit.*, p. 962.

<sup>37</sup> Philip John Davies, Paul Wells (eds.), *American Film and Politics*, Manchester: Manchester University Press, 2002, p. 66.

<sup>38</sup> Booker, *op.cit.*, p. 40.

<sup>39</sup> The protagonist's dimension as a tragic hero is also emphasised by the film's motto, a biblical passage from Matthew 16:26: "For what is a man profited if he shall gain the whole world and lose his own soul?"

<sup>40</sup> Moreover, if one can speak of *JFK* as a "murder mystery", then *Nixon* would be a "moral mystery".

Oliver Stone's film shares a number of similarities with what is probably the archetypal representation of a political personality – Orson Welles's *Citizen Kane*. Both figures appear as protagonists constructed on the model of classical tragedy and both are modeled on real-life personalities (Charles Foster Kane is a thinly disguised alter ego of press magnate William Randolph Hearst). In both cases, one can identify a very strong connection between childhood events (particularly lack of parental affection) and adult political behaviour; Nixon's fall, however, is explained in much greater detail than that of Kane, for whom politics is only a part of the character's thirst for power. Both films employ cinematic flashbacks and frame narration in order to present the backstory of the characters. Stone, as well as Welles did in Kane's case before him, treats Nixon's fall as a tragedy, a fact emphasized by the film's closing scene, Nixon's 1994 funeral. Both films start with a mystery of sorts – in this case, the Watergate break-in of June 1972; from that point onwards, Nixon seems to become his own accuser: it is his own voice, recorded on the White House tapes, that is heard over and over again as the president hides in the Lincoln Room. *Nixon's* intertextual references to *Citizen Kane* are most visible in two key scenes: the scene where Richard Nixon and his wife Pat sit at opposite ends of a long dinner table, while Pat, frustrated at her failed attempts to communicate with her husband, resignedly says, "Sometimes I understand why they hate you, Dick" echoes the erosion of Charles and Emily Kane's marriage. The second scene occurs when Henry Kissinger, listening to a televised speech in which Nixon makes a final and futile attempt to distance himself from the Watergate scandal, wonders out loud, in a manner similar to Jed Leland's thoughts on Charles Kane, "Can you imagine what this man would have been had he ever been loved?"<sup>41</sup> In both cases, the heart of the tragedy is that the hero is unable to overcome his own greatest enemy – himself.

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<sup>41</sup> Booker, p. 42; Philip L. Gianos, *Politics and Politicians in American Film*, Westport: Praeger, 1998, pp. 184-88; Michael Carlson, *The Pocket Essential Oliver Stone*, Harpenden: Pocket Essentials, 2002, pp. 12, 73.

Just like in *JFK*, conspiracy is present in *Nixon* too:<sup>42</sup> even from the film's opening scene – menacing dark clouds over the White House – the director suggests that the dark, sinister, unscrupulous forces hinted at in his earlier film are now taking over the government;<sup>43</sup> the military-industrial complex acting from the shadows in *JFK* has now become a beast (as Nixon himself says), a wild animal impossible to tame or control.<sup>44</sup> The film repeatedly implies that Nixon himself, while not necessarily being a part of these dark forces, often used them to advance his purposes: he appears to be behind a secret plot to invade Cuba (codenamed Track 2) while he was Eisenhower's vice-president, a plot that eventually backfired and may have led to Kennedy's assassination in 1963; the spectre of his former decisions and his alleged responsibility in Kennedy's murder come back to torment Nixon in key moments of his life.<sup>45</sup> As Evan Thomas argues, "Stone can't escape his favorite conspiracy theory. His Nixon is haunted by his supposed role in plots against Fidel Castro in the early 1960s--plots that somehow got out of control and killed John E Kennedy. This ghost is not the only one spooking Nixon; he suffers in the movie, as he did in real life, from hubris, inner rage and profound insecurity. But his involvement in the assassination plots is made out to be Nixon's darkest secret."<sup>46</sup> I believe that the film gives almost equal weight to Nixon the man and to Nixon the conspirator; the core of the conspiracy is "the whole Bay of Pigs thing", a recurrent motif in many

<sup>42</sup> As Alex von Tunzelmann argued in an article published by *The Guardian*, "you don't go to an Oliver Stone movie expecting straight, canonical history with no conspiracy theories." ("Nixon: Oliver Stone's Tricky Dick Flick Is Far from Unimpeachable", *The Guardian*, June 3, 2010).

<sup>43</sup> DiMare, *op.cit.*, p. 369.

<sup>44</sup> Nixon himself is soon revealed as some sort of prince of darkness, lurking in the shadows of the Lincoln room, a creature whose ability to rise from the dead is illustrated several times in the film. (Carlson, *op.cit.* p. 73).

<sup>45</sup> Booker, *op.cit.*, p. 41.

