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CONTENTS

NATIONAL SECURITY

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THE SEMANTIC FIELD "NATION, STATE, PEOPLE AND CITIZEN" FROM ANOTHER THAN LEGAL POINT OF VIEW: ORIGIN, FORMS AND DYNAMICS IN EUROPEAN LANGUAGES AND CULTURES

Abstract:	*The significance of this semantic field today is largely legal, but we are interested in its cultural, literary and social dimension in European languages, because its various forms originate before the legal system and their place in people's thinking and actions has a dynamic that depends more on state of culture than on the state of the legal system. Today, in addition to the health crisis, we are experiencing a crisis in relation to what this semantic field represents, from nationalism, which absolutizes and abuses it, to globalism, which rejects everything it represents and provides only insufficient compensation. Our goal is to trace the origin, history and actual potential of singular forms, their motivation and function, so that we can assume their significance for the future. The individual words of this semantic field pass between individual languages, and although we focus mainly on the Romance and Slavic languages, changes in meaning also pass through the entire European area, and a comprehensive picture is created only in comparison with other European languages.* *Original motivation of singular words creating the semantic field in European languages Why are we focusing just on European languages? Isn't that inappropriate in postcolonial time? They are geographically and culturally connected languages, which share external, ideological and religious influences and although Indo-European languages predominate among others, the search for etymology and history is still more difficult than it seems at first glance.*
Keywords:	**Nation; state; people; citizen; semantic**
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Nowadays, *nation* and *people* have different meanings and values in cultural life, which change significantly over time and according to political regimes. The significance of this semantic field today is largely legal, but we are interested in its cultural and social dimension in European languages. The individual forms have their origins in prehistory and their dynamics in people's thinking and actions depends more on the state of culture than on the state of the legal system. At the present time, we are experiencing a certain crisis of perception of what this semantic field represents: from nationalism, which absolutizes and abuses it, to globalism, which rejects everything a nation represents. Our goal is to monitor changes in the meaning of individual forms, starting from their motivation and function versus historical development to the present day.

1. Origin

The first step for us is to find the origin, since it nonetheless had to be different, given the fact that *nation, state* and *homeland* did not exist in prehistory. The words themselves are older and originally had to mean something else.

Individual terms covering this semantic field can be divided into two groups according to motivation. The first originally means birth – it includes words derived from the Latin *natio* and the Slavic *národ (nation)*. The second indicates at the beginning of history the meaning of *army, flock, fighting party*, although in the case of individual forms another earlier etymology can also be reconstructed. It later referred to the lowest, but relatively free, strata of society. This is the case of the German *Volk*, the Latin populus, the English *folk*, the Serbian *puk* (older meaning to be found, for example, in the Slovak pluk). Such motivation, or at least connotation, can also be found in the Slavic ľud (in the Romanian ludu), the German Leute, the Irish tuatha, the Lithuanian and Latvian tauta. It is also the root of the Deutsch ethnonym and the designation Tóth of Slovaks by the Hungarians, which in Romanian is Tăut. Conversely, the leadership and control of such a community is motivated by the semantic field of the German Reich, the Slavic ríša, the Latin regnum, the more recent Polish państwo or the Russian государство. Although they have the meaning of power, domination, or controlled territory, this motivation often decreases in use similarly to the word region. This semantic field either delimits or intersects with the meanings of the words discussed herein.

In European languages, the most common root for designating this semantic field is the Latin nation. In Romance languages, these derived words were domesticated; in Germanic and Slavic languages they either gained ground at the expense of domestic words, or coexist with them. Elsewhere it is the expression of the elevated style of Latin origin, or in some cases the source is English or French.

In Western Romance languages and in English, the root is the Latin noun natio[1]. It is derived from the passive perfect participle (g)natus (born) of the verb nascor, nasci (to be born). Related words are natura (naturalness, nature, literally what is given by birth), but a little further on is also genus (kin). At the same time, the term denoted by nation at present refers to people of different origins and natures, including what they share and what differentiates them. (Nation in French also means the entirety of citizens: le présidents´adreesse à la nation.) Words derived from the Latin gens[2], the Romance gente (tribe, people, nation) ale close not only through their meaning but also through their origin. In fact, there is a full range of radicals associated to the same Indo-European root, and the same goes for the motivation; the designation of people of the same origin, i.e. kin took the shift to natio only after the relatedness of the words ceased to be obvious.

The Slavic "nation"

The original Slavic forms are roughly synonymous, while their forms and connotations resemble, in spite of more complex motivations. The structure is obvious: the prefix, originally the preposition na and rod, the root (H)rodh-eie. The word rod (kin) has a similar meaning as the lat. genus, although its signification of "nation" is mostly obsolete. In Slavic languages, the verb rodiť means to breed, to give birth, what is true of a woman as well as of trees, for example.

Through ablaut it seems to be close to the forms of to counsel, order, to control/direct. The Romanian norod has a Slavic basis, and it later on acquired the connotations of crowd.1.4 Ľud, Leute[3].

The word is obviously old and well documented for the Germanic and Slavic languages; in Greek it might have combined with ελεύθερος and in Latin with liber - free. The people are free, although they are common, simple people, originally a battle party of ordinary free fighters at the lowest level of the hierarchy. All Slavic languages denoted man as a member of the people. It is derived from the word čeľaď (servants, the whole extended family; compare the Hungarian családi or čelo. This is because, unlike leaders, servants had short hair or uncovered heads (so their foreheads could be seen...). It seems certain that the word man originally designated a servant.

The English Folk[4], the German Volk, the Romance populus[5], and derivatives.

[1] Michiel de Vaan, *Etymological Dictionary of Latin and the other Italic Languages*, Brill, Leiden - Boston, 2008, pp. 400-401

[2] The word *gens, -ntis* initially denoted lineage, kinship, and later otherwise connected people

[3] Proto-Indo-European basis *h☐léwdʰ-e-ti, from *h☐lewdʰ- ("to grow, people/folk")

[4] In Norwegian, the meaning of "crowd, army" has been preserved din the case of Folk.
*fulȝénan, ON fylgja "to follow", OE folȝian id., OFrisfolgia, folia id., OS folgon id., OHG folgén id. Identical with Slav *pьlzěti "to crawl" derived from *pьlzti id, Vladimir Orel, *Albanian Etymological Dictionary*, Brill, Leiden - Boston - Cologne,1998, p.117

[5] Older derived words are: "populan" to ravage, plunder "populabundus" engaged in ravaging a territory

It seems that at least the Germanic and Slavic forms come from the Indo-European polHgh. The originally armed crowd is gradually transformed into an integrated combat unit and during peacetime into folk. In Slavic languages it has rather maintained the original meaning of regiment, although in Serbian puk is also folk.

It is slightly more complicated with the Latin forms. Duplication seems to have occurred: the form publicus is probably influenced by another basis. The form plebes also seems to be close in meaning.

The Lithuanian and Latvian tauta, the Irish tuath, the German Deutsch; Tóth as a designation of Slovaks in Hungarian

If we assume a connection with the Slavic adjective cudzí (foreign), the shift may be related to the distinction between ours versus foreign, while in the case of the Germans it could already be identified with the opposite pole. In the case of the Hittite tuzzi, we do not agree with the opinion of Benveniste, who does not like the derivation of the meaning of národ (nation) from the meaning of armáda (army). Much more convincing are Kloekorst's arguments against the derivability of the form. In the case of Gheg Albanian, the form of tëtanë is possible, which would connect to the Illyrian substrate. Vocalism might be a problem, though it is worth mentioning that the etymology is suggested by a didactic rather than an academic source[1]. Orel[2] does not mention this etymology at all.

Commonly mentioned related forms have a different meaning, but in case they are truly related, they shed light on something. There are two in their essence and they differ in form and motivation, and in the case of a common origin, then it is a distant and uncertain one. The word cudzí (foreign, strange)[3] fits very well, through its motivation, into the overall picture. The problem is the final consonant. The second one works as an ethnonym – Ján Stanislav states: "Near the middle Danube lived those Slavic associations of tribes and then nationalities, which the Hungarians called the name Tót (from the Indo-European tauta - nation, people). This name was called the ancestors of the Slovaks, partially of the Croats and of the Slovenes. The Hungarians called the other Slavs in a different manner."[4] The connection may also be that the inhabitants of these areas used the designation Slavs as their own. The vowel and the final consonant indicate a non-Slavic Indo-European origin, which could be Germanic, Illyrian or another.

The Basques

Of the many European cultures, only the Basques survived, from a linguistic point of view, after the arrival of Indo-European languages. Like all ethnic groups, they are genetically, culturally and linguistically heterogeneous in origin. They have a number of old Latin, Romance and probably Celtic, Germanic, possibly even Iberian elements in language and culture. However, they also have their own language core, which probably has something in common with the Caucasian languages (Georgian?), though data is too sporadic and the gaps in time and space are too wide. While the Basque nationalism did not emerge until the activity of Sabino Arana at the turn of the 19th and 20th centuries, the study of language and culture itself is undoubtedly older. In order to refer to the people and the nation, apart from the word nazio of Latin origin, they use the word herri (people, nation, country). Its original assumed meaning is army or the fighting part of the people. Motivation is thus close, but still, it is yet difficult to identify the moment and mechanism of occurrence of the shift. All this in spite of the fact that the relationship with the Caucasian languages seems convincing at first glance.

Finno-Ugric languages

Finno-Ugric languages are considered newer in Europe compared to the Indo-European ones, although they have penetrated Eastern Europe longer in advance. From our point of view, they can be divided into two branches: one of them is the Ugor branch, represented by the Hungarians, and the other which includes, among the larger nations, the Finns, the Estonians or the Lapps. The Hungarian word

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The meaning "to devastate" for the deponent probably developed through the usage "to have an army pass through". The derived adj. publicus has a long -u- that cannot belong to the same stem as *poplo-; see s.v. pubis. The etymology of Pit *poplo- "army" (thus Watmough 1997: 69-81) is unknown. One might suggest appurtenance to *plhr "to be full", but a reduplicated form *po-plhro- would be strange, and its meaning not evident", Michiel de Vaan, *Etymological Dictionary of Latin and the other Italic Languages*, Leiden, Boston, 2008, p.480

[1] Fiona McPherson, *Indo-European Cognate Dictionary*, Wayz Press 2018, pp. 104-105

[2] Vladimir Orel, "tytë", *Albanian Etymological Dictionary*, Brill, Leiden – Boston – Cologne, 1998, p. 471

[3] Jiří Rejzek, *Český etymologic kýslovník,* (3. vyd. (2. přeprac. a rozšíř.) vyd.), Leda, Praha, 2015, p.106

[4] Ján Stanislav, *Staroslovienskyjazyk.* 1. vyd. Zväzok1 :Veľká, "Morava a Panónia. Kultúrnyjazyk a písomníctvo. Konštantín Filozof, Metod a Klimentsloviensky. Fonetika", Slovensképedagogickénakladateľstvo, Bratislava, 1978, p. 371

nemzet[1] (nation) is motivated similarly to words from the Latin natio and of Slavic origin. But it is derived from a different form, nemz (to conceive, to procreate, to give birth) which comes from nem (gender, female sex). Folk is rather nép, a word of uncertain origin. We will probably be interested in the older meaning of crowd, scum, military procession....

In the more closely related languages of the Finnish, the Karelians, and the slightly different one of the Lapps, several forms can be observed. For us, the most interesting is kansa[2] (folk), which is usually derived from the Old Germanic form hansō This word means flock, fellowship. (Hanza?) but also a crowd, a military procession. It also seems to be related to the Slavic sused, i.e. neighbour, (the Polish sąsiad preserves the nasal sound). The content can also be related to the Latin consilio. It would correspond through form as well as through the original motivation. Another form is väki, which indicates in the first place strength, power, but also violence, repression, army in Estonian and other languages. Less common in this sense is rahvas, for which the etymological doublet raavas (mature, adult) and the Old Germanicþrawwaz are mentioned. However, both connections are highly uncertain, unclear and outside our semantic field. In Estonian, nation is rahvus, which is apparently derived from rahvus; the Finnish kansakunta, in turn, is a composite of kansa (folk) and kunta. The latter designates the idea of community, whereas in compounds: corps, armed unit. Kansa, on the other hand, rather refers to ethnicity while the later more modern kansakunta to nationality.

2. Historical development of the semantic field

In prehistory, communities were mostly ancestrally related – culture and language often crossed their borders in a significant measure. The first empires were united under a monarch, to whom supernatural power was attributed, and who personified the state (L´Etat, c´estmoi ...), and thus would act as an autocrat. Higher culture in the Bronze Age was again associated with the palaces of the monarchs, to a narrow class of priests and officials. An almost global culture has developed. Although the common people were free, they had virtually no access to education and decision-making in public affairs. Within the borders of today's Europe, we now have deciphered written monuments from Crete, from the area of the Mycenaean culture... But archaeological data show that broad areas from the Western Mediterranean area and the Balkans had a similar cultural character. The turning point came after 1200 B.C. when a wave of destruction swept through this area. Some settlements, such as king Nestor's Pylos completely disappeared, whereas elsewhere it was the elite that disappeared; the so-called Sea Peoples were stopped by Egypt and did not reach Mesopotamia.[3] Perhaps this collapse of the elites also contributed to the fact that in this area the monarch could become a god only after death, just as in Rome.

Approximately between this time and the beginning of classical antiquity, there is a lack of higher culture, as its demise has traditionally been associated with the Dorian invasion. They merely embodied attitudes that were virtually ubiquitous in the European part of the western Mediterranean Sea; attitudes expressed opposition to religiously or militarily maintained domination.

In classical antiquity, the Greeks considered autocracy (despotism) to be typical of the barbarians because, unlike the latter, they lived in polis. It was an area of personal freedom and responsibility. Although democracy, the rule of the people, was not the sole form of organization, aristocracy, oligarchy, or even tyranny meant no longer neither absolute nor sacred power.

The word ἔθνος (éthnos) is of uncertain origin, it may have initially referred only to foreigners, it could also be based on the verb ἔθω derived through combination swé (its). It is important to mention that to the initial meaning of group, procession, crowd, herd, flock a negative connotation is gradually added: in the Bible thus appears the plural pagans. However, this was not until the Hellenic period, when the free people had already lost influence over the state.

Other designations for folk, especially the common one, is to be found in Greek: laós λαός[4]. It seems to be close to the origin and meaning of the Slavic meaning of folk. However, it certainly also has the meaning of procession, army, and later on military servant. Here we can think of a source for the designation laik (laity).

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[1] nemzet Verb derivative → nemz (to conceive, to procreate, to give birth) + deverbativesubstantizing morpheme)Vilma Eőry, *Értelmezőszótár+* , ”Explanatory Dictionary Plus*”*, Tinta Könyvkiadó, Budapest, 2007, p. 1239

[2] Iris Metsmägi, Meeli Sedrik, Sven-Erik Soosaar, *Eesti etümoloogiasõnaraamat*, Eesti Keele Instituut, Tallin, 2012

[3] Eric H. Cline, *1177 B.C. The Year Civilization Collapsed,* Princeton University Press, Princeton, 2014

[4] λαός [m.] ”(the common) folk, crowd, the military, tribe” (ll., Dor., Hell.), in the NT especially ”the Jewish people”, plur. ”the military, servants, subjects, serfs”, also ”laity” ”follower” IE *leh2-uo- ”band of people”

Another important word is demos, δῆμος[1], which seems to have originally referred to part[2]. Within the semantic field it similarly designates crowd, mass, the lowest and most numerous free social class.

Alexander the Great has weakened the principles of people's participation in government. He practically ended the functioning of the polis and received the divine honours of the Egyptian pharaoh. After his death, the individual successor states became the bearers of a mixed, open, cultivated and rich, but significantly less free culture. Here, architectural, linguistic and religious elements were mixed. In large and complicated state units, the free people became a mass, scum. The folk had difficult access to education and even more restricted access to decision making. A higher official, business and military class became profiled, which despised and feared uneducated people.

Rome became a kingdom, although only the last three Etruscan kings are historically known. The last of them, the Latin Tarquinius Superbus, aroused such hatred by the autocratic government that no further ruler of Rome dared to accept the title rex (king). The Republic of Rome, res publica libera (free public affair) gradually became a military superpower and its legions served the SQPR standing for Senatus Populusque Romanus (i.e. the Senate and the Roman people). The Senate was in the first place, but the free people were still seen as a challenge. For a long time, most of the inhabitants of the Roman Empire were slaves treated as property with no rights. Most of the free ones were not citizens, but released slaves, the original inhabitants of the conquered territories and immigrants. It was not until 212 that Caracalla granted citizenship to all free inhabitants of the empire, so as to collect taxes from them.

Christianity initially meant spiritual emancipation, which could not be fully achieved in a state. It accepted people into its community regardless of their status and origin. During the reign of Constantine the Great, Christianity became tolerated at first, it later on gained an equal status and after his death it was turned into state religion. Thus the spiritual hierarchy intertwined with the state.

After the collapse of the Roman Empire in the West and the transformation of the Byzantine Empire into an autocracy, culture in many places declined to such an extent that historical continuity was disrupted. Although the feudal system is not based on slavery, it is markedly stratified from top to bottom. This is valid for both the church and for the secular power. People are identified by landowner, parish and only through them with the feudal state (cuiusregio, eiusreligio). The state (its head) is the anointed head, consecrated by the church, unless the church ruled directly. Only with the development of cities did the bourgeoisie develop. From among the people emerged the strata of the tradesmen, craftsmen, clerks, successful artists, as the first universities were being established. Humanism is born, which, in addition to canonical languages and the culture of the nobility and clergy, also deals with the language of the bourgeoisie. The latter gradually become the third strata. The word nation already refers to the interested and political faction of university teachers and students. It only mistakenly refers to their origin.

With the Renaissance, the ideals of freedom come to life, at least in towns, which, thanks to the improved living situation of a part of the population, offered a better place for education, culture and critical thinking. The "folk" language of Dante, Petrarch and Boccaccio is actually the language of the secular culture of cities. In the Baroque people were still united or separated rather by religious, political and economic interests than by language and customs.

The Enlightenment is a period when, as seen from above, from the position of the monarch and scholars, the "nation" is discovered to its lowest social classes. It aims at providing them at least basic education, personal freedom and opportunities for employment. He considers these strata to be part of the state and a source of talent to be no longer wasted. Thus, the idea of serving the people as a moral commitment arises. This project in France led to encyclopaedias, liberalism[3], and finally to revolution; in the Habsburg Empire, Pázmány and Maria Theresa slowly started it. Joseph II drove the project so far that his reforms came to nought. Many were not implemented until the 20th century.

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[1] [m.] "land, territory" (as opposed to the town), "people"; in Athens also a part of the phylai, a deme. IE "deh2-mo- " people

[2] Morphological match is offered by Celtic: OIr. dam "followers, crowd", OW dauu "cliens", W daw(j) "son-in-law", OCo. doj "gener"; but since these are a-stems, PIE "deh2mos" was perhaps originally feminine (Pedersen 1938: 52). If the word is an m-derivative of the verb "divide", which requires the analysis "deh2- mo-", it must originally have meant "part" (source of these three: Robert Beekes, Lucien van Beek *Etymological Dictionary of Greek*, in "Indo-European Etymological Dictionary" Series, Vol. 10, Leiden

[3] Lysý characterizes very well the limitations of liberalism then and today: "How Liberalism identified the citizen with the privileged classes. In these liberally limited circumstances, civil society responded with the emergence of the national and social question" in Jozef Lysý, *Ľud a národ: People and Nation: Hurban's philosophical thinking*, Pravda, 15.06.2017

In many countries, the peak of the cultural status of this semantic field is the Romantic period. At the same time, as nationalism was emerging, inside it the despised social class became the celebrated one while religion also treated it in a similar celebrating way. In the beginning, this idea is undoubtedly highly beneficial. One does not identify primarily with kin, region, but with the whole community, especially with those who are the most numerous. They did not have privileges, but they were still entitled to freedom, education and a decent life. The national language has already become the subject of cultural eVol.ution during the Enlightenment, which acquired a folk character in Romanticism. The nation became a combination of elements: state-related, ethnic, popular, mythical and contemporary. The national revival in this period helped to preserve and develop the cultural identity of nations that had lost their statehood, such as the Poles, for example, or such as the Slovaks or the Catalans who had not had it for an extended period of time. At the same time, the strata that carries the romantic artistic, as well as the social, but sometimes also political program, is usually narrow, small, but it is often essential for the development of national identity.

Perhaps the strongest is the German Romanticism. The Germans did not have a basis for identity, which for the Roman nations, despite discontinuity, is historical. Therefore, they sought it in folk customary and oral traditions, myths, folklore, and fairy tales (and gradually elsewhere, too: for example in Italy, etc.). In England, Germany and partly in France, it gradually merged with the scientific and technical revolution. At the same time, it was an attempt to preserve the traditions of the rural people. That is, what becomes lost in the transition to civil society, industrial and urbanized society, it remained part of identity.

In the period of Romanticism, the individual meanings of this semantic field (nation) are even more significantly interconnected. There is a remarkable progress and effort towards the liberation of the people. In the period of realism, naturalism and the beginning of modernity, the interest in the individual, internal and social life of a person belonging to the lowest layer of society deepens. Problems arise almost globally ... In a dehumanized society, ways are being sought to revive or update tradition. Opportunities are being sought to combine the progress of science and technology with civic and individual fulfilment. Colonialism, acting from a position of cultural superiority, and the decline of obsolete state structures and entities (such as Austria-Hungary, Tsarist Russia, Turkey) lead to pathological attitudes such as racism and anti-Semitism, taking on a sectarian character.

In World War I, nations were forced to fight for their greatest oppressors. Although its end removed some of the most dysfunctional and obsolescent regimes (Tsarist Russia, Turkey, etc.), interwar Europe was far from justice, peace and stability. The idea of a nation-state collided with the fact that ethnic and state borders could not be covered (Romania, Serbia, Czechoslovakia) and several nations felt offended. The global economic crisis in the 1930s and the rise of totalitarian to criminal regimes (Germany) did not help to raise political awareness either....

The Second World War divided the world bipolarly, while the fate of nations was again decided solely by the powerful ones (Munich: "About us, without us!" ...). After the war, the Communist Bloc imposed the idea of "socialist internationalism", though it was de facto neither socialist nor international Postmodernism tried to get rid of all ideologies and of the "-isms". In the name of plurality, however, it denied more or less happy and traditional values. Gradual urbanization turned rural traditions only into folklore. Far too early, nation and people became a legal fiction rather than objectively valued cultural entities. And to those whom they label the new proletarians, they wanted to repeatedly deny them identity and equality. (All people are equal, but some are more equal than others...)

Finally, speaking of semantics, especially adjectives with the meaning of national, popular, public practically converge today in most European languages. At best, the first two adjectives come close to the meaning of folk. At the same time, we encounter a revival of nationalism, which becomes associated with fundamentalism, or even fanaticism. It is motivated by negative emotions, fear of the different, inferiority complexes, and fear of global competition. The material and spiritual manifestations of a nation often become a tourist attraction. As a result, forms that are economically viable are preferred over those that are one's own and domestic. On the one hand, there is a growing interest in exploring the past, but it has a rather conservative to museum-like dimension. However, it is objectively necessary because cultural elements can still be revived. On the other hand, there is an effort to develop the incentives of folk culture to higher artistic level, which is rather elitist in nature.

Pop culture works more on a globalizing to global level, although it sometimes manages to popularize the popular element. Politicians often use the people's card without really trying to understand and fix real social problems; on the contrary, they are harming the people on behalf of the people.

Conclusions

So does the idea of a nation and a people have a future? Every effort needs to be made to assure equal rights to those who were unlucky economically, socially and educationally. Therefore, in marginalized groups, often at the bottom of the social hierarchy, it is necessary to build education (at least full primary education), to develop culture and a healthy relationship to one's own identity. Plurality does not mean superiority or erasure of differences which have positive potential. The contribution to the national culture is also a contribution to universal culture and vice versa. The development of art, science, philosophy and culture in general on a national level is not in opposition with the universal level, but on the contrary, the only meaningful way towards the future.

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MIGRATION GREEK CASE UNDER THE SCOPE OF CRISIS MANAGEMENT AND NEW POLICIES

Abstract:	*As far as the social transformation and new construction are concerned, from 2009 to 2015, the primary issue is the actions and preferences of immigrants themselves concerning the pressures of unemployment and the financial crisis of foreign households, as well as the emerging trends in repatriation and return or relocation within the country. The ongoing escalation of the refugee crisis is inextricably linked to and compounded by the phenomenon of excess economic migration, rendering them indistinguishable in terms of categorization and management in most circumstances. The EU refugee crisis has been transformed into a series of inextricably linked crises. In particular, those related to the security of its external borders, its task serving as the main pillar of its life the unity, as frictions within Europe have developed to break up and exacerbate nationalism, humanitarianism, both in the host countries (mainly Greece) and in the interim, where the handling of refugees and those who have been temporarily in their territories is intended to prevent their entry. Therefore, it is clear that the management effectiveness of each crisis is and should be the core of policies to optimize procedures.*
Keywords:	**Leadership; crisis policies; social transformation; migration flows; managerial and administrative structures**
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1. Introduction

In recent decades, there have been a variety of incidents and circumstances around the world that have been categorized as crises that have had an impact on the economic, societal, and political lives of individuals or groups. Coping with and managing similar circumstances has become increasingly important in recent years, as the word crisis is frequently being used to identify incidents pertaining to the economy, security, democracy, and the structural and societal context in general. When an occasion occurs, it forces the system's readiness and reliability to the examination. It entails and instigates circumstances accompanied by confusion, provides a sense that represents a threat to society's general well-being, stability, and infrastructure, and seems to have a negative effect on any entity attempting to manage the crisis[1]. With the recent globalization circumstances, where transition is occurring at a rapid rate, the concept of crisis defines a scenario that cannot be expected and was triggered by an occurrence marked by confusion and lack of knowledge. Consequently, in order to respond to the crisis in a timely and preventive way, it is important to

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recognize the origins and its causes in order to improve the current environment. Communication between policymakers and appropriate public bodies has predominantly been top-down instead of two-way [1].

Taking into account the financial aspects of modern immigration to Greece is a major issue of political interest which may arise several policies and frameworks. The economic behavior and implications of the presence of hundreds of thousands of immigrants on financial indicators is one of the core areas to be taken into consideration when assembling the national immigration policies.

The toughest challenge for policymakers is to redesign and innovate migration adjustment and management systems for migrants and refugees, managers, and society as a whole, so that they can become self-sufficient through this management. While emergencies and humanitarian challenges, with their devastating consequences, become more common and widespread, the acquisition and application of awareness is regarded as the most appropriate means to avert the humanitarian crisis of migration or to mitigate its impact as the proper management mechanism progresses [2].

While the vulnerability of certain communities and entities to humanitarian crises is unavoidable, individuals may contribute significantly in minimizing the burden by strengthening the system's resilience and ability to restore community cohesion, which can be accomplished via effective management strategy [3,4, 5]. The aim of this paper is to investigate the factors that can facilitate the management of migrants and refugees at both national and supranational levels, as well as to analyze management policies and new policy practices that may lead to best treatment. Based on the above purpose, the question that the work is called to answer arises and concerns the ways of effective management policy to combat the effects of humanitarian crises such as the phenomenon of migration.

2. The concept of humanitarian crisis

Leaders and teams are part of a diverse organization dedicated to organizing and achieving technical, personal, and structural missions. A strong organizational interaction between a leader and subordinate requires a series of tasks that are mutually required for acting out a structural assignment. Management and leadership are distinguished by the technical skills of direction, design, instruction, development, and motivation [6]. Leadership is a well-thought-out dimension of management, but management is not the only concept that defines the leadership principle. A leader's responsibility is to empower different components with a high degree of coordination, organization, and mission in order to respond to crises and humanitarian crises exacerbated by social instability.

As a predominant source of knowledge, the media bears a major obligation to disseminate scientific information to the general public and policymakers[7]. Individuals are more likely to be affected by setup due to a lack of public awareness and a dependence on the media for facts and decision-making[8].

3. The importance of crisis management in migration crisis

Crisis management is enlisting a growing number of professionals in the areas of organisation, government, policy, industry, and, in general, all of the stakeholders concerned. Since the crisis is in an unstable condition, specialists are proposing an increasing number of management frameworks for more successful crisis management. The overall goal, as well as the management policies, would be to ensure

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every attempt to provide a life that is both better and healthier, as stable and balanced as possible[1]. The use of the word "bio" in the ontological, moral and existential approach is used to describe the "being" of the individual, in general his own life. "Survival" is another term that is simply separate from life with a slight tone change; the connection to this point is solely in the dimension of damage, but also partly in society's view of danger as a whole aspect of asylum and financial security. By "immigration policy," bibliographically is implied the scope of political action that governs migrants' entry, residency, living, and working conditions, as well as the priorities, needs, and aims of the state or all states. The individual considers himself exposed to serious dangers that may inVol.ve natural or man-made disaster[2].

Numerous social scientists, however, disagree, maintaining that insecurity is largely intangible[3, 4, 5]. As previously stated, asylum is given to a person requiring foreign protection in another country because he is systematically persecuted in his native country. The EU has a responsibility to provide asylum. However, at this point, the provisions of foreign and subsidiary protection must be clarified. Refugee status (asylum) and subsidiary protection are examples of international protection. An immigrant must first be acknowledged as a refugee before being granted asylum. The convergence of European Union member states' immigration policies is a prime concern.

It is claimed that the individual established an ideological structure in which he enables himself to recognize and interact with the risk and its implications. According to this viewpoint, risk does not appear "out there," but seems to be a component of the individual's educational, economic, and social capital, as well as the cultural and political level that encompasses it. The reliance on crisis evaluations at each step of the procedure, from the initial structuring of a risk issue to the evaluation of endpoints or outcomes that should be included in the evaluation, identification and reviewing reports, choosing dose-response partnerships, and evaluating accountability and efficacy, becomes the context in which subjectivity pervades risk assessments. Even the relatively straightforward process of selecting a risk indicator for a well-defined endpoint, such as human fatalities as appeared in Aegean Sea, can easily become unexpectedly complicated and important. The fundamental challenge that emerges at both the practical and theoretical levels is how to choose a risk evaluation, with the recognition that the decision is likely to promote a significant change in the way risk is viewed and measured. One of the more fundamental parameters is the element "Fear as a differential of risk". The greater the risk dynamics in this aspect, the greater the perceived risk, and the more people who are affected, want a stringent control to reduce risk[6].

Immigration policy, according to Schnapper, is a set of two initiatives and social policies that are governed on the basis of two axes that govern the entry, stay, and work of arriving non-citizens of a country, oppose illegal immigration, and promote return or temporary stay, but also deal with already settled migrants. The second axis is the social policy axis, which is subdivided into individual policies for integration and incorporation of immigrant communities. That is, regulations on education, employment, health, welfare, and social security, among others[7].

Policymaking, in its wider definition, corresponds to the conduct, procedures, traditions, and structures (both formal and informal) that are used to make and execute collective decisions. Risk management is characterized as "the collection of variables, rules, contracts, processes, and structures that govern how sensitive risk information is gathered, evaluated, and transmitted, as well as how management decisions are

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being made". It is typically concerned with the issue of how communities profit from transition, the so-called "upside risk" or incentive, while attempting to minimize the negative risk or failure. Systemic risk, on the other hand, is typically regarded as a lower risk. The acknowledgement of systemic risk, by implication, results in the failure or severe deterioration of the system as a whole. Assessment, coordination, and administration – in other words, policy – and structural risk are compounded by the chance of making successive integrated socioeconomic structures, crossing political borders (including municipal and Member State or peripheral boundaries), and the introduction of inappropriate charges throughout nations. Risk assessment is also perplexed by almost unpleasant challenges in finding participants and passing judgement[1].

4. Analysis of management policies and presentation of new managerial policies

Countries and international organizations around the world that are engaged in humanitarian crises, especially extreme migrant flows, have no choice but to educate, empower, and motivate their respective societies. They recognize that if they do not have the ability to support themselves and attempt to use their abilities and collaborations, security would continue to elude them, particularly provided that the classic political present and the current of realism with its derivatives depend on the idea of security and safety. The vast difference in the disparity, in reality, between the financially powerful and the affluent, the young and the elderly, the healthy and the non-healthy population, makes it difficult to take a systematic or standard approach to disaster and in accordance to migration -education within a static framework. To address the varied experiences and needs of people from region to region, a multilevel combination of formal and non-formal education may be needed. The only constant is the value and necessity of cultivating a culture of preparedness and protection. Furthermore, education of vulnerable populations facilitates the achievement of actions for the whole population[2].

In this sense, the management of the refugee crisis is commonly carried out by contact strategy, which broadens the policy's potential and contributes greatly to its formulation[3]. The refugee crisis is a conventional conventional humanitarian crisis, and it encompasses all of the aspects of instability and risk to human existence that enforced population relocation entails. According to Comfort (1988), four precautions should be taken when implementing crisis management. The first is the prevention and reduction of repercussions, the second is preparing and organizing, the third is prompt response and decision-making, and afterwards, the situation is regained control of[4].

As a consequence, citizens found it impossible to live in their home nations, leading to the rise of the refugee crisis, which impacted surrounding countries as well as the majority of Europe[5]. The Mediterranean migrant crisis has focused attention on immediate concerns. At the same point, it revealed a great deal about the systemic limits of EU immigration policy and the resources available to it. This is an occasion for the EU to resolve any need for a correct coordination in its immigration policies. Over the last four years, the EU has rendered unparalleled strides to resolve the migrant problem, culminating in a five-year low in illegal arrivals. The theory of mass return to origin countries has not been validated at the EU level.

It has been suggested that in times of crisis, effective leaders struggle by using simple negotiation strategies, whereas weak leaders retreat. Successful managers should not settle for the basics; they innovate, discover, and improve strategies and approaches even though the situation is dire[6]. The management of developed state policy, conventional political leadership, administrative roles, crisis management, and institutional administration seem to be the most obvious areas in which representatives of the federal

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government execute various purposes[1]. The political executive has a serious advantage over the assembly. This concerns its ability to take decisive and immediate action, parameters that are particularly important for the management of a crisis.

As of January 2015, there has been a rise in the irregular / undocumented arrival of refugees and migrants, especially through the sea frontier, i.e. the islands of Aegean and across the land border along the Evros area, with the vast majority of people arriving originating from Syria (60 percent) and Afghanistan (25 percent)[2]. This increase was incremental, with arrivals significantly increasing per month, reaching its peak in October 2015 with 211,596 entrants in Greece. Inflow steadily decreased until March 2016, when the EU-Turkey Joint Declaration was adopted (implementation commenced on March 21, 2016), and then intermittent maritime border crossings were significantly reduced, decreasing from 25004 individuals in March 2016 to 3078 individuals in April[3].