<sup>46</sup> Evan Thomas, "Whose Obsession Is It, Anyway?", *Newsweek*, December 10, 1995. The author also mentions the fact Nixon's dark secret may function as a sort of "rosebud" (the psychological clue that drove Charles Foster Kane in Welles's film). Moreover, the guilt that Nixon feels over the Kennedy assassination is supplemented by the guilt he feels over the death of his two brothers, whose disappearance enabled his impoverished family to provide him with the means to go to Law School: as he tells his aide, Haldeman, at some point, his rise to the top was done stepping over four bodies – the two Kennedys (JFK and Bobby) and his own two brothers. His sense of guilt is also amplified by something that his mother told him after the death of his older brother, Harold: "This Law School thing is a gift from thy brother."

of Nixon's taped conversation with his closest aides. More recent scholarly evidence (in the form of 200 hours of Nixon tapes from the National Archives) have proven that Oliver Stone was mistaken when he suggested that the president was doing his utmost to conceal from the American public CIA documents on the failed Bay of Pigs invasion of 1961; quote the contrary, as Stanley Kutler, the author of *Abuse of Power*, a book based on these tapes, argues: Nixon was preoccupied with getting the Bay of Pigs file declassified and leaked to the press, believing that it would incriminate Kennedy for having mishandled the invasion that was supposed to depose Fidel Castro.<sup>47</sup> Journalist Bob Woodward of the *Washington Post*, who was instrumental in exposing the implication of the Nixon White House in the Watergate scandal, claims that "half the movie is based on facts. The other half ranges from sound speculation to borderline slander."<sup>48</sup> Even though *Nixon* continues the exercise of deconstructing American politics that Stone began in *JFK*, the criticism against the film on the grounds of distorting or revisioning history is less harsh than in the case of the 1991 production.<sup>49</sup> One possible explanation for this fact lies, as journalist Charles Colson suggests, in the preference for deconstructionism that academic history departments themselves have manifested more recently.<sup>50</sup> Probably as a reaction to the deeply critical views on his treatment of history in *JFK*, Oliver Stone went to great lengths to provide "legitimate" historical bases for the *Nixon* script.<sup>51</sup> A

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<sup>47</sup> Christopher Matthews, "New Tapes Debunk Oliver Stone's *Nixon*", in *San Francisco Chronicle*, January 1, 1998.

<sup>48</sup> Quoted in Daniel J. Walkowitz, "Re-screening the Past: Subversion Narratives and the Politics of History", in Barta (ed.), *op. cit.*, p. 45.

<sup>49</sup> Nevertheless, some critical voices once again accused Stone of subordinating rigorous historical method to personal conspiratorial views rooted in his infatuation with the 1960s New Left hostility to the "System". (Walkowitz, in Barta (ed.), *op. cit.*, p. 45).

<sup>50</sup> Walkowitz in *Screening the Past*, Barta (ed.), *op. cit.*, p. 46.

<sup>51</sup> The disclaimer that Stone includes at the start of his film is telling in this respect: "This film is an attempt to understand the truth of Richard Nixon, 37th President of the United States. It is based on numerous public sources and on an incomplete historical record. In consideration of length, events and characters have been condensed, and some scenes among protagonists have been hypothesized or condensed." One such examples of a hypothesized scene is the meeting between White House counsel John Dean (who will later be forced by Nixon to take part of the blame for Watergate) and E. Howard Hunt, the coordinator of the Watergate break-in; in reality, no such meeting occurred. See also Rosenstone, *Film on History*: "Like *JFK*, this film abounds in government conspiracies, yet these are far better documented than the ones hinted at in the earlier film." (p. 129).

closer analysis of the film might also reveal a “double conspiracy”: on the one hand, the suggestion that Nixon himself was a prisoner of the “system” and on the other, the cancer eating away the pure heart of American democracy stemming from the concerted actions of “the CIA, Mafia and Wall Street bastards”, as Nixon says when he realizes that this wild beast has gone out of control.

What appears as somewhat surprising in *Nixon* is not the presence of conspiracy and a personal view of American history (manifest especially the downward spiral of American politics following Kennedy’s assassination), but rather Oliver Stone’s sympathetic treatment of his protagonist: the film never openly condemns Nixon; by choosing to represent him as man tormented by his own demons, a man who felt so unloved as a child (the film often emphasized these Freudian overtones, especially in the relationship between the young Nixon and his strict Quaker mother) that, ironically, he chose to enter the most public of professions – politics. The viewer empathizes with Nixon when he shouts, at the height of his despair, after concluding an honourable peace that ended the Vietnam war, “Why do they hate me so?”<sup>52</sup> In a 1996 interview, Oliver Stone confessed that he viewed the real-life Nixon as “a monster, a grotesque figure”, explaining why his filmic portrayal does not mirror his opinion of the actual man: “We went the other way - we tried, as dramatists, to empathize with him and to walk in his shoes. One of the ways I tried to do that was to identify him with my father, who came from that generation. Very stubborn. Never wrong. For me, for most of the public, Nixon was a man who lied his whole life. I don't think he did it out of malice. He thought he was a good guy. [...] Nixon is failure. I think of him in terms of Willy Loman in "Death of a Salesman."”<sup>53</sup>

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<sup>52</sup> This exclamation is actually symptomatic of the fact that Nixon believed the press, among others, were his sworn enemies: during his brief intermezzo outside the world of politics after his loss in the 1962 California gubernatorial elections, in what he called as “my last press conference”, Nixon told reporters that “you won’t have Nixon to kick around anymore”. The film presents several malicious or tendentious examples of Nixon’s treatment by the press, such as the headline wondering “which Nixon is Nixon going to be today?” – a hint at Nixon’s persona, his forced smiles (“his face and his smile never seem to be in the same place at the same time”, as one character puts it), his constant references to himself in the third person.