The severe acceleration of the crisis imposed a tremendous amount of pressure on the Greek state, and it was obvious from the outset that there was no infrastructure in facilities, human resources, or adequate organization to address even the most needs of the population entering Greece, such as accommodation, health care, and nutrition. Synchronously with this situation, an economic crisis emerged, which, when combined with special political circumstances in the summer of 2015, plummeted the Greek economy into a major recession[4], allowing response to the refugee crisis much more challenging.

Economic, political, demographic patterns, environmental crises, and other factors may all contribute to ideal conditions for human migration or relocation[5]. In the example of Syria, a mixture of circumstances (hostilities, existing political instability, etc.) has resulted in a refugee surge, which has had a huge effect on numerous governmental and non-governmental systems in Greece - not just those that were already under higher concentration[6].

As far as the legal framework, recently, pursuant to Law 4662/2020, it has been decided to set up a National Crisis and Hazard Management Mechanism (Nat-CHAMM) which covers the entire disaster management cycle and comprises all the operational and administrative structures and functions of civil protection, indicating the urgency and necessity of emergency crisis management policies.

Researching and analyzing available services may be a helpful instructional method for identifying the programs deliver consistent outcomes, how and why, and how to use the appropriate resources (financial, human, and in kind) as easily and efficiently as possible for the greatest beneficial impacts[7].

To clarify, a humanitarian situation arises when a pre-existing situation, typically severe, with characteristics of poverty, deprivation, lack of security, and lack of access to health resources is exacerbated or triggered by an armed conflict or a national disaster[8]. The correct way to deal with and handle a crisis is to to identify the initial warning signals so that the imminent crisis can be prevented, as well as to incorporate prevention steps at the management control level[9].

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To overcome the refugee crisis in Greece, various strategies, policies, and actions were implemented (consider representative of the ESTIA initiative[1] financing from the European Commission and the EU). Many mechanisms and responsibilities were performed by many organizations in Greece as a result of the refugee crisis. In Athens only, 12 facilities were reported as camps in August 2016[2].

This excludes accommodation systems such as hospitals, hostels, and unaccompanied minors' hostels, as well as support structures such as day care centers, doctor's offices, corporate central structures, and so forth. The operation of camps was the most well-known approach in terms of lodging systems. In principle, it was offered mass accommodation, simple surveillance, access to humanitarian agencies, and control capability by state officials, all in a very short period of time. Finally, the community's strategic interest appears as critical to the effective provision of basic services. Around the same time, community participation in the development of such services is critical because it allows the management to best address the needs of the immigrants while taking into account community desires.

5. Conclusion

Migration policy is a vital and central factor, inextricably connected to the country's overall development strategies, influencing civilization, the economy and maintaining social cohesion. The organizational viewpoint aims to resolve the crisis with the aid of the management team itself and the leaders, while the political-symbolic approach inVol.ves a program that explains how the crisis situation will be handled by stakeholders and the entire team. According to the Aristotelian perspective, education should be seen as a "jewel in wealth and refuge in difficulty," referring to the challenges centuries before the importance of education and specialization in dealing with natural and man-made crises. Assuming that the social and educational system as a whole adheres to the Aristotelian viewpoint, it would be critical to teach people about disasters, as this would be a vital hope and a strong "tool" in coping with emergencies and disasters inside a security context. The irony is that, despite the fact that the phenomenon is crucial to humanity's existence as a whole, most educational initiatives do not treat it in terms of its significance, lacking the normal synthesis of expertise, research areas, and educational subjects[3]. Multidisciplinary versus specialized expertise can be a critical criterion in particular fields and roles, but in terms of crisis and disaster management, where the majority of the outcomes in mortality, morbidity, economical, and logistical consequences are at risk, it can broaden education, according to ancient Greek understanding.

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34. http://www.jstor.org/
35. https://ec.europa.eu
36. https://estia.unhcr.gr/en
37. https://gar.undrr.org/

38. https://op.europa.eu
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41. https://www.migrationpolicy.org/
42. https://www.unhcr.org/

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THE TRIANGLE OF TERROR: BOKO HARAM, FULANI HERDSMEN, BANDITS AND ORGANISED INSECURITY IN NIGERIA

Abstract:	*Since 1999, a number of concerns have been inspiring and driving organized insecurity in the country. This includes the search for resources control by the Niger Delta, ethno-regional self-determination unrest, and BokoHaram terrorism, herders-farmers conflicts and banditry. The Federal Government has put in place many initiatives reflecting an approach to insecurity via "carrots and sticks." For example, while appeasing Niger Delta agitators and BokoHaram's sudden fighters, the Government outlawed and prohibited some ethno-regional groupings. Despite attempts by state, the latter have become emboldened and deadlier, putting Nigeria's survival and peace at danger. The essay explores BokoHaram, Fulani Herdsmen and Bandits, notably along Nigeria's major ethnic and religious fault lines, in the light of their organizational and operational commonalities. It has already become a triangle of terror that defies incentives and sticks methods of the national security establishment since insurgent organizations are becoming the focus of Germany. Aware that safety equipment is not integrated in the local community; the essay suggests a community-oriented redesign of Nigeria's security architecture. This will generate confidence and support effective intelligence collections to curb organized crime and instability, and will serve as an alternative to a plan to oppose and alienate security.*
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1. Introduction

Due to the reduced structures and role of administration and the absence of legislation and order in many areas of the country, Northern Nigeria is increasingly seen as a place of insecurity[1]. Since the last ten years in Northeast, the insurgency of Boko Haram has continued to ravage. Since the conflict started in

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[1] Mohammed Kuna, Ibrahim Jubrin, *Rural banditry and conflicts in Northern Nigeria*, Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP), Abuja, 2016

2009, an estimated 270,000 people were murdered, including 37 humanitarian workers[1]. Fulani farmers and disputes have metastasized into uncompromising crises in the north-central area, making Nigeria one of the most serious security issues. Fulani herdsmen-farmers conflicts have lost more lives and displaced hundreds of thousands of people than the BokoHaram insurgency[2]. Armed banditry is closely linked to the conflicts between Farmers and Fulani Herders. A wave of unceasing massacres, kidelization, cattle rustling and displacement of residents by armed bandits has devastated the Northwest area, which up until recently was considered as an epitome of security and instability in the North [3]. Boko Haram, Fulani herdsmen and Armed Bandits are often connected in the theoretical literature due to similarities in their operations and impacts across states in Northern Nigeria. This article explores the manifestation of the three forms of insecurity and their similarities as triangle of terror threatening the existence of Nigeria as a sovereign polity.

2. Conceptual and historical background of the Triangle of Terror

In this study, a triangle of terror is defined as a triangle or a polygon symbolizing three sides, Boko Haram, Fulani Herders and Bandits, attacking the country. Boko Haram in the North East, Bandits' activities in the North West and the Fulani Herders in the Northern Central and the Southern portion of the nation complete a triangle can be used as geographical areas for their operations. In other words, the three activities are developing nearly a methodical framework with three interlinked components, aimed at driving Nigeria into the position of company.

2.1. Boko Haram

The historical development of a Boko Haram organization may be divided into two periods in northern Nigeria. In the original period, the sect was considered a non-violent movement which quietly proselytized its members between 2002 and 2009 by means of lectures and charity for the needy. The cult in the second phase developed a militant identity; first it employed violence against state agents, but subsequently it attacked the army, civilians, Christians and Muslims indiscriminately. According to SS Shuaibu, MA Salleh and AY Shehu[4] *Jama'ah al-Ahlu al-Sunnah Li al-Da'wahwa al-Jihad*, known as a peaceful local Islamic sect, Boko Haram began operating in 2002. In the year 2002 the Islamic progressive priest Mohammad Yusuf (1970-2009) formed the party in Maiduguri, capital city of Borno[5]. Because of his conservative religion, he was driven out of the mosque and then he began a religious revolution. The word "Boko Haram" essentially implies in the Hausa dialect that Western education is forbidden or a sin[6].

In 2009, the Nigerian army instigated an aggressive attack on the group leader. The ensuing hostility between sect members and security forces led to the death of 1000[7] persons with over 700[8] killed in Maiduguri Borno State capital[9]. Later on, this crisis spread to the states of Yobe, Jigawa and Kano[10]. This This has caused thousands of people to leave to escape violence. Several people have been shot and murdered. The violence resulted to the death and conclusion of the five day crisis of the secular leader Mohammad Yusuf, who was murdered under police detention[11].

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[1] Suleiman Samaila, *Rural banditry*, in "Social Science Research Council", Zamfara state, Northwest Nigeria, https://kujengaamani.ssrc.org/2019/06/13/rural-banditry-in-zamfara-state-northwest-nigeria/, (02.03.2020)

[2] International Crisis Group, *Stopping Nigeria's spiralling Farmer-Herder violence crisis Group Africa,* Avenue Louise, Brussels, 2018

[3] Toromade Samson, *Army Arrests two Zamfara traditional rulers for working with bandits*, www.pulse.ng/news/locsl/rmy-arrests2-zamfara-traditional-rulers-for-working-with-bandits/ktxptxk, (02.03.2020)

[4] Salisu Shuaibu, Mohammed Salleh, Abdullahi Shehu, *The impact of Boko Haram insurgency on Nigerian national security*, in "International Journal of Academic Research in Business and Social Sciences", No. 6, 2015, pp. 254-266

[5] Chothia Farouk, *Who are Nigerian Boko Haram islamists?*, BBC News, 2012, http://www.bbc.com/news/world-africa-13809501, (20.05.2014)

[6] *Ibidem*

[7] Daniel Cook, *The rise of Boko Haram in Nigeria*, *Combating terrorism centre at West Point*, 2011, https://www.ctc.usma.edu/posts/the-rise-of-boko-haram-in-nigeri,a (10.03.2020)

[8] Ahmad Murtada, *Boko Haram in Nigeria: its beginnings, principles and activities in Nigeria*, London, SalafiManhaj, 2013, http://salafimanhaj.com/boko-haram-in-nigeria-its-beginnings-principles-and-activities-in-nigeria, (23.03.2020)

[9] *Ibidem*

[10] Saleh Umar, *The discourses of Salafi radicalism and Salafi counter-radicalism in Nigeria: A case study of Boko Haram,* Northwestern University, 2011, United Nations Human Right Council, *Compilation on Nigeria- Report of the Office of the United Nations High Commissioner for Human Rights*, 27 August, 2018

[11] BBC Report, *Boko Haram timeline: from preachers to slave raiders*, 2013, https://www.bbc.com/news/world-africa-22538888, (20.03.2020)

The sect went underground, regrouped and re-emerged in 2010 under the leadership of Abubakar Shekau. Thereafter, violent attacks orchestrated by the sect heightened in terms of intensity and regularity. Boko Haram launched a well-coordinated prison break in September 2010 in Bauchi which saw to the release of more than 700 prisoners including *Boko Haram* followers[1]. The group remained increasingly aggressive when in January 2011 they assaulted the police headquarters. This was the first in Nigeria's history to have seen suicide bombings[2]. In August of the same year, the sect launched an attack on the United Nations headquarters in Abuja by suicide bombing, killing at least 18 people and injuring over 60[3].

Due to fast escalation in assaults and assassinations, in 2013 the federal government proclaimed a state of emergency in impacted states Borno, Yobe and Adamawa.[4] In 2014 the group began assaulting women students in the Northern portion in order to attract attention from the authorities. The kidnapping of around 300 Chibok girls from secondary school for government females was one of the worst atrocities.[5] According to the United Nations, there have been more than six million citizens of the country so affected, and there have been thousands of displaced people, and in the first six months of 2014 at least 2000 were killed due to violent sect assaults[6].

Boko Haram sect has concentrated most of its aggressions in the northeast of Nigeria, and in the north-central region, comprising Borno, Adamawa and Yobe States where further attacks have taken place. The villages of Maiduguri, Gwoza and Kukuwa were most of his attacks in the state of BorNo. There were also incidents of attacks in the middle belt of Nigeria and the territory of the federal capital. His endeavor in Western and Southern Nigeria has failed over time. But its area of influence has extended in neighboring nations on the Northern Border of the country and hundreds have been killed and kidnapped in those places. In 2014, Northern Cameroon, Eastern Chad and South Niger were severely assaulted by the cult.

In August 2018 the CFR article said that 2 021 incidents inVol.ving the Boko Haram Group were recognized by Nigeria Security Tracker between June 2011 and June 2018. 37,530 people have been murdered. The Armed Conflict Location & Event Data has documented 3,346 instances (ACLED). 34,261 individuals were slaughtered. Together with civilians and state troops, these figures showed the lack of claimed militants of Boko Haram. Despite a discrepancy in estimations, both of them identified the same sequence as a high estimate and a low estimate: in 2014-2015, the conflict quickly escalated and peaked from 2012[7]. Violence has decreased though in 2016 as a result of a significant Nigerian battle to restore the captured area of Boko Haram, which started in late 2014. The campaign included soldiers from Cameroon, Chad, Niger and some mercenaries.

The terrorist organisation is famous for working with Al Qaeda in the Islamic Maghreb (AQIM). Abu Musab Abdel Wadoub (a.k.a. Abdelmalek Droukdel), the AQIM emir, confirmed the partnership in an interview with Al Jazera on 14 June 2010. He said that AQIM supplies guns, trains them, and gives other support to terrorists in Nigeria to expand their mission and the protection of Muslims in Nigeria in order to increase its reach into West Africa. The other assistance received from AQIM is funding by BokoHaram. The US has found out that AQIM has little financial assistance and does not provide a considerable amount of financial help. While the help is not considerable, it is important to maintain Boko Haram, which does not actually require a lot of cash to operate[8].

U.S. Commander General Carter Ham could feel the link between AQIM and Boko Haram in terms of, amongst others, exchanging funding, training and very hazardous explosive materials according to The

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[1]Ahmed Abubakar, *Rural banditry, regional security, and integration in West Africa*, in "Journal of Social and Political Sciences ", No. 3, 2019 pp. 644-654

[2] International Crisis Group, *Stopping Nigeria's spiralling Farmer-Herder violence crisis, Group Africa*, Avenue Louise, . Brussels, 2018, https://www.crisisgroup.org/africa/west-africa/nigeria/262-stopping-nigerias-spiralling-farmer-herder-violence, (23.03.2020)

[3] *Ibidem*

[4] Lauren Blanchard, *Nigeria's Boko Haram: frequently asked questions,* in "CRS Report for congress, congressional Research Service" No. 10, 2014, https://www.refworld.org/docid/539ecd804.html, (20.03.2020)

[5]John Zenn, *Boko Haram's International Connections*, in "CTC Sentinel", Combating Terrorism Center, West Point, 2013, pp. 7-13, http://www.ctc.usma.edu/publications/sentinel, (02.03.2020)

[6]Lauren Blanchard, *Op cit*.

[7] United Nations Human Right Council, *Compilation on Nigeria- Report of the Office of the United Nations High Commissioner for Human Rights*, 27 August, 2018, https://digitallibrary.un.org/record/1643070, (20.03.2020)

[8]John Zenn, *Op. cit.,* "CTC Sentinel", Combating Terrorism Center, West Point, 2013, pp. 7-13, http://www.ctc.usma.edu/publications/sentinel, (02.03.2020)

Africa Command (AFFCOM) which co-ordinates American military action across the continent. In order to create tension between Nigerian Muslims and Christians AQIM has found that the connections between these two are needed in their own wisdom. More evidence was presented on the military link between AQIM and Boko-Hurt in the French and U.S. media reports. In April 2012, the Agence France-Presse reported that "dozens of BokoHaram fighters supported AQIM and others in northern Mali" in the early part of 2013, and in the war of the war against advanced artillery and the strategy learned from the Mali battlefields, the Washington Post reported that the Islamist uprising in Northern Nigeria has progressed to an aggressive, violent level. The insurgency is considered a sign of state instability. It is clear that the continuous fight to eradicate the terrorist sector completely weakened the government's ability to provide better lives, especially in the northeast areas of the country. The reVol.t has entrusted the government's capacity to carry out its constitutional functions, wiping out government and state integrity gradually.

2.2. Banditry

There are many different views on 'rural banditry' and they actually vary according to the point of view of the scholar. Okoli regards rural banditry as armed violence driven mainly by the criminal intention of robbing and looting[1]. Egwu thus refers to rural banditry as the activity of herding livestock and animals or the robbery of animals from farms[2]. To, Mohammed and Alimba[3], bandits are rebels, conventional terrorists and warlords who are criminally inclined to control social life and destroy links with effective security and the rule of law. In the same vein, Okoli & Okpaleke believe that rural banditry is concerned with criminal activities linked with armed robbery and the use of threats or force to bully the victims[4].

The bandits are armed robbers, kidnappers, livestock raucketeers or those driven by greed, psychological necessity, poverty, unemployment and economic accumulation by attacking villages for the exploitation of people and communities[5]. The state regards bandits as illegal but the rural communities frequently consider it a defensive mechanism and a capable of correcting the misdeeds of society, Mohammed and Alimba said. The state perceives bandits as forbidden[6]. Blumell says that during the pre-industrial period, such a kind of banditry prospered, when Bandits were believed to be, among other, heroes, champions, vengeers, and justice warriors[7]. This is contrary to current truths, as banditry becomes more and more destructive and anti-state.

In unsecured rural and marginal communities, rural banditry is usually seen, where there is little or no deterrence of criminal activities and insecurities. Rural banditry is associated according to Okoli and Okpaléke with the State not providing citizens with security and basic services[8]. The majority, as a result of of geographical factors in distant locations where little or no public presence exists, of rural communities in Nigeria are prone to bandital activism. This is exacerbated by the lack of an efficient community police system to deal with security problems. Also, the proliferation of small arms and light weapons which flow from communities and regions affected by conflicts through porous borders into the hands of non-state actors also fuels organised crimes and rural banditry.

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1 Chukwuma Okoli, *What can be done to fight Rural Banditry in the Northern Nigeria*, 2019, https://theconversation.com/what-can-be-done-to-fight-rural-banditry-in, (12.03.2020)

2 Sam Egwu, *The political economy of rural banditry in contemporary Nigeria*, in "Rural banditry and conflicts in Northern Nigeria", Kuna Mohammed, Jibrin Ibrahim, Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP), Abuja, 2016, pp. 13-68 https://cddwestafrica.org/wp-content/uploads/2017/09/ruralbanditryinnorthernnigeria1.pdf, (20.03.2020)

3 Mohammed, Kuna, Chinyere Alimba, *Social impact of rural banditry*, in "Rural banditry and conflicts in Northern Nigeria", Kuna Mohammed, Jibrin Ibrahim, Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP), Abuja, 2016, pp. 167-188 , https://cddwestafrica.org/wp content/uploads/2017/09/ruralbanditryinnorthernnigeria1.pdf, (20.03.2020)

4 *Ibidem*

5 Okoli Chukwuma, Frank Okpaleke, *Cattle rustling and dialectics of security in Northern Nigeria*, in "International Journal of Liberal Arts and Social Science", No. 3, 2014, pp. 109-117

6 Mohammed, Kuna, Chinyere Alimba, *Op cit*, in "Rural banditry and conflicts in Northern Nigeria", Kuna Mohammed, Jibrin Ibrahim, Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP), Abuja, 2016, pp 167-188, https://cddwestafrica.org/wp content/uploads/2017/09/ruralbanditryinnorthernnigeria1.pdf, (20.03.2020)

7 *Ibidem*

8 Lincoln Blumell, *Beware of bandits: banditry and land travel in the Roman Empire*, in "Journey", No. 1-2 , 2007, pp. 1-20

In the north, notably in the state of Zamfara, the poorly regulated mining and small-arms industry has attracted criminals. Evidence shows that banditry is linked to illegal mining.[1] Bandits continuously and forcefully stormed gold and cash mining sites in Zamfara, informing the Federal government at the beginning of April 2019 of the suspension of all mining activity in the State. Poor governance resonates in the northern area with the high prevalence of poverty and unemployment and creates an atmosphere ready for rural banditry operations[2]. Collier, the main motivations of violence and banditry in a State, emphasizes this further by his thesis on economic agendas in the war, underlines the relationship between economic conditions for people[3].

In the northern area of Nigeria, the transhumance system of livestock production characteristic of seasonal and cyclical animal migration between complementary ecological zones has been poorly controlled due to fluctuating weather conditions. Infiltration operations by livestock bandits, which have specialized in rustling and incursions by transhumance shepherds from adjacent nations has become the order of the day. The ethno-religious conflict, the ecological, climate and gradual population change and cattle growth of non-agricultural land uses, social and living conditions common in the Northern area are also other factors[4]. Bandits have several similar traits. This includes; bandits that have the potential to strain strain government capacity by overwhelming police and legal structures through boldness, brutality and numbers; questioning the government's legitimacy; bandits that serve as an agent or alternative government; controlling the informal economic sector; creating small businesses and applying violence and force; and infiltrating the police and non-governmental organizations.

2.3. Herdsmen and Farmers Clashes

Cattle rustling are one of a number of rural banditry in Nigeria inVol.ving ranchers and farmers. Other bandits, such as armed robbers and abductors among others, might have little social importance beyond the economic advantages of the offenders, but the rustling of cattle has far more wide societal significance than local livelihoods, which can in certain circumstances be directly related[5].

This has happened in the past, when one of the objectives of rustling livestock in Nigeria was to provide some ethnic communities with meat and local livelihood, as well as rudimentary cow stocks for living and for commercial pastoral purposes.[6]

However, modern cattle rocketing have become a criminal company far beyond a quasi-cultural phenomenon with certain livelihoods. The employment of powerful modern weapons, which transport animals forcefully at translocational and transnational levels, motivated by commerce and survival imperatives, leads to the killing of the herders, are now a characteristic feature of modern livestock rustling. The predominant groups of cattle rubbers are armed bandits that have converted rushes into a criminal business, and have notable hierarchy networks connecting rustlers with traders in a prosperous underground economy that produce untaxed money.

Ibrahim and Dabugat see Cattle as a significant rural crime, supported by a well-knit armed rustler gang, controlled by gang bosses who use guns and weaponry to steal the whole livestock holding of homes and entire villages[7]. It is also viewed as a powerful raid of cattle from one community to another frequently

[1] Okoli Chukwuma, Frank Okpaleke, *Op. cit.*, pp. 109-117

[2] Suleiman Samaila, *Rural banditry in Zamfara state, Northwest Nigeria,* in "Social Science Research" https://kujengaamani.ssrc.org/2019/06/13/rural-banditry-in-zamfara-state-northwest-nigeria/, (15.01.2021)

[3] Okoli Chukwuma, Frank Okpaleke, *Op cit*, in "International Journal of Liberal Arts and Social Science", No. 3, 2014, pp. 109-117

[4] Paul Collier, *Doing well out of war: an economic perspective*, in "Greed & Grievance: Economic Agendas in Civil Wars", Lynne Rienner Publishers, London 2000, p.91

[5]Sam Egwu, *Op cit*, in "Rural banditry and conflicts in Northern Nigeria", Kuna Mohammed, Jibrin Ibrahim, Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP), Abuja, 2016, pp 13-68, https://cddwestafrica.org/wp-content/uploads/2017/09/ruralbanditryinnorthernnigeria1.pdf, (20.03.2020)

[6]Ibrahim Jibrin, Kop'ep Dabugat, *Rural banditry and hate speech in Northern Nigeria: fertile ground for the construction of dangerous narratives in the media*, in "Rural banditry and conflicts in Northern Nigeria", Kuna Mohammed, Jibrin Ibrahim, Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP), Abuja, 2016, p. 257, https://cddwestafrica.org/wp-content/uploads/2017/09/ruralbanditryinnorthernnigeria1.pdf, (20.03.2020)

[7]Sam Egwu, *Op cit*, in "Rural banditry and conflicts in Northern Nigeria", Kuna Mohammed, Jibrin Ibrahim, Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP),

resulting to property devastation and death. The first is rustling cattle in two kinds by competing ethnic groups or clans intended to build up cattle riches for ethnic groups or clans; the other is to ramp up cattle by armed bandits or criminal gangs selling robbed cattle for financial gain[1]. Large-scale, commercial livestock producers and nomadic pastoralists who graze their cattle are amongst the victims of rustling cattle bandit groups.

The problem of cattle-rustling and rural banditry is framed within the geopolitical area of the north-center, especially in the Plateaus, Nasarawa, Benue, and Tara States, with broader problems of identity, including ethnic divisions, ethnicity and majority divisions, religious differences, and the split between indigenous/colonialists or farmers. Rustling can influence these problems of identification as they are performed at regional and national level.

Tension and strife are further exacerbated by clearly distinguishing between farmers and herders in the fields of profession and ethnoculture. The rushing of livestock in Katsina State is due to their reluctance to share pasture, widespread drought and starvation in this region. Rural banditry is linked to the decrease in human safety and state capacity, pressure on soil and water supplies caused by a combination of effects of pastures, climate change and the environment degradation, failure of government grazing reserve policies over the years, and the demise of designated livestock routes. There are several dimensions associated with rustling livestock[2].

3. Theorizing the triangle of terror

Although the isolation thesis and relative privation theory, the explanation of endemic poverty and the theory of frustration-aggression by John Dollard and Neal Miller have been extensive, the study finds the human needs theory of John Burton and the approach to safety as the most relevant and appropriate theoretical frameworks to understand the theories theory of poverty, and of poverty. The theoretical concept of Burton's human requirements is that insecurity is sponsored and depended upon by individuals, organizations or groups of people to meet their wants. Burton shows how insecurity persists not simply because of inadequate institutions or structures, but because state organizations and governments cannot satisfy their populations' basic human needs. In Nigeria and in the Northern area more particularly, there is virtually no security, freedom, religious tolerance, freedom of religion and respect for basic human rights, including food, clothes, shelter and identity. The state of Nigeria currently boasts the world's capital of poverty[3].

Nigeria has been one of the countries that have battled steadily to satisfy the human requirements of its citizens since it reached independence in 1960. Nigeria is not only currently considered to be the world's poor capital, but Nigeria holds the greatest number of out-of-school children and the poorest among them. Of the 180 million people living in severe poverty, 86.9 million are Nigerian[4]. There are two reasons why succesive Nigerian administrations have failed to tackle the origins of poverty in Nigeria fully: the increasing profile of poverty levels and the role of the high level of poverty in the creation of insecurity. The army has been turned into ready-made tools for terrorists, bandits and herders to generate fear, among impoverished, unselfish and jobless teenagers and young people. The present head of the terrorist cult of Boko-Haram was previously an alma-jiri who traveled around Nigeria's streets of the state of Yobe before entering into touch with the supreme creator of the group, late Mohamed Yusuf. Ibrahim Shekau was the victim of failure by successive Nigerian governments to satisfy the fundamental human needs of citizens as

Abuja, 2016, pp 13-68, https://cddwestafrica.org/wp-content/uploads/2017/09/ruralbanditryinnorthernnigeria1.pdf, (20.03.2020)

[1]Ibrahim Jibrin, Kop'ep Dabugat, *Rural banditry and hate speech in Northern Nigeria: fertile ground for the construction of dangerous narratives in the media*, in "Rural banditry and conflicts in Northern Nigeria", Kuna Mohammed, Jibrin Ibrahim, Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP), Abuja, 2016, p. 257, https://cddwestafrica.org/wp-content/uploads/2017/09/ruralbanditryinnorthernnigeria1.pdf, (20.03.2020)

[2] Oluwayemi-Kusa, Dayoand Ahmed Salihu, *The effect of armed banditry on rural women's livelihood and security: case study of Kaduna and Plateau states, Nigeria*, in "Rural banditry and conflicts in Northern Nigeria", Kuna Mohammed, Jibrin Ibrahim, Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP), Abuja, 2016, pp. 111-166, https://cddwestafrica.org/wp-content/uploads/2017/09/ruralbanditryinnorthernnigeria1.pdf, (20.03.2020)

[3] Nieftagodien N, *Xenophobia in Alexandra*, in "Go home or die here: Violence, xenophobia and thereinvention of difference in South Africa", S Hassim, T Kupe and E Worby, Johannesburg: Wits Press, 2008, pp.65-78

[4] World Poverty Clock Report, *Poverty Reports across the World*, 2020, https://worldpoverty.io/map, (25.03.2020)

well as many members of the deadly terrorist Boko-Haram group, clusters of bandits and killer herdsmanship. It is shocking that 80% of the population living under the poverty level live in the North. The reason why the region in the northern half of the nation, in particular the region of the Northeast has the greatest degree of insecurity today is not far-fetched. As the poverty line, combined with citizens' increasing grievances, specifically demonstrates, that young people who are free of fear and want to meet their economic needs, the inability to meet their economic needs is further exacerbated by the inability of almost a half the whole population of the country. This emphasizes the need of the human security strategy in recognition of the importance of the triangle of insecurity in Nigeria. After the end of the Cold War and the end of the certainty it conveyed, the approach of human security was the foundation for security discussions, a strategy and indeed a safety paradigm that aims to praise the primacy of human fundamental necessities as safety measures themselves, and the foresight of insecurities. The failure of governments under a traditional safety paradigm to address the emergent human insecurity that threatened human life led to the creation of an alternative strategy, the Paradigm of Human Security, in recognition of the growing profile of human insecurity concerns.

More recently, analysts, following the United Nations Development Programmes (UNDP) 1994 Human Development Report and their notion of security as "freedom from fear and want"[1], to emphasize the people-centered nature of security efforts, tactics and paradigms, they have agreed on the term "human security." Human security therefore takes people as its principal guiding and thinks about how to safeguard them effectively. The focus is therefore on seeking to upgrade people's well-being and address people's requirements in coping with dangers. Furthermore the paradigm of human safety seeks to identify solutions to prevent and safeguard the country from external violence, such as environmental pollution, contagious illnesses and economic hardship. For example, part of the environmental degradation hazard appears to be less clearly defined and direct than most other human life risks. So, compared to more urgent dangers, such as natural catastrophes, military assaults, prospective hazards from global warming and ozone depletion seem far-reaching[2]. Negative changes to the environment have nonetheless made humans more vulnerable to other risks, for example illness, and are therefore primarily an indirect danger to human safety. Hence, some studies have revealed that close to a third of deaths related to diseases world-wide have some environmental causes, such as air or water pollution[3] which are indirectly aiding the rise of terroristic activities, most especially, from those that have been badly affected by the harsh effects of the emerging environmental challenges. In addition, man-made degradation of the environment, as well as the resulting scarcity of resources, was a cause of insecurity and upheavals in Nigeria and most parts of the world[4].

As a consequence, the greatest threat to life and human security is generally considered as poverty. Poverty has increased its sensitivity to additional dangers by generating adverse structural economic conditions through starvation and hunger. Poverty may therefore kill enormously if people can't get enough food and encourage the poor to engage in violence, banditry and the slaughter of monster herders to survive economically. Therefore, so to speak, poverty is no just a lack of property, but more broadly the deprivation of three fundamental economic requirements: food, water and shelter[5]. The government's failure to respond to the situation of food insecurity was also a crucial concern. However, it seems that overall food accessibility is not an issue, but a poor distribution and lack of financial resources or an access to inexpensive food. The key to fixing the situation is to address the issues of access to resources, jobs and stable revenue. Moreover, the hungry population is more prone to illnesses, with health problems directly related to the problem of poverty, in particular in nations of the third world. Here it has been shown that the human security paradigm currently reflects and gives an empirically solid theoretical framework and objective through which the rationale and direct explanation why vulnerabilities are growing and prevalent is consistent in recent times. Immediate motivations such as destruction of the climate, poverty, weak health care system, leadership deficiency, electoral violence ('lack of freedom from fear and want') are not only a significant challenge to many people's lives, but also catalysts and driving forces for greater instability to manifest. Throughout human security account, the links between poverty, inequality, social deprivation, environmental degradation, social injustice, food insecurity, hunger and leadership weakness, electoral

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[1] Peter Hough, *Understanding global security*, Routledge, Psychology Press, New York, 2004, p. 2
[2] *Ibidem*
[3] *Ibidem,* p.84
[4] *Ibidem,* p.85
[5] Terry Terriff , *Security studies today,* Polity Press, 1999, pp. 135-166

violence and the triangle of BokoHaram's top three insurgencies, banditry and terror of the herdsmen's assassins have become the most appropriate

4. Tying together: Rural Banditry, Boko Haram Insurgency and Fulani Herders

In Nigeria's northern area, many types of instability have taken root throughout the years, including the BokoHaram insurgency and fight between Fulani pastoralists and rural bandits. While different in terms of motivations, techniques, locations and operational styles, they have commonalities and operate as mercenaries in order to accomplish common goals and impact on their regions and Nigeria generally. In accordance with its objectives, BokoHaram is trying to apply the Sharia law, but rural banditry is the reason for military action based on a crime of pillaging and pillaging. The Conflict of Fulani Farmers is mostly a rivalry between farmers over land use. Emphasizing the similarities among the trio, Abubakar [1] asserts that cattle rustling and rural banditry are tied to the incessant conflict between Fulani herdsmen and crop farmers. Because of the banditry activities, he believes the Fulani farmers and the war that began in localized dispute over land and water access have been transformed into deadly conflict, especially among the cattle rustlers. In search of water supplies and grasslands, herders have migrated from one area to another and their droughts, inundations and decreasing rivers have affected the environmental and climate conditions, and if the movement to cultivate seasons coincides, this has become a cause for confrontation with devastating effects on farming and cattle production. In addition, cattle farmers, who transport dozens and hundreds of their livestock, are killing crops and thus exacerbating the tension between Fulani herders and farmers during the migration process. In the ongoing event, farmers and livestock losers tend to choose rural banditry as a method to survive, as a result of the operations of the bandits. Egbejule describes this view by asserting that farmers and herders are accused of indiscriminate abduction, murder and sex abduction of women as well as of sex slavery, and that the farmers are mainly accused of rural banditry, as well as of conflict arising from farm and/or cattle losses and inter-tribal rivalry[2]. Towing similar view Abubakar[3] thinks that pastoralists sometimes go to livestock rustling after they lose livestock to disease, bad weather and violence, whereas some are seen as the primary culprits of rural banditry, including livestock rustling because they know the forest lengths that often reinforce their perceptions.

Taking a different viewpoint, Egwu[4] believes that the gradual disappearance of pastureland and roads resulting from indiscriminate land allocations and poor implementation throughout the North-West of an urban and regional development plan often forces Fulani herders, farmers and other professional groups to take up banditry tactics to fight for scarce land and water resources. There are cases where armed bandits disguise themselves in various villages as Fulani herders to cause havoc, such as Zamfara, Kebbi, Sokoto, Katsina and Kaduna, therefore encouraging the herd/farmers to perceive their role as bandits[5]. In the instance of cattle rustling and the banditry by Fulani herders/farmers Ibrahim and Dabugat found out that the individuals who are most guilty are the Fulani; generally come from several ethnic groupings.

The BokoHaram insurgency is also associated with cattle rustling and rural banditry. Several rustlers and robbers have become mercenaries of BokoHaram. Rustling cattle constitutes a vital source of revenue and support for the terrorist group in material and financial terms. Reports show that BokoHaaram has potential for money laundering and terror funding through the financial activities of the Fulani herders, primarily inVol.ving rustled animals and largely outside the banking system[6].

Boko Haram and Fulani herders and bandits share comparable techniques, as well as cultural and religious associations, such as kidnapping, assassination, robbery, destruction of property, and massive population displacement. Furthermore, in the Northern region all three work. In a recent essay, Boko Haram commander Ibrahim Shekau called for the bandits to unite with the band to enhance the group's cultural and

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[1] Olawale Akinrinde, *The use of advertorial curses in soft crime prevention*, in "Annals of Social Sciences", No. 2, 2016

[2] Ahmed Abubakar**,** *Rural banditry, regional security, and integration in West Africa*, in "Journal of Social and Political Sciences" No. 3, 2019, pp. 644-654

[3]Eromo Egbejule, *Deadly cattle raids in Zamfara: Nigeria's 'ignored' crisis. Aljazeera Africa Report,* 2018, https://www.aljazeera.com/deadlycattle-raids-zamfara-nigeria-crisis-180819221942335, (25.03.2020)

[4] Ahmed Abubakar**,** *Op cit*, in "Journal of Social and Political Sciences", No. 3, 2019, pp. 644-654

[5]Sam Egwu, *Op cit*, in "Rural banditry and conflicts in Northern Nigeria", Kuna Mohammed, Jibrin Ibrahim, Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP), Abuja, 2016, pp 13-68, https://cddwestafrica.org/wp-content/uploads/2017/09/ruralbanditryinnorthernnigeria1.pdf, (20.03.2020)

[6]Chukwuma Okoli, *What can be done to fight Rural Banditry in the Northern Nigeria,* 2019, https://theconversation.com/what-can-be-done-to-fight-rural-banditry, (02.03.2020)

religious affinity." In the words of the group mentioned on 16 June 2020 in the Daily Post, "Brothers in Lake Chad, my Cameroonian brothers and sisters, my Sambisan brothers and sisters in Niger, my Zamfara brothers to labor more for the cause of Allah. They are also driven by comparable economic, political and cultural reasons, such as greed, emotional demands, poverty, unemployment and the inability of government and security services to achieve economic accumulation[1].

Again, despite some scholars' observation that the Boko Haram insurgency can be compared to the Kanuri Jihad as the area of operations approached the old Kanuri Empire, Boko Haram operatives linked to Islamist groups in the Sahel, especially the Ansar Dine in Mali Al Shabab in Sudan, to support training and logistics, thus defending the group's interests in return for Fulani herdsmen. Once more, despite the observations of some researchers that the Kanuri Yihad insurgency could be compared to the BokoHaram insurgency in relation to the old Kanuri empire in order to promote training and logistics, and thus defend the interests of the group in return for its herdsmen. BokoHaram operatives linked with Islamist groups in the Sahel, especially Ansar Dine in Mali al Shabab in Sudan. Nevertheless there is extensive evidence that BokoHaram members are inVol.ved in several conflicts, inVol.ving Fulani herders and their hosts, in Jos, the Plateau State or elsewhere in North central Nigeria[2]. Even in the northern region, they have similar impacts. The International Crisis Group considers that the region's religious and ethnic aspects have become hazardous[3].

The intensification of operations of the Triangle of Terrors in the Northern Region is further polarizing Nigerians in ethnic, religious and geographical lines. In the Benue state, there are more people who say that they are losing confidence in the country's unity and the other states of the country, particularly the secessionist agitators in the South East, due to the killings, as an argument that the country is a fraudulent arrangement to extend Fulani domination to all other groups. The intensification of operations of the Triangle of Terrors in the Northern Region is further polarizing Nigerians in ethnic, religious and geographical lines. In the Benue state, there are more people who say that they are losing confidence in the country's unity and the other states of the country, particularly the secessionist agitators in the South East, due to the killings, as an argument that the country is a fraudulent arrangement to extend Fulani domination to all other groups. Rural banditry and Cattle Rustling are typically presented in terms of identity and cultural issues, including ethnic and religious divisions due to the preconceptions of Fulani ethnic communities as rural bandits.

Other repercussions of their operations in the Northern region include the large scourge of people, the damage of lives and property and the socio-economic impacts of destroying economic activity. The International Crisis Group states that the displacement of persons and continuing instability in parts of the states of Adamawa, Benue, Nazarawa, Plateau and Taraba have interrupted agriculture that can impact national food production, pushing high food prices and imperiling farming-related companies because of the fact that those countries are the breadbaskets of the nation[4]. Other repercussions of their operations in the Northern region include the large scourge of people, the damage of lives and property and the socio-economic impacts of destroying economic activity. The International Crisis Group states that the displacement of persons and continuing instability in parts of the states of Adamawa, Benue, Nazarawa, Plateau and Taraba have interrupted agriculture that can impact national food production, pushing high food

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[1]Aucoin Claraand, Omar Mahmood, *Organised crime in Africa: cattle rustling on the rise across Africa,* 2017 https://www.enact-observer/cattle-rustling-on-the-rise-across-africa, (02.03.2020)

[2] Mohammed, Kuna, Chinyere Alimba, *Op cit*, in "Rural banditry and conflicts in Northern Nigeria", Kuna Mohammed, Jibrin Ibrahim, Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP), Abuja, 2016, pp. 167-188, https://cddwestafrica.org/wp content/uploads/2017/09/ruralbanditryinnorthernnigeria1.pdf, (20.03.2020)

[3] Omitola Bolaji, *Between Boko Haram and Fulani Herdsmen: organised crime and insecurity in Nigeria*, paper presented at the fifth Institute of Security Studies Conference on National and International Perspective on Crime Reduction and Criminal Justice, Johannesburg, South Africa, October 20-22, 2014, https://www.issafrica.org/event/report, (02.03.2020)

[4] International Crisis Group, *Stopping Nigeria's spiralling Farmer-Herder violence crisis, Group Africa*, Avenue Louise, Brussels, 2018 https://www.crisisgroup.org/africa/west-africa/nigeria/262-stopping-nigerias-spiralling-farmer-herder-violence, (23.03.2020)

prices and imperiling farming-related companies because of the fact that those countries are the breadbaskets of the nation[1].

It has also skewed informal trade connections that existed for decades and contributed to West Africa's economic growth and development. Abdullahi has noted the country's capacity to make a meaningful contribution to the stability and integration of West Africa has been hampered by rural banditry in Nigeria[2]. There is a rise in the proliferation of small arms and light weapons across the porous borders between these countries and Nigeria has become a transit route as well as a destination for the procurement and proliferation of arms to other countries in West Africa, which is one of the reasons that promotes rural banditry and the increase in cross-border crimes.

It has been confirmed that Fulani herdsmen are inVol.ved in the transport of small arms to Nigeria through their cattle vehicles. The Nigerian military reported that through Libyan and Malian rebels, most of the small arms came to the insurgents of Boko Haram (and other dangerous groups and individuals) on the backs of camels and donkeys desperate to trade arms for money[3]. This has been largely possible because the country is lacking any way of identifying its people, due to the combination of internal and external factors, including Nigerian porous borders, corruption of immigration officials, poor records for immigration and emigration and the issue of identifying who is a Nigerian[4].

Armed bandit rampaging groups have committed violence, assaulted/kidnapped, killed and stolen villages and travelers in Zamfara and part of Katsina state in the north-west and included rustling livestock. The Governor of the state of Zamfara (AbdulazizYari) declared in an instant announcement that the eight major camps are home to 10.000 weapons and livestock squirters. Between 2011 and 2018 2,385 individuals were killed by thieves, 6,000 injured, 25,000 rusted livestock lost and 3,000 hectares lost, and 100 abducted. Since 2010, 44,000 children have been orphaned in the state Local Government region of Anka and over 16,000 individuals have been internally displaced by their activities. Between 2011 and 2018 2,385 individuals were killed by thieves, 6,000 injured, 25,000 rusted livestock lost and 3,000 hectares lost, and 100 abducted. Since 2010, 44,000 children have been orphaned in the state Local Government region of Anka and over 16,000 individuals have been internally displaced by their activities[5].

In the first 100 days of 2019, state of Zamfara saw constant attacks and abductions, killing more than 200 people by claimed state bandits. The actions of rural banditry grew further by 2020 when, on 8 January 2020, the two customs officials were kidnapped by bandits, together with an undisclosed number of Katsino State Jibia inhabitants. On 29 January 2020, Nigerian President Muhammadu Buhari condemned banditry as "a malicious scheme against the country," with the continuing growth in banditry activity in several northern states. He highlighted counting the cost of banditry, saying that, in addition to losing lives and possessions, farmers were unable to travel to their land in fear of assaults.

5. The recurring operation of triangle of terrors in Nigeria: any end in sight?

Different questions leading to the threats of Boko Haram, Banditry, and Fulani Herdsmen need to be answered. Government, for example, needs to provide grazing facilities, modern pastoral methods, cattle tracking and identification of Fulani herdsmen in Nigeria through the instrumentality of issuing valid identity cards to Nigerians to tackle rural banditry and herdsmen from neighboring West African countries infiltration of the country. Modern defense infrastructure, such as ground and air surveillance, is also planned to solve the problem of porous borders and related security problems through collaboration and synergies with neighboring countries. This is particularly necessary in the areas of implementation of the ECOWAS and AU Protocols of the Economic Community of West African States on Transboundary Trade, Transboundary Crime Protection and Transhumance Activity. There is a need for serious commitment to the Boko Haram insurgency inVol.ving political will, which translates into combating crime, arresting and

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[1] Okoli Chukwuma, *Cows, cash and terror: how cattle rustling proceeds fuel Boko Haram insurgency in Nigeria*, in "Africa Development, special Issue on Money, Security and Democratic Governance in Africa", No. 2, 2019, pp. 53-76
[2] Lincoln Blumell, *Beware of bandits: banditry and land travel in the Roman Empire*, in "Journey", No. 1-2 ,2007, pp. 1-20
[3] Ahmed Abubakar, *Op cit*, in "Journal of Social and Political Sciences " No. 3, 2019, pp. 644-654
[4] Omitola Bolaji, *Between Boko Haram and Fulani Herdsmen: organised crime and insecurity in Nigeria*, paper presented at the fifth Institute of Security Studies Conference on National and International Perspective on Crime Reduction and Criminal Justice, Johannesburg, South Africa, October 20-22, 2014 https://www.issafrica.org/event/report, (02.03.2020)
[5] Suleiman Samaila, *Rural banditry in Zamfara state, Northwest Nigeria,* in "Social Science ResearchCouncil" https://kujengaamani.ssrc.org/2019/06/13/rural-banditry-in-zamfara-state-northwest-nigeria/, (02.03.2020)

prosecuting criminals, and pursuing the war on terror devoid of politics by ensuring no safe haven for terrorist sponsors. Effective monitoring of the financial dealings of individuals suspected of money laundering or financing offenses in the country is necessary because they pose threats through the financing of organized terror.

With the heavily militarized method for combating the terror triangle in Nigeria failed, the notion of a civic or communitarian security organization, such as a vigilante, should be explored one strategy worth examining. In this recommendation, consideration will be given to African socio-political, economic and safety history which cannot be detached from Community safety methods, such vigilantism. The advantages include the potential of the Vigilante group to acquire the knowhow necessary by the Boko Haram insurgency, bandits and Herdsmen to address security problems.

Conclusion

The study having evaluated the actions of Boko Haram, Fulani Herdsmen and Bandits in the context of their organizational similarity and the complexity of their lives within Nigeria despite the numerous measures taken to control and neutralize violence groups, which continue to oppose the corporate life of the country as a sovereign policy, this study argues that article these three forms of insecurity clearly are turning into a triangle of horror that has challenged the safety system of the country with all known remedies.

Therefore, it is evident that the government would need to address address, among other concerns, poverty, malnutrition, analphabetism, porous boundaries and the policy on grass reserves, in the country. Similarly, Nigeria's safety architecture must be reformed by the community to build people' confidence and allow the rigorous information gathering needed to reduce all

forms of organized crime and insecurity. This will serve as an alternative to the present opponent and alienating method of safeguarding the nation.

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ROMANIAN NATIONAL SECURITY

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ASPECTS REGARDING THE VIOLATION OF THE POLITICAL LINE OF SOCIALIST ROMANIA BY HIGH PARTY AND SECURITATE DIGNITARIES, ONE OF THE CAUSES OF THE FAILURE OF THE SOCIALIST STATE REGIME

Abstract:	*After the Second World War, according to the agreements between the victorious Allies in the war, the greatest powers in the world, Romania was assigned to the Soviet sphere of influence. Because of this, the historian must analyze this period as an objective situation of history, avoiding the politicization of the situation and regarding things as if they should have been different, and Romania would have had development alternatives outside the strict framework imposed by world power which controlled the area of influence.*
	From the beginning of the historical period of the state socialist regime, improperly called "communist", within the Romanian Communist Party, two camps emerged: that of the communists who spent many years in the regime's prisons during the two decades after 1924, when the Communist Party of Romania was outlawed and the communists who were in exile in the Soviet Union, under the protection of the Kremlin authorities and who did not know the persecutions, harsh investigations, beatings and sometimes death, in Romanian prisons.
	The article explains that Communist Party dignitaries and important Securitate commanders, as well as their agents in the military, remained loyal to the Soviet Union and secretly sabotaged the political line of national independence promoted by Romania's collective leadership, led by Nicolae Ceauşescu. They acted in this way despite the explicit orders given.
	At the forefront of the saboteurs of Romania's independent national policy were the ethnic minorities of the Communist Party, primarily Jews, Gypsies and Hungarians and the Securitate leadership, which was the most important opponent of Romania's nationalist leadership, especially Nicolae Ceauşescu.
	The result of this sabotage of the policy of national independence was the collapse of Romania in December 1989, its plunder almost in its entirety and the transformation of the country, in the period that followed, into a colony of multinational economic companies.
Keywords:	**Romanian workers; Party; Romanian Communist Party; Security; Gheorghe Gheorghiu-Dej; NicolaeCeauşescu**
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The political regime established in Romania in the period after the coup d'état of August 23, 1944 was brought with the tanks of the Red Army victorious in the war. According to the agreements between the victorious Allies in the war, the greatest powers in the world, Romania was assigned to the Soviet sphere of influence. For this reason, the historian must analyze this period as an objective situation of history, avoiding the politicization of the situation and regarding things as if they should have been different, and Romania

would have had development alternatives outside the strict framework imposed by world power which controlled the area of influence.

From the beginning of the historical period of the state socialist regime, improperly called "communist"[1], within the Romanian Communist Party, two camps emerged: that of the communists who spent many years in the regime's prisons during the two decades after 1924, when the Communist Party of Romania was outlawed, and the communists who were in exile in the Soviet Union, under the protection of the Kremlin authorities and who did not know the persecutions, harsh investigations, beatings and sometimes death, in Romanian prisons.

At the head of the first camp was Gheorghe Gheorghiu-Dej and with him communist militants such as Emil Bodnăraş, Chivu Stoica, Nicolae Ceauşescu, Ion Gheorghe Maurer and others. Ana Pauker (Hanna Rabinsohn) was initially at the head of the Comintern / Judeo-Bolshevik camp, along with Teohari Georgescu (Baruh Tescovici) and Vasile Luca (Laszlo Lukacs). After 1952, when the three Comintern leaders were purged, Iosif Chişinevschi (Ioşka Roitman), Miron Constantinescu (Mehr Kohn) and Constantin Pârvulescu, the latter being one of the few Romanian ethnics who fought against Romania's independence policy, remained at the head of this camp.

After 1952 and especially after the purge of the group Iosif Chişinevschi (Ioşka Roitman) -Miron Constantinescu (Mehr Kohn), in 1957, the camp supporting the Romanian national socialism started to promote a policy of autonomy from the Soviet Union and development of Romania on national bases, focused on the Romanian ethnicity, on the cultivation of historical traditions and on international relations with all the states of the world, based on firm principles of political morality. Mainly these principles were: respect for full independence and national sovereignty, the principle of mutual benefit and non-interference of states in the internal affairs of other states. These principles received the highest international recognition in the document entitled *The Final Act of the Conference on Peace and Security in Europe* (OSCE), in August 1975. Most supporters of the Romanian nationalist political line in the Communist Party were Romanian ethnics, but there were also some followers of other ethnic groups who supported Romanian nationalist political line permanently, such as Emil Bodnăraş (Ukrainian father and German mother), Ion Gheorghe Maurer (Alsatian father, Romanian mother) and Richard Winter (Saxon).

The second camp, the Comintern camp, continued to support Romania's unconditional subordination to the Moscow authorities. This camp could never be completely removed from Romania's leadership. The main argument of this camp was the idea that without the protection of the USSR, Romania would not have withstood the pressure of the Western World, would have lost its freedom and would have been "swallowed". This idea was not possible to fight, and today, after more than three decades since the coup d'état of December 22, 1989, when Romania became a colony of the West, all its natural and human resources being seized by multinational companies and Western states, seeing that the second camp did not err in its judgments.[2]

The national-Romanian political line was adopted by the collective political governing-body, it was not an individual will, taken by a single person, abusively, following singular opinions. It was not a line adopted only by the leader Gheorghe Gheorghiu-Dej, or, later, by Nicolae Ceauşescu. The public opinion in Romania, in a very high majority as a percentage, welcomed this political line, supporting the detachment of Romania from the USSR, for various reasons. Some people of that time hoped that this detachment of the country from the grip of the Soviet Union would be a first step on a path that would bring Romania closer to the West,others saw it as a chance for Romania's development in an own socialist way, and others saw it as a chance to obtain increased civil and economic rights. Because of this, we can say that the adoption of this political line was a democratic one, both in terms of internal political life in the Communist Party and in terms of popular support for the Romanian national political regime. The period 1964-1975 was, moreover, the period in which the state socialist regime and its main leaders enjoyed great popular support, one of the largest in the entire history of Romania, a history marked by ideological and political division.

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[1] Communism is an utopia that has never existed anywhere.

[2] In fact, it has been seen that some Eastern European states, which unconditionally subordinated themselves to the Soviet Union, were not punished in 1989 and managed to balance themselves after the abolition of the socialist state regimes and to follow a much more favorable path than that of Romania. As a result, today states like Poland and Hungary, even the Czech Republic and Slovakia, do not have the colonial status of Romania, the first two states having control over important parts of banking systems, energy distribution, national security industry, natural resources and they do not allow the implementation of the will of Western corporations and the policy of the European Commission, unless they do not contradict the national interests of those states, unlike Romania, which, at the time of writing, can no longer defend its deep national interests.

At the same time, it is difficult to quantify the extent to which Romania's collective leadership was aware of the long-term national security risks of tightening political relations with the superpower that controlled Romania's area of influence following Soviet-Western agreements.

An important problem in various periods of Romania's history, with serious negative consequences, was the lack of unity of action of the state apparatus and the betrayal of the leaders and the country by some of the high state dignitaries. This situation was also encountered during the state socialist regime.

The apparatus of repression of the regime established by the Red Army in Romania was the Security. It was created by the NKVD and remained connected to the Soviet secret services until the end of the second millennium. From 1948 until 1963 the head of the Securitate (General Directorate of People's Security) was General Gheorghe Pintilie (Timofei Bodnarenko), a Soviet citizen, with General Alexandru Nicolschi (Boris Grünberg) as his deputy (until 1953), a Soviet citizen, later holding the important position of Secretary General of the Ministry of Internal Affairs and Deputy of Alexandru Drăghici, Minister of Internal Affairs (until 1961). In the period 1948-1952, the Minister of Interior was Teohari Georgescu (Baruh Tescovici). Between 1952 and 1965, Alexandru Drăghici was Minister of Interior, and the Securitate was an integral part of the Ministry of Interior. Between 1965 and 1972, Cornel Onescu was Minister of the Interior. Between 1968 and 1972, the head of the Securitate (called the State Security Council) was Ion Stănescu (Ianos Szilágy), who later became Minister of the Interior (1972-1973).

The security permanently served comintern, with some exceptions, the most notable being that of June 1952, when, listening to Stalin's order, he supported Gheorghe Gheorghiu-Dej in the elimination, arrest and trial of the Judeo-Bolshevik group led by Ana Pauker and in the elimination the politician Lucrețiu Pătrășcanu.[1]

At the end of 1961, the collective leadership of Romania decided to interrupt the collaboration of the Romanian security and army officers with the KGB and GRU. In this regard, party activists, members of the government, army and security officers were forbidden to cooperate with the intelligence services of the USSR and other socialist states. After 1971, it was forbidden for officers of all arms to take leave in socialist countries, in exchange for foreign officers spending their holidays in Romania.[2] All meetings with diplomats and foreign nationals of Romanian officials had to be reported to the party.

Under the leadership of Nicolae Ceausescu, the secretary with organizational problems of the Romanian Workers' Party, officers known to have relations with the Soviet secret services were invited to the CC headquarters of the PCR and were officially barred from continuing their collaboration with the KGB and GRU. Relations with the USSR were made transparent only, officially and under the control of the party leadership. This fact displeased both the USSR and the entire cominternist camp in Romania, in the party, in the Security and in the Army. Dissatisfaction was manifested by the violation of this record and the continued collaboration with the Soviet secret services[3] and those of the socialist states unconditionally subordinated to the Kremlin, such as the German Democratic Republic.[1]

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[1] The main accusation brought against Lucrețiu Pătrășcanu was that he was an agent of the Anglo-Americans. At the time of his execution, the Romanian public did not believe this accusation. Many years after his execution, British secret agent Ivor Porter, a member of the Autonomous group, who was parachuted into Romania in December 1943, showed his investigators during his imprisonment in Romania, when British spies were in custody Romanian secret services, that British agents received a list of people to ask for support and shelter in case of great difficulties. One of the people on the list was Lucrețiu Pătrășcanu. The head of the SSI, Eugen Cristescu, took special care of the captured British spies. It is very possible that between 1944-1950, when Eugen Cristescu was arrested and gave some information to the authorities of the new regime, in the hope that he will be saved from death or from the gulag, he also denounced Lucrețiu Pătrășcanu.

[2] Larry L. Watts, *With Friends like These*, 2010, Romanian version: *Beware of my friends ... The secret war of the Soviet bloc with Romania*, Editura Rao, București, 2011, p. 583

[3] Regarding the betrayal of leaders of the Securitate, the Army and the Communist Party, in violation of the policy established by the collective leadership of Romania and their illegal collaboration with the intelligence services of the USSR and other states, see Larry L. Watts, *With Friends like These*, 2010, Editura Rao, București, 2011, Larry L. Watts, *Romania, the Clash within the Warsaw Pact & the End of the Cold War*, Editura Rao, București, 2013, Larry L. Watts, *Fighting Along Interior Lines: Romanian Security Policy During the Cold War*, 2018, Editura Rao, București, 2018, CorvinLupu, *Trădarea Securității în decembrie 1989. Secrete ale intervenției străine împotriva României,* Editura Elion, București, 2015, Marian Oprea, *Conspirația Securității*, Editura Lumea Magazin București, 2004, CorvinLupu, CristianTroncotă, *Prăbușirea mitului Securității. Adevăruri ascunse despre generalul Iulian Vlad și istoria Securității regimului comunist din România,* Editura Elion, București, 2018, Valentin Raiha, *În decembrie 89 KGB a aruncat în aer România cu complicitatea unui grup de militari*, Editura Ziua-Omega Press, București, 1995, Ion Sandu*, Decembrie '89. Scenariul și regia*, în "Scrisul Românesc", Craiova, 1999, Filip Teodorescu, „*În decembrie 1989 a fost o lovitură de stat organizată de serviciile de informații străine* in "Stained-glass-lights and shadows-Magazine of Veterans of

Practically, during the Cold War, the subordination of security and intelligence services in the two main spheres of influence, Soviet and American, marked the beginning of the globalization of secret services, an important stage in the general process of globalization, coordinated under the leadership and control of major Jewish bankers from USA and Great Britain[2].

The policy of national sovereignty promoted after 1952 by Gheorghe Gheorghiu-Dej's regime determined the Soviets to try to assassinate him. Until 1963, the Romanian authorities were aware of three attempts to assassinate the head of the Romanian Workers' Party. In 1963, a new attempt was made by the USSR military attaché in Bucharest with his daughter[3]. Among these assassination attempts is not counted the plane crash at an airport in Moscow, in 1959, when landing a Romanian plane with Soviet crew, when the Minister of Foreign Affairs of Romania, Gheorghe Preoteasa, died, and the CC Secretary of the PMR with organizational problems, Nicolae Ceausescu was seriously injured. The driver Gheorghe Gheorghiu-Dej should have been on board, but he gave up traveling to Moscow, a few minutes before takeoff. It was said that all the crew members died on the spot, which is not certain, as they may have been assassinated after the event, to hide the existence of the attack[4].

Many party activists served with conviction the interests of the political line of subordination of Romania to the Soviet Union and hindered as much as possible the efforts of the supporters of the Romanian national sovereignty line, since the years 1950-1960. I think it is enough to mention that there was a whole list of high party and state dignitaries who secretly gave information to the Kremlin, outside the agenda of the country's leader, Gheorghe Gheorghiu-Dej, without his knowledge and against the existing firm orders from this point of view. This list includes at least: Ghizela Vass (born Gitta, Jew from Bessarabia), SorinToma (Jew, son of academician Solomon Moscovici), Chivu Stoica (Romanian), LeontinSălăjan (Jew, real name Ignacy Leon Szilágyi), Valter Roman (Jew, real name Ernő Neuländer), Cristian Pârvulescu (Romanian), Alexandru Maghioroş (Hungarian, born Balogh Joszef), Alexandru Drăghici (Romanian, married to AVO agent Marta Cziko), Miron Constantinescu (Jew, real name Mehr Cohn), IosifChişinevski (Jew, real name JakobRoitman), Alexandru Bârlădeanu (Jew, real name Sasha Goldenberg)[5].

Extremely high devotion to the Soviet Union was also shown by other senior officials of the Romanian leadership, such as Foreign Minister Ana Pauker (Jewish, real name Hanna Rabinsohn, daughter of a former rabbi of the capital Bucharest), Interior Minister TeohariGeorgescu (Jew, real name Baruh Tescovici), Minister of Finance, Vasile Luca (Hungarian, real name László Lukacs)[6], PCR CC Secretary Leonte Răutu (Jew, real name Lew Oigenstein), PCR CC Secretary Gogu Rădulescu (Gypsy and Russian

Romanian Intelligence Services", Year I, No. 1/December 2009, pp. 49-54, Valentin Zaschievici, *Securitatea şi-a încălcat îndatoririle faţă de Ceauşescu*, in "JurnalulNaţional", Year XII, Number 3320 of April 15, 2004

[1]Stejărel Olaru, Georg Herbstritt, *Statul şi Securitatea*, Editura Humanitas, Bucureşti, 2005

[2] During the period of detente, especially after Mikhail Gorbachev came to the political leadership of the USSR and during the presidency of Boris Yeltsin, the closer collaboration of the secret services of the two politico-military blocs led to a new stage of globalization.

The globalization of the secret services resulted in the mutual penetration of the great powers and even their inability to secrete their databases, which was a major vulnerability of national security. Also, the globalization of the secret services represents a great difficulty for the political leaderships of the states that want to regain their sovereignty in front of the powers in whose area of influence they are.

[3] Larry L. Watts, *With Friends like These*, 2010, in Romanian: *Fereşte-mă doamne de prieteni...Războiul secret al blocului sovietic cu România*, Editura RAO, Bucureşti, 2011, p. 511

[4] After the Second World War, the USSR did not allow Romania to own an aviation industry, a field in which it excelled worldwide. The aircraft factory in Brasov was confiscated by the Soviets. Because of this, until 1963, all flights of Romanian planes were made with crews from the USSR, and the aviation equipment used was exclusively Soviet. Subsequently, under the leadership of Nicolae Ceauşescu, the Romanian aviation industry was rebuilt, and after 1990 it was again partially destroyed, and what was left was alienated.

[5] Larry L. Watts, *Op cit*, p. 177

[6]Vasile Luca (László Lukacs) had fought alongside the Hungarian Red Army against Romania in the Romanian-Hungarian war of 1919. In the late 1920s, he was the leader of the communists in Braşov, being arrested and imprisoned in Chernivtsi prison. After the occupation of Bukovina by the Red Army in July 1940, he was released and became deputy mayor of Chernivtsi. In this capacity he was directly responsible for the deportation of 30,000 ethnic Romanians ("class enemies") to Siberia and other parts of the USSR. Also, Vasile Luca (László Lukacs) committed a pogrom against the Romanians. Valentin Toma, *Stalinist Terror in Romania: Real face of the Popular Democracy*, in Romanian, in "New International", Vol. 14, nr. 1 (septembrie 1948), pp. 213-215

Jew), or the heads of the Securitate, Gheorghe Pintilie (Ukrainian, real name Timofei Bodnarenko[1]) and Alexandru Nikolschi (Jew, real name Boris Grünberg). All of them and many others have sabotaged in secret Romania's internal and external policy of independence and national sovereignty.

As can be seen only from the short list above, most of the Soviet agency in Romania's leadership was composed of ethnic minorities, especially Jews. From this point of view, as in many other historical moments, the national minorities in Romania have been and are a risk factor for the national security of the country, especially for the majority ethnic group, the Romanians.

Subsequently, the Soviet agency in the structures of the Romanian state also sabotaged the efforts to develop the economy, which allowed the consolidation of the freedom of domestic and international political action of the Romanian leadership, including efforts to increase the living standards of the population. In the latter case, I am referring first to the induction of the food, energy, and consumer goods crisis, from 1982-1989, meant to destroy the attachment of a large part of the population to Nicolae Ceaușescu's political regime. While all the country's warehouses were full of food and energy, the shops were empty, and Romanians had difficulty finding food and fuel[2].

Among the many examples of sabotage of the policy of national sovereignty and democratization of the Romanian regime, some can be mentioned in the lines below.

The institution that permanently supported Romania's subordination to Moscow was the Securitate. Under the KGB umbrella, security officers felt protected and supported, especially in their external actions. Also, the Securitate did not agree with the relaxation of the political regime as it saw in the democratization of society the loss of a good part of its object of activity and, implicitly, of its influence in the society of the time. Thus, when, in 1954, Dej ordered the cessation of re-education actions[3] in Romanian penitentiaries and the release of many political detainees, the Securitate acted in the opposite direction and the terror regime continued in prisons until 1964[4]. The Securitate maintained persecution against real or alleged opponents of the regime and triggered a new wave of arrests among them, and the persecution continued, on a smaller scale of torture and torture, but continuously in all prisons with political prisoners[5]. This fact triggered a long long and deep conflict between a part of the PCR leadership, led by Nicolae Ceausescu and the Security[6].

Regarding the illegal activity of the Securitate, Larry L. Watts shows that it did not comply with Romania's political line, that it violated the regulations and orders of the country's political leadership, and

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[1]Timofei Bodnarenko's daughter, Ioana Constantin, stated that her father was not a Jew from Ukraine, but was of Ukrainian ethnicity. However, she emigrated to Israel, where she received citizenship.

[2] Corvin Lupu, *Inducerea crizei alimentare, energetice şi de bunuri de larg consum, componentă a Planului „Dniestr"*, in "International Conference of the Department of International Relations, Political Science and Security Studies", Sibiu, 22-24 May 2015

[3]"The re-education" also called the Pitesti Experiment, was a torture operation (sometimes carried to death) that sought to renounce political prisoners of their political and religious beliefs and ideas and, ultimately, to lead to personality disorders until to the point of absolute obedience of the detainees to the regime.

[4] In 1964 a general amnesty was decreed, and Romania became the only country in the Soviet bloc that ended"the class struggle", the socialist leadership of the country wanting a reconciliation with the entire Romanian people.

[5] Former political detainees Vasile Bucelea and Ion Bucelea, my wife's father and uncle, testified in an episode in the spring of 1964 at Jilava Prison, Fort 13. One day, all detainees were taken out of their cells and gathered on the prison plateau. The commander and the management of the prison accompanied a leader of the Romanian Workers' Party who came to speak to the detainees. The two former detainees who reported the moment did not remember the name of the Romanian leader. The high official said that soon all detainees will be released and amnestied. After their release, they will be able to see with their own eyes the great achievements of the regime of popular democracy and will be able to appreciate its own superiority. They will be re-employed in accordance with the studies and functions held prior to arrest and conviction. The country's leadership, he continued, knows that abuses have also been committed against detainees, and detainees will have the opportunity to address a commission of inquiry and get justice for the suffering caused by those abuses. After the high guest of the prison left, the detainees were reintroduced into their cells, and after about two hours they were taken out again on the prison plateau to listen to the prison commander, who addressed them in the following way: "Bandits, don't think it has changed something! After you get out of jail, donot talk about what happened here, because we'll bring you back here and then you'll see what happens to you!" This confession confirms that behind the country's policy, the repressive bodies led by the Securitate behaved like a state within a state, acting outside the provisions of the country's leadership and sometimes against them.

[6] Corvin Lupu, *Trădarea Securității în decembrie 1989. Secrete ale intervenţiei străine împotriva României*, Editura Elion, București, 2015, pp. 43-103

the Securitate leaders remained in secret contact with the KGB and other secret services states of the Soviet Bloc, although this was strictly forbidden[1].

The betrayal of the Security is today a reality demonstrated by many historians, security officers, investigative journalists, memorials. The evidence on which they are based is provided by documents, memoirs of military personnel, including the Securitate, the infiltration of Securitate agents in Free Europe to undermine Ceauşescu from the position of editor of the radio station with the largest audience[2], etc. However, the Romanian society remains, for the most part, confused even after three decades and does not understand correctly and completely this historical phenomenon.

The former security officers, especially the fundamentalists, from the treacherous wing of the former Romanian Security, who are the most active, strongly support the perpetuation of the lie about their "patriotism", "heroism" and "devotion" to Romania, which is proven that it is not true, the betrayal of the Romanian Security being as clear as daylight today. These security officers are supported at least by complicit silence and by their many former supporters in the army and other state structures. During the communists there was a word: among the civilians out of three people one was an informant of the Securitate, and in the army, out of three people two were informants of the Securitate. Even if the parts / percentages may not correspond to reality, the quip has a grain of truth…

One reason for the frustration of the former security officers is the fact that their activity, which they thought they could keep secret for eternity, has been revealed. Many of their great secrets can be found today in articles and history books, and many kilometers of the Securitate's secret archive can be found at the CNSAS to be studied by those interested. This infuriates them, and the fact that they were "smarter" and destroyed a lot of files, brushed others and forged some, does not change the substance of the problem: the secrets of the Securitate have been revealed enough to know the backbone of the activity of this institution and see that its positive role of defending the country, namely the defense of the national economy, the country's leadership, citizens, defense against adverse secret services, etc., has been diverted in the direction the Security alliance with the enemy secret services that attacked Romania in December 1989 and in the direction of robbing the huge sums of money produced by the economic and foreign trade activities of the national economy and then by robbing the economic patrimony of Romania[3].