<sup>53</sup> Lisa Nesselson, “Oliver Stone Discusses His Film *Nixon*”, <http://www.parisvoice.com/archives-97-86/295-oliver-stone-discusses-his-film-qnixon>, accessed February 25, 2012.

Although, as some critics argued, the explanation of childhood trauma does not fully account for Nixon's paranoia and dishonesty, they do earn him the sympathy of the audience.

Ultimately, *Nixon* is an impressive biopic featuring a brilliant performance by Anthony Hopkins, who infuses his character with all the tragic aura of a flawed hero who comes within an inch of having everything, but falls prey to his inner anguish and turmoil.

### **Stone's take on contemporary history: *W.* (2008)**

The latest of Stone's presidential films, *W.*, is a rare example of political film focusing on the personality of a leader who, at the time of the film's release, was still in office. Given Oliver Stone's reputation as a "left-wing radical", many viewers and critics alike would have expected to see a very harsh portrayal of one of America's most reviled presidents, George W. Bush, as well as a fresh approach on the controversies leading to the military involvement of the United States in Afghanistan and Iraq. In fact, Stone's film presents neither: president Bush (played by Josh Brolin) appears as a dim-witted and hilarious character rather than a sinister figure, while the war in Iraq seems to be a consequence of Vice-president Dick Cheney's lies and deception – a perspective in keeping with what many believe to be the motives behind this conflict. While it is true that Oliver Stone is no admirer of George W. Bush, he himself admitted that his film is not for "that radical 15% that hate Bush or the 15 to 20% who love Bush. That's not our audience. Those people probably won't come. I'm interested in that 60% in the American middle who at least have a little more open mind."<sup>54</sup> The director intended his film to be a character study of an interesting man, not an exercise in polemic: "Bush is not a lightweight. He has determination. What did I learn? I really learned how powerful the willpower and discipline is that he has. I'm not making political judgments. We're not looking to condemn. He says what he says and does what he does. You're going to like him, and at the same time, you're going to be horrified by some of the stuff he does."<sup>55</sup>

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<sup>54</sup> Quoted in Anthony Breznican, "First Look: Oliver Stone's *W.* Is Not Quite Out of Left Field", in *USA Today*, September 24, 2008.

<sup>55</sup> Quoted in Breznican, *art. cit.*



Consequently, the criticism against Stone's *W.* is different than the one leveled against his two earlier presidential films: "What missing [in *W.*] is the one thing Stone films never lacked: a point of view."<sup>56</sup> The film chronicles George W. Bush's rise to power from the days of his lost youth as the black sheep of a prominent political dynasty to political triumph as Texas governor and later, as two-time president of the United States. The driving force behind George W.'s major decisions (to quit drinking, to become involved in politics, to run for governor and then for president) is his deep desire to prove his worth to his father, the patriarch-like figure of George H. Bush that actually dominates the cinematic narrative: even at the height of his political career, George W. cannot help feeling like a disappointment to his father.<sup>57</sup> In many scenes following his election as president, George W. appears as shallow, boorish figure, less a decider than a tool manipulated by evil eminences such as Vice-President Cheney (played by Richard Dreyfuss) or adviser Karl Rove (Toby Jones); Cheney in particular is a Iago-like figure who does nothing but unscrupulously advance his own agenda. However, at a closer look, George W. Bush does have moments when he refuses to be manipulated by his vice-president, such as the scene where he refuses to sign the authorization to torture prisoners during interrogation in the name of "national security".<sup>58</sup> Therefore, the film implies that president Bush is actually an active agent in the political decisions of his administration and should be held fully responsible for its failures – especially dividing the nation following a period of unprecedented unity after the September 11 attacks -, not the victim of an administrative plot orchestrated by high-level cabinet members. Stone's criticism in the film is not so much directed against the (mostly fabricated) evidence that the Bush administration used to involve the country in a full-scale bloody war, but rather against the fact that whoever questioned the connection between the alleged weapons of mass destruction in Iraq and the 9/11 terrorist attacks was considered unpatriotic.<sup>59</sup>

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<sup>56</sup> Richard Corliss, "Oliver Stone's Verdict on George W.", in *Time*, October 13, 2008.

<sup>57</sup> In a sense, *W.* could rightfully be considered the story of a proud father perpetually disappointed in his son.

<sup>58</sup> Rommel-Ruiz, *op.cit.*, p. 245.

<sup>59</sup> From this point of view, *W.* explores many of the issues present in Stone's earlier film, the 2006 *World Trade Center*; however, both films provide unsatisfactory answers to critical historical questions about how and why the September 11 attacks occurred.

Besides this connection, the film also suggests that president Bush's decision to go to war in Iraq has deeper psychological motivations: he wanted to finish what his father started in 1991, in yet another attempt to prove his worth to the former president.

If one could speak of conspiracy in *W.*, then this refers to the way in which the Bush administration gradually misinformed and deceived the American public about Saddam Hussein's military arsenal and his supposed connections to Al-Qaeda. The film thus indirectly questions the findings of the 9/11 National Commission, just like the earlier *JFK* questioned the conclusions of the Warren Commission Report.<sup>60</sup> Oliver Stone's film implies that the Iraqi threat was amplified by vice-president Cheney and other Bush advisers (Cheney actually says at one point that going to war in Iraq is justified even if there might be only a 1% chance of Saddam Hussein possessing weapons of mass destruction) on the one hand in order to "kick the Vietnam syndrome" and re-establish America as the real empire of the 21<sup>st</sup> century, and on the other, to gain access to invaluable natural resources. However, this threat ultimately proved to be empty: the search for weapons yielded to result, while the caves presumed to be harbouring nuclear warheads and terrorists turned out to be trenches for cattle, thus revealing the full scale of the deception perpetrated by the Bush administration, a deception that claimed the life of hundreds of American soldiers.<sup>61</sup> Ultimately, as was the intention of its director, the film does put forward a credible hypothesis that president Bush himself promoted and justified the war.

Many elements in the structure of *W.* remind one of *Nixon*: the flashbacks telling the character's backstory, the personal insecurities of the protagonist stemming from growing up in the shadow of overbearing parents and siblings, the insecurities, inner turmoil, self-doubt and despair

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<sup>60</sup> The findings of the 9/11 National Commission are also challenged by academics such as Peter Dale Scott, in his work *The Road to 9/11*, where he connects the terrorist attacks to a long tradition of government deception with the purpose of encouraging military actions that stretches back to World War I and the German attack on the American ship *Lusitania*.

<sup>61</sup> In this light, the scene where president Bush and the First Lady visit the bedside of an American soldier who had lost both legs fighting in Iraq paint the president as a pathetic figure who's out of touch with reality and does not comprehend the scale of the destruction he helped unleash.

upon realizing that, despite their best efforts, they still do not have the love of the people.<sup>62</sup> The film actually contrasts president Nixon with George H. Bush, in a scene where the latter hesitates to use a biased campaign ad attacking the Democratic candidate, Governor Dukakis, saying that “Nixon did stuff like that” – namely, using negative campaigning to smear his political opponents.<sup>63</sup> Stone’s portrayal of George W. occasionally seems built upon the same sympathetic features he included in Nixon’s case: viewers may come to admire Bush’s sunny disposition and empathize with his inner struggles in spite of themselves; the director reserves his cinematic venom for other figures: Vice-president Cheney, the Machiavellian Karl Rove or the complacent Condoleezza Rice.

Unlike Stone’s previous two films, however, *W.* pales by comparison: it lacks both the narrative coherence of *JFK*’s historically revisionist point of view and *Nixon*’s brilliant portrayal of a tragic hero on the path to his downfall; instead, as Richard Corliss remarked, *W.* is “that rare Oliver Stone film that is not exhilarating or enraging, but boring, because the director doesn’t have a fresh take on Bush.”<sup>64</sup>

### Concluding remarks

Oliver Stone is a child of the privileged 1950s America, but came of age during the turbulent period of the Vietnam War, which he experienced first hand. It is entirely possible that this “baptism of fire” shattered his youthful idealism and infused him with a moral sense that can be traced back to the Protestant ethic of the Founding Fathers.<sup>65</sup> This moral sense is evident in all his political films: the six films he directed about 1960s America (*Salvador*, *Platoon*, *Born on the Fourth of July*, *Heaven and Earth*, *JFK* and *Nixon*)

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<sup>62</sup> One of the recurrent scenes in *W.* shows the president standing in the middle of a baseball stadium, being cheered on by adoring crowds; however, it turns out that those ovations are only a product of his imagination: every time he looks up to the people, the stadium appears empty and desolate.

<sup>63</sup> Moreover, the film also mentions the figure of JFK, used by Bush Sr. as an example of bad behaviour that his son should avoid at all costs (namely, he should not engage in drunk driving, chasing women and other such demeaning activities): “Who do you think you are? A Kennedy? [...] You are a Bush.”

<sup>64</sup> Richard Corliss, “Oliver Stone’s Verdict on George W.”, in *Time*, October 13, 2008.