Referring to the treacherous activity of some leaders of the former Securitate in the period after the implementation of the "Dniester" Plan, to replace Nicolae Ceausescu with a socialist leader devoted to the USSR, I will start with the president of the State Security Council from 1967-1973, with the rank of minister, the successor of AlexandruDrăghici, in the person of Ion Stănescu, born Szilágy and disguised in Romanian, according to the custom of foreign and minority cominternwho took Romanian names to hide their ethnicity and to be able to speak and decide with more credibility on behalf of the Romanians. Even today, minorities and foreigners speak on behalf of Romanians and especially decide, and ethnic Romanians who have decided in Romanian interest are denigrated, outlawed, and against them are unconstitutional and deeply undemocratic laws, such as *Law 217/2015*.

Regarding the treacherous activity of Ion Stănescu/Ianos Szilágy, the American historian Larry L. Watts cites documents of the security of the German Democratic Republic (Stasi), which came into the possession of the US secret services, after the reunification of Germany and the transcript of the hearing of General Victor Neculicioiu. of the" anti-KGB" Security Unit 0110, of June 12, 1994, made by the Senatorial Commission for the Investigation of Events of December 1989. Also quoted are the certain statements made abroad by General NicolaeDoicaru, former head of DGIE/DIE, in the name of Ion Stănescu, also discovered in the reports from the STASI archives[4].

Larry L. Watts also quotes KGB General Oleg Kalughin, the head of the Counterintelligence Directorate of the KGB's First Directorate, who since 1972 reported to the leadership of the Soviet security service about Ion Stănescu's anti-Ceauşescu conspiracy and of his accomplices at the top of the Securitate. On behalf of this group, Col. Victor Dorobanţu, the head of the encrypted transmissions from the Securitate, conveyed to Oleg Kalughin their decision to overthrow Nicolae Ceauşescu. This was happening in a

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[1] Larry L. Watts, *Romania, the Clash within the Warsaw Pact & the End of the Cold War*, in Romanian: *Cei dintâi vor fi cei din urmă. România şi sfârşitul Războiului Rece*, Editura RAO, Bucureşti, 2013, pp. 49-50

[2] Corvin Lupu, *Trădarea Securităţii în decembrie 1989. Secrete ale intervenţiei străine împotriva României,* Editura Elion, Bucureşti, 2015, pp. 91-95

[3] Corvin Lupu, Ioan Bâlbă, *Trădarea României Socialiste în viziunea unui ofiţer de securitate*, Editura Techno Media, Sibiu, 2019

[4] Larry L. Watts, *Op cit*, pp. 582-591, Stejărel Olaru, Georg Herbstritt, *Stasi şi Securitatea*, Editura Humanitas, Bucureşti, 2005, pp. 64, 67, 87-90, 288-310

historical period in which the leader of Romania enjoyed great popularity, one of the largest in the history of Romania, in that time the country was developing at a pace that far exceeded the pace of development of Western states, and the level living was really growing.

Larry L. Watts had access and quoted from the documents containing the conclusions of the investigation carried out by order of Nicolae Ceauşescu at DSS, in 1973, which clearly shows that the recruitment and use of Mihai Caraman by the KGB was done with the approval of Ion Stănescu. Larry L. Watts also used top-secret State Security Department documents. The evidence produced by Larry L. Watts is undeniable. His documentation is very solid.

Larry L. Watts points out that Ion Stănescu's irregular plans to establish a secret alliance of close cooperation with the secret services of the USSR and its satellites violated the orders of Supreme Commander Ceauşescu and the policy of sovereignty and independence of the Romanian state at that time. The draft developed by the State Security Council was forwarded to the head of East German espionage, General Markus Wolff.

Larry L. Watts, historian by profession, scientific researcher, had unlimited access to the secret archives of the USA, Stasi, the Warsaw Pact and Romania, a country in which he held, for a long time (1992-2009), the quality US adviser to the Romanian Department of Homeland Security for the reform of the secret services. An American document clearly states that Minister Ion Stănescu, together with other Securitate accomplices, whom the author nominates, "were looking for allies to overthrow the party's leadership at that time and to return Romania's independence policy, bringing Again under Soviet control".[1] I add that this is an act of serious national treason which, in accordance with the legislation of the time, should have ended before the execution platoon.

Because in these lines I quoted insistently the historian Larry L. Watts, I must show that the approaches of the historian Larry L. Watts regarding the history of the Security of Socialist Romania are a model of historiographical method. He dismisses the assumptions and maintains only certainties around which further research can be done. He is a very honest historian, who does not relate politically to the system of which he is a part and which he served as a US servant. For example, years ago, Romanian Television produced the show"Clandestine Heritage", presented by director Monica Ghiurco. The main protagonists of the show recorded and broadcast later were Larry L. Watts and SRI General and historian Cristian Troncotă. Among other things, Larry L. Watts referred to an American document stating that in 1969, the US State Department sent to European embassies the mission to lobby for Nicolae Ceauşescu to be awarded the *Nobel Prize for Peace*. The American historian-dignitary made this report, although, for eminently political reasons, Nicolae Ceauşescu was put on the list of outlaws by the censorship of the current globalist political regime, which rejects the nationalist-sovereignty personalities of history, especially the recent one. The show aired in December, when Larry L. Watts was away on Christmas vacation in the United States. He enjoyed a large audience. On his return, in January, when the show was rebroadcast by TVR, Larry L. Watts watched it and was surprised to find that it was censored and the details of the recommendation that Nicolae Ceausescu receive the *Nobel Peace Prize* were removed. He was interested in who censored, he found out that the culprit is Rodica Culcer, who was the head ofRomanian Television Newsreel. Larry Watts intervened at a high level and Rodica Culcer was dismissed and retired, later continuing her globalist propaganda through the Social Dialogue Group[2], in other circles.

In 1973, Ion Stănescu was removed, for the moment, from all executive positions, even if he was not dismissed from the honorary quality of member of the CC of the PCR. I show that the position in which he was moved after his dismissal was that of head of sector at the party household. Only after a few years, during which time he was in total conservation, in 1984, he was appointed Minister of Tourism, supported by another Soviet agent, Prime Minister Constantin Dăscălescu, one of the pillars of inducing in Romania food crisis, energy crisis, and consumer goods for the population crisis, to create dissatisfaction of the population towards Nicolae Ceauşescu, which can be used at the time of the coup d'état and the fulfillment of the Soviet mission: to remove Nicolae Ceauşescu and to bring Romania back under Soviet control.

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[1] *Ibidem*, pp. 526, 586

[2] The Social Dialogue Group (GDS) is a foundation set up immediately after the December 1989 coup d'état by George Soros (who came to Bucharest on December 28, 1989, with the first plane to arrive in Romania after the country's airspace opened), together with Silviu Brucan (Saul Brukner), the Jewish-Bolshevik ideologue conspirator of the National Salvation Front, who created a cultural political polices and an ideological censorship, in the name of the new false Romanian democracy

Vladimir Tismăneanu (Vol.odea Tismeniţki), son of the well-known Judeo-Bolshevik fighter Leonte Tismăneanu (Leonid Tismineţki) and of the Judeo-Bolshevik Hermina Marcusohn, connoisseur of the events behind the closed doors of the Communist Party, claims that Ion Stănescu "was directly inVol.ved in the dark of the death of Dr. Abraham Schechter, for years a personal doctor of Nicolae Ceauşescu and Elena Ceauşescu…"[1].

After December 22, 1989, while high-ranking communist dignitaries such as Ioan Totu or Nicolae Giosan were assassinated by the new "democratic" power in Bucharest, and others were clogging up FSN prisons, Ion Stănescu was kept for a few more months as minister of Tourism in the government of Petre Roman (Piotr Neulander), after which he became one of the leaders of the Socialist Labor Party, ally of the FSN and used by him in the fight against historical parties, with the support of many former security officers directly inVol.ved in this fight. It is known that in the period immediately following the events of December 1989, only the highly trusted people of Moscow or of the Kremlin's Romanian agency were appointed or retained in important leadership positions. I also mention that the SRI established by the Soviet network represented at the highest level by Ion Ilici Iliescu, Vasile Ionel, Nicolae Militaru, Gheorghe Logofătu and Virgil Măgureanu, was set up in the offices of the Ministry of Tourism, led by Ion Stănescu. If Ion Stanescu had not been a man of great confidence in Moscow, he would not have been inVol.ved in those operations that practically meant the resumption of Soviet control over Romania and its intelligence services, control against which Nicolae Ceausescu fought to the death.

The Deputy Minister of Security Ion Stănescu / Ianos Szilágy for foreign espionage was General Nicolae Doicaru, a proven Soviet agent[2]. In the run-up to the events of December 1989, he had a meeting in Herăstrău Park in Bucharest with Soviet Rear Admiral A. G. Mihailov. On December 22 and 23, 1989, in the headquarters of the CC of the PCR, where the coup d'état took place and the evacuation of Nicolae Ceausescu from power, in the office where Generals Iulian Vlad and Ştefan Guşă acted, General Nicolae Doicaru stood permanently, without leaving for a moment to ensure that the generals who then controlled the military operations at the CC headquarters of the PCR lead events in the direction set by Moscow. After the success of the coupd'état, Nicolae Doicaru held important positions in the secret services of the new power, until his assassination[3].

The betrayal of Romania's policy and its leadership by some party activists and some Securitate officers, the support of some of them from abroad, the participation of some of them in the anti-Ceauşescu conspiracy is also recognized by the Minister of Security, Iulian Vlad and Aurel Rogojan, the head of Cabinet of General Iulian Vlad. Thus, about the ethnic minority Gog uRădulescu (gypsy father and Jewish mother), married for the third time to the Jew Dorina Rudich, gen. Vlad says he was supported from the outside, referring to the USSR and Israel. About Constantin Dăscălescu, Prime Minister of Romania (1982-1989), General Vlad shows that he did a long training period in the USSR, where something happened, without specifying what, so that after returning to Romania he was promoted quickly[4].

Following an in-depth investigation, the historian Cristian Troncotă conducted a study, which he continues to work on, compiling a list of no less than 62 traitors from the State Security Department who left Romania and surrendered to foreign secret services, some among them together with diplomatic briefcases, containing figures, passwords, secret documents, mailbox addresses of the Romanian espionage, etc. Cristian Troncotă also makes concrete references to traitors from the Romanian army, who served in the Soviet secret services[5]. Some of these traitors were sent by Securitate commanders to surrender to enemy secret services[1],

[1] Vladimir Tismăneanu, *Pinacoteca malefică: Ion Stănescu, aparatcik, cadrist şi securest,* www.hotnews.ro, www.contributors.ro, May 8, 2015

[2] Larry L. Watts, *Op cit*, pp. 582-591

[3] After December 22, 1989, General Nicolae Doicaru was an adviser on the intelligence services of Deputy Prime Minister GeluVoicanVoiculescu. In February 1990, Nicolae Doicaru participated in a bird hunt during which he was shot with a bullet, although all participants in the hunt used shotguns.See also Corvin Lupu, Cristian Troncotă, *Prăbuşirea mitului Securităţii. Adevăruri ascunse despre generalul Iulian Vlad şi istoria Securităţii regimului comunist din România*, Editura Elion, Bucureşti, 2018, pp. 255-256; Corvin Lupu, *Trădarea Securităţii în decembrie 1989. Secrete ale intervenţiei străine împotriva României*, Editura Elion, Bucureşti, 2015, p. 286

[4] Aurel I. Rogojan, *Iulian N. Vlad - Confesiuni pentru istorie*, Editura Proema, Baia Mare, 2017, pp. 354-355

[5] Cristian Troncotă, *Istoria serviciilor secrete de la Cuza la Ceauşescu* Vol. III, *Duplicitarii – 1965-1989,* Editura Paul Editions, Bucureşti, 2020, pp. 173-193 şi 446-454. Researcher CristianTroncotă, who was a security and SRI officer for 10 years at the Security and SRI Archive, started this research about two decades ago. CristianTroncotă confessed to the author of the present lines that when he managed to identify the files of 31 deserters from the Securitate and drafted a paper presented in the internal framework of SRI, General IulianVlad, who read the paper, stopped him in the corridor

to undermine the Romanian leader from abroad and contribute to his removal and replacement with a communist leader devoted to the Soviet Union. As a result, for some of these traitors, their desertion was an operational moment in the Dniester Plan developed by the KGB and GRU. General Ion Mihai Pacepa, former deputy director of the Foreign Intelligence Directorate of the State Security Department, who deserted and surrendered to the US secret services in July 1978[2], said that they, Romanians in the West, collaborated with Romanians in Romania and - they tore down Ceausescu[3].

There is clear evidence of the betrayal of many other high Romanian dignitaries, who plotted against Romania's policy of sovereignty and independence during the last years of Gheorghe Gheorghiu-Dej's rule and during the entire period of NicolaeCeaușescu's, which we no longer refer to.

Abbreviations

- CC of the PCR = Central Committee of the Romanian Communist Party
- CNSAS = National Council for the Study of Security Archives
- GDS = Social Dialogue Group
- GRU = Main Directorate of Military Espionage (in Russian: GlavnoeRazvetivatelnoeUpravelnie)
- KGB = Acronym for the USSR Security Service between 1953-1991
- NKVD = Acronym for of the USSR security service between 1917-1953
- PMR = Romanian Workers' Party
- SRI = Romanian Intelligence Service
- SSI = Secret Intelligence Service
- USA = United States of America
- USSR = Union of Soviet Socialist Republics

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and he said, "Professor, you haven't done your homework! Well, that's all we sent abroad?" It is significant that none of the traitors who deserted from the Securitate (all during the period when General IulianVlad was in charge), led by General Pacepa, made public all kinds of abuses of the Romanian regime, but none he did not criticize General IulianVlad in any way

[1] Under the conditions of the policy of full independence and national sovereignty promoted by Romania, in the period 1964-1989 and in accordance with national security legislation and the orders of the supreme commander and president of the country, all foreign secret services had to be treated as enemies.

[2] Regarding General Pacepa's desertion, see also CorvinLupu, *Cauze ale dezertării generalului Ion Mihai Pacepa în lumina unor documente din arhivele Securităţii (Causes of General Ion Mihai Pacepa's Desertion in the Light of Documents from the SecuritateArchives)*, in „Studia securitatis", Anul VIII, Nr. 2/2014, pp. 58-75

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THE RALLY OF DECEMBER 21, 1989 - POLITICAL ERROR OR A SUBTLE MANEUVER, PART OF A DIABOLICAL PLAN?

Abstract:	*The rally organized on December 21, 1989 for NicolaeCeauşescu to obtain the support of the population of the Romanian capital and to stabilize the course of events that shook Romania, was hijacked and destabilized public order. The author of the article explains the events using archive documents, bibliography and interviews that she herself took to some actors of the events, like Virgil Măgureanu and Dan Voinea, or to some investigators of the events, like SorinRoșcaStănescu.*
	The author shows that the events were also the result of dissatisfaction accumulated and stimulated by the event organizers, but also influenced by foreign intelligence services, making special reference to the CIA.
	The article also mentions how Nicolae Ceauşescu reacted to this event.
Keywords:	**Romanian revolution; Nicolae Ceaușescu; Romanian Security; popular revolt; the involvement of CIA in the Romanian revolution; diversion**
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In the context of hostile and destabilizing events, which were in full swing deployment in the western part of the country, the organization of a large-scale rally in Bucharest, which is meant to represent the "unshakable unity of the population around the party", was, at first, a standard, efficient and verified procedure. The rally functioned in 1968 and in the previous month in November 1969, it had honored the efforts of the XIV Congress of the Romanian Communist Party (RCP), with a memorable and uncontrollable crowd made for the communist leader. Each member of the crowd was called, in the same place, to validate and support the actions and decisions of the "beloved leader".

On the morning of December 21st, the dictator is to be found in his office at the Central Committee, when around 8.00 am, Constantin Dăscălescu[1] and Emil Bobu[2] reported the worrying situation in Timişoara. After a whole night in which the patriotic Guards of the great industrial platforms of the capital had been mobilized and equipped, (at whose disposal?), NicolaeCeauşescu cancels the initial program of the day, then urgently summons BarbuPetrescu, the mayor of the Capital and orders the start of the rally. This decision might seem spontaneous to NicolaeCeauşescu but it was already taken by others since the day before, in the military units, the order of a televised pursuit by the military of the comrade's speech had been sent.

A colonel within the leadership of the Bucharest Security Inspectorate presents some important explanations regarding the organization of the rally: "On the 21st of December he wanted to visit approximately 15-17 enterprises in Bucharest. We, the ones dealing with this kind of thing, knew the state of mind of the population, especially after what happened in Timisoara and therefore I did not agree. Those from the Analysis-Synthesis Department said that these visits are not suitable from this point of view, but moreover there was not enough staff to be deployed for their protection in all 17 enterprises … The idea of a rally came up when General IulianVlad presented the issue to the Central Committee (C.C.). The one who had this very idea was, as far as I know, BarbuPetrescu"[3].

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[1] Prime Minister of Romania (editorial note)
[2] Secretary of Central Committee of the Romanian Communist Party (editorial note)
[3] Alex Mihai Stoenescu, *The History of Coups*, Editura Rao, Bucureşti, 2010, p. 229

In the meantime, security managed to convince NicolaeCeausescu to revoke the rally. Some troops started back, others stood waiting. This made people impatient, agitated and uncertain, causing confusion and annoyance. Silviu Curticeanu[1] insisted on giving up; NicolaeCeauşescu hesitated, but the assurances given by BarbuPetrescu, the first secretary of the Municipal Party Committee and the mayor of Bucharest made him continue with the idea of holding that rally. He could not conceive that the masses could radically change their beliefs from "Long live Ceauşescu" to "Down with Ceauşescu".

Nearly 150,000 people, carefully selected and equipped with the appropriate props, gathered in front of the Central Committee (C.C.), waving thousands of banners with supporting slogans. A witness of the rally, told Alex Stoenescu in 2004 that: "Ever since we arrived, around 06:45 a.m, we were informed at the enterprise that we will participate in the rally.Until 10:00 a.m we were told several times either to get dressed up or to undress, waiting for the order to attend the rally. Around 10.00 a.m we were taken from the enterprise by a couple of buses to Constitution Square. About an hour before the start of the rally, there was still enough space between us in our area, we were scattered, it was possible to move. "At 12.00 p.m therepresentatives of the working class take the floor: "We became aware of the serious situation in Timişoara, of the attempts of the reactionary and imperialist groups to deviate from the path of building socialism ..."[2] then Barbu Petrescu gave the floor to Nicolae Ceauşescu. It was 12.30 p.m. The head of state appears once again, in front of his own people, tense, scared, dissatisfied, insecure and anxious, with an almost personal speech transmitted between pursed lips, raised eyebrows and a wrinkled forehead.

"Dear comrades and friends, citizens of the capital of Socialist Romania (looks around with uncertainty) first of all, I would like to address to you, the participants of this great assembly, to all the inhabitants of Bucharest, a warm revolutionary greeting together with the best wishes for success in all fields of activity ". The population cheers him on. "I would also like to thank the initiators and organizers of this great event of the population in Bucharest (noises begin to be heard, he widens his eyes) considering this (stays focused on the population) as a ... (the screams start, the camera filming him starts to move, he becomes visibly marked by what has happened and is trying to continue, he raises his hand slowly to try to stop the screams of the crowd)."

Silviu Curticeanu, head of the Presidential Chancellery: "… very shortly after Nicolae Ceauşescu spoke, I heard a growing roar, unnatural, probably produced by technical means and then a few bangs, and the world started moving chaotically in all directions. It was impossible to stop them"[3].

For the first time in 24 years of dictatorship, Nicolae Ceauşescu failed to be heard by his own people; it was a shocking moment both for him and for his relatives and especially for all the spectators of the event. In a dialogue with the first head of the Romanian Intelligence Service, Virgil Măgureanu, he presented his own perspective on what happened at the rally: "During this dissatisfactory state of mind, there was no internal group to fight for a different outcome… The last 10 days of December were controlled by a foreign group. It was an agreement made in Malta; there were people such as General Vlad and the former head of the Department of State's Security (DSS) who knew this… Who pushed him to make the demonstration on the 21st? Nevertheless, the finale would have been the same, but this manifestation through which they wanted to reject the spirit of Timişoara, was based first of all, on Ceauşescu's mentality which made him think of himself as the same as 20 years ago, when the whole population listened blindly to him and that it was enough for him to give a brilliant speech, for which everyone applauded him. This was only in his head, because the population that had showed up was against him. He indeed had no escape, especially after the irreversible occurrences in Timişoara"[4].

The presence of foreigners in the country was already known by the Security, as well as byNicolaeCeauşescu always presented the foreign inVol.vement in the events of the country as imminent. With or without foreign aid, the Romanians knew only one thing: they were tired of NicolaeCeauşescu.

The prosecutor Dan Voinea, during a conversation, wanted to share an unknown fact: "The Bucharest attack on 21st. This matter cannot be found anywhere else, it has not been made public nor sent to court. The rest of the country wasunaware of the events unfolding in Timişoara, which exacerbated tensions in the city and its people. Their leaders said, in the afternoon of the 20th, at the Opera Square, that groups of Timişoara residents should be heard by sending them across the country. A large group of over 50 people boarded the train that was leaving from Timisoara at 12 a.m and arriving at Northern Railway Station (Gara

[1]Head of the Chancellery Section of the CC of the PCR (editorial note)
[2] Alex Mihai Stoenescu, *Op cit*, pp. 217–218
[3]Silviu Curitceanu's Statement, Indictment 05th of April 2019
[4]Interview with Virgil Măgureanu, by Alice Mihaela Barbu, 08th of June 2019

de Nord)at 5 a.m. We started interviewing some of them, but failed to identify them all. They arrived at 5 a.m in Bucharest … the youth, hardened in the heat of battle, were no longer afraid of the authorities. They arrived in Bucharest and waited in Cişmigiu until the crowd gathered at the Palace Square. In the morning of the 21st, the party activist of Bucharest convened a meeting in support of NicolaeCeauşescu and criticism of the hooligans in Timişoara. NicolaeCeauşescu always called them hooligans, irredentists and terrorists. He was the first to use the word "terrorists". They came prepared with flags without coat of arms. They showed up when the rest of the rally appeared in the Square. The police force managed to divert them from their course and so they went to the Palace Hall, reached the ŞtirbeiVodă Boulevard and turned right, where a male, who was working as a mechanic at the Bucharest Hotel, describes them very well. He said that there was a blonde girl who he had asked about her job position and was told she is a student. The police came out at the junction between Ştirbei Vodă Boulevard and CaleaVictoriei and the latter rushed into them. The blonde girl, who said she is a student, managed to knock down a militiaman. The riot began once the police managed to break through the crowd by using sharp weapons. In the meantime, another Timişoara resident was glued with his back to the National Library's wall and while holding a shoe box in his hands he kept saying "You'll see!" At one point, this individual took two firecrackers out of the box and, without using it yet, managed to scare everyone. He waited until the arrival of the rest of Timişoara residents and used it then. Fears heightened in that moment and consequently the protesters started throwing away the banners, pushing each other. They withdrew and positioned themselves in the Institute of Architecture. At that moment, the University Place's traffic was stopped. A coalition was formed and accordingly the University Square was founded"[1].

Nonetheless, Ceauşescu's speech did not stop then. While the crowd was beginning to calm down, he continued in a much firmer tone to convey the decisions that were to be taken from January 1990: "Once again, I want to emphasize that we must show all our strength and unity in defending Romania's independence, integrity and sovereignty. This is one of the fundamental problems (the crowd is continuously stirred up) ". He then promised the following: to increase the minimum wage from 2000 to 2200 lei, increasing the allowances for children between 30-50 lei,the birth allowance of 1000 lei for all women who have only one child, and for those who had two or more, the allowance was 2000 lei, the increase of the minimum pensions from 800 to 900 lei.

"We talked about the events in Timişoara last night. It is becoming clearer that thecombined action of different parties is what can destroy the integrity and sovereignty of Romania, it can stop the construction of socialism and put our people under foreign rule again and therefore we must defend with all our might the integrity and independence ofRomania … we must act in full unity, firmly against all those who try to take the power and unity of our nation that works for various espionage services and imperialist groups in order to divide, once again, Romania. You know what our ancestors were saying (the pride on his face was visible) "It is better to die with glory in the battle than to be slaves again" … I want to declare that we will do everything in our power to defend the integrity and sovereignty of Romania, the life of our people, the well-being of the entire nation (The people: We will work and fight/The country we will defend!) … Let us all protect our people, independence and socialism".

Colonel Ionel Bejan, one of those who werepart of the protective barrier located between the Cina restaurant and the former Bohemian Garden, stated the following: "The atmosphere at the beginning of the well-known rally was more than oppressive so that only the applause and cheers could have been heard. Around 12.30 p.m, the first screams which had nothing to do with the theme of the rally were heard near the Royal Palace. All of a sudden, the crowd fled on the streets adjacent to the Square, leaving it empty. I was with the other colleagues of the protective barrier on Maria Rosetti Street, between the Cina restaurant and the former Bohemian summer garden, when the second round of screams started. That was the break-point of the rally. For a better understanding of the terror that was at this point, it must be said that not only flags, banners with slogans and other propaganda materials remained behind the protesters, but also women's shoes and handbags …"[2].

NicolaeCeauşescu leaves the balcony with the same state of anxiety and stress with which he began his speech that lasted no more than 21 minutes. At 12.41 p.m, the protesters near Athenaeum start to evacuate the Palace Square, leaving behind them the core of what they needed for a future dismissal of the head of state. After 10 minutes the rally ends. The situation is heating up by the appearance of the flags without coats of arms while the military unsuccessfully tries to disperse the crowd.

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[1]Interview with Dan Voinea, by Alice Mihaela Barbu, 22nd of February 2019
[2] Alex Mihai Stoenescu, *Op.cit.*, pp. 246–247

On February 9th 1994, general GianuBucurescu, former deputy head of the Department of State's Security (D.S.S.), stated, before the Senate Committee for the investigation of the events of December 1989, the following: "I was on the balcony when the rally broke and heard screams, a roar that seemed to be made by a megaphone, a roar you hear during an earthquake, coming from the Palace. The aggressive mass which was leading the roar withdrew. I heard a noise which initially I thought to be a falling megaphone, but then I found out it was a firecracker. Earlier to this point, that mass appeared accompanied by the screams of women. Then people dispersed, the protective barriers located at the end vanished, the propaganda materials were left behind trampled on the ground and so I sent the troops gathered in front of Athenée Palace back to the unit. My mission being over, I was not inVol.ved in anything else once the rally ended. I was told that the screams of the women were due to stabbing"[1].

Journalist Sorin Roșca Stănescu, presented from his perspective the interruption of Ceaușescu's speech by the chaos produced by the population: "It was not an opportune time for this great manifestation of so-called sympathy, but either way, these manifestations were extraordinarily well controlled. Everything was supervised. That's why, only at the end of the rally, people could no longer be controlled. From all the official information I gathered, the rally broke as follows: people, especially women, were stabbed in the back with the end of the flags' picks that had been sharpened. Then some of them started screaming and this noise amplified throughout the square which made the others panic. Chaos was created. The Romanians were already enraged, it was enough to light a spark to set them off. That's how it all started"[2].

The Report of the Senate Commission on the events of December 1989, brings some additional statements to the noise hypothesis: "Numerous witnesses confirm the unbearable noise equivalent to that produced by aircrafts, helicopters and tanks that originally came from a source of interference amplified by speakers. According to some participants, the panic produced was due not to the noise, but to the existence of a physical fear which was so strong that it gave the impression of fainting. Such feelings can be caused, according to the statements of some specialists, by the emission at high intensity of low frequency waves, below the audible threshold … Another aspect refers to the people who used their picks, which were sharpened at the ends beforehand, to stab those around them while screaming "Run, they are going to kill us! The tanks are coming!" and booing. The bangs heard were the product of explosions of firecrackers or the breaking of light bulbs, glass globes or other improvised materials. According to the information gathered by his men, Colonel Goran[3] states: they used the flag's picks, which were sharp, to stab the women who were screaming. The hijacking of the rally continued with the appearance of some groups of protesters in the main locations of the centre of the capital chanting anti-Ceausescu slogans and asking the crowd to join them. According to the Romanian Intelligence Services' (S.R.I.) report, people who came exclusively for this event from Timisoara were among them"[4].

However, the sound propagated throughout the Square seems to have its own history: "Carlo had also received a magnetic tape from Langley with some awful recorded noises on it. His friends from the Center claimed that there were legitimate noises recorded by C.I.A. in various real missions such as screams of children crushed under the tracks and screams of people stabbed, shot or tortured. A range of desperate shouts and cries before the moment of their death. They consisted of all the fears known and unknown to human kind. Noises were suddenly heard and it was as if a regiment of tanks had started to crush the people gathered in the Square. For a second it was quiet, then the noise amplified to an unbearable magnitude. The speakers mounted by the Security were on the verge of exploding. Those in their vicinity suddenly went mad, their state of mind becoming foggier. An atavistic and animalistic fear wasborn within themselves embodied in their insanity, which made them act violently as they were trying to stop the speakers"[5].

The assumption made by the C.I.A that the recording was fabricated is not an impossible one to believe. Although it cannot be proved by a related document, there are nominal aspects that support this theory. SilviuBrucan, the signee of the *Letter of the Six* (the first letter, which was publicly condemning Ceaușescu's regime), who was pursued by the Security for his contact with foreigners, former Romanian ambassador in the U.S. and also director of the Romanian Broadcasting Company, was to become one of the members who were about to take over the country on the 22nd of December. According to the National

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[1]Cristian Troncotă, *Duplicitarii. Din istoria serviciilor de informaţii şi securitate ale regimului comunist din România (1965-1989)*, Editura Elion, 2014, Bucureşti, pp. 386-387

[2]Interview with Sorin Roșca Stănescu, by Alice Mihaela Barbu, 22nd of July 2018

[3] Colonel Gheorghe Goran was the head of the Bucharest Security (editorial note)

[4] Şerban Săndulescu *The Report of the Senate Commission on the events of December 1989*, Vol. II, p. 168

[5]Ioan Tecşa, *Crăciun 89*, Editura Militară, Bucureşti, 1998, pp. 242–281

Security Archives, in a note given by Aristotel Stamatoiu[1] to AurelianMortoiu[2], Silviu Brucan had connections within the Institute for East-West Security Studies of New York, which was used as a cover by the C.I.A. for its actions.

These actions served as a disinformation and propaganda in supporting the diversionary ideas of the US administration on matters related to the affiliations with socialist countries. This theory was confirmed by David Kamporl, former intelligence officer. David Kamporl also states that: "Brucan was accompanied by C.I.A. personnel for two weeks and, on the 1st of June 1989, the American ambassador together with the special advisor asked to meet him"[3]. Based on this evidence found within the National Security Archives we can conclude that there were enough external links and those who were personally inVol.ved could have facilitated the use of special techniques and devices, purchased and prepared in advance in order to create panic and instability.

Ionel Dumitrescu confidently confirms that the noises came from a foreign system which belonged to the Romanian Broadcasting, an institution where SilviuBrucan used to be in charge. Thus, through the analogies made based on the given statements, we have the proof that NicolaeCeaușescu was somewhat right regarding his obsession with potential actions of foreign agents inside the country, as well as his fear about the appearance of new political leaders who would be supported by foreign, hostile identities. "Back in December 1989, I was an officer of the Ministry of National Defense with the rank of Colonel Engineer within the Technical Materials Section of the Superior Political Council of the Army, having as a main attribution the provision of special propaganda methods - specific to psychological warfare… On the 21st of December 1989, four special vehicles were sent from the unit I was working in, with the role of amplifying the sound supplied by the Romanian Broadcasting Company.I am fully aware when stating that one of the special vehicles was the source of the low frequency sounds of panic that caused disorder in the crowd gathered at the Palace Square. The panic represented the enemy's signal for its successful work of propaganda. I am pointing out the fact that the specified panic sounds, which were recorded on two magnetic tapes, might be imported … It is important to note that the magnetic tapes were not registered in the records of the unit until the 21st of December 1989 when they were used for the first time … if the opportunity would have arisen, they were to be used during Ceaușescu's speech. This precisely happened when the protesters were infiltrated by certain people, whose purpose was to end the rally … On the evening of the 21st of December 1989, the magnetic tapes containing the panic sounds were burnt. In the creation of these sounds armor blasts, fire of heavy or light guns as well as explosions (firecrackers, grenades) are used"[4].

The events of 21st December 1989, marked a significant milestone in which the population could fathom an escape fromNicolaeCeaușescu. With both foreign and internal support, this change marked the beginning of the end.SorinRoșcaStănescu: "…things eVol.ved slowly … I amtalking about the slogans. They eVol.ved from seemingly peaceful slogans like "We want democracy! Down with Ceaușescu!" to "Down with the communism!" The groups became radical during that day, until late in the evening when they started shooting at people."[5]

Undoubtedly the revolution was a traditional, authentic, honest and aboriginal one. Many of the methods used (including the encouragement of the misguided decision to organize the rally) were unfortunately imported for the benefit of the skilled foreign "manufacturers" of political collision and of the local "import".

The Romanian people achieved partial freedom…enough to feel enthusiastic for the years to come.

Abreviation

- CIA = Central Information Agency
- DSS = State Security Department

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[1] General Aristotel Stamatoiu was deputy head of the DSS and head of Romania's foreign intelligence (editorial note)
[2] General Aurelian Mortoiu was the head of the DSS counterintelligence service (editorial note)
[3] ACNSAS, File Silviu Brucan
[4] Indictment 05th of April 2019/ Dumitrescu Ionel's statement take at SPM on 30th of October 2017
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SOME CONSIDERATIONS REGARDING THE CRISIS CAUSED BY THE COVID-19 PANDEMIC AND NATIONAL SECURITY
PART II

Abstract:	*This study is an opinion and the first episode in a series entitled "The coronavirus pandemic between truth and falsehood, between dream and reality. Anti-crisis journal", through which I try to express the things that have happenedto me, that I think about, that I analyze; some that I have decidedand others that I want to decide, but I can't do. And it is obvious that everything we knew so far about our activity will no longer resemble or no longer resemble what it was three months ago. It is quite complicated for you to realize how manythings can change in just a few days. It is almost impossible to put yourself in a position to think of different strategies from one day to the next, almost from one hour to the next. I think that our nature needs to settle down, one needs to dissect and deepen things before being able to think or rethink strategies and solutions. It is very likely that each of us is less aware that not only our activity is changing, but especially our life. What we knew before the pandemic is not the same, what we did then is no longer, a few weeks away, what we are doing today. The same thing is happening with our national security, which is increasingly threatened by foreigners and anti-Romanian aliens in the country.*
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1. On the scientific research of intelligent crisis management

We said in the first part of our paper that it is necessary to intelligently manage crises through rigorous scientific research. The need also arises from the repercussions of the global economic and financial crisis on the realization and effective exercise of human rights that have influenced think tanks in administrative sciences to pay special attention to this phenomenon in debates and studies on good governance. And even if they have not always been able to focus on defining "maladministration", "administrative reform" solutions have always been proposed.In this sense, it can be said that the public administration reform started immediately after the coup d'état of December 1989 and was not directly and immediately correlated with the crises that Romania went through, being rather a continuous process of change and adaptation to new realities, using both legal and managerial, economic, financial instruments to reconcile the public administration with the citizen it serves. In the same vein, some of the American administrators who, after reviewing the successive crises of defining public administration, different from both political science and management, insist on the need to change public administration according to environmental changes in which activates, there are three explanatory models of transformation: the biological metaphor (administration as a system), the rational metaphor (administration as omniscience) and the political metaphor (administration as an actor), even when traditionally the public administration is "schizophrenic" and "resistant" to chang ", its power being" covered in clouds, covered with fog and clothed

in haze ", and if knowledge means power then the public administrator has both[1]. Romanian studies also noted the resistance to change of public administration, even if reform is necessary, even imperative, in the conditions imposed by crises and not modernization - a state due in part to the reality that the monopoly of constraints around which the power space was built administrative is not enough to ensure its cohesion, the administration being subordinated to centrifugal forces, which exert a continuous pressure on its components and which constantly threatens their homogeneity; that is why we are witnessing the expansion of the administrative space to the size of the whole society, simultaneously with the blurring and smoothing of the borders between them, the administrative sciences having the mission to manage "well" and responsibly the changes proposed by the reforms required by public administration crises[2].