<sup>65</sup> Carlson, *op.cit.*, p. 8.

put forward a kind of collective historical argument with deep moral overtones about contemporary America; his insistence on the moral lessons of history is markedly traditional.<sup>66</sup>

His first two presidential films stemmed from the fascination of his youth with strong political leaders and from the array of conspiracy theories surrounding both Kennedy and Nixon's personalities. Stone referred to *JFK* as being his "J'accuse!" film, whereas *Nixon* was a "sober, winter" movie that attempted, mostly empathetically, to capture the loneliness and occasional despair of an unloved man." In it, too, Stone connected his subject to the documented conspiracies that helped destroy his presidency, as well as to other plots for which there is little credible evidence.<sup>67</sup> His *W.* is a less radical film, partly because, as the director himself declared, "I think I subconsciously avoided going to the bottom of this murky pond because I was scarred from the numerous personal attacks on me as a conspiracy theorist after *JFK* and *Nixon*."<sup>68</sup> Such attacks came from both ends of the political spectrum: he was blamed from the right for seeing conspiracies everywhere and from the left for suggesting that Kennedy was a force of liberal change.<sup>69</sup> Stone was also accused of making fiercely manipulative films; this may be partially true, but one can discern here the significant influence of his professor and mentor at New York University, Martin Scorsese (who often faced similar accusations), in addition to other influences coming from Orson Welles, Luis Bunuel or the directors of the French New Wave, Alain Resnais and Jean-Luc Godard.<sup>70</sup>

Oliver Stone's on screen history is the history of the future, especially in a society where reading scholarly history books is increasingly regarded as an elitist activity. The prevalence of visual culture in today's world may mean that whatever history people remember is the one they saw on film or

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<sup>66</sup> Rosenstone, *Film on History*, 132. This is the reason why Jim Garrison, the disillusioned idealist, may be Stone's most revealing hero, the closest thing to the director's alter ego.

<sup>67</sup> "From Man to Mockery, and Back Again", in *Newsweek*, online edition, <http://www.thedailybeast.com/newsweek/2008/10/10/from-man-to-mockery-and-back-again.print.html>, accessed on February 29, 2012.

<sup>68</sup> Oliver Stone, "Afterword", in *Responses to Oliver Stone's Alexander: Film, History and Cultural Studies*, eds. Paul Cartledge, Fiona Rose Greenland, p. 348.

<sup>69</sup> Carlson, *op.cit.*, p. 9.

<sup>70</sup> See also Niemi, *op.cit.*, p. 345 for further details on this issue.

on television; in this case, Stone is a storyteller for a new age, one who makes history by making myths and makes myths in order to tell truths. At any rate, as Davies and Wells argue, "Stone has created in his presidential films the only full-blown mythic version of American politics since 1960";<sup>71</sup> if nothing else, such films are necessary because they engage, comment and contest the existing body of data and arguments that form the discourse of history.

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## REVIEW

### L'Union Européenne vue par l'OCDE\*

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Un rapport récent élaboré sous l'égide de l'OCDE est consacré aux mesures prioritaires nécessaires à l'achèvement du Marché Unique européen. L'objectif du rapport est d'identifier les entraves qui subsistent encore dans le cadre de ce marché ainsi que les mesures nécessaires à leur élimination. Les données utilisées sont les plus récentes disponibles et ne se limitent pas aux seuls documents et statistiques élaborés par l'Union.

La structure du rapport peut surprendre le lecteur par certaines répétitions : quelques statistiques de base et un résumé sont suivies par une évaluation du stade actuel du Marché Unique et par les recommandations politiques qui en découlent. Les progrès constatés dans les réformes structurelles déjà entreprises sont synthétisés dans une Annexe qui vient clore cette première partie. Le restant du rapport consiste en un « chapitre thématique », intitulé « Priorités pour la réalisation du Marché Unique ». A l'instar de la première partie, celle-ci s'achève par une bibliographie et une annexe méthodologique (« Quantification de l'impact des réformes structurelles recommandées »).

La plupart des données statistiques générales concernent non seulement l'UE mais aussi l'OCDE. A quelques exceptions près, les comparaisons ne sont pas très favorables à l'Union. Celle-ci apparaît comme étant une région où les jeunes sont plus rares et les seniors plus nombreux, avec une croissance économique moindre (1% contre 1,7% sur cinq ans), mais avec des prélèvements obligatoires et des dépenses publiques plus élevées (+6,5%, respectivement +5,1%), sans que cela ne se reflète dans des

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indicateurs sociaux nettement supérieurs (cinq mois d'espérance de vie en plus, coefficient Gini quasi-identique, résultats inférieurs aux tests PISA etc.). Cependant, c'est le contraste sur le marché du travail retient le plus l'attention. Par rapport à l'OCDE, en UE28 on travaille 161 heures/an en moins, le taux de chômage y est supérieur, que ce soit le taux général (9,4% contre 6,8%), celui des jeunes (20,4% contre 13,9%) ou celui de longue durée (4,5% contre 2,5%). Certes, l'objet du rapport n'est pas d'analyser dans quelle mesure « le modèle social européen » est-il vraiment social ou bien représente-t-il un modèle à suivre. Pourtant, l'impact des réglementations sociales et du droit du travail sur le Marché Unique est à peine évoqué. Selon les auteurs du rapport, le filet de sécurité sociale représente une barrière sur le marché du travail seulement par son insuffisante « portabilité » d'un pays à l'autre.

Bien que la mobilité du facteur travail (y compris la meilleure intégration des migrants) représente un des trois axes du rapport, ses auteurs ne mentionnent pas l'éventuel impact des réglementations sociales (le niveau du salaire minimum et des prestations sociales dans chaque pays, leurs durées et conditions d'accès etc.) sur le fonctionnement et les dysfonctionnements des marchés de travail nationaux et européen.

En relation avec la crise des réfugiés, un des changements les plus marquants est la réduction massive des délais d'accès au marché du travail, notamment en Grèce, Portugal et Suède (accès presque immédiat). Ces délais restent parfois trop longs dans d'autres pays comme la France, la Hongrie, le Luxembourg (environ neuf mois) et le Royaume-Uni (un an), ce qui réduit les possibilités d'intégration des réfugiés dans les sociétés d'accueil.

Un marché du travail intégré à l'échelle européenne, similaire à celui des Etats-Unis reste un objectif lointain, et cela n'est pas imputable exclusivement aux barrières artificielles (administratives). Les facteurs non-politiques (diversité culturelle/linguistique) y sont pour beaucoup, comme le suggère la mobilité du travail entre les provinces canadiennes de langue différente, mobilité comparable à celle européenne. Pour les auteurs, cela représente d'ailleurs un des arguments en faveur d'une augmentation massive (« boost ») du financement public de l'apprentissage des langues, conçu de manière plus explicite comme appui aux travailleurs migrants.

Les deux autres axes du rapport sont représentés par la diversification des sources de financement des entreprises pour stimuler la

reprise et « l'approfondissement du Marché Unique et le support de la croissance verte par des réformes dans les secteurs à réseaux ».

En dehors des effets positifs sur la résistance aux chocs, la nécessité de la diversification des sources de financement des entreprises est justifiée par les auteurs par le contraste entre la zone Euro et les Etats-Unis. Dans le premier cas, leurs financements se font via les prêts bancaires (plus de 40%, en baisse) et seulement un peu plus de 10% (en légère hausse) par des obligations. Aux Etats-Unis, la situation est inversée, avec des chiffres similaires. Une des causes en est la persistance de la fragmentation des marchés financiers au long des frontières nationales, en dépit des indéniables progrès réalisés vers leur meilleure intégration. Comme remède, les auteurs recommandent la réduction des barrières réglementaires dans le marché des obligations d'entreprise (côté offre), une meilleure collecte et diffusion des informations sur la situation financière de PME, une harmonisation des procédures d'insolvabilité (côté demande).

Le troisième axe du rapport – la croissance verte et le développement des secteurs à réseaux – englobe plusieurs aspects du Marché Unique, parfois en convergence, parfois en opposition. Les réseaux mentionnés sont ceux du transport des ressources énergétiques (électricité, gaz), de personnes et de marchandises (routiers, ferroviaires, aériens) ou d'information (télécommunications). Cela concerne donc toutes les quatre libertés fondamentales.

Les auteurs mettent en évidence les progrès récents obtenus et les entraves qui persistent encore sur la voie d'une intégration des marchés nationaux jusqu'à un niveau comparable à celui constaté dans d'autres Etats fédéraux. Ces progrès doivent être rappelés, notamment en cette période de doute concernant les apports positifs du processus d'intégration économique européenne.

Les entraves les plus importantes identifiées par les auteurs concernent la libre circulation de services, mais elles sont présentes aussi dans le cas des personnes, des capitaux et des marchandises. Ils apprécient favorablement la prise de conscience et les efforts entrepris par la Commission Européenne pour la réduction des barrières administratives et des coûts non-nécessaires de la réglementation, notamment par une meilleure évaluation (ex ante et ex post) des réglementations.

Il existe une grande convergence entre l'analyse réalisée dans ce rapport (diagnostic et – surtout – solutions) et la vision « officielle » de l'Union Européenne. Sans surprise, la concurrence est généralement considérée comme désirable : c'est l'idée centrale de l'établissement d'un marché unique à l'échelle de l'Union et même au-delà (EEE, voire TTIP et autres accords d'association et/ou de libre-échange). Cependant, les vertus de la concurrence institutionnelle – c'est-à-dire la concurrence entre systèmes de règles formelles et informelles au sens de North ou de Hayek – ne sont pas mentionnées dans le rapport. Pourtant, la diversité institutionnelle de l'Europe en ferait un bon « laboratoire » d'étude des meilleurs arrangements institutionnels. L'éventuel choix n'est pas laissé aux individus mais il est réservé aux instances européennes par les auteurs du rapport, qui privilégient explicitement une approche harmonisatrice « top-down », au moins dans la longue liste des domaines mentionnés. Celle-ci comprend des domaines divers, comme la réglementation de faillites, la fiscalité, les réfugiés, le secteur financier (« produits financiers et véhicules d'investissement standardisés au niveau pan-Européen »), les transports, l'énergie etc.