Therefore, according to the UN Committee of Experts on Public Administration, public system reform consists of deliberately transforming administrative structures and procedures to make them work better. Structural changes may take the form of mergers or separations, and procedural changes may consist of reconfiguration systems, by defining quality standards and strengthening capacities. Reflecting the definition of public administration as the art of crisis management, the United Nations Economic and Social Council considers that strengthening governance and public administration capacity for development means helping national actors to equip themselves with priorities in their countries. In the field of development, ensuring their development taking into account the results obtained, putting in place effective tools to set objectives, make decisions, systematize normal procedures, plan and carry out activities and complete them through controls and evaluations. However, we must accept that strengthening the capacity of the public administration system to deal with crises is a multidimensional approach, encompassing elements other than strictly administrative ones, in particular electoral processes, legislatures, the rule of law and access to justice, human rights, decentralization, local governance and the provision of public services, accountability and transparency, the role of civil society and the private sector in governance, the formulation of intervention policies for all stakeholders, international aid and its absorption power; all these facets of governance must be taken into account in order to improve the administrative capacity to deal with crises, increase the capacity of actors to realize their potential and build open, transparent and concerted organizations to strengthen them and promote a common dimension and building trust[3].

In this constructive, transformational and pragmatic sense, a real strategy has been developed at EU level to improve the methods by which the Union uses its powers entrusted to its citizens not only in normal times but also in times of crisis, when the need arises to manage its consequences and administrative reforms to move to a new stage of development. The institutional reform proposals initiated are based on five principles of good governance, namely: institutional openness and transparency, active participation, self-responsibility, institutional effectiveness and coherence, active participation, their implementation being strengthened through the system of proportionality and subsidiarity. Although some Member States have problems due to the financial crisis and the economic downturn, the Union is trying to manage them effectively, with hopes that through increased convergence and competitiveness, the proposed objectives will be met. Also, at national level, all public administration reform measures taken in recent years have not been an end in themselves, but the formulation of public policy imperatives dictated by the need to face the economic and financial crisis that Romania has had to go through. This management of the administrative crisis meant in the legislation issued during the coronavirus pandemic the establishment of new bodies, procedures and instruments, such as deliberative authorities, committees for financial crisis situations but also recovery plans. In order to counteract the "schizophrenia" inherent in the public administration system, mentioned above, but also the resistance to change, even in the motivated case of facing crises, public administration reform must reconnect between administration procedures and central concepts of good administration, not only those which are legally binding, as derived from documents adopted internationally, as well as from Romanian legislation and practice. Only in this way can we make the right decision after judging the crisis, in order to bring a new social balance that will allow further development in the conditions of a massive paradigm shift.Only in this way can we make the right decision after judging the crisis, in order to bring a new social balance that will allow the management of the crisis generated by the coronavirus pandemic.

[1] Nicolas Henry, *Public Administration and Public Affairs*, Editura Cartier, Bucureşti, 2005

[2] Ion Dragoman, *Crisis of administration and crisis management*, in "Public administration in crisis situations", Emil Bălan, Cristi Iftene, Marius Văcărelu, Wolters Kluwer Publishing House, Bucharest, 2015

[3] Ioan Alexandru, *About law and the science of administration*, Editura Universul Juridic, Bucureşti, 2009

2. How has the coronavirus pandemic changed crisis management in Romania?

2.1. Clarifying issues

Based on the principle that the executive must be recognized as an activity for normal times and an activity for abnormal times, we considered it necessary to analyze the extent to which the Government has used the institution of legislative delegation in accordance with constitutional provisions or whether it uses the basis constitutional only as a pretext to regulate in the areas reserved to the law. In order to find answers to these questions, we will analyze the constitutional basis, the relevant doctrine and jurisprudence in this matter, the role of the People's Advocate, during the state of emergency. We will not investigate, in the following, the legislative delegation granted by the Parliament to the Government, based on a special empowerment law, but we will limit ourselves only to the legislative delegation in extraordinary situations, the regulation of which cannot be postponed. According to the provisions of article 115 par. (4) of the Romanian Constitution, republished, *„The Government may adopt emergency ordinances only in extraordinary situations whose regulation cannot be postponed, having the obligation to motivate the urgency within them*", and in the following paragraphs of the same article are provided the conditions that they must be complied with in order for the emergency ordinance to enter into force, to be adopted or rejected by law, as well as the prohibitions to issue emergency ordinances in certain areas. We will not analyze the constitutional provisions previously invoked as the doctrine has already done so successfully, but we will present, in the following, the opinions already expressed, as follows: *„In a synthetic interpretation, we note that the initial wording of exceptional cases was replaced by the phrase extraordinary situations, also an indeterminate legal concept left at the discretion of the Government. However, unlike the initial variant, the current constitutional provision seeks to clarify this concept, stating that "regulation cannot be postponed." Of course, in the case of extraordinary situations, their regulation is also urgent, it will intervene immediately, so it cannot be postponed, but this condition results from the urgency of these ordinances, established even by their name. At present, no one disputes this character as a second condition for the adoption of this type of ordinances, the Constitutional Court also issuing decisions in this respect, regarding the existence of the two conditions. Or, in the new constitutional configuration, in fact, the meaning of the notion of emergency is defined, which no one disputes, but which the Government also respects only rarely, when resorting to the adoption of emergency ordinances. The following elements necessary for establishing the constitutional dimensions of the notion of extraordinary situation have been identified in the doctrine: a) it is an essential constitutional condition, fundamental for the adoption of emergency ordinances; b) it is an objective and independent situation, in the sense that its production does not depend on the will of any public authority and is not justified by the establishment of another situation of constitutional crisis; c) it is an unpredictable situation that deviates from the usual rules or expectations and whose regulation does not support in any way the postponement; d) it is a situation that endangers the public interest, the normal functioning of the state authorities and the political regime; the danger caused by this situation must call for urgency, be a definite and immediate danger about to occur. The extraordinary situation must consist in a state of absolute urgency, which presupposes two elements: the impossibility to resort to other procedures for its legislation; the measures ordered, by their material content, to have a character of absolute necessity and urgency".* These are the constitutional provisions and some of the doctrinal explanations regarding the exceptional situations and the conditions under which the Government can adopt emergency ordinances.It is therefore recognized, to the executive power, the possibility to regulate, in certain situations, in primary fields, reserved to the law[1].

However, the state of emergency established in order to manage the effects of the Covid 19 pandemic was marked in Romania by the excess of repressive measures. Who does not know how to protect and stimulate, repress? The level of fines imposed by ambiguous regulations and the Vol.ume of amnesia applied was hallucinatory. They exceeded the bargaining power and payment capacity of those sanctioned. Beyond these issues, does the issue of the constitutionality of those measures also arise? Aren't they hit by nullity because of constitutional flaws? Through the powers conferred on us by the researcher's instruments, we will try to decipher, together with other authors, these violations of the Constitution. Thus, according to one opinion, the state of emergency is a fact, before it becomes a legal regime. Therefore, we are dealing with a state of affairs that can be transformed into a state of law, at the initiative of the President of the Republic. He notes this by a presidential decree, thus allowing the executive to turn it into a legal regime by establishing exceptional measures of a binding nature to manage the situation. In other words, the President's

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[1]Apostol D. Tofan, *Legislative Delegation*, in "Romanian Constitution - Commentary on articles", coordinators I. Muraru, E.S. Tănăsescu, Editura C.H. Beck, Bucharest, 2008

decree does not give rise to a state of emergency, but only establishes it, as a matter of fact, and gives the Government the possibility to administer it on the basis of normative acts adopted by it as a matter of urgency[1].

2.2. Some critical aspects, from a legal perspective, regarding the establishment of the state of emergency

Terminologically, by state of emergency is meant: „The exceptional situation of war or other public danger that threatens the state of the nation regulated by art. 15 of the Convention, during which the States Parties may take a series of measures to temporarily suspend the exercise of certain rights or freedoms provided for in the Convention, under certain conditions strictly governed by it". According to art. 15, the adoption of measures derogating from the provisions of the Convention, in conditions of urgency, requires the fulfillment by the invoking States of substantive conditions concerning: the cases in which they are authorized, the character of necessity and their object, but also of form: the procedure to be followed for taking these measures. These conditions may achieve the objective of limiting the arbitrary power of the State only in so far as they are subject to the control of the Court[2].

Art. 15 provides for the possibility of adopting such measures „in case of war or public danger that threatens the life of the nation." In its case law, the European Court of Human Rights has characterized these notions as "exceptional and imminent situations of crisis or danger, which affect the population as a whole and pose a threat to the organized life of the state community". Therefore, the danger in question must be exceptional and threaten the life of the nation. The origin of the danger can consist in a natural calamity, war, reVol.t, rebellion, insurrection, etc. It is up to the states to determine the state of emergency („war or public danger that threatens the life of the nation"). The danger must be real (proven) or imminent. This also includes a crisis affecting only part of a country's territory: for example, derogations concerning only part of the United Kingdom in the context of the terrorist conflict in Northern Ireland or only south-eastern Turkey.In the short history of the Council of Europe, there has been no war situation that would lead to the application of derogating measures, and therefore the Court has not been put in a position to interpret this notion either. However, in the Court's practice, so far, such derogations have been allowed in cases[3].

2.3. About the procedure for declaring a state of emergency

According to the provisions of art.93 para. (1) of the Constitution, the state of emergency is established by decree of the President of Romania, which is countersigned by the Prime Minister and is published as soon as possible in the Official Gazette of Romania, from which time it begins to take effect. The provisions of art. 12 of GEO No. 1/1999 also establish that the President of Romania must ask the Parliament for the approval of the adopted measure, within maximum 5 days from the establishment of the state of emergency. The decision of the Parliament is taken by organic law and is for admission or rejection of the decree establishing the state of emergency, insofar as the solution is to reject, the measures ordered shall cease to have effect from the date of publication of the law in the Official Gazette of Romania. We consider that the term of 5 days in which the Parliament is requested to approve the adopted measure is one of recommendation, the provisions of GEO No. 1/1999 not providing for a sanction in the event of non-compliance.

The provisions of the ordinance expressly specify the role of the Parliament in approving the measures ordered by the President by decree, without referring to the possibility of the legislature to censor the provisions of the decree, in the sense of extending or, conversely, restricting the scope. In this respect, we consider that there is no justification to limit the possibility of the Parliament to modify the provisions of the decree. Some of the implicit effects of declaring a state of emergency are provided in direct connection with the rules of operation of state institutions and as a guarantee of their stability. First of all, the provisions of art.63 para. (1) of the Constitution establish that the mandate of the Parliament is extended until the end of the state of emergency. On the same reasoning are regulated the provisions of art. 89 para. (3) of the Basic Law, which stipulate, inter alia, that Parliament cannot be dissolved during a state of emergency. Also, throughout the state of emergency, the Parliament remains in power, even if it is not in session, according to the provisions of art. 93 para. (2) of the Constitution[4].

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[1]Adrian Severin, *The President does not establish the state of emergency, but states it*, www.dcnews.ro, (20.04.2021)

[2]Fr. Sudre, *European and International Human Rights Law*, Editura Polirom, 2006

[3]Răzvan Horațiu Radu, *Derogation from the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms*, http://revista.universuljuridic.ro, (20.04.2021)

[4]According to the provisions of art.73 para. (3) lit. g) of the Romanian Constitution

The efficiency of establishing the state of emergency is given by informing the population of the measures to be applied in the next period. We consider that the essential aspects that may be the subject of the communication are the area concerned, the period for which the decree is established, the measures of immediate application, as well as the restrictions on fundamental rights and freedoms that will operate until the entry into force of the decree. Of considerable magnitude interpreted as public dangers that threaten the life of the nation. Examples include: the terrorist phenomenon in Northern Ireland, the terrorist activity of the PKK in south-eastern Turkey, the threats of attacks on Great Britain after the attacks of 11 September 2011 in the United States of America, the attempted coup d'etat in Turkey in the summer of 2016 and possible associated terrorist acts. In other cases, the requested derogations were not allowed, where the former European Commission of Human Rights stated that the conditions for the application of art. 15 of the Convention and the legislation and administrative practices of the new regime installed in Greece violated several rights provided by the Convention, not being justified by art. 15 of the Convention. However, the Court is the only one able to verify whether the states have exceeded the strict measure imposed by the crisis situation by checking the national margin of appreciation. Moreover, the stay in force of derogating measures after the cessation of exceptional circumstances constitutes a violation of the Convention. The same applies to the territorial overrun of the derogating measures[1].

The decree establishing the state of emergency must provide the following aspects: a) the reasons that imposed the establishment of the state; b) the areas where it is established; c) the period for which it is established; c1) the first emergency measures to be taken; d) the fundamental rights and freedoms whose exercise is restricted, within the limits of the constitutional provisions and of art. 4 of this emergency ordinance; e) the military and civil authorities designated for the execution of the provisions of the decree and their competencies; f) other provisions, if deemed necessary". From the corroboration of the provisions of art.5, art. 14 lit. c) and art. 15 of GEO No. 1/1999 results that the decree establishing the state of emergency cannot have an indefinite duration, being limited to a maximum of 30 days, and will be extended by the President of Romania with the approval of the Parliament. We consider that insofar as a period of time is stipulated above the maximum provided by the legal provisions, it can be corrected by the Parliament by the law of approval, or otherwise the duration should be considered, by law, as 30 days. A similar procedure extends or restricts the area for which the state of emergency is established.The competence to coordinate the measures ordered by decree is shared according to the basis for establishing the measure. If it concerns the existence of current or imminent serious dangers that could endanger national security or the functioning of constitutional democracy, the competence falls to the Ministry of Internal Affairs, with the support of the Ministry of National Defense, upon request and with the approval of the Supreme Council. Also, if the basis for establishing a state of emergency is determined by a calamity, the competence belongs to the National Emergency Management System, under the leadership of the Minister of Administration and Interior and under the coordination of the Prime Minister. The measures likely to be ordered during the state of emergency are regulated by corroborating the provisions of art. 11, art. 14 lit. c1) and art.20 of the GEO No. 1/1999.If the first two enunciated dispositions refer to the obligation to communicate to the population the urgent dispositions established by decree, the provisions of art. 20 contain an exhaustive list of possible measures that may be imposed, which correspond to fundamental rights and freedoms whose limits of exercise would be restricted. We consider that the provisions of art. 20 must be interpreted with caution as they refer to both the state of siege and the state of emergency, some of which are preferably applicable to the state of siege, which is why their eventual takeover in the decree establishing the state of emergency must performed with caution. The cessation of the state of emergency may take place on the date set by the decree establishing or extending it, or at the time of the cessation of the situation which led to the taking of the measure, in the latter case the entry into force of the decree shall be ordered by a new decree[2].

Therefore, by Presidential Decree No. 195 of March 16, 2020[3], in the context of the need to take measures to combat the SARS-CoV2 pandemic that has affected Romania in the meantime, a state of emergency was established in Romania, for a period of 30 days, in order to protect the right to life and health of people but also to reduce the negative effects on the economy. The decree on the establishment of the state

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[1] Ioan Dumitru Apachiței, *Attributes of national security in the context of establishing the state of emergency*, https://www.juridice.ro/676138/atribute-ale-securitatii-nationale, (03.04.2021)

[2] C. Florea, *Restoring the constitutional order in the situation of establishing exceptional states*, Editura Sitech, Craiova, 2007

[3] Official Gazette, No. 212 of March 16, 2020

of emergency was approved by the Romanian Parliament on March 19, 2020[1]. Art. 2 of the Decree stipulates that during the state of emergency the exercise of the following rights is restricted: free movement; the right to intimate, family and private life; inviolability of the home; the right to education; freedom of assembly; the right of private property; the right to strike; economic freedom. The emergency measure has been extended for another 30 days, starting on 15 April 2020. As it was considered that some of the measures derogate from Romania's obligations as a party to the European Convention for the Protection of Human Rights and Fundamental Freedoms[2], the Ministry of Foreign Affairs was mandated to notify the derogation of the Secretary General of the Council of Europe, according to Romania's international obligations. By Verbal Note No. 498 of March 18, 2020, the Permanent Representation of Romania to the Council of Europe notified the General Secretariat of the Council of Europe about the measures taken, attaching a note to the minutes and a copy of the presidential decree. In other words, through this notification, the Romanian authorities took advantage, for the first time in their short history of being a member of the Council of Europe, of the derogations provided by art. 15 of the Convention.Thus, art. Article 15 of the Convention, entitled 'Derogation in case of emergency', allows States Parties to the Convention to, under certain conditions expressly provided for, unilaterally derogate from part of their obligations by temporarily suspending the exercise of certain rights and freedoms it provides. Except, art. Article 15 of the Convention provides for signatory states with a derogation clause which allows, in exceptional circumstances, the replacement of normal legality with exceptional legality. In the history of the Council of Europe, until the outbreak of the SARS COV2 pandemic, only 8 states (Great Britain, Ireland, Greece, Turkey, Ukraine, Albania, Armenia, France and Georgia) have notified the derogation provided by art. 15 of the Convention. Due to the pandemic, along with Romania, 9 other states also invoked the derogation in question (Latvia, Armenia, Estonia, Georgia, the Republic of Moldova, Albania, San Marino, Serbia and Northern Macedonia).

The state of emergency is a fact before it becomes a legal regime. Therefore, we are dealing with a state of affairs that can be transformed into a state of law, at the initiative of the President of the Republic. He notes this by a presidential decree, thus allowing the executive to turn it into a legal regime by establishing exceptional measures of a binding nature to manage the situation. In other words, the President's decree does not give rise to a state of emergency, but only establishes it, as a matter of fact, and gives the Government the possibility to administer it on the basis of normative acts adopted by it as a matter of urgency. The decree by which the President ascertained the state of emergency and thus initiated the consecutive procedures (procedures provided by law, and not invented by him or by the government), affects the balance of powers. That is why the constituent legislator elected the President to ascertain it, because the President is not part of any power, being a mediator between them. The election of the President was also justified by the urgency of solving the problems posed by particularly serious threats to untimely values such as public health, national security, etc. A one-person institution can manifest faster than a collective one[3].

The regime of the state of emergency is not provided by the Constitution, but by a special law. The Constitution provides only the regime of ascertaining the situation that attracts the application of that special law. It is only that law that changes the normal balance between the powers of the state. Noting, by his decree, the existence of factual reasons for the implementation of the law on the state of emergency, the President creates the premises for the initiation of the subsidiary mechanism of exceptional governance, previously defined by the Parliament.

In addition to the fact that the presidential decree is only an act of finding, and not of disposition, it is issued under the resolutive condition of approval by the Parliament. Its only full and unconditional effect is to force Parliament to meet within a maximum of five days to decide whether to approve the transition to a state of emergency identified by the President or not. Parliament cannot ignore the decree, but has the right to reject it. Why did it settle like that? Because the Parliament is, among the state powers, the most affected by the change, even temporary, to the relationship between prerogatives (the one who acquires increased prerogatives being the executive), but especially because he is the supreme representative of the Romanian people (art. 61.1 thesis first). The president is not the supreme representative of the people, the latter being the holder of national sovereignty. The president is neither the "head of state", but the "symbol" who personifies the state. It is logical, therefore, that the perception of the President, who has come to the

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[1]Decree No. 240 of April 14, 2020, Official Gazette No. 311 of April 14, 2020
[2]Signed in Rome on November 4, 1950 and ratified by Romania by Law No. 30/1994, published in the Official Gazette No. 135 of May 31, 1994
[3]Adrian Severin, *Op. cit.*, p. 5

conclusion that a state of affairs has been created which makes it appropriate to govern in an emergency system, should be subject to censorship by the people (the one who bears the consequences of such governance).

2.4. The specific conditions for declaring a state of emergency in Romania

The hypotheses of establishing the state of emergency are regulated in art. 3 of GEO No. 1/1999 which establishes an accumulation of conditions necessary to be fulfilled in order to be able to declare a state of emergency. The first hypothesis refers to "the existence of current or imminent serious dangers to national security or the functioning of constitutional democracy." The primary condition is the existence of dangers, the fact that the legislator preferred the use of the plural does not necessarily mean the existence of a large number of determinants, but rather the need for multiple implications on different plans for national security or the functioning of constitutional democracy. The seriousness of the danger relates to the consequences it is likely to produce. They do not need to be certain, but only quantifiable in a sufficient way to lead to the idea that national security or the functioning of constitutional democracy may be affected. The current or immediate nature of the hazard presupposes either that it is ongoing or about to occur. This must be understood in relation to the suitability of the threat, which must also be current or imminent. It should be noted that the immediate occurrence of the danger is not a rigid criterion, it can also exist to the extent that the damage would materialize over a period of time, but with the consequence of a considerable amplification of the consequences. The fulfillment of the above conditions must necessarily be convergent in the direction of endangering national security or the functioning of constitutional democracy.

The second part of the provisions of art. 3 of GEO No. 1/1999 consists in the situation regarding "the imminence of the occurrence or the production of some calamities that make it necessary to prevent, limit or eliminate, as the case may be, the consequences of some disasters". As mentioned above, the danger materialized in a calamity must be current or imminent, in which case we refer to those already reported. The prevention, limitation or elimination of the consequences is, in this case, the purpose of the establishment of the state of emergency, being relevant in the sense that the subsequent measures must address these objectives. At first sight, we would consider that between the provisions of art. 3 of GEO No. 1/1999 is an apparent contradiction, the legal text referring on the one hand to national security and the functioning of constitutional democracy, and on the other hand to the occurrence of calamities. First of all, it must be borne in mind that both the concept of national security and the functioning of democracy are abstract and aim at the functioning of state institutions, with all the attributes related to independence, indivisibility, sovereignty and full exercise of civil rights and freedoms. On the other hand, the notion of calamity is related to disasters caused by natural phenomena, pandemics that by intensity, duration and/or extent lead to disruption of the functioning of the social climate and even state institutions. The separation of these two notions in the content of the same article is not such as to suggest a functional independence, as there may be hypotheses in which concrete situations target, cumulatively, both hypotheses, in compliance with the provisions of art. 18 and art. 19 of GEO No. 1/1999, which establish shared competences according to the basis for which the measure was ordered[1].

2.5. About the derogating measures and their necessity

The derogating measures must be absolutely necessary, be strictly indispensable in order to be able to deal with the public danger. The state cannot suspend based on art. 15 of the Convention rights and freedoms guaranteed only to the extent that their exercise would be such as to prevent him from facing public danger, i.e. measures must be strictly limited to the requirements of the situation. Of course, national authorities have a margin of discretion, being better placed than the Court's judges to assess whether there is such a danger and what is the nature and extent of the derogations needed to overcome it. However, the State's discretion is subject to the control of the Court. In the Lawless case, the Court found that the arrest and administrative detention of individuals suspected of participating in terrorist acts was a measure strictly limited to the requirements of the situation, since the functioning of ordinary criminal jurisdictions, special criminal courts and military tribunals did not prove sufficient. for the restoration of peace and public order. Subsequently, in Branningan and Mc Bride v. The United Kingdom, the Court raised the question whether the extended discretion granted to the State in question did not lead to the exclusion of the Court's review. In the present case, however, the Court stated that it complied with art. 15 of the Convention excludes any judicial review of the extension of the duration of pre-trial detention to almost 7 days in the case of alleged terrorists, although in a previous case (Brogan) the Court had held that detaining a person arrested for 4 and a half days before a judge is a violation of art. 5 par. 3 of the Convention. It should be noted, however, that in

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[1] JRC Decision No. 799 of June 17, 2011, published in M. Of. No. 440 of June 23, 2011

the Brogan case there was no question of the applicability of art. 15 whereas the United Kingdom Government did not introduce such derogating measures. However, in other Turkish cases, the Court's control was more rigorous, considering that the lack of any judicial control during pre-trial detention is not an indispensable measure to deal with the public danger. In a recent case, however, the Court failed to examine whether the situation complained of constituted a valid derogation because the parties had not raised this issue. On the other hand, in the recent jurisprudence generated by the attempted coup in Turkey in 2016, the Court, examining the requests made by two Turkish journalists, stated that the state of emergency could not be used as a pretext to limit the political debate. take all measures to protect the values of democracy such as pluralism, tolerance and openness. In the same cases, analyzing the way in which the Turkish authorities proceeded to deprive the same persons of their liberty, the Court agreed with the analysis of the Constitutional Court of Turkey and considered that they were not taken according to legal means and violated art. 5 of the Convention. Therefore, the derogating measures exceeded the absolutely necessary character required by the given situation. We note in these cases the importance which the Court attaches to the observance of constitutional guarantees by the restrictions imposed. When the Court examines whether a state has exceeded the strict measure imposed by the crisis situation, factors such as: the nature of the rights affected by the derogation, the duration of the state of emergency and the circumstances that created it are taken into account; whether the ordinary legislation was sufficient to deal with the growing public danger; whether the measures taken are in response to the emergency situation; whether these measures were used for the purpose for which they were adopted; whether there is a constant check on the need to apply the derogation, as a condition of proportionality; if the measures imposed are doubled by safeguards in order to prevent potential abuses; whether the measures were proportionate to the aim pursued and whether they were unjustifiably discriminatory; if they followed the legal paths, etc.

2.6. Object and formal conditions of the derogating measures

First of all, the "state of emergency" provided by art. 15 does not allow States to derogate from all the provisions of the Convention. Thus, the Convention does not allow any derogation from the right to life (art. 2), except for death resulting from lawful acts of war, from the prohibition of torture or inhuman or degrading treatment (art. 3), from the prohibition of slavery. Article 4 (1) or from the principle of "no punishment without law" (Article 7), rights which are regarded as absolute. In addition, 3 of the Additional Protocols to the Convention add other hypotheses from which derogations are not allowed: Protocol No. 6 on the abolition of the death penalty in time of war, Protocol No. 13 on the abolition of the death penalty in all circumstances and Protocol No. 7 but only regarding the right not to be judged or punished twice (non bis in idem), provided by art. 4. Therefore, these rights continue to be fully applicable even in the exceptional circumstances of the state of emergency[1].

Secondly, derogating measures must be compatible with other obligations deriving from international law, for example with the International Covenant on Civil and Political Rights adopted by the United Nations in 1966. This provision is such as to ensure compliance with a minimum standard assumed. at the international level, in the field of respect for human rights. Third, states are required to specify the duration and geographical area of the measures taken. Article 15 of the Convention provides for the obligation of States to inform the Secretary General of the Council of Europe of the derogating measures which it wishes to take and of the reasons which have determined them, as well as of the date on which the measures cease to be in force. , and the provisions of the Convention become applicable again. The information must be addressed as soon as possible and the information provided must be sufficient for the addressees to be able to assess the nature and extent of the derogations from the provisions of the Convention. The Court's control also extends to compliance with the formal requirements. Thus, in one case, the former European Commission of Human Rights decided that art. 15 is inapplicable because, in the absence of a formal act of notification, the derogating measures taken cannot be justified by Verbal Note No. 498 of March 18, 2020, the Permanent Representation of Romania to the Council of Europe notified the General Secretariat of the Council of Europe of the measures taken, attaching to the verbal note a copy of the presidential decree. In view of the notification of the Secretary General of the Council of Europe of the measures taken, we consider that from this point of view the formal condition is met. Furthermore, on 2 and 15 April 2020, by two verbal notes, the Permanent Representation notified the General Secretariat of the

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[1]Răzvan Horațiu Radu, *Derogation from the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms*, p. 5, http://revista.universuljuridic.ro, (03.02.2021)

Council of Europe of the measures taken by the national authorities to achieve the objectives that led to the decreeing of the state of emergency[1].

2.7. To what extent should Romania resort to derogating measures?

First of all, it must be emphasized that the derogation from the provisions of the Convention, given the state of emergency, is of an eminently exceptional nature, which is strictly interpreted in the Court's view. Therefore, States do not have a blank check for non-compliance with their rights as guaranteed by the Convention and it continues to apply to them. Such a measure shall not have the effect of ceasing the activity of the Court as a whole, or of its activity in relation to complaints against that State. Although the Court's work is currently affected by the pandemic and is dependent on the measures taken by France, the host state, the Court continues its work by using electronic mail and telework so that applications are further received and processed and distributed to courts. Secondly, given the case law of the Court, we can appreciate that a situation like the current global health crisis, with the effects it generates, can be framed in the requirements of the conventional text of "situation of public danger that threatens the life of the nation", so States have a ground on which to derogate from the provisions of the Convention. Thirdly, as regards the duration of the derogating measures, as stated above, it is a factor which the Court examines. Of course, a period as short as possible which ends as soon as it has ceased and the state which determined the derogating measures will be such as to meet the criteria of necessity of the restrictions imposed. However, the duration is not in itself a determining factor, given that restrictions extending over several years have been deemed to comply with the requirements of the Convention. Fourth, in so far as the Court examines any interference, restriction or potential violation of the rights and freedoms provided for in the Convention under the conditions of the pandemic, the outcome will depend on the specific situation of each State and the actual analysis, regardless of whether or not the derogation from art. 15 of the Convention. Last but not least, particular attention must be paid to the situation in Romania. According to Decrees No. 195 and 240, the derogating measures only consider the rights contained in art. 2 respectively: free movement; the right to intimate, family and private life; inviolability of the home; the right to education; freedom of assembly; the right of private property; the right to strike; economic freedom. Unlike other previous situations in which States parties have derogated from the provisions of the Convention, it should be emphasized that Romania has not invoked the derogation from the right to liberty and security or freedom of expression. Considering that, in accordance with art.2 and 4 of Decree No. 195 and art. 2 and 3 of Decree No. 240, the exercise of the rights in question is restricted in proportion to the degree of realization of some criteria expressly provided and the applicability is gradual we can appreciate that the invocation of art. 15 of the Convention represents a gesture of prudence of the Romanian authorities rather than an attitude assumed of violation or restriction of certain rights. Although the derogation invoked by the Romanian authorities seems justified so far and in line with the Court's requirements, a concrete analysis must follow its total duration and the concrete measures that will be taken, not excluding the invocation of other rights that could be limited in the future[2].

A legitimate discussion that can be made in the case of Romania is to what extent a derogation from the provisions of the Convention was necessary given that the rights provided in art. 2 of the decree have a correspondent in rights provided by it that have a relative character and that allow from the national authorities, under certain well-defined conditions, interferences, limitations or restrictions. In this sense can be invoked, by way of example, art. 41 of the Annex of Decree No. 195 which stipulates that "Prescriptions and forfeitures of any kind shall not begin to run, and, if they have begun to flow, shall be suspended for the duration of the state of emergency established under this decree." It is obvious that these provisions constitute a limitation of the right of access to court, component of the right to a fair trial provided by art. 6 of the Convention. However, such a limitation can be regarded as legitimate from the perspective of the case law of the Court. Or, art. 2 of the decree does not expressly provide for a restriction of the right to a fair trial and, therefore, we cannot consider that, in the absence of an express specification, the derogation provided by art. 15 of the Convention and invoked by the Romanian authorities in the notification sent to the Council of Europe also extends to this right. Of course, the invocation of art. 15 allows for much more restrictive measures on the rights and freedoms guaranteed by the Convention than under normal conditions. However, it is important that these measures do not turn into an abuse of power. In any case, as we have pointed out above, states have a wide margin of discretion in determining what measures are needed during a state of

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[1] *Ibidem*, p. 5

[2] M. Vasiescu, R.H. Radu, I.-G. Popa, I.A. Neagu, G. Munteanu, M.I. Morariu, I. Militaru, R.M. Călin, *Op. cit.*, p. 770

emergency, but the state's room for maneuver is not unlimited and can be subject to European control, insofar as The Court will be seized of actions for breach of fundamental rights and freedoms[1].

3. National security, a pretext for restricting fundamental rights and freedoms

3.1. About the constitutional restriction of some fundamental rights and freedoms

The fundamental rights and freedoms referred to in both the provisions of art. 53 of the Romanian Constitution, as well as by the provisions of GEO No. 1/1999 are those expressly listed in Chapter 2 of Chapter 2 of the Basic Law entitled "Fundamental Rights and Freedoms". The restriction of fundamental rights and freedoms is regulated by the provisions of art. 53 of the Constitution, in strict compliance with the stipulated conditions. However, we find such derogating provisions in other international normative acts to which Romania has acceded, therefore, similar provisions are found in the provisions of art. 3 of the International Covenant on Civil and Political Rights[2], art.15 of the European Convention for the Protection of Fundamental Rights and Freedoms, art.52 of the Charter of Fundamental Rights of the European Union. It is expressly indicated in the provisions of art. 31 of GEO No. 1/1999 that the measures instituted by means of declaring a state of emergency are limited to the situations that required the taking of such steps. Also, the prevalence of international law is established, in the sense that during the establishment of the state of emergency Romania has the duty to comply with the obligations assumed by an international act to which it has acceded. Given the specificity of the regulation and the systematic interpretation of the provisions of the said ordinance, we consider that the provisions of international law regarding the respect of those fundamental rights and freedoms whose limitation is irreconcilable, as well as measures related to international cooperation are taken into account.