Comparativement, les auteurs font moins de références à la reconnaissance mutuelle des normes, qui représente pourtant un des plus puissants moyens d'intégration des marchés. Un exemple retenu par les auteurs est celui de la reconnaissance réciproque des qualifications professionnelles, qui (grâce aussi à la carte professionnelle européenne) a facilité une mobilité relativement plus élevée du personnel médical.

La multitude des recommandations destinées améliorer le fonctionnement du Marché Unique est synthétisée sur moins de deux pages (70-71). S'il fallait limiter cette synthèse à deux mots, ceux-ci seraient « harmonisation » et « simplification ».

## BOOK REVIEW

***Adonis, Violence and Islam: Conversations with Houria  
Abdelouahed, Polity Press, 2016, 180 p.***

**Monica Meruțiu\***

The foundations of this complex and comprehensive volume were laid back in 2006 by the three editors and it was built with contributions of experts in a wide variety of disciplines, such as political science, economics, history, sociology, geography, psychology, mathematics, computer science, and physics, to name just a few. This diversity of their elaborated perspectives stands from the beginning as a distinctive characteristic, distinguishing this volume from other approaches on similar topics, and consequently transforming it in a unique contribution.

The analyses encompassed in this edited volume focus on stringent problematics of our time, from terrorism and battlefield warfare, to ethnic and regional violence; while at the same time it stands and illustrates an effort to make a contribution in combating terrorism, as well as ethnic and regional violence.

*Conflict and Complexity Countering Terrorism, Insurgency, Ethnic and Regional Violence* is a volume that embodies a complex approach to emphasize the need to add to the classical methods of analyzing, understanding, and combating terrorism and conflict (such as intelligence, statistical and game-theoretic modeling, and military operations) of new methods that has become evident in recent years.

Consequently, the current volume analyses such efforts- the application of network modeling and analysis to terrorism and conflict, as well as many other complex systems concepts, chaotic dynamics, self-organization, emergent patterns, and fractals that have also been applied, generating important results.

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The dense volume is structured in three main parts; the first part comprises six chapters, and the next two parts encompass five chapters each.

Part I of the book offers a theoretical background and tackles rather theoretical ideas.

The first chapter, "Modeling Terrorist Networks: The Second Decade" written by Philis Vos Fellman, one of the three editors of this collective work, constitutes a detailed and elaborated overview of the methods and... in the

study of terrorism, as well as of the systems approaches that have been used.

Chapter two, authored by Czeslaw Mesjasz, "Complex Systems Studies and Terrorism", is an insight into the systems methods that are relevant to the study of terrorism and the particular modalities in which they can be applied.

The next chapter, "The Psychology of Terrorism", by Elena Mastors provides, as the title suggests, undertakes a significant study on the psychological dimension of the terrorist phenomenon, focusing on the motivations and characteristics of terrorists, and the specific stages of their radicalization and recruitment processes.

In chapter four, "A Framework for Agent-Based Social Simulations of Social Identity Dynamics", M. Afzal Upal approaches the agent-based model to the social identity dynamics, considered to be imperative for our understanding of the terrorists' actions and our potential to countering their recruitment methods.

The next chapter, "DIME/PMESII Models", by Dean S. Hartley III, focuses on the complex model DIME/PMESII in order to provide an analysis of counter-terrorism strategies. The acronym PMESII refers to the Political, Military, Economic, Social, Information, and Infrastructure variables that describe the status of a situation, while the acronym DIME refers to the levers of power that a (nation) state has to influence the PMESII state.

In the last chapter of the first part, "Net-Centric Logistics: Complex Systems Science Aims at Moving Targets", Thomas Ray illustrates how a complex systems-based logistics could help prevent terrorists in a more pragmatic manner compared to the traditional centralized model. One of the most important conclusions is that "whereas in the past, preemptive battle tactics meant destruction of the enemy's will to fight, we find today that violent suppression only makes stronger the roots of future conflict. When

utter destruction is impossible, victory can be realized only by sustained cooperation" (p. 146).

In Part II of the volume the chapters are dedicated to applications and case studies based on complex systems approaches.

Thus Maurice Passman in chapter seven, "A Fractal Concept of War", moves beyond the traditional model of war to one based on fractals, considered to better reflect and assume the complex dimensions of warfare in our contemporary world.

In Chapter eight, "Disrupting Terrorist Networks: A Dynamic Fitness Landscape Approach" authors Philip Vos Fellman, Jonathan P. Clemens, Roxana Wright, Jonathan Vos Post, and Matthew Dadmun claim that one of the most fruitful scientific approaches to the study of terrorism has been network analysis; especially if applied for disrupting the flow of communications. Their arguments illustrate the ways in which "optimal decision-making for terrorist networks might be constrained" and apply the fitness landscape approach to the formal mechanics of decision theory.