3.2. National security argument that may justify the violation of certain fundamental rights or freedoms

National security is one of the arguments indicated by the provisions of art. 53 of the Constitution which may justify the violation of certain fundamental rights or freedoms[3]. Against this perspective, we must keep in mind that in accordance with Romanian legislation and the jurisprudence of the European Court of Human Rights there are a number of rights and freedoms whose inviolability cannot be violated. In this sense are also the provisions of art. 32 of GEO No. 1/1999, according to which during the state of emergency it is prohibited:

- the limitation of the right to life, as this right is protected in the light of the provisions of art. 22 para. (1) and (3) of the Constitution, respectively Protocol No. 13 the ECHR.
- torture and inhuman or degrading treatment or punishment - provision corresponding to the provisions of art. 22 para. (2) of the Fundamental Law, as well as art. 3 of the ECHR. The case law of the European Court is consistent and explicitly reflects the correspondence and fair balance that must exist between national security and the measures ordered in this perspective.
- conviction for crimes not provided for as such, according to national or international law - corresponding to the provisions of art. 23 para. (12) of the Constitution, establishing that no punishment can be established or applied except under the conditions and under the law. In criminal law these provisions are subsumed under the principle of legality of incrimination based on the provision of the deed in criminal law and the principle of legality of punishment, according to which the associated sanction must have been provided at the time of the relevant criminal act.
- restricting free access to justice - corresponding to the provisions of art. 21 of the Constitution which proclaims free access to justice. In view of this provision, we consider that the legislator has shown an inconsistency in the regulation. Thus, the provisions of art. 4 of GEO No. 1/1999 establishes that during the establishment of the state of emergency the exercise of some fundamental rights and freedoms may be restricted, except for the human rights and fundamental freedoms provided in art. 32, therefore, according to the mentioned text, the ordinance stipulates that the restriction of free access to justice is a fundamental freedom, or if we refer to the provisions of the Constitution we observe that the provisions of art. 21 which enshrines free access to justice are positioned outside the section intended for fundamental rights and

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[1]Răzvan Horațiu Radu, *European Convention on Human Rights. Course notes*, Editura Universul Juridic, București 2018

[2] Adopted at the meeting of the United Nations General Assembly on December 16, 1966, it entered into force on March 23, 1976 and was ratified by Romania by Decree No. 212/1974 published in the Official Gazette of Romania, No. 146/1974

[3]I. D. Apachiței, *Op. cit* , p. 9

freedoms in which both the content of the ordinance and the provisions of art. 53 of the Basic Law is reported[1].

In addition to the above, we also point out that there are other rights whose exercise cannot be limited for reasons of national security. Under this aspect we base our exposition on the final provisions of art. 31 of GEO No. 1/1999 which stipulate that the measures imposed by the state of emergency may be taken in compliance with the obligations assumed by Romania under international law, including in this section all international treaties (latosensu) that have been ratified by Romania. Therefore, in so far as the provisions of ratified international treaties provide for rights which are not permitted, their provision prevails over domestic law. In this sense, the provisions of art.9 of the ECHR, corresponding to art. 29 of the Romanian Constitution, proclaims the freedom of thought, conscience and religion, the convention stipulating that "they cannot be restricted in any way".

The category of fundamental rights and freedoms whose exercise can be restricted during the establishment of the state of emergency can be determined, in a first phase, by identifying the measures that can be ordered by the decree of the President of Romania, these being grouped in art. 20 of GEO No. 1/1999. The provisions of the article indicated are incidental to both the state of siege and the state of emergency. The main fundamental rights and freedoms whose restriction can be pursued with regard to the state of emergency are: free movement, inviolability of residence, secrecy of correspondence, freedom of expression, right to information, right to education, freedom of assembly, right to strike, right to property private. Far from being an exhaustive list, but an indicative one, the restrictions of the rights and freedoms regulated by the Constitution may vary depending on the concrete provision of the measures provided by the decree establishing the state of emergency.

3.3. Legal framework for establishing a state of emergency in order to restrict the exercise of fundamental rights or freedoms

The legal conditions necessary for the establishment of the state of emergency can be related to the content of the provisions of art. 53 of the Constitution and concern a sum of conditions whose observance must be cumulative. The declaration of the state of emergency must be related to a factor likely to affect national security, constitutional democracy and for the prevention, limitation or elimination of the consequences of disasters, as provided in art. 1 of GEO No. 1/1999 and art.53 para. (1) of the Constitution. The general conditions regarding the limitation of the exercise of fundamental rights and freedoms are provided in art. 53 of the Basic Law and refer to the following aspects: the taking of such a measure can only be the object of the law and concerns only the provisions on fundamental rights and freedoms regulated in Chapter 2, Title 2 of the Fundamental Law; the existence of the exceptional situation, such measures may be ordered "only if necessary"; observance of the principle of proportionality between the gravity of the danger and the intensity of the interference caused to citizens and, finally, the observance of the temporary and non-discriminatory nature of the restrictions on the exercise of fundamental rights or freedoms.[2]Do we conceive of power systems that are too complex, too efficient for the people they govern? Although we will benefit from many new possibilities, in this study we have shown the risks that arise from the existence of an over-consolidated state. A precise and perfect system of law enforcement may not be suitable for the government of people with defects, imperfect, traumatized. A system based on "wise constraints"[3] may help us maintain a satisfactory level of freedom in the world of coronavirus, but there is no room for complacency. And this is only part of the story. Next, we will deal with the fate of freedom from the perspective of a difficult choice that we should not be faced with by Covid-19: what do we choose between the right to health care or the right to privacy?

3.4. The right to health care or the right to privacy? A choice we should not be faced with by Covid-19
3.4.1. Clarifying issues

As a preliminary point, it is essential to understand that measures to prevent the spread of this virus are the main concern during this period. At the same time a processing of personal data. However, the protection of personal data cannot be eliminated from the field of priorities, even in this exceptional context, because it has an overwhelming importance for the exercise of our right to privacy, as a fundamental right

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[1] V. Dabu, A.-M. Guşanu, *Law and freedom. Legislative inconsistencies*, in "Acta Universitatis George Bacovia.Legal" No. 2/2013

[2] I. Muraru, E.S. Tănăsescu, *Romanian Constitution. Commentary on articles*, Editura C.H. Beck, Bucureşti, 2008, pp. 535 - 536
[3]Jamie Susskind, *Politics of the Future. Digital technology and society*, Corint Publishing House, Bucureşti, 2019

guaranteed by art. 8 of the European Convention on Human Rights. This global struggle, although essential, must not create the necessary conditions for disproportionate interference in people's privacy. This raises a legitimate question: are employers entitled to collect information on the health, travel and personal interactions of employees as measures to prevent the spread of the virus to the workplace? Before proceeding to a comparative analysis of the answers given by the supervisory authorities of various states regarding the legality and proportionality of such measures, it is necessary to briefly address the notions of "data processing", "personal data". Andhealth data, in order to show why the above-mentioned preventive measures, inVol.ve the processing of personal data. According to Regulation (EU) 2016/679, personal data is any information concerning an identified or identifiable natural person and a data processing means any operation or set of operations performed on personal data or sets of personal data, with or without the use of automated means, such as collecting, recording, organizing, structuring, storing, adapting or modifying, extracting, consulting, using, disclosing by transmission, dissemination or otherwise making available, aligning or combining, restricting , deletion or destruction. Therefore, the collection, by employers, in employment relationships, of data related to private travel or personal interactions of employees is a processing of personal data, an operation that falls under the provisions of privacy. Health data means personal data related to the physical or mental health of a natural person, including the provision of healthcare services, which disclose health information. Referring to this definition, data on the specific symptoms of employees, collected by employers through statements on their own responsibility or through questionnaires are data on the health of employees.

But what happens when employers implement actions to measure the temperature of employees? Are they obliged to comply with regulations on the protection of personal data? We try a few possible answers. Thus, on the one hand, it must be borne in mind that, although the use of thermal scanners may not inVol.ve the collection of identification data of persons so scanned, data protection legislation will apply if an identification, even later, of persons targeted is possible. Thus, for example, if the system used records the data and the employer has various sources that can be used to later identify the scanned persons (card readers, electronic timekeeping systems, etc.), then this operation inVol.ves a data processing of character personally and falls within the scope of regulations in the field. Also in this regard, it is important to note that with the technological development, more complex systems have been created, which allow not only functions for measuring temperature and storing a large number of data but also functions for adding peripheral accessories such as card or fingerprint readers, which become real tools for processing personal data. We therefore appreciate that whenever the systems used for temperature monitoring save records and allow (even later) identification of persons, the use of these systems certainly generates personal data and falls within the scope of privacy regulations. An exemplary and not exhaustive analysis of the guidelines and interpretations given by global supervisors is made by the aforementioned author[1].

At EU level, in a statement adopted on 19 March, the European Data Protection Board (EDPB) emphasized that Regulation (EU) 2016/679 allows employers to process personal data in the context of an epidemic, in accordance with national law and under the conditions provided for therein. In the context of employment, the processing of personal data may be necessary to comply with a legal obligation to which the employer is subject, such as obligations relating to health and safety at work or for reasons of public interest, such as disease control and other health threats. As regards special categories of personal data, such as health data, they may be processed by employers, according to the Committee, if such processing is necessary for reasons of overriding public health interest under the law union or national law or to protect the vital interests of the data subject. Employers may request specific information on health status in the context of Covid-19 from employees or visitors, according to the Committee statement only by applying the principle of proportionality and minimizing data and only to the extent possibility which national law allows. As regards the performance of medical examinations of employees by employers, this could be done exclusively on the basis of national employment or health and safety laws. Basically, employers should only process employees' health data if their own legal obligations require it. Examining the Committee's statement as a whole, it can be concluded that, in the context of Covid-19, employers can obtain personal data about their employees if they are required to perform their duties and organize their work in accordance with the

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[1]Slageana Brancov, *The right to health care or the right to privacy? A choice we should not be faced with,* https://www.universuljuridic.ro, (03.04.2021)

national law. Therefore, the analysis of national legislation is absolutely necessary to determine the extent to which personal data can be processed[1].

3.4.2. National legislation in the field, in the context of the pandemic with Covid-19

Does the national legislation of Romania require or allow employers to collect personal data from employees (data on private travel, people they interacted with, including data on health, such as symptoms, temperature monitoring, etc.) in order to prevent the spread of the Covid-19 pandemic? The answer to the question can be found in the recommendations of the authority with responsibilities in the field, but also in the labor legislation. Let's take them one at a time. On 18 March 2020, the National Authority for the Supervision of Personal Data Processing (ANSPDCP) issued recommendations regarding the processing of data on the health status of persons in the context of the Covid-19 pandemic[2]. According to these recommendations, health data can be processed under certain conditions, summarized as follows:

- if the processing is necessary for the fulfillment of the employer's obligations in the field of employment, security and social protection [art. 9 para. (2) lit. (b) of the Regulation],
- if the processing is necessary for purposes related to preventive medicine (…), the establishment of a medical diagnosis, the provision of medical or social assistance or medical treatment or the management of health or social assistance systems and services [art. 9 para. (2) lit. (h) of the Regulation],
- if the processing is necessary for reasons of public interest in the field of public health [art. 9 para. (2) lit. (i) of the Regulation] or if the data subject has given his or her explicit consent to the processing [art. 9 para. (2) lit. (a) of the Regulation].

Moreover, analyzing the provisions of Law 319/2006 on safety and health at work, which, with few exceptions, apply in all sectors of activity, both public and private, we deduce that the special rules of this law do not derogate from the rules including the same obligation for employers to take the necessary measures to ensure the safety and health of workers, a responsibility in which employers must carry out a risk assessment and decide on the protection measures to be taken and, after case, on the protective equipment to be used. Consequently, the establishment of effective protection measures at unit level is the attribute of the employer, who will develop its own instructions for completing and enforcing legal regulations, taking into account the particularities of the job but in all cases, the employer will act in accordance with the law[3]. However, the collection of data not related to the health of employees, translated into practical cases, in order to prevent the spread of the virus to the workplace can be done by employers. More clearly, employers could ask employees for certain information, such as whether, for example, employees have traveled in a heavily affected area in the last 14 days or whether they consider that they have come into contact with a confirmed or suspicious person. Such processing could be based on the provisions of art. 6 para. (1) lit. c) or f) of the Regulation, respectively the fulfillment of a legal obligation of the employer or for reasons of public interest. However, the principles of proportionality and data minimization require that the information requested by employers be strictly limited to what is necessary to achieve the purpose. We thus consider that it is sufficient to know whether or not the employees traveled in a risk area, as it is not necessary to collect, in a systematic and generalized way, data on all employees' journeys during the reference period. It may also be sufficient for employers to know whether employees have come into contact with confirmed or suspicious persons without collecting data on the identity of those persons. Obviously, the limited storage time, ensuring the confidentiality and integrity of the data as well as the achievement of a transparent processing in relation to the employees are elements on which the very legality of the processing of these data depends.

Analyzing the ANSPDCP recommendation, compared to the recommendations issued by the other supervisory authorities, we deduce that, beyond the presentation of the legal framework that would allow the processing of data on the health of data subjects in the context of Covid-19, which was not difficult to anticipate, the authority does not issue no practical recommendations, much less in the field of labor relations. It is therefore incumbent on employers, as data controllers, to analyze and interpret national legislation in order to establish the extent to which it allows them to process personal data of their employees, in the context of Covid-19, an analysis which we will achieve in the following.

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[1] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46 / EC (General Regulation on data protection).
[2] https://www.dataprotection.ro/?page=Prelucrarea_datelor_privind_starea_de_sanatate&lang=ro, (03.04.2021)
[3] Slageana Brancov, *Op. cit.*, p. 12

The common law on labor relations is represented by the provisions of Title V - Health and safety at work in Law 53/2003 on the Labor Code, structured as follows: Chapter I - General provisions, Chapter II - Committee on Safety and Health at Work and Chapter III - Protection of employees through medical services. Thus, if Chapter I - General provisions regulates the obligation of employers to take the necessary measures to protect the safety and health of employees, Chapter III - Protection of employees through medical services, regulates the obligation of employers to ensure employees' access to medical service stipulating that the occupational physician is responsible for effectively supervising occupational hygiene and health conditions and for ensuring the medical control of employees both during employment and during employment individual employment contract.

3.4.3. About collecting data on employee health

Analyzing the provisions of the Regulation, the guidelines issued by the aforementioned supervisory authorities as well as the applicable national legislation, we consider that employers should not ask employees about their health status, respectively if they show certain specific symptoms of Covid-19 or impose the obligation to undergo temperature monitoring, as such processing is unlikely to be based on the consent of employees, on the employer's obligations in the field of employment, security and social protection, on needs related to the provision of assistance medical or social or public interest in the field of public health. The consent of employees to collect data on their health is from the outset not recommended as a basis for processing, being unanimously known that such consent is unlikely to be considered valid, due to the imbalance of power between the two parties, employee - employer. It should be noted that neither the basis provided by art. 9 para. (2) lit. (b) of the Regulation could not be successfully invoked as a processing of health data for the purpose of fulfilling obligations in the field of employment, security and social protection could be legitimate only in so far as would be authorized by Union or national law or by a collective labor agreement concluded under national law which provides adequate safeguards for the fundamental rights and interests of the data subject. However, in the context in which the national legislation, to which I referred above, provides that the supervision of workers' health is ensured by the occupational physician, in the absence of derogating legal regulations, employers should not themselves monitor the condition health of their own employees, having no legal basis for it. Equally, processing based on the public interest in the field of public health would constitute legitimate processing only in so far as it would be carried out under Union or national law, which provides for appropriate and specific measures to protect the rights and freedoms of the data subject. , especially of professional secrecy, so that we opine in the sense that neither art. 9 para. (2) lit. i) of Regulation (EU) 2016/679 could not be invoked as a legal basis for the preventive collection of health data from all employees, lacking an internal legal basis for such conduct[1].

3.4.4. Obligation of employees to inform employers about the illness with Covid-19 from the perspective of restricting the right to privacy under Decree 195/2020

As for a possible obligation of employees to inform the employer about the illness with Covid-19, we consider that it could subsist based on the provisions of art. 23 of Law 319/2006 on safety and health at work, according to which, employees have the obligation to immediately communicate to the employer and / or designated workers any work situation about which they have good reason to consider it a danger to the safety and health of workers and the obligation to cooperate, as long as necessary, with the employer and / or the designated workers, in order to enable the employer to ensure that the working environment and working conditions are safe and without risks to safety and health.

As regards the restriction of the right to privacy under Decree 195/2020[2], we agree with the above-mentioned author that the entire analysis of the legality and proportionality of the processing by employees of personal data of employees in connection with the Covid-19 virus, was based on the fundamental right to respect for privacy, as regulated by the provisions of art. 8 of the European Convention on Human Rights. But what happens in situations where the exercise of this right is restricted for public reasons, such as preventing the spread of Covid-19 and managing the consequences, a measure imposed by Decree 195/2020 which established the state of emergency in Romania? Can we still invoke, in this situation, the right to

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[1] For guidance on consent-based personal data processing activities, see recitals 43 and 155 of Regulation (EU) 2016/679 and the Guidelines of the Article 29 Working Party on Consent under Regulation 2016/679 https://ec.europa.eu/newsroom/article29/item (03.02.2021)

[2] Decree No. 195 of March 16, 2020 regarding the establishment of the state of emergency on the Romanian territory was published in the Official Gazette No. 212 of March 16, 2020

respect for privacy, in order to oppose illegal and abusive processing of our personal data? The answer is and must be, in our opinion, an affirmative one[1].

First of all, we are talking about a restriction of the exercise of a right and not about the suppression of the right itself, a distinction that is particularly important and explicitly highlighted by the provisions of art. 53 of the Constitution. Then, in order to be legitimate, the restriction must be absolutely necessary and proportionate to the situation which determined it. Therefore, even after the decree of the state of emergency, the right to respect for privacy continues to exist, as a fundamental human right, and its exercise can be limited only by reference to the eVol.ution of the epidemiological situation. It is thus possible that, in this exceptional situation, employers may process more personal data about their employees than they would process outside this framework, without the Covid-19 pandemic being a justification for unlimited processing of employees data and implicitly for a disregard for the right to privacy of employees but also a possible influence of the state of emergency on the national security of Romania, as we will try further.

3.5. About the influence of the state of emergency on Romania's national security

From a dialectical perspective, there is a middle-purpose relationship between the decree of the state of emergency and national security, but which must take into account the particularities and conditions imposed both by the provisions of the fundamental law and by the provisions of the special rules. The peculiarities of establishing the state of emergency are based on the premises of a state of necessity, of a case of force majeure at state or international level. These legal instruments presuppose a last rationale regarding national security and the functioning of constitutional democracy and the presence of exceptional situations may justify the taking of particular measures, both in terms of the adoption procedure and as a provision per se. Such a hypothesis is represented by the establishment of the state of emergency, as it is defined by the provisions of art. 3 of GEO No. 1 of 21 January 1999 on the state of siege and the state of emergency[2].

The provisions of GEO No. 1/1999 is based on the provisions of art. 53 of the Romanian Constitution, republished, which regulates the conditions and limits of the restriction of fundamental rights and freedoms in the event of endangering national security. In this context, we must keep in mind that such restrictions on fundamental rights and freedoms may occur, as a rule, by organic law, and in particular by decree of the President of Romania, approved by Parliament and followed by military ordinances of the Minister of Foreign Affairs. Internal, when the state of emergency has been instituted on the entire territory of the country, or of the officers empowered by it, when the state of emergency has been instituted only in certain administrative-territorial units. In principle, therefore, even in the case of establishing a state of emergency, the restriction of the exercise of fundamental rights or freedoms is exceptional, the constitutional legislator conditioning the taking of such measures as: defense of national security, order, health or public morality, rights and of citizens' freedoms. Also within the provisions of art. 53 of the Romanian Constitution shows the necessary and cumulative conditions that must be met in order to restrict the exercise of fundamental rights or freedoms, aiming at: the necessary nature, proportionality, non-discriminatory and non-affecting the substance of rights or freedoms that would be restricted.

The notion of national security is reproduced in the provisions of art. 1 of Law No. 51 of July 29, 1991 and is defined as "the state of legality, balance and social, economic and political stability necessary for the existence and development of the Romanian national state as a sovereign, unitary, independent and indivisible state, maintaining the rule of law and the climate of unrestricted exercise of the fundamental rights, freedoms and duties of the citizens, according to the democratic principles and norms established by the Constitution ". The hypothesis of establishing the state of emergency is given in the light of the provisions of art. 1 of GEO No. 1/1999, this measure will be taken in crisis situations that require exceptional measures to be instituted in cases determined by the emergence of serious dangers to the defense of the country and national security, constitutional democracy or to prevent, limit or eliminate the consequences of disasters. Such exceptional situations are also represented by epidemics /pandemics that affect a very large number of people, which can lead to endangering public health, financial security, internal security, etc. The provisions of art. 3 of GEO No. 1/1999 substantiates the need to establish a state of emergency in situations represented by the existence of current or imminent serious dangers to national security, as well as in the

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[1]Slageana Brancov, *Op. cit*., p. 11

[2]Published in the Official Gazette No. 22 of January 21, 1999.Approved with amendments and completions by Law No. 453 of November 1, 2004, published in M. Of.No. 1052 of November 15, 2004. The approval of this emergency ordinance almost 5 years after its entry into force is justified by the provisions of art. 73 para. (3) lit. g) of the Romanian Constitution (2003) which stipulate that the state of siege and the state of emergency are regulated by organic law. We mention that the provisions of the mentioned ordinance were also modified and completed by the provisions of Law No. 164 of October 3, 2019, published in M. Of. No. 811 of October 7, 2019

hypothesis of imminent production or actual production of a disaster that makes it necessary to prevent, limit or eliminate the consequences of disasters.[1] The measures ordered may be of a political, economic and public order nature, and may be ordered for the entire territory of the country or in some administrative-territorial units. An example, in the sense of those specified, is the request of the People's Advocate to "establish a state of emergency in the context of the Coronavirus epidemic" of March 12, 2020. The document states that "the People's Advocate, as constitutional guarantor of fundamental rights and freedoms, taking note of the administrative measures adopted in recent days in the action to combat the spread of the Covid virus - 19 calls on the President of Romania to declare a state of emergency and the Romanian Parliament to approve it, in accordance with art. 93 paragraphs (1) and (2) of the Romanian Constitution. […] As provided by the Basic Law in exceptional cases. These are the requirements of the rule of law, in which the restriction of certain rights and freedoms can be done only under the conditions of art. 53 of the Romanian Constitution."[2]National security is an objective that is supported by a set of pillars represented, among others, by state institutions, civil rights and freedoms, the fundamental attributes of guaranteeing the independence, inviolability and decision-making autonomy of the state. Ensuring a fair relationship between national security and the citizen is achieved by balancing the collective interests with the private ones, however there are exceptional situations that force the restriction of fundamental rights or freedoms for national security, such a hypothesis is represented by the establishment of a state of emergency. In essence, we believe that the restriction of fundamental rights and freedoms can only operate in relation to those capable of compression, indestructible in terms of their substance; precisely under this argument there is also the category of rights exempted from almost any kind of restriction.

4. Instead of conclusions, no more resistance! It's time to fight back

The invisible reality is not just a national one, but a planetary one. This is the only explanation for the allegations made by Michelle Bachelet, UN High Commissioner for Human Rights (former President of the Republic of Chile), made just a few days ago. He noted, among other things, that: "Given the exceptional nature of the crisis, it is clear that states need additional powers to cope. However, if the rule of law is not respected, the health emergency situation risks becoming a catastrophe for human rights, whose harmful effects will far exceed the pandemic itself? The senior UN official also noted that "Governments should not use emergency powers as a weapon to silence the opposition, control the population or even stay in power," the UN official warned. The considerations of the UN Commissioner for Human Rights are welcome in a time of pandemic in which the temptations to exaggerate and over-interpret the rules adopted during the crisis are not lacking in many member countries of the international community, especially those with a more fragile democracy.

As far as we are concerned, replacing the state of emergency with the state of alert could perpetuate some of the regulations promoted by the mentioned military ordinances (traffic outside the localities, travel of the elderly, etc.). Or, in this perspective, a reconsideration of them would be indispensable, in order to eliminate some abusive interpretations. As we have shown, the current regulations are far from demonstrating an adequate professionalism, but on the contrary its lack. Legal norms cannot be interpreted at the discretion of a political or administrative decision-maker, otherwise the rule of democratic law remains an axiom without any real support. A decision-maker, regardless of who he is and regardless of the place he occupies in the hierarchy of public institutions, cannot offer interpretations beyond the letter of the law, as unfortunately happened practically in the cases examined above. Military ordinances could also bring the desired corrections. Why was this not done and a wide space was left open for arbitrary interpretations, without the citizen being able in some cases to justify himself, because otherwise he risked a considerable fine or maybe even more than that? Certainly, it is not about meritocracy, but, as Professor Andrei Marga recently stated, perhaps with a certain accent of exaggeration, of "prostocracy". Reflecting on this finding, I remembered the words of the Spanish poet and writer Francisco Quevedo, who remarked, four centuries ago, that "where there is little justice, it is dangerous to be right"[3].

In this key, the present approach can also be decoded. This study is an opinion and is the first episode in a series entitled "The coronavirus pandemic between truth and falsehood, between dream and reality. Anti-crisis journal", through which I try to express the things that happen to me, that I think about,

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[1]I. D.Apachiței, *Op. cit.*, p. 4

[2]United States Declaration on the Declaration of Emergency of 13 March 2020, https://www.federalregister.gov/documents/2020/03/18/2020-05794/declaring-a-national-emergency-concerning-the-novel-coronavirus-disease-covid-19-outbreak, (19.03.2020)

[3]*Cotidianul,* May 3, 2020, https: //www.cotidianul.ro/articole/actualitat, (20.03.2021)

that I analyze, some that I decide and others that I want to decide, but I can't do. And it is obvious that everything we knew until now about our activity will no longer resemble or no longer resemble what it was three months ago. It is quite complicated for you to realize how much things can change in just a few days. It is almost impossible to put yourself in a position to think of different strategies from one day to the next, almost from one hour to the next. I think that our nature needs to settle down, it needs to dissect and deepen things before it is able to think or rethink strategies and solutions. It is very likely that each of us is less aware that not only our activity is changing, but especially our life. What we knew before the pandemic is no longer the same, what we did then no longer resembles, a few weeks later, what we do today. We've watched movies with and about Revelation in the past, but without inVol.vement and without really believing that these things could ever happen, and here they are. Our life will be different. It's already different. Will we be able to put everything back together? How could we do that? Where could we have the power to do it? When will we be able to do that? Unfortunately or fortunately, now we have to do! Now that people are addicted to the comforts of their daily lives and work! Comfort and tranquility are important for each of us. They represent somewhere the springs to wake us up in the morning and to start over with everything we have undertaken on both sides, personal and professional. But when we have to make changes from one hour to the next, things get a little more complicated. It is natural for fear to have its say, for the panic generated by a situation unprecedented in the modern age to dictate unwanted thoughts and moods. But for everyone, things are happening.

Can it be a future, starting from the present today? Definitely yes! But it certainly won't look like much of our recent or distant past. Things are already taking on new nuances and what seemed impossible has happened. It was hard to believe that something could change so much in our lives in such a short time. I repeat, if two or three months ago we were looking at this current pandemic quite detached, today it is knocking on the door of our families, our children, our businesses, and it is our decision whether to answer or open the door or come over us or a we send for a walk. These are important moments, unique moments, probably that we all live. There have been interesting moments in the legal field in the recent past, which have changed the overall picture quite a bit. Shortly before, I did not believe in the entry into force of the new Codes, here they are today and have entered the recent history of lawyers in Romania. It was a fundamental change almost, which, like many other times, caught us off guard. This is also a time when we are taken by surprise. As Nicolae Cîrstea said, „When you can no longer, you can take another step, Romanian society and the whole world are going through a period impossible to predict just a few days or months before, a period on which only a strong national solidarity, of guild and, why not, international can help us overcome it." Of course, none of us can predict the eVol.ution of this crisis situation in the future, but I believe that each of us can contribute to its improvement, by sending signals of solidarity, mutual help and support to community members and, ultimately, to our nation. I believe, together with him, that it is perhaps a unique moment in our lives, in which signals of normalcy, which we want to be present as much as possible every day, can alleviate the feelings of fear and panic that have gripped families, our companies and our people. Can we be strong during this time? We certainly can and certainly will be, not only individually, but especially together. It is a situation unprecedented in the world today, and probably unique in the life of each of us. Aware of all this, we believe that the issuance of normalcy to our fellow human beings can contribute, albeit to a very small extent, to the extraction from the daily life that has become so troubled and in which each of us sees our dreams shattered and longings that I had for this period, for this year, or for the next.

In the context of this eschatological process of change, which has turned into a terrible struggle between God and satan, between the heavenly and the earthly world, this truth is hidden from us. But one day the TRUTH will be revealed to all! Until then, what to do? Are we dead? No, for no one can help the dead; no one plots with the dead. We must prove that we are a living nation, we must prove that we are aware of our mission, we must prove that we are able to make sacrifices in order to preserve this country and its rights for our children, and this mission at the moment. it is entrusted to us, to the Romanians who must show that we are a nation determined to take care of us, to take care of our nation, to take care of its development, the development of good moral and material condition, and not to stay in those ties as to this day, who no longer have their reason to be[1].

Did Romania have an epidemic? Basically, yes. Many compatriots have been diagnosed with the virus that has terrified the world. And politically, too! The President of Romania declared a state of emergency, and the Romanian Parliament confirmed it and, later, extended it. But legal? Do you think

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[1] Antonie Plămădeală, *New interpretations of old texts*, Editura Sophia, București, 2011

anyone thought of that? Perhaps only the public sector personnel, the personnel who manage the emergency situations, who are asked to act quickly, with maximum effectiveness and efficiency, politely, in the conditions in which in the media and in the current social relations there is not enough respect and appreciation for this human resource (wrongly extending the references from isolated cases of corruption to the image of most people working in public administration), ignoring the fact that these staff act in the mentioned salary conditions, using a frequently outdated or incomplete material base . In order to prevent any crisis of public services, with a more or less economic foundation, the central and local public administration in Romania must form a body of specialists in forecasting and programming, sociologists, economists and lawyers, to closely monitor social phenomena. and to prepare in advance the normative acts that must act as a means of social regulation. The media has a moral duty to help the population understand social phenomena, not to alarm. The media also has a moral duty to uphold and promote the human resource values of public services, citizen appreciation along with a fair and balanced remuneration system in all public services and a system of moral rewards such as diplomas, trophies, which matter the annual professional evaluation of staff would help increase the quality of public services and help them to increase the order of magnitude of the crisis. So, if we want to prevent crises in the field of public services in Romania, every citizen - from dignitary to child - must prove, modesty, responsibility, a conduct in accordance with the legal framework, and the legislator together with the government have the obligation to achieve the right legal and material framework for budget sector officials to work in decent conditions. Then their performance will ensure the fulfillment of the social purpose and will ensure the prevention of crises of any kind. Austerity measures are medicines for sick social relations, not measures to prevent future crises. Economic, social and, consequently, political crises are prevented by good governance. But legally speaking, we have entered an epidemic of corruption! Should we clarify what we experienced in the two months? The major covid symphony, conducted by a presidential decree? Or a form of integration into the China-US conflict? Has Romania entered and left the state of emergency without an order (otherwise mandatory) of the Ministry of Health declaring the existence of the epidemic? Unfortunately, the two months of emergency government can be considered as a test of courage and improvisation, but especially of stupid management of a state of crisis!

Since a lot of contradictory opinions are currently circulating in the media, which are rather expressions of fear, of panic that have spread throughout the world, I am not a specialist in the field, I can only express a subjective opinion, as a living witness. of the times, about the Coronavirus pandemic. I have the feeling that I am living one of the hardest experiences that humanity is going through, equivalent to the psychosis of a world war. Regarding the 2 hypotheses on the origin of this virus - natural or human - there are not enough arguments on either side. For us, it is important now to know what we need to do to save ourselves! Regardless of its origin, we know that the virus is a biological entity, endowed with its own intelligence, which seems to be in competition with the human one. For the moment, we find that the intelligence of the virus is in the advantage, but it cannot be defeated. There is only one thing left to do beyond the means recommended by doctors: to increase our body's ability to defend itself, ie immunity, to become invulnerable to the action of the virus. According to Professor Dumitru Constantin Dulcan: „translated in terms of physics, it means to increase our vibration to a higher level than that of the virus. We know now, thanks to laboratory studies, that what we think has a positive or harmful action on the body, on the environment and space, depending on its own vibration. The low vibrations emitted by our thoughts and actions lowered our immunity and made us vulnerable to a lot of pathogens, bringing us where we are! How should we think to increase our immunity? We need to overcome our fear first. Its vibration places us below that of the virus. It is absolutely necessary to control everything we think and feel! Let's turn the energy of fear into a positive one, simply changing the feeling of fear with another of a positive color: a pleasant memory, lived in the past or projected in the future, a prayer, a meditation, a favorite music, a pleasant reading. The feeling of joy, good mood, gratitude and gratitude because we still exist, has a chemistry favorable to health. In no moment should we remain uncovered now, overwhelmed by sadness, fear, weakness in the face of the fatal spectacle we are witnessing. Even isolated at home, we can move with a rich literature in this regard. Personal hygiene should also not be neglected. Let's not forget! Our physical body is the temple of the spirit, and the healthy mind can only be in a healthy body. Asked by his disciples how he healed a young man with epilepsy, Jesus answered them: by faith, prayer, and fasting. Despite those who may be skeptical of this advice, we currently have strong scientific arguments, with experiences made by scientists. I would cite as examples only studies conducted at Harvard University and the Heart Institute of California. It is time to understand that we arrived here only through the arrogance with which we wanted to dominate our fellow men, to denigrate and annihilate them. We are what we think! We are in the 12th

hour. If we do not learn anything from this experience, the 13th hour could be fatal. And let's not forget: the Lord always asks for a little and gives much more, with the measure back!

For what reason, President Donald Trump ordered the reopening of places of worship, passing even over the governors of the states? Because there must be a meaning to God, even if we do not perceive it. A question that often disturbs our Christian conscience, and that we all ask ourselves, along with other questions such as: Why diseases? Why the infirmities? Why are some born with diseases and infirmities? Honestly, we all ask ourselves such questions. And we don't all know how to answer. You can't always answer. But is there an answer? Even if only indirectly, it exists. Even the questions we cannot answer, we answer with the belief that everything that happens in the world makes sense. God is a logical God, a God of meaning, not nonsense, not arbitrage. Even if we do not understand the meaning of a thing, we have the belief that in all there is a logic of God. Without this faith we would be completely disarmed and disoriented. Faith gives us hope in a sense and arms us with serenity and patience, even in the most disconcerting cases. We find, on the basis of this belief, some explanations, even if, taken on closer examination, they still hide many mysteries and many unanswered questions remain. But the great answer swallows them all: There must be a meaning to God, even if we do not perceive it! If there is a God, everything makes sense! There is no other way. Our minds reject arbitrariness and absurdity, and God has taught us by ordinance and logic. We may think, for example, that God allows the infirm to be born, to enlighten our minds, to compare by comparison what goods we have and which we do not always know how to value. Let's imagine: how much are the feet of a man born without legs or whose legs were amputated? And how much do we value them? How grateful are we for them? It is true that when we think in this way, seeking a justification, another thought comes to us: how can we admit such an unjust harshness, with some, of God, in order to make of ourselves instruments for the enlightenment of others? We do not always know how God motivates His actions. Does this explain everything? Obviously not! But this is not a reason to reVol.t or lose our faith. What do we know, for example, about the mystery of the living being, about the senses, about intelligence, about love, about hatred, about the stars? The mysteries come to strengthen our faith, not to diminish it. The mysteries, the unanswered ones reveal to us that Someone else is responsible for us. That if we were the authors of the world, we would know them all! Let us take the example of the great scholars whom the mysteries which they cannot penetrate bring them closer to God. Here is what Einstein wrote: "Know that there is indeed something impenetrable to us, which manifests itself as a supreme wisdom and as an incomparable beauty, which our modest means can perceive only in the most primitive drills — this knowledge, this feeling is at the heart of true religiosity. in this sense they belong to the category of deeply religious people"(What I believe, 1930). A well-known astronomer, CarlSagan, writes just as beautifully: "When you face such deep mysteries, I think it is wise to feel a certain humility"[1].