The next chapter, "Comparison of Approaches for Adversary Modeling Decision Support for Counterterrorism", by Barry Ezell and Gregory S. Parnell, summarizes several methods used for risk analysis, stressing the need to integrate terrorism risk analysis into the intelligence cycle. It reviews some of the most common techniques: logic trees, influence diagrams, Bayesian networks, systems dynamics, and game theory, providing technical descriptions; references, as well as the benefits and limitations of each technique. It is underlined that intelligent adversaries remain a fundamental component of terrorism risk analysis and that the modeling of potential adversary attacks on homeland security is an essential opportunity to support national decision makers responsible for homeland security decisions.

Chapter ten, "The Landscape of Maritime Piracy and the Limits of Statistical Prediction", by Philip Vos Fellman, Dinorah Frutos, Thanarerk "Nathan" Thanakijsoombat, Pard Teekasap, and Britten Schearuses is a quantitative study that explores whether there is a "learning curve" in the activity of maritime piracy. As the authors confess in the Introduction, they were able "to draw a variety of useful conclusions about maritime piracy and to draw a series of useful conclusions about the nature of this activity" and consequently they have also been able "to place the quantitative results in

context, thus hopefully contributing to the successful diminution of Somali piracy" (p. 200).

In "Identities, Anonymity and Information Warfare" by Stuart Jacobs , Lou Chitkushev , and Tanya Zlateva approach an interesting and poignant topic, that is identity and anonymity in cyber-warfare, as „modern information warfare embodies many different forms and types, using various computer devices and applications as weapons" (p. 221). The authors conclude that modern electronic societies can no longer allow anonymity to be generally accepted and that industries and societies need to insist that electronic infrastructures and services require authentication of network access and network-based activities; thus "removing the cover of anonymity will increase the difficulty of perpetrating attacks (including spam, phishing, etc.) by cyber-criminals, terrorists, and those involved information warfare" (p. 230).

Finally, the five chapters in Part III, titled "Broader Horizons", provide deep analyses to conflict in its diverse forms of manifestation and with its many sources: environmental factors, consequences of the climate change, socioeconomic issues, overpopulation, ethnic violence, religious and political turmoils.

In chapter twelve, "The Geography of Ethnic Violence", Alex Rutherford , May Lim, Richard Metzler, Dion Harmon, Justin Werfel, Shlomiya Bar-Yam, Alexander Gard-Murray, Andreas Gros, and Yaneer Bar-Yam We are considering the conditions of peace and violence among ethnic groups, in order to test a theory designed to predict the locations of violence and interventions that can promote peace, taking the former Yugoslavia, India, and Switzerland as examples.

Marco Lagi, Karla Z. Bertrand, and Yaneer Bar-Yam discuss in chapter thirteenth, "Food Security and Political Instability: From Ethanol and Speculation to Riots and Revolutions", the role of food prices in producing political instability, taking as main examples the violent protests in North Africa and the Middle East in 2011 as well as earlier riots in 2008 that "coincide with large peaks in global food prices"(p. 249). The arguments claim that protests not only reflect the political failings of governments, but also "the sudden desperate straits of vulnerable populations", and consequently that "if food prices remain high, there is likely to be persistent and increasing global social disruption" (p. 249).

This topic is addressed in the next chapter as well, “South African Riots: Repercussion of the Global Food Crisis and US Drought”, authored by Yavni Bar-Yam, Marco Lagi, and Yaneer Bar-Yam that analyze the impact of food prices in South Africa and arguing the importance of food prices in social unrest worldwide and the suffering of poor populations, relating to the example of food prices in South Africa that have doubled since 2006, increases that are directly associated with the periods of extreme violence.

This theme is continued in the next chapter, “Conflict in Yemen: From Ethnic Fighting to Food Riots”, in which authors Andreas Gros , Alexander S. Gard-Murray , and Yaneer Bar-Yam examine the rioting triggered by food prices in Yemen, an area considered a global terrorist base for Al-Qaeda, where manifestations of violence are threatening the social order, and overall a country with an active terrorist presence.

The authors show that the socioeconomic origins of violence have changed. in the sense that if prior to 2008, violence can be attributed to inter-group conflict between ethnically and religiously distinct groups, from 2008 on, “the increasing global food prices triggered a new wave of violence that spread to the endemically poor southern region with demands for government change and economic concessions” (p. 269).

The last chapter, “Complexity and the Limits of Revolution: What Will Happen to the Arab Spring?” by Alexander S. Gard-Murray and Yaneer Bar-Yam, reviews the case of the Arab Spring, by applying their analysis to the Middle East and North Africa, providing a complex systems framework, and inferring that “in the absence of stable institutions or external assistance, new governments are in danger of facing increasingly insurmountable challenges and reverting to autocracy” (p. 281).





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- Header & Footer: 4.5 cm, different on first page and different on odd and even pages

2. Fonts: use Palatino Linotype and follow the sizes specified below:

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- **12 pt (bold) for Author(s) name and section titles**
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< For electronic materials: Author(s): Last name, First name (Year) (if applicable), *The title of the study* [complete web address], Date consulted

Hirsch, E. D.; Katt, Joseph F.; Trefil, James (2002), *The New Dictionary of Cultural Literacy* [<http://www.bartleby.com/59/17/postindustri.html>], 20 January 2005

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