There are, therefore, questions that we can answer in part, but even when we cannot answer them at all, we must know that they all belong to an order of God, which is certainly well justified from His point of view. I thought of these lines not as a theological excursion into the fundamental truths of the faith, but, with the intention of helping readers, to arm themselves with arguments for defending their faith against those who would try to entice them to atheism or neo-Marxism. It becomes important now, exactly what was previously secondary and totally neglected, that is, the heart, the state of mind, justice and truth, which accompanied the rituals, prayer and sacrifice. A real spiritual revolution. No wonder those accustomed to the old ones could not in any way receive the new ones. They could not understand this radical change of centuries-old mentalities and traditions. In fact, just trying to change them cost Jesus his life. There is nothing harder to fight than with the traditions, entered in the consciousness of the people, even when they become absurd and lose their original meanings. Only through sacrifices can the old be overcome again, the irrational the rational, the faith unbelief.

In conclusion, we believe that the fight against Covid-19 must not turn into a fight between the right to health care and fundamental human rights. The real challenge is to identify socially acceptable measures and acceptance cannot take place as long as fundamental rights and freedoms are seriously threatened. This is because any violation of fundamental human rights principles is in fact a violation of our very right to respect for life and health. As Yuval Noah Harari said in the article "The world after coronavirus": "Asking people to choose between privacy and health is, in fact, the very root of the problem"[2]. What is certain is that

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[1]Cari Sagan, *Broca's Brain*, Editura Politică, Bucureşti, 1989

[2]The latest book by Israeli historian Yuval Noah Harari is a collection of essays on the most important topics on the current global agenda: from nationalism and terrorism to the invasion of fake news and the rise of Donald Trump. As in his previous books, "Sapiens.The Brief History of Mankind" and "Homo Deus. A short history of the future", Harari is

this crisis has become an opportunity for world leaders - visible or not - to establish a new socio-economic order. Politicians, we know your intention to pass the Vaccination Mandate Act quickly in the coming days, although we are all in a state of emergency or alert, but we do not understand at all this rush to force vaccination of both children and adults. Romania, so that no one escapes. Have you established the plan of attack with Bill Gates, why do you want so much to make the plan of the world elites or is there something else in between? You forbade us to take part in the protests, you forced us into houses, you made our mothers, fathers and grandparents sick from our hearts, we shaved our forests, we filled us with 5G antennas, and now you want us to do you exterminate us and our children? Well, you won't succeed! The other day, Mr. Raed Arafat threatened us that we would not return to our old lives until we were vaccinated against Covid 19. Really? Well, in this case, I'm telling you that I won't be vaccinated against Covid even when I'm dead, so leave the coercion, because I'm not a cow from the farm so that I don't understand what's better for me. Who are you to force me to be vaccinated against all the microbes on Earth? As long as I have discernment, I can decide for myself, moreover, the Fundamental Law of the country guarantees my freedom of choice, as such every person has the right to dispose of himself, according to personal beliefs. The truth is that the elites have taken your mind by imposing your Machiavellian agenda, and now we are locked in your house because you want us to not be able to immunize ourselves naturally in order to produce antibodies against Covid 19, although it has been shown that this viral infection is far from lethal, approaching the death rate of a simple flu.Yes, this pandemic has not left millions dead at all, as originally announced by WHO "specialists", and studies clearly show that the Covid 19 death rate is currently between 0.01% and 0.05 %. For this percentage, Bill Gates, Dr. Fauci, the Democrats in the USA and their gang of globalists have destroyed the lives of several billion people, leaving behind a real disaster.

But soon the investigations will start in their case as well and they will give an account for what they did, planning this coup with Covid a few years ago. And now they are desperate that people from all over the world have begun to take to the streets to earn a right to a normal life. But no, we do not have this right, just because you believe you are our masters and then your goal is to inject us by force. Only I caught your trick, as such I officially announce that I will NOT stay home on the day of the vote on the law on compulsory vaccination. Just as thousands of people in Israel have protested peacefully for their cause, respecting social distance and other rules, so will I. And if you do not respect the provisions of the Military Ordinance and you want to trample on the rights of millions of Romanians who want to decide for themselves, then I do not see why I should listen to you. If you vote for the Law on Mandatory Vaccination, in violation of the Constitution and the international treaties to which Romania has adhered, you will be charged with a crime against humanity and in this case I will go to all courts to win my last remaining right. Well, he is not negotiating with anyone, as such you cannot submit him to any vote and I urge you all to take a break with the Coercion Law, because you will not find in the Country Budget at least 1 billion Euros every year to vaccine by force on all. Remember that the draft law on compulsory vaccination was rejected in the Budget-Finance Committee in Parliament, precisely because it is not economically feasible.

Focus on what you have to do, because a bigger crisis is coming than in 2008, as such you risk taking us all out into the streets if we start to have empty wallets because of the chaotic measures you have taken in during the pandemic. If before we borrowed from strangers like crazy when everything was going awry, you realize what a lot of shit we are all in now. Yes, there is no more money for any social need and at this moment the adoption of the Vaccination Law is not justified, becauseyou will kill us for days. Decision-makers, I am convinced that not all of you have made a pact with the devil, think carefully about what you will do, because we will not stand idly by and fight as we have never done before, because this Law on wanting to vote is a direct attack on the bodily integrity of our families. You will be aware of us if you commit such an iniquity, so end this madness sooner, so that we too may soon be free. Dear Romanians, you know what will happen if this Law is passed and I inform you that you will no longer be able to drive or work if you do not get vaccinated against Covid 19. The current Law clearly states that the entire population of Romania will be vaccinated if the government or the WHO declares a state of epidemic or pandemic on our territory. And you've seen how easy it is to declare a pandemic these days, haven't you? We will have an

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just as percussive and clear in the way he presents his ideas. Homo sapiens is a species "whose power depends on the creation and acceptance of fictions," he says. Hence the conclusion he reaches in "21 lessons for the 21st century", namely that people have always lived in the post-truth era and some false news persists, whether we are talking about denying nations, counterfeit histories or religious beliefs. On the other hand, Harari does not deny the benefits of religion and recognizes that fiction is one of the most effective tools available to mankind: "Asking people to choose between privacy and health is, in fact, the root of the problem".

epidemic every year, this will happen, as such we have a moral duty to start communicating with our deputies in all ways, so that they can better understand the purpose of this law. In conclusion, vaccination is NOT an obligation, but a choice, so everyone is free to choose for himself. And we will fight for this freedom! May God protect us and protect us!

We are now experiencing a dramatic change in the world. The changes have existed before, but the pandemic has radically accelerated this process. Covid-19 acts as a global and strategic shock that has a massive impact on Europe's security and prosperity. How much we are left behind with these changes. We live in a world where the Chinese no longer set the tone, but the Americans. If the coronavirus crisis has shown anything clear, it is that China is on its way to global power, while the US is withdrawing. The predictable world of the West, as we know it from the Cold War, now belongs to the past. Many pillars that guarantee our security and prosperity will be broken. And there could be a big fight between China and the United States. The first rehearsal of restriction of liberties with covid 19 provided the New World Government with practical knowledge about the degree of resistance in the streets and on social media. Something we used to imagine science fiction, now we live and we will live as a daily reality. Unfortunately, we live in an age where we all talk about rights and we are constantly referring to the rights we have. We say, "Lord, teach me my righteousness (dikaiamata)," "Long live my kingdom," while the prayer of the Prophet David is, "Teach me thy righteousness," and Christ taught us to pray in these words, „Thy will be done,"" Thy kingdom come. "We are always talking about rights. If we read the ideas and philosophy of the Enlightenment, we will find that at the heart of its teaching are human rights. Of course, we do not deny these rights, which, incidentally, But the problem arises when we see only the rights, without having a sense of our duties, and especially when we are not able to live this kenotic ethos, of self-vanity, of Vol.untary devotion.

The following bibliographical indications have no other purpose than to provide a general orientation to the reader who would like to deepen any of the researched topics. As a source for the doctrine and jurisprudence of public law, he will have to resort to the collection of the Journal of Public Law, UniversulJuridic Publishing House. Particularly important in this area of understanding the consequences of administrative crises are the Scientific Notebooks of the I.S.A. „Paul Negulescu", UniversulJuridic Publishing House, 2010-2019, but also the Vol.umes published by S.A.Ș.A. following the debates on good governance and the right to good administration, Comunicare.ro Publishing House, 2009-2019.With regard to our topic, we appreciate that the treaties and works below are comprehensive.

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SECURITY CULTURE: GALVANIZING A NEW IDENTITY THROUGH VALUES EXCHANGE. CASE STUDY: UNITED ARAB EMIRATES

Abstract:	*It has become more and more important to study the interconnections across the cultural and security sector and imagine how changes in one sector can disrupt operations in the other one. This paper is trying to chart the eVol.ution of cultural influences over state security, arguing that security interests are defined by leaders who respond to cultural factors.*
	Also, by analyzing the basic cultural dimensions, we will be able to see in what measure citizens coming from different states, with a different history, values, ideology, politics, religion, can influence the security policy and strategy of the state where they are relocating.

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Today we face a world increasingly more conVol.uted, strongly influenced by the idea of nationalism in an unparalleled globalized society. It has become more and more important to study the interconnections across the cultural and security sector and imagine how changes in one sector can disrupt operations in the other one. This paper is trying to chart the eVol.ution of cultural influences over state security, arguing that security interests are established by leaders who react to cultural factors. Also, by analysing the basic cultural dimensions, we will be able to see in what measure citizens coming from different states, with a different history, values, ideology, politics, religion, can influence the security policy and strategy of the state where they are relocating.

That leads us to the following questions: Is the security of a state culturally bound? People from different cultures can affect significantly the strategy and the behaviour of a state[1]? Now turning the hourglass, can we assume that the wave of top management Europeans working in Middle Eastern companies has contributed to a metamorphosis of the Arab world towards a more open society? This paper was researched and written between 2015 -2020 and is based on desk research, and personal observations while living in Dubai from 2012 to 2015.

The theory of security-culture has long been perceived under the conceptual umbrella of state behaviour. Carl von Clausewitz speaks of war, as "a confrontation between the will of two people", suggesting that the will of a belligerent is the product of moral factors which can be summarized as a culture[2]. Sun-Tzu underlines the significance of "self-knowledge and knowledge of one's enemies", bringing arguments that knowing your enemy's culture can help you win the war[3]. Going even further, we can say that culture is the expression of a natural *mélange* between values, beliefs, and norms. So before looking at the definition of *security culture*, I would rather separate the two concepts.

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[1] Jeffrey. S Lantis, *Strategic Culture and National Security Policy*, in "International Studies Review", Vol. 4, No. 3, 2002, p. 87:*"One of the most surprising aspects of the renaissance of scholarly interest in culture has been the emerging consensus in national security policy studies that culture can affect significantly grand strategy and state behaviour."*

[2] Carl von Clausewitz, *On War,* Princeton University Press, Princeton, 1989, p.75

[3] Sun Tzu, *The Art of War*, Allandale Online Publishing, Leicester, p. 11

The culture of state A will be different from the culture of state B, mostly because its strategic principles were influenced by external factors like geographical position, neighbouring countries, and to some extent by the state' political, cultural, and cognitive peculiarities[1].

The security principles of a state, conjugated with ideas about morality and the necessity of the use of force, led to the birth of its defence institutions, paving the role of that specific country in global politics. When talking about the origins of security culture in a state, it all comes to a common denominator - *fear of invasion*[2]. Historically, when a state was formed, within its cultural behaviour you would find "unwritten laws'' about the safety of the people, border& land protection[3]. Robert Putnam speaks about the state institutions shaped by history: "Whatever other factors may affect their form, institutions have inertia and robustness. They, therefore, embody historical trajectories and turning points. History matters because it is "path-dependent": what comes first (even if it was in some sense "accidental") conditions what comes later. Individuals may "choose" their institutions, but they do not choose them under circumstances of their own making, and their choices, in turn, influence the rules within which their successors choose"[4]. These institutions were midwife to veritable security culture. The concept of security culture developed as an independent notion after the end of World War II, when states became more focused on preserving their peace and security rather than inVol.ve in a conflict again. Nevertheless, with very state looking to expand its capabilities, by making strategic choices, while taking into account variables such as geography, culture, potential threat, they started to realize that their national policy choices are shaped by collective strategic cultures, imported from their historical experiences.

As I was pointing earlier, because the culture of state A is different from the culture of state B, most probably their security principles differ too. In some particular studies, the security culture is seen as "a tool of political hegemony in the realm of strategic decision-making"[5]. EVol.ving from our way of understanding danger and threat, security institutions started to be separated into external and internal security, and between national security and public safety.

Kim Jiyul in his paper "Cultural dimensions of strategy and policy" identified 3 basic cultural dimensions that seem to be essential in causing political and strategic action:
1. Identity: the basis for defining identity and its linkage to interests.
2. Political Culture: the structure of power and decision-making.
3. Resilience: the capacity or ability to resist, adapt, or succumb to external forces[6].

By analysing the concept of security culture, we will take into account the history of conflict/ cooperation between two states. As causal linkage, we will also take into consideration the USA - UAE – EU close relationship through the lens of national identity and shared commitment to regional security in the Middle East[7].

Let's take the case of the USA, a country founded by immigrants that learned to value freedom of speech and the rule of law, moulding a democracy different from any other country at the time. Can we say that the cultural background of each individual that moved to the USA contributed to the edification of a society that accepts and promotes liberty as its core value? How about the United Arab Emirates? In 2010, expatriates in the UAE were estimated to number 7,316,073 persons, twenty times the 1975's figure of 356,343. Foreign nationals thus made up 88.5% of the country's total population[8]. It is important to mention that unlike in

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[1] Alastair Iain Johnston, *Thinking about Strategic Culture*, in "International Security", Vol. 19, Number 4, MIT Press, 1995, p. 34

[2] Jeffrey S. Lantis, *Op. cit*. p. 90

[3] David Herlihy, *Medieval Culture and Society*, Macmillan & Co Ltd, London, 1968, p.10

[4] Robert Putnam, *Making Democracy Work*, Princeton University Press, Princeton, 1993, p. 8

[5] Bradley S., Klein, *Hegemony and Strategic Culture: American Power Projection and Alliance Defence Politics*, in "Review of International Studies", Vol. 14, No. 2, 1988, p. 136

[6] Kim Jiyul, *Cultural Dimensions of Strategy And Policy*, Strategic Studies Institute, US Army War College, 2009, p. 9

[7]"The United Arab Emirates and the United States share a common resolve to preserve security and stability in the Middle East and around the world. Over the past three decades, UAE and US military forces have teamed up on six military coalition actions, from the First Gulf War to Kosovo to Afghanistan, Libya and the fight against ISIS. In May 2019, the new Defence Cooperation Agreement (DCA) between the UAE and US entered into force. The DCA aims to enhance coordination and further advance the robust military, political and economic partnership between the two countries", https://www.uaeusaunited.com/story/regional-security/, (24.11.2020)

[8] Françoise De Bel-Air, *Demography, Migration, and the Labour Market in the UAE,* in "Gulf Labour Markets and Migration Rapport", GLMM - EN - No. 7/2015, p. 3

other GCC states, a quarter of working expatriates were in managerial posts[1]. During the early stages of the Arab states, nationalism guided them to identify both with whom they should "naturally" associate and who could potentially pose a threat. This common identity and threat, in turn, created the desire for certain normative and institutional arrangements to govern inter-Arab security politics[2].

Geographic contiguity had left a legacy of cultural, strategic, political, and economic interaction, which, in turn, produced a regional identity (khaliji)[3].

At the core of Britain's ambition to reaffirm its position in the Gulf, was of course the defence cooperation with the UAE. Talk of the UK restating its commitment to the region can be traced back to a Defence Cooperation Accord (DCA) signed between the UK and the UAE in 1996[4], one of Britain's largest defence commitments outside of NATO. The text of this bilateral Defence Cooperation Agreement (DCA)is classified. Nevertheless, the DCA was accompanied by a separate "Status of Forces Agreement" (SOFA) giving U.S. military personnel in UAE certain legal immunities[5].

First, we argue that the security environments in which states are embedded have an important cultural and institutional part, rather than just material[6]. Second, we argue that cultural environments affect not only the incentives for different kinds of state behaviour but also the basic character of states, everything depending on the leader's identity and on the forces that shape his decisions[7]. State identity is also influenced influenced by the direction of top companies and institutions that converge under its roof. The sum of cultural contributions led by decision-making actors from these institutions/companies will determine a variation in the state identity. Variation in state identity, or changes in state identity, has effects on the national security interests or policies, as we will see in the chart below. (Chart of variations in security culture)

In the case of the UAE, we have selected the top 10 companies from all industries in 2020 (table 1), and looked at the top management, the country they came from, and we tried to chart how the leaders of the majority countries (UK and USA) further influenced the security policy and culture of the UAE.
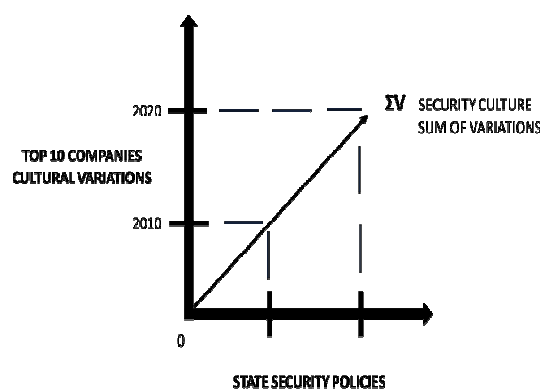

Fig. 1 Chart of variations in security culture

Individual culture is strongly influenced by other cultural dimensions like: leadership, management, interpersonal communications and relations. Languages, cultural do have and don'ts and negotiation skills are examples of what this dimension would consider[8]. Understanding the role of identity as an important

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[1]National Bureau of Statistics, *Analytical Report on Economic and Social Dimensions in the United Arab Emirates 2009*, Abu Dhabi, NBS, April 2010, p.6

[2]Peter J. Katzenstein, *The Culture of National Security: Norms and Identity in World Politics*, Columbia University Press, New York, 1996, p. 328

[3] *Ibidem,* p. 339

[4]Saul Kelly, Gareth Stansfield, *Britain, the United Arab Emirates and the defence of the Gulf revisited*, in "International Affairs", Royal Institute of International Affairs, Vol. 89, No. 5, September 2013, pp. 1203-1219

[5] Kenneth Katzman, *The United Arab Emirates (UAE), Issues for U.S. Policy*, Congressional Research Service, 2017, p. 20

[6]Peter J. Katzenstein, *Op cit*. p.8

[7]Kenneth N. Waltz, *Theory of International Politics,* Addison-Wesley Publishing Company, University of California, Berkeley, 1979, pp. 86-87

[8]"One of the significant influences is culture. Culture is a fundamental ingredient of life. We all see things through the lenses that our culture provides us with. But different groups have different cultures, and that's where the trouble starts when groups find themselves in contact with each other. Cultural differences can lead to limitations on any ability to see things from the other person's or group's point of view, lack of communication, and misunderstandings (sometime

dimension is therefore a vital element of our research, mostly because the foundation for policy and security strategy of a state is made of individual and collective values, interests and purposes.

When it comes to *resilience*, its importance is incorporated in the definition itself. Many scholars have given different definitions, but for our research, I will take into consideration the definition used by Pfister and Suter 1987, and Ross Schneider in 2008, connecting resilience with global governance, talking about "actions employed by individuals and groups in the face of economic liberalization, labour market reforms, and change in public service reforms"[1].

The United Arab Emirates, and more precisely Dubai, earned in recent years the title of an innovative and adaptive land, where the cosmopolitanism has become a value of everyday life. UAE not only adapted to the impact of Globalization, but it also found the perfect window to innovate in all the essential areas, passing the test of resilience through its integration with transnational institutions – (The United Arab Emirates opened a mission at the NATO headquarters in Brussels, followed by a new permanent mission to the European Union in Brussels in 2013, being the first Arab country from the Gulf region to do so). – Also, a key point of its resilience is the state's ability to make its citizens happy about the way the state is handling its internal and external affairs. There is no secret that in 2011, there was some critical activism in the UAE, calling for greater political space, meaning gender equity in the Federal National Council (FNC), and balanced distribution of seats among the 7 Emirati states[2]. These demands were quickly answered with political and economic measures. By creating a Ministry of Happiness and adopting certain laws, citizens were pledged to bring their contribution to the welfare of the state. This kind of call for civic action and public service finds its roots in the American model as well, when we think at John F. Kennedy's inaugural address "Ask not what your country can do for you – ask what you can do for your country," asking every American citizen to bring their contribution to the public good. UAE also established two new ministers of state positions for "tolerance" and for "happiness", each headed by a woman. The duties of the ministry of cabinet affairs were expanded to include planning for "the future," referring mainly to a "post-oil future," according to UAE officials[3].

The UAE "democracy" was not and will never be similar to the Western democracy, but they've managed to acclimatize that *esprit de corps* within its society, and by doing so, the UAE implemented successfully different social tolerance programs and distribution of national wealth[4], with the outcome of proud and satisfied citizens. As a direct consequence, that was translated in to economic stability. The Emirati leaders also consider that since the citizens are free to express their concerns through traditional consultative mechanisms, like the open majlis (councils) held by many of them, the country doesn't need Western-style political parties and elections for a legislature or other representative body, because that would only aggravate divisions among tribes and clans, and cause Islamist factions to become radical, opening UAE politics to regional influence[5]. The UAE leaders confer great importance to cultural harmony, especially at the political and strategic levels. State strategy deals with the impact of cultural factors in the formulation, implementation, and outcome of policy and strategy. The UAE government is trying to create an environment of inclusion by assimilating the cultural factors that can influence political and strategic decisions. When you rule over a country of more than 120 nationalities, this kind of policy has to be consolidated through a conscious socialization process and acculturation of all citizens. The best way to do it is to allow the management of top companies to elect its board members and CEOs worldwide. "Top management acclimatization" in the UAE comes as an answer to the government's desire to be

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lethal). Culture therefore has a profound effect on the successful conduct of military operations." Jiyul, Kim, *Op. cit.* pp. 4-5

[1] Philippe Bourbeau, *Resilience and International Politics: Premises, debates, agenda,* in "International Studies Review", Vol. 17, No. 3, 2015, p.2

[2] The Federal National Council consists of 40 members, distributed over the UAE emirates according to the Constitution as follows: 8 seats for the emirate of Abu Dhabi; 8 seats for the emirate of Dubai; 6 seats for the emirate of Sharjah; 6 seats for Ras Al Khaimah emirate; 4 seats for the emirate of Ajman; 4 seats for the emirate and Fujairah; 4 seats for the emirate of Umm Al Quwain, https://www.mfnca.gov.ae/en/areas-of-focus/political-participation/federal-national-council/, (24.11. 2020)

[3] Kenneth Katzman, *Op. cit.*, pp. 9-10

[4] Zakah is the third of the Five Pillars of Islam, referring to a Muslim giving 2.5% of their earnings to charity, after they have paid for what is necessary to support themselves and their family. Muslims believe that it is their duty to ensure Allah's wealth has been distributed equally as everyone is the same, https://www.bbc.co.uk/bitesize/guides/zdcyb82/revision/4, (14.01.2021)

[5] Kenneth Katzman, *Op. cit.*, p. 7

diplomatically recognized by members of the international society. By granting European and Western "brains" to take part in the architectural process of UAE's security culture, it bestows them the international legitimacy and leverage they need.

TOP 10 UAE COMPANIES IN 2020 according to Forbes Middle East[1]		
Company Name	**CEO**	**Country**
First Abu Dhabi Bank	Andre Sayegh	USA
Emirates NBD	Shayne Nelson	Australia
Etisalat Group	Hatem Dowidar	Egypt
Abu Dhabi Commercial Bank	Ala'aEraiqat	UAE
DP World	Robert Woods Mark Russell	UK
Dubai Islamic Bank	Adnan Chilwan	India
Emaar Properties	Amit Jain	USA
Mashreq Bank	Ahmed Abdelaal	UK
Abu Dhabi Islamic Bank	Sandeep Chouhan	India
ALDAR Properties	Talal Al Dhiyebi	UAE

Table 1. TOP 10 UAE COMPANIES in 2020 according to Forbes Middle East

This approach is providing an interesting lens to improve our understanding of the role of expats in the UAE, especially the international collaborations and the impact on the security culture of the state. Besides the election of multicultural top management in the UAE ranking companies, another good example is the USA State Department designated programs promoting democracy, rule of law, independent media, and civil society in the UAE, including the broader Middle East Partnership Initiative (MEPI)[2].

In this case, the USA is not the only example. In 2011 was established the UAE UK Business Council (UUBC), as the 1st business-led organization dedicated to facilitating greater trade and investment between the United Arab Emirates (UAE) and the United Kingdom (UK)[3]. In 2016, after BREXIT, and the prospect of losing its geopolitical influence as well as its access to the European single market, the UK looked once again towards the GCC countries. The United Kingdom allegedly announced that will increase its defence cooperation with the UAE and other gulf countries, by appointing a defence advisor for the Middle-East, establishing a permanent naval base at Bahrain's Mina Salman port, enhance its presence at Dubai's Al Minhad Air Base, and developing further military training efforts in Saudi Arabia, Kuwait, Qatar, and Oman.[4] In this eVol.ving context, the UAE is shifting from a traditional oil monarchy characterized by ideological loyalty to a gradual modernization of its defence force, by procuring arms and new technologies, but also by offering international training and "on-ground expertise" to its troops.

We could generally analyse the Arab armies through the dichotomy "institutionalization vs patrimonialism," to see how the integration of other nationalities have influenced the country's development and if the security culture of the UAE changed somehow under these circumstances. The UAE heavily invested in the institutional fragmentation of its security sector. On the one hand, by doing so, they started to compose modern armies by mixing professionals in the upper echelons, mercenaries, foreigners, and locals.

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[1] Forbes Middle East, June 2020 Issue 94,
 http://www.forbesmiddleeastmagazine.com/magazines/2020/06/english.pdf (20.11. 2020)
[2](MEPI) program supports governments and their citizens to achieve shared political, economic and stability objectives. The U.S. Embassy in Abu Dhabi houses a MEPI office/staff that runs the MEPI programs throughout the Gulf region. The MEPI program responds to needs and emerging opportunities for citizens and organizations that target two core objectives: Participatory Governance, Economic Opportunity, https://mepi.state.gov/about-mepi/, (24.11.2020)
[3]https://www.uaeukbc.org/en/, (24.11.2020)
[4]Cinzia Bianco, *A Gulf Apart: How Europe can gain influence with the Gulf cooperation council*, European Council on Foreign Relations, 2020, p. 8

[1]This strategy brought a new kind of money loyalty outpacing ideological loyalty while diminishing political risks in the long-term. In other words, it structurally changed the army's regime protection choice, by preventing a return to authoritarian rule like in other Arab countries.

In the United Arab Emirates, the rise of élite forces has been modifying the traditional status quo, and in some cases, it has become even more powerful than the national army in terms of military capabilities and direct- relationships with the ruling leaders. That is the case for the Emirati Presidential Guard or EPG.

EPG is the perfect example showcasing the government's search for an alternative, to enhance timely response capabilities vis-à-vis new security challenges. Even though in the GCC countries the security culture is differently structured, mostly because each state had different challenges throughout their history, the UAE reformed its army mostly to consolidate national balances and strengthen foreign projection. As we might expect, this approach had a direct positive impact on the economy, leaving the impression of stability and predictability in the international arena. Since 2010, the EPG represents a growing pocket of military power in the UAE, constantly deploying, engaging, and being somehow privileged to report directly to the deputy supreme commander of the UAE forces, the Abu Dhabi crown prince Mohammed bin Zayed al-Nahyan[2]. Emirati leadership realized earlier than neighbouring monarchies (Kuwait, Oman, Qatar, Saudi Arabia), that military reform is not only about arms procurement and modernization, but also about the development of strong diplomatic ties with key countries(like the USA)[3], and also about the increase of defence budgets that will foster expertise, focusing on the development of local defence skills.

All these priorities are as interconnected as possible. First, by increasing its defence budget, the UAE allowed itself to bring military experts from other countries to teach local forces. This local expertise was later translated into the development of their manufacturing defence industry, materialized through the creation of EDIC (Emirates Defence Industry Companies) in 2014. In 2019 EDIC was absorbed into the EDGE, a new defence industry holding company owned also by the UAE government. The EDGE is structured into five clusters: Platforms & Systems, Missiles & Weapons, Cyber Defence, Electronic Warfare & Intelligence, and Mission Support[4]. The UAE cultural capacity is strongly connected with the country's ambition to allocate resources for education and human capital. Investing in programs meant to acculturate expats without erasing their cultural heritage and roots, will prove to be a smart long-term strategy. Investing in a skilled working-force from overseas was the first step that helped them to create the state's capacity for informed local decision-making people. This can be also seen in the growing number of UAE research papers, published in top quartile journals. According to the Clarivate[5] report on UAE's place in the Web of Science research ecosystem, UAE overall research productivity, as measured by the publications indexed in the Web of Science Core Collection has raised impressively, particularly after 2012 onwards. UAE publications indexed in Web of Science Core Collection increased by400% from 2008 to 2018. The increasing number of specialized publications, research articles, in the same period of time was even more impressive – 450%.[6]The UAE has shifted from a conservative self-preserving foreign policy, towards an influential player in power politics, in the MENA region and overseas.

Conclusions

The United Arab Emirates can be considered an example of a state in the Middle East, mostly because it knew how to mixt its institutional development, a strong political and economic vision for the future, its resources, and its undeniable geostrategic position, all to be seen as equal with other superpowers, and as a trustworthy partner for the regional security. This paper tried to chart the eVol.ution of cultural influences over state security, arguing that security interests are established by leaders who react to cultural factors. In this sense, by analysing the chart of top management in the ranking of the 10th largest companies in the country, and the history of state-to-state collaborations, we were able to establish that citizens coming from different states, with a different history, values, ideology, politics, religion, can influence the security policy and strategy of the state where they are relocating, in our case the UAE.

Western diplomats, policymakers, and politicians are encouraged to spend time with their Emirati counterparts, as UAE increasingly sees its relationship with other western countries as one of the equals. Some of the western diplomats understood that while the UAE has a complex system of institutions, it is

[1]Eleonora Ardemagni, Umberto Profazio, *New Armies for a New Era Decrypting post-2011 Arab Military Reform Trends*, Research Division – NATO Defense College, No. 145, Rome, 2018, p. 5

[2] In Yemen, the Special Forces of the UAE Presidential Guard operate alongside Emirati-backed Yemeni militias

[3] Eleonora Ardemagni, Umberto Profazio, *Op. cit.*, p. 14

[4]https://edgegroup.ae/about, (20.01.2021)

[5]https://clarivate.com/about-us/, (21.01.2021)

[6] *UAE's place in Web of Science research ecosystem report*, Web of Science Group, Clarivate Analytics, 2019, p. 8

individuals who need to be lobbied and convinced on key policy issues[1]. And what better way to do that than to appoint to the management of the biggest companies in the country, people able to export their vision and business model, a model that has repercussions on the security culture of the state. This, together with the characteristics of a cosmopolitan state such as the United Arab Emirates, has contributed to a metamorphosis of cultural values towards a more open and reliable society.

In future research would be interesting to see how this security culture helped the UAE to mitigate the Iranian threat without provoking a confrontation. Also, it would be interesting to see how it used its alliances abroad with the USA and UK to protect its vital trade corridors and at the same time fight against the Muslim Brotherhood while protecting its status-quo from regional rivals like Iran, Qatar, and Turkey. The United Arab Emirates is still on a development path, starting with its military reform that has been redrawing civil-military relations in the country and continuing with its Western-style secular private education universities, tools used to combat extremism and build balanced relations with countries oversea.

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SECURITIZATION OF DEVELOPMENT: THE MILLENNIUM CHALLENGE ACCOUNT

Abstract:	*The creation of the Millennium Challenge Account by the Bush administration was the most significant innovation in the United States aid sector in almost half a century. This renewed focus on the aid sector came as part of the strategy employed during the War on Terror which put together defence, diplomacy and development under the same umbrella, the so-called "3D" strategy.*
	The paper at hand discusses the embodiment of the security-development nexus during the Bush administration, specifically in the creation of the MCA, by employing a securitization framework.
	Three dimensions of the Millennium Challenge Account are scrutinized: discourse, institutional set-up, and policy design in matters of aid selectivity.
	Tackling these three dimensions together reveals incongruences and continuity with previous aid strategies. By placing securitization within the broader theoretical efforts to define the security-development nexus, the paper showcases the reliance on discourse over empirical findings and the echoing of mainstream development theory and practices.
Keywords:	**securitization; Millennium Challenge Account; security-development nexus**
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As the classic example of a security-driven aid donor, the United States has shaped its development agenda from the very start in tandem with its security agenda. Truman's Point Four Program is largely regarded as the birth point of the development field itself and the subsequent eVol.ution of the field was heavily influenced by the bipolar dynamic of the Cold War era. During this time, development aid was another tool in the United States foreign policy arsenal, instrumental to its geopolitical goals, first leveraged to revive the economy of allies through the Marshall Plan, then increasingly intervening in the Third World to stem the spread of communism through the attractiveness of economic growth. The end of the Cold War and the dissolution of bipolarism brought with it the disappearance of the primary geopolitical driver of United States foreign aid, potentially allowing development's complete de-securitization. However, the September 11 terrorist attacks soon plunged the country into a new securitization process driven by the War on Terror, which had far-reaching domestic and international effects.

It is this post-9/11 context which is scrutinized by the paper at hand in an effort to highlight how securitization occurred in the development field. More specifically, it is concerned with the flagship development program of the Bush administration: the Millennium Challenge Account (MCA), seeking to answer the question: How is securitization embodied in the MCA? As institutional change of the sort introduced by the MCA is relatively rare, with the last notable occasion in the US development sector being the 1961 Foreign Assistance Act which birthed USAID, a closer look at its design and placement within the administration is crucial, as these affect subsequent policies and performance. Moreover, the MCA has proven as difficult to shake off as the War on Terror itself, with subsequent administrations continuing to prop up its administering agency (the Millennium Challenge Corporation) and relying on development thinking introduced by the Bush administration (for instance, Obama continued developing the "3D"

strategy). In the following, firstly the securitization theory and the methodology of the paper will be described, then the securitization theory will be discussed in conjunction with the security-development nexus. The case study section will focus on the MCA through a securitization framework, analysing the official discourse surrounding it, as well as the policy design and institutional design and placement. The paper concludes by assessing the validity of applying a securitization framework to this case, as well as offering possible avenues of further research for the topic at hand.

Securitized or Securitizing: Theoretical Framework

Gaining popularity in a post-Cold War intellectual setting which, unmoored by the disappearance of bipolarism, was arguing for a widening of the concept of security, the Copenhagen School, with notable members Buzan, Wæver and de Wilde at the helm, and introduced a discourse-based approach to security. Proponents of the School considered security a self-referential practice, which "takes politics beyond the established rules of the game and frames the issue either as a special kind of politics or as above politics"[1]. Its central contribution was the concept of securitization: "Securitisation refers more precisely to the process of presenting an issue in security terms, in other words as an existential threat."[2]While the Copenhagen School's effort to popularize securitization was largely driven by the belief that the narrow understanding of security which prevailed during the Cold War left us unprepared to deal with issues like societal or health security,other scholars employing a securitization framework extended the goal of the concept and used it as a critical tool toassess the increasing penetration of security concerns in other policy fields. Thus, securitization of development problematizes the increased overlap of security and development, through which developing countries are framed as security threats and the allocation of aid as a tool in the security[3] agenda[4] [5].

Unlikely a pure Copenhagen School approach, securitization of developmentas employed in this paper and in the larger literature on the topic can manifest in various manners besides speech acts. Most common are "changes in discourse, aid flows and institutional structures"[6].The paper at hand will employ the securitization theory to analyze the case study presented by the creation of the Millennium Challenge Account, by focusing on three dimensions: first, the discourse surrounding it in flagship speech acts like the 2002 National Security Strategy and the 2002 Bush speech announcing the MCA at the Inter-American Development Bank; second, the institutional framework in which it operates; third, the design of its policy instruments, more specifically how the aid targeting was conceptualized. While each of these dimensions is fertile enough to merit its own research paper or book chapter, the limited scope of the research at hand will only allow a broad analysis of each, which was deemed sufficient to test the securitization theory and highlight how it is embodied in the MCA. Moreover, not separating these dimensions serves a further purpose: it allows the showcasing of incongruencies.

There are two broad attitudes towards aid securitization which emerge from the literature: one treats securitization as a given fact, already having occurred, the other views it as a continuing process. Among proponents of the former, Spear develops an argument that what distinguishes development policy during the War on Terror is its increased militarization: "ODA has always been securitized. Rather than fighting oversecuritization, the big battles over ODA in the US have been over the militarization of aid."[7]Furthermore, she considers the Cold War era moments of de-securitization as the exception, rather than the contrary, such as when John F. Kennedy established USAID in a bid to shift the attention of aid programmes from military to economic assistance[8].The rising influence of the Department of Defense, as well as the military becoming development practitioners in the countries they were deployed to are the clearest indicators of militarization of aid. Provincial reconstruction teams (PRTs), combining military and nonmilitary personnel and tasked with providing security and development in Afghanistan and Iraq are just

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[1]Barry Buzan, Ole Waever, Jaap de Wilde, *Security: A New Framework for Analysis*, Lynne Rienner Publishers, London, 1998, p. 23

[2]Barry Buzan, Lene Hansen, *The Evolution of International Security Studies*, Cambridge University Press, Cambridge, 2010, p. 214

[4]Peter Wilkin, *Global Poverty and Orthodox Security,*in "Third World Quarterly",Vol. 23, No. 4/2002, pp. 633–45

[5]Ngaire Woods, *The Shifting Politics of Foreign Aid*, in"International Affairs", Vol. 81, No. 2/2005, pp. 393–409

[6]Stephen Brown, Jörn Grävingholt, *Security, Development and the Securitization of Foreign Aid*, in Stephen Brown,Jörn Grävingholt, Palgrave Macmillan,"The Securitization of Foreign Aid", Basingstoke, 2016, pp. 1–17

[7]Joanna Spear, *The Militarization of United States Foreign Aid,* Stephen Brown, in Jörn Grävingholt, Palgrave Macmillan, Basingstoke, "The Securitization of Foreign Aid*", 2016, p. 36

[8]*Ibidem,* p. 23

one example of the latter[1]. Scholars exploring this topic thus understand militarization as the increased inVol.vement of the United States military in development strategies in roles other than the traditional logistical support or provision of security[2]. Duffield writes from a similar perspective, as if development were already securitized and "Through a circular form of reinforcement and mutuality, achieving one is now regarded as essential for securing the other."[3]Brown and Grävingholt on the other hand "believe that it is being securitized – unevenly across space and time and with varying effects"[4], thus falling into the second category.The latter is the sensibility shared by the present author which is why the MCA was selected as an illustration of how this securitization occurred in the Bush administration, in the context of the early years of the War on Terror. As will become apparent in the case study section, securitization of the MCA itself is uneven, with some dimensions tightly linked to security concerns, while others follow a market-centric neoliberal development mainstream.

The Security-Developments Nexus and the Post-9/11 Context

The security-development nexus is easy to grasp intuitively: it stands to basic reason that conflict is an obstacle to development so arguing for harmonization of security and development policies results equally naturally. However, efforts to define the nexus reveal a multiplicity of guises it can assume. Stern and Öjendal provide a fruitful starting point by mapping six possible understandings of the security-development nexus, based on six traditions in security and development thinking[5],thus managing to highlight highlight the myriad of ways in which the two sectors can be connected. Rather than one nexus, there are variations of it with different ontological and epistemological accounts. Thus "*a nexus can be understood as a network of connections between disparate ideas, processes or objects; alluding to a nexus implies an infinite number of possible linkages and relations*"[6].While the linkages may be myriad, clear similarities do exist between research paradigms in security and development which allow the following six dominant accounts of the nexus to emerge: "(1) Development/Security as Modern (Teleological) Narrative; (2) Broadening, Deepening and Humanizing Development/Security; (3) Development/Security as Impasse/Impossible; (4) Post–Development/Security; (5) Development/Security as Technique of Governmentality; and (6) Development/Security as Globalized"[7]. Among these, securitization reflect the Post-Development/Security account, with its critical reading based on discourse analysis and its treatment of speech acts as tools of power which produce a certain reality. However, this concordance is not to say that the two sectors always intersect with such sensibility towards the other's research paradigms. Rather, the assessment of development agencies, discourse or practice across time reveals just how prone the nexus is to adapt to the contextual (and strategic) needs of whoever invokes it.

The United States presents a perfect study for the eVol.ution of the facets of the security-development nexus in time. As already mentioned, development has always been securitized to some extent in the US. Its foreign aid policy was designed to serve the same geopolitical goals as its security policy:"American foreign assistance and the U.S. Agency for International Development were born in the context of World War II's aftermath and the Cold War's early years, charged with geopolitical and geo-economic aims and mandates: to promote the foreign policy goals and interests of the United States while assisting Third World states in their development"[8]. Early days of the security-development nexus in the US thus come closest to the narrative of development/ security as modern (teleological) narrative, driven by positivist and Eurocentric notions, the mainstream at the time (and to a large extent still the mainstream now, though tempered with elements from the other narratives as identified by Stern and Öjendal[9]).

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[1]Ryerson Christie, *The Pacification of Soldiering, and the Militarization of Development: Contradictions Inherent in Provincial Reconstruction in Afghanistan*, in "Globalizations", Vol. 9, No. 1/2012, p. 53

[2]Joanna Spear, *Op. cit.*, p. 28

[3]Mark Duffield, *Global Governance and the New Wars: The Merging of Development and Security*, Zed Books, London, 2001, p. 16

[4]Stephen Brown, Jörn Grävingholt, *Op. cit.*, p. 3

[5]Maria Stern, Joakim Öjendal*, Exploring the Security-Development Nexus*, in Ramses Amer, Ashok Swain, Joakim Öjendal, "The Security-Development Nexus: Peace, Conflict and Development", Anthem Press, London, 2012, pp. 13–40

[6]*Ibidem*, p. 17

[7]*Ibidem*, p. 18

[8] Jamey Essex, *Development, Security, and Aid: Geopolitics and Geoeconomics at the U.S. Agency for International Development*, University of Georgia Press, Athens, 2013, p. 17

[9]Maria Stern, Joakim Öjendal, *Op. cit.*

The terrorist attacks from 2001 precipitated a new paradigm in both security and development which also affected the embodiment of the nexus.The focus on pre-emption and concern with fragile states permeated policymaking in both fields. Tellingly, the 2002 National Security Strategy declared failed states as greater threats than strong ones[1].To some extent, this meant that the security field was adopting the rising preoccupation with failed and fragile states which had started to take shape in the development field in the 1990s. Landmark empirical works by World Bank scholars like the Burnside and Dollar paper[2] demonstrated demonstrated the increased effectiveness of aid in countries where sound governance practices prevailed. The causality was simplistic, but seductive enough to produce a good governance paradigm which emerged as the dominant orthodoxy in the 21st century.The terrorist attacks provided the needed impetus for the idea that fragile states were a security risk to take hold and ensure the cementing of the security-development nexus around this concept.The arguments calling for a reconsideration of the nexus were however "based on empirical work that makes a correlative link between the two policy goals or simply asserts their shared desirability, rather than work that demonstrates the existence of causal relations"[3].However tenuous the causality, the attractiveness to policymakers was undeniable.

The War on Terror itself took on an all-encompassing role which had insidious and far-reaching effects domestically and abroad. Perhaps the best illustration of the new paradigm was Bush's so-called 3D strategy which conceptualized foreign affairs as a whole-of-government approach built around a defense, diplomacy, and development nexus. While in theory this approach would introduce coherency in United States foreign policy (or at the very least between the various US governmental actors engaging in it), this was difficult to translate into practice. The bureaucratic turf struggle, as well as the ever-present difficulty of interagency cooperation had the unforeseen consequence of each pillar being regarded as instrumental by the other, with the strongest leg of the triad, defense, emerging as the dominant force[4]. The hardest hit was the development sector, the weakest of the three. This was particularly notable in the marginalization of USAID and the increasing domination by the Department of Defense (DOD), the latter of which promoted a vision of development equaling construction which was laughably simplistic to development experts[5]. Natsios illustrates this bureaucratic culture clash by referring to the DOD-USAID disagreement on how to measure the progress of the Afghan education program: "where DOD wanted to use school building construction (…), while USAID officers insisted it be the number of children in Afghan schools, the proportion of girls in the student body, the number of textbooks in the classrooms, and the number of trained teachers being paid and reporting for work"[6].

While the security-development nexus has always been present in some shape or form in modern American history, the post-9/11 context illustrates how the correlation of the two can lead to a cannibalization of development by security concerns.The securitization is notable through both a blurring of means and of ends of the two policy sectors.Whereas the security sector was traditionally concerned strictly with military threats and the development sector sought to win hearts and minds by supporting and economically bolstering allies, the increased militarization occurring post-9/11, as noted above, saw engagement of the military and defence agencies in development on the ground.Chandler advances an argument that the nexus is established through a rejection of traditional policy which makes it difficult to distinguish between security and development when both concepts have been widened (through human security in the case of the former and increased emphasis on human well-being instead of economic indicators for the latter)[7]. Meant as a criticism to a general lack of direction in international relations, his thesis that the security-development nexus is anti-foreign policy, a performative, self-referential and largely rhetorical exercise offers a similar reading to what a securitization framework would. However, while securitization is indeed concerned with the ability of speech acts to create new realities, it does not point to an anti-foreign policy as conceptualized by him, but rather to an extreme politization which creates a space of exception and limited accountability in the name of protection from existential threats.

The Millennium Challenge Account as a Study in Securitization

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[1]George W. Bush, *The National Security Strategy of the United States of America*, 2002, https://georgewbushwhitehouse.archives.gov/nsc/nss/2002/, (27.01.2021)

[2]Craig Burnside, David Dollar, *Aid, Policies, and Growth*, in "Policy Research Working Paper 1777", 1997

[3] David Chandler, *The Security–Development Nexus and the Rise of 'Anti-foreign Policy'*, in "Journal of International Relations and Development", Vol. 10, 2007, pp. 362–86, p. 365

[4]Joanna Spear, *Op. cit.*, p. 23

[5]Andrew Natsios, *The Clash of the Counter-bureaucracy and Development*, 2010, p. 27

[6]*Ibidem*, p. 28

[7]David Chandler, *Op. cit.*, pp. 366–367

The securitization of American development, as illustrated by the Millennium Challenge Account can be assessed on a variety of levels: discourse, policy design, policy practice, institutional design, aid allocation. The paper at hand focused on three of these dimensions, namely discourse, policy design and institutional design, thus targeting the setting up of the MCA. The other mentioned dimensions are, of course, valuable avenues of research as well, especially for evaluating the performance of the MCA in the intervening years and whether that reflects securitization theory, but the early years provide an indispensable insight into what the Account was meant to achieve and the means at its disposal.

On the discourse dimension, it is the Monterrey speech at the Inter-American Development Bank in 2002, as well as the 2002 National Security Strategy (NSS) which offer the backbone of argumentation by the administration for the necessity for the MCA. In announcing the creation of the MCA in Monterrey, President Bush framed it in dichotomous terms as an instrument of achieving freedom from terror. The goal was to "challenge the poverty and hopelessness and lack of education and failed governments that too often allow conditions that terrorists can seize and try to turn to their advantage"[1]. This message from March echoed in the National Security Strategy published in September[2]. While the Strategy espoused high aiming goals, it was rather scarce in details on how to achieve them. The MCA is one of the few comprehensive policies named in the 2002 NSS as a tool for building the stable and prosperous world envisioned by the Bush administration. The new security paradigm contoured in the 2002 National Security Strategy intimately linked poverty and terrorism, so fighting underdevelopment and poverty were framed as necessary prongs in the antiterrorism strategy: "The events of September 11, 2001, taught us that weak states, like Afghanistan, can pose as great a danger to our national interests as strong states. Poverty does not make poor people into terrorists and murderers. Yet poverty, weak institutions, and corruption can make weak states vulnerable to terrorist networks and drug cartels within their borders"[3].

Despite the rhetorical certainty displayed here, causality between poverty and terrorism is difficult to establish. This is partly due to the difficulty of pinpointing any self-standing cause for terrorism, but also because of the obvious fact, also recognized by Bush, that a vast majority of poor people do not become terrorists. Equally difficult is to support the affirmation that all weak states provide breeding grounds for terrorism, when the majority, in fact, do not. Moreover, there are numerous examples of terrorists radicalized in developed countries. Bullard notes that such simplistic causality provides "a classic neo-liberal solution to a complex historical, political and social problem"[4]. Nevertheless, the relationship became central in the security-development nexus as understood by the Bush administration. As Mawdsley caustically writes, "We are confronted with a simple set of alignments, but none of the connecting mechanisms: neoliberal economic growth = poverty reduction = national security"[5]. The new security strategy thus grafted its security concerns concerns on top of the neoliberal development orthodoxy and elevated it to a place in the nexus and the 3D strategy. The underlying assumption are not questioned, not even when it comes to the first part of the equation which suggests economic growth leads to poverty reduction, even though by the time the National Security Strategy had been published, the economic miracle promised by neoliberalism has failed to materialize in the developing world after years of structural adjustment reforms. Securitization is thus realized discursively by establishing a causal link between poverty and terrorism and framing both as existential threats to the referent (the United States). By invoking existential threats, development is securitized and turned into an inward-looking practice. Instead of benefitting the poor (and arguably serving as a tool in projecting the imagine of a beneVol.ent hegemon), it is an extension of the domestic security agenda: "Pursuing poverty alleviation as an antiterrorist strategy means that one is concerned about poor people, not for the sake of their poverty, but because poor people pose a threat to rich people."[6] Furthermore, it establishes a spatial connection between poverty there (in the developing world) and insecurity here (in the homeland), another self-referential act.

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[1]George W. Bush, *President Bush's Speech in Monterrey,* Mexico, 2002, https://www.pbs.org/newshour/politics/white_house-jan-june02-bush_03-22, (28.01.2021)
[2]George W. Bush, The National Security Strategy of the United States of America, 2002, https://georgewbushwhitehouse.archives.gov/nsc/nss/2002/, (28.01.2021)
[3]*Idem*
[4]Nicola Bullard, *Will September 11th Save the G8 from Oblivion?*, in "Development", Vol. 45, 2002, p. 34
[5]Emma Mawdsley, *The Millennium Challenge Account: Neo-liberalism, Poverty and Security*, in "Review of International Political Economy", Vol. 14, 2007, p. 492
[6]Francis Y. Owusu, *Post-9/11 U.S. Foreign Aid, the Millennium Challenge Account, and Africa: How Many Birds Can One Stone Kill?*, in "Africa Today", Vol. 54, 2007, p. 17

An existential threat necessitates extraordinary measures. From an institutional standpoint, securitization occurs by sidestepping usual bureaucratic systems and establishing new entities. By invoking the existential threat of poverty in failed states, the Bush administration gained the political leverage to reshape development to serve its broader 3D agenda. Instead of relying on existing development agencies to manage the MCA, the administration opted for the creation of the Millennium Challenge Corporation (MCC) in 2004. The administrator of USAID was passed over in favour of the Secretary of State as chair for the MCC and the MCC was even discouraged to collaborate with USAID in the beginning[1]. On the institutional level, securitization through the MCA can thus be noted in parallel with the marginalization of USAID. Instead of reforming and improving existing practices, the new security-development paradigm demanded a new flagship development institution to match. Additionally, the increased inVol.vement in development projects of agencies like the DOD or the State Department led to an increase of departments and agencies which declared disbursement of foreign aid among their activities, from 16 in 2001 to 24 in 2007[2]. This fragmentation hit USAID the hardest, now the primary US development agency in name only. The creation of the Director of Foreign Assistance position in 2006 (tasked with coordinating aid assistance) notably excluded the MCC from under its authority, though it placed USAID and most State Department programs under it, thus bringing 64% of nonmilitary aid spending under their supervision[3]. This institutional environment garnered criticism of unnecessary fragmentation and potential for incoherency, with foreign aid experts calling for a single lead entity to coordinate US foreign aid[4]. Some researchers concerned with the MCC go as far as to argue that creating itintentionally set USAID up for failure[5][6]. It is not difficult to see how that could be achieved. While the MCC was to deal with countries most likely to demonstrate improvements after receiving foreign aid, USAID was left with the difficult cases, the fragile states which would not qualify for the MCA, thus reducing its ability to show a demonstrable success rate.

It is this aspect of policy design, establishing which countries qualify for the MCA, which is of particular interest here. The MCC's niche was to be a group of countries with a proven record of governing justly, investing in their people and encouraging economic freedom[7]. This practice of aid selectivity was hardly a novel idea. Rather, it echoed what had already been brought into the mainstream by the World Bank. The empirical research into aid effectiveness already pointed out earlier naturally eVol.ved into a preference for aid selectivity. Even the selection indicators used by the MCC are largely provided by the World Bank (while the indicators in total are provided by independent third-party sources)[8], reflecting the good governance paradigm which had emerged in the 1990s and taken hold in the development sector. The MCC thus presents a "post-Washington consensus-lite"[9]which relies on ex post conditionality[10] to select the countries to be targeted by the MCA compacts.

Expanding upon this aspect of policy design is crucial in the analysis because it reveals an incongruency with the poverty-security link established in the National Security Strategy[11]. After all, Afghanistan would never qualify according to MCC criteria, nor would other hotbeds of terrorist activity. The aid targeting based on governance criteria seems a bizarre design choice when creating a development strategy to assist in the goals laid out by the new 3D approach: "These issues over the choice of MCA eligibility and qualification raise serious concerns about the extent to which the MCA is genuinely concerned with poverty reduction, and thus—in the formulation of the NSS—with enhancing security."[12]While the Millennium Challenge Account was framed in securitized terms and the creation of the MCC reflects a

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[1]J. Brian Atwood, M. Peter McPherson, Andrew Natsios, *Arrested Development: Making Foreign Aid a More Effective Tool*, in "Foreign Affairs", Vol. 87, 2008, p. 125

[2]Marian Leonardo Lawson, Susan B. Epstein*, Foreign Aid Reform. Agency Coordination*, 2009, p. 4

[3]*Ibidem,* p. 11

[4]*Ibidem*, p. 18

[5]Joanna Spear, *Op. cit.*, p. 26

[6]Francis Y. Owusu, *Op. cit*

[7]George W. Bush, President Bush's Speech in Monterrey, Mexico, 2002, https://www.pbs.org/newshour/politics/white_house-jan-june02-bush_03-22, (20.02.2021)

[8]Millennium Challenge Corporation, *Selection Indicators*, https://www.mcc.gov/who-we-select/indicators, (21.02.2021)

[9]Emma Mawdsley, *Op. cit.*, p. 502

[10]Wil Hout, *The Politics of Aid Selectivity: Good Governance Criteria in World Bank*, US and Dutch Development Assistance, Taylor & Francis, New York, 2007, p. 23

[11]George W. Bush, *The National Security Strategy of the United States of America*, 2002, https://georgewbushwhitehouse.archives.gov/nsc/nss/2002/, (21.01.2021)

[12]Emma Mawdsley, *Op. cit.*, p. 497

similar securitizing institutional design preference which promotes exceptionalism, the nexus established by the Bush administration breaks down when examining its aid selectivity. It is unclear what the MCA brings to the table for the new security paradigm and why it merited special recognition in the 2002 National Security Strategy as representative for US development efforts. It begs the question of why its establishment was even necessary, instead of imposing exigencies of aid selectivity on USAID's work, for instance. Owusu[1]offers a possible explanation by arguing that the MCC provided an alternative channel for disbursing disbursing foreign aid in a manner more palatable to Republicans, while Mawdsley[2] partially concurs by arguing that the MCA is meant to serve US capitalist interests by legitimating a furthering of the economic liberalization agenda under the guise of security concerns. At best, one could argue that the MCA's targeting was indeed securitized by reflecting the new paradigm of pre-emption. Instead of risking that the countries targeted fall into discontent or (further) economic troubles, the US dispenses increased aid to promote their economic growth and thus pre-emptively addresses the potential threat that they pose.

Conclusions

Much like the War on Terror dragged on and plagued the administrations following George W. Bush, so his reform of the US development sector has proven sturdy. The Obama administration even picked up on the 3D approach, hoping to give it new life, while the Trump administration awarded the MCC an increase in funding[3]. If USAID has not been dismantled despite its marginalization and gradual starving of funds and experts, it is even less likely that the Millennium Challenge Account and the MCC should disappear anytime soon. It is thus imperative to reassess its place in the security-development nexus imposed by the War on Terror so as to enlighten where it can stand in a post-War on Terror context. That is what this paper has sought to attain by applying a securitization reading to the discourse, institutional design and policy model which directed its founding.

The analysis above reveals that securitization was used as a strategy to push through and legitimize a vision of development concordant with the Bush administration understanding of it. Linking poverty and terrorism discursively allowed them to elevate development into the 3D fold, despite little empirical support for such a simplistic causal link. By credibly invoking an existential threat, the administration could legitimate institutional system reform via the introduction of a new entity, the MCC. It could also further marginalize USAID which appeared out of step with the new security-development nexus. Fragile or weak states were framed as either current or potential threats. If terrorist networks had not already profited from their weak institutions to gain a foothold, they could do so at any time. The targeted aid disbursed by the MCC could thus act pre-emptively to curtail such tendencies by enticing them with economic growth and prosperity instead. The securitized logic would hold across all three dimensions analysed, were it not for the MCC's aid selectivity. While touted as a nonmilitary weapon in the War on Terror, the MCC only addresses countries with proven good governance records which were overall unlikely to present a terrorist threat. The argument that doing so was part of the larger pre-emption tactic employed by the US is tenuous at best and advancing it credibly would have to account for aid allocation in correlation with the level of terrorist threat, both existing and potential, presented by a country. This would undoubtedly present an interesting research avenue.The analysis at hand could be extended to aid allocation flows to test whether the incongruence identified holds true, but it is hard to imagine that it does not. Securitization of the MCA is thus most apparent in discourse and institutional design as legitimizing strategy for the promotion of a revamped neoliberal agenda in US development.

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THE CHALLENGES OF THE UN PEACE OPERATIONS IN THE 21ST CENTURY

Abstract:	*Nowadays, we are living in a world full of uncertainty and complexity. The post-Cold War era has brought a new type of conflicts that have challenged the security environment. The world continues to encounter global challenges that have a direct impact on people's lives. These types of conflicts have become more complex and interconnected. The United Nations has undergone many phases of reform in order to support and protect millions of innocent people around the world.* *Over the years, the role of the UN has extended from traditional peacekeeping operations to humanitarian assistance and security sector reform. The fourth generation missions need a comprehensive approach and new types of peacekeeping capabilities that can support the increasing number of peacekeeping missions on a global scale. This transformation process can be accomplished only by working together and enhancing international cooperation among member states, international actors and regional organizations.*
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Introduction

In today's rapidly changing world, global security is threatened by the increasing number of violent conflicts and powerful extremists groups. The global governance has a direct impact on the current international system, growing dependency on international security. In addition to that, technological advances and the impact of globalization go beyond the capacities of an individual state to deal with such a sophisticated environment. Many advocate that the role of international communities in the current international system emphasize that relations between states are categorized as interdependent.

The post-Cold War era is characterized as one of the most important times which put an end to the old millennium and get started a new one, which brought with it, new more sophisticated threats and risks. These huge transformations have arranged a new world order between states and their implications to solve these new types of conflicts. It was hoped that with the removal of the superpower competition, the UN would be able to ensure international peace and security in a more secure and save environment. However, the reality shows that the number and the complexity of the conflicts around the world is increasing day by day, and the UN faces big challenges in dealing with such peacekeeping operations of a complex character.

The impact of globalization on peace operations

The eVol.ution of the current international system has a direct impact not only on the peacekeeping mission's eVol.ution, in terms of conceptual aspects, but also on the operational ones, transforming the current peacekeeping operations in more complex and multidimensional missions.

The twenty-first century is characterized by the eVol.ution of the peacekeeping operations from classic format to complex one, which has gone beyond the standards of the peacekeeping

mission. At the beginning, the United Nations[278] passed a difficult period with lots of bipolar competitions between two military blocks, which were defined by their nuclear power. These competitions proved that international peace and security is more and more difficult to maintain. In this international system, where local conflicts have doubled their numbers, the UN forces are facing difficulties in accomplish their missions, and peacekeeping forces are deployed in areas around the world where conditions are unsecure and danger.

To face these new types of missions it requires strategic reforms within UN organizations. These reforms need to be focused on a comprehensive analysis of the current security environment, as well as the capabilities of the peacekeeping operations. Furthermore, the peacekeeping forces have to be flexible to maintain the cooperation with local authorities, which are inVol.ved in a conflict, regional organizations, as well as local population, in order to have all the tools and mechanisms necessary to successfully accomplish the mission.

The Security Council is the main structure of the UN with power under the UN Charter and its ultimate goal of organization to maintain international peace and security clearly expressed in the Article 1 of the UN Charter[279]. According to UN Charter, the Security Council has the primary responsibility to act on behalf of the all UN member states. Article 24 of the UN Charter states "In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf[280].

The lack of agreement or consensus in peacekeeping operations might leave the UN unable to interfere in missions where peace enforcement is needed to be applied. From the legal point of view, the UN has no legitimate responsibility to protect civilians from human right abuses and a clear doctrine on use of force[281]. An example where peacekeeping forces executed multifunctional tasks without a clear implementation of their mandates was found in Somalia and Sierra Leone. These types of missions were executed under Chapter VI, and were named "second generation" peace operations.

In peacekeeping missions such as Sierra Leone and Rwanda, peacekeeping forces were deployed without realistic visions or scenarios in order to establish peace agreements, as essential fundamentals to maintain peace and security. The absence of consent in Somalia, and the inVol.ving the UN troops in the conflict, resulted in losing their claim of impartiality. Taking into account the turbulent political times, most of the currently peace operations in Africa and the future operations are probable to be about peace enforcement rather than traditional peacekeeping[282].

In recent times, a willingness of the UN to delegate authority to independent actors, such as states and regions has been observed. It is a constructive way by the international community to take responsibility and contribute to find collective solutions to conflicts. However, by inVol.ving a regional actor in finding solutions to a conflict, situation can easily get out of control. This is why; it is considered that the UN as an organization and the Security Council are the main actors who have the highest responsibility for maintaining international peace and security around the world. International organizations do not have the capacities and capabilities to take responsibility in peacekeeping operations which are more complex.

In terms of capabilities, for example, regional organizations have less troops and logistic supply in comparison with the UN. In addition, as a result of ethnic diversity, it is necessary to recruit troops who are familiar with religion, culture and tradition for each operation. For instance, in the African continent, the recruitment process is more difficult for the UN, due to the fact that for a long time governments preferred cooperation with the African Union instead of UN.

Nevertheless, the UN has many international actors who can support the organization to maintain international peace. A good example where an international actor was involved in peacekeeping operations is the military operation ARTEMIS. The European Union undertook the

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[279] Charter of the United Nations, https://www.un.org/en/charter-united-nations/, (10.11.2020)
[280] Charter of the United Nations, Article 24, https://www.un.org/en/charter-united-nations/, (11.11.2020)
[281] Jane Boulden, *Peace Enforcement*: *The United Nations Experience in Congo, Somalia and Bosnia,* Library of Congress Cataloging-in-Publication Data, 2001, p.46
[282] Robert I. Rotberg, *Peacekeeping and Peace Enforcement in Africa: Methods of Conflict Prevention,* Library of Congress Cataloging-in-Publication Data, 2000, p.78

peacekeeping in Africa, by sending troops in Democratic Republic of the Congo (DRC) in 2003. The objective of the operation was to improve the humanitarian situation and stabilize the security conditions in Bunia[283]. It is not an easy task for an actor to find a solution to conflict of a complex character. In the DRC, a divided country where the population was traumatized by a long period of conflict, and the poverty and infrastructure was at the lower level, or even non-existent, an international engagement with a comprehensive solution was necessary, as the local government was unable to control the situation alone.

When a conflict occurs, all the instruments have to be considered, as well as comprehensive strategies and long-term objectives. Furthermore, progress can be made only by taking into consideration the political will and the security situation on a large scale. The lack of a political will of member states is still an issue facing the UN. One main constraint which plays a significant role in UN peace operations is the financial contributions of member states. As an example, the level of contribution to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) can be mentioned. As of March 2007, only thirty six of all member states paid their assessed contribution to the mission[284]. Additional efforts would be required to make member states fully pay their contributions.

Apart from the fact that the financial contributions of member states is not in full, another aspect that can negatively affect the work of the peacekeeping operations is deployment element. Deployment has been a concern for contemporary peacekeeping missions, especially those where the level of danger is very high. This creates difficulties to the work of peacekeeping missions. Furthermore, the number of peacekeeping forces is not always sufficient for all vacancies to fill. As a result, activities of the operation may not be possible to be executed in time or even postponed or cancelled.

The UN peacekeeping reforms

Since 1945, the United Nations has conducted many successful peacekeeping operations around the globe. Every single mission has the objective to establish peace and protect civilians. Research has shown that the risk can be reduced significantly with the presence of UN forces, and the level of violence can be diminished[285]. Peacekeeping operations have passed a long way – from classical peacekeeping operation through to multidimensional peacekeeping and have helped and protected millions of people from violence.

The world has significantly changed since the foundation of the UN. The global population has grown, poverty has spread and the between advanced and developing countries has extended. In addition to this, environmental problems and ethnic conflicts have become more frequently. The impact of climate change on global peace and security was on the agenda in the Security Council on 17th of April 2007[286]. It was the first time in history that the UN debated an issue related to the environmental problems. The Stern Review Report on the Economics of Climate Change points out climate change can lead to the economic disruption and can even be compared to the level of the first half of XX century, especially the First and Second World War period[287]. These environmental challenges are a global problem that every country is responsible for. This environmental imperative would affect the security of the entire world, and would have a direct impact on developed and developing countries.

In this regard, many people believed that the UN needs reforms in order to adapt to the new tasks and challenges and to the complex environments where UN troops are deployed. The internal structure of the organization needs revision in order to function efficiently under new conditions. Along with that, the number of the UN member states has immensely increased and the states' views have continuously changed in line with the ongoing development of world politics. The process of

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[283] United Nation Security Council Resolution 1484 , 2003, http://unscr.com/en/resolutions/1484, (4.11.2020)

[284] UN Document A/61/970, *Financing of the United Nations Organization Mission in the Democratic Republic of the Congo*, Section III, OP 2, https://undocs.org/A/61/970, (13.11.2020)

[285] Michael W. Doyle, Nicholas Sambanis, *Making War and Building Peace* University Press, Princeton, 2006, pp.14-16

[286] UN Press Release SC/9000, *Climate Change*, https://www.un.org/press/en/2007/sc9000.doc.htm, (30.10.2020)

[287] HM Treasury, Stern Review Report on the Economics of Climate Change, p.VI, http://mudancasclimaticas.cptec.inpe.br/~rmclima/pdfs/destaques/sternreview_report_complete.pdf, (4.11.2020)

decision making in the UN organs has also changed. The initial member states that signed the UN Charter are no longer capable of supporting all the different interests of member states.

The status of the UN member states it has been for a long time subject to debate. As an example, the permanent five members of the Security Council possess the right to veto. It has been questionable if the list of the five permanent memberships shall remain the same or not. The tension among member states created by the permanent five member states that possess the right to veto has led to a proposal to increase the list of permanent member states in the Security Council.

The multidimensional UN peacekeeping operations.

There are many differences between peacekeeping operations today and peacekeeping operations as it was at the foundation of the organization. The nature of the conflict has eVol.ved substantially with the use of unconventional warfare tactics and hybrid threats. In addition, the eVol.ution of weapons has been developed. On the other side, the vast majority of officers had never been in peacekeeping mission before deployment. Extremists today are well equipped and possess good training which make them more violent and complicate the process of peace negotiations. All this challenges go beyond the fundamental principles of peace operations, and require substantial demands from the Security Council in order to provide mandates which can be help peacekeepers to respond to the risks and threats of the twenty first century.

In the twenty-first century according to the traditional approach, contemporary peace operations are inVol.ved in many more activities rather than those which are related to observer function or to monitor tense situations. This type of peace operations include activities which go beyond their responsibilities according to their mandates, such as performing civil roles including key administration: monitoring the implementation of peace agreements; human rights standards; supervisor of elections; train military and police; assist in activities related to demining. With this diversity of activities, it is difficult for the UN to find solutions in order to reach a consensus in a competitive world. Consent is almost impossible to be obtained in states where the government is not responsive or not willing to take part in the negotiation process. In some cases where peace enforcement is needed, consent by all parts is no longer considered to be obligatory[288].

As member states are constantly changing their views on security, the UN have to consolidate its efforts by increasing the cooperation with international actors and regional organizations. There is no an international organization in the world that could better deal with the today's challenges than the UN. Its universal role provides the institution with the judicial norms and standards that are define under the security framework. In the same context, the UN possesses an ability to cooperate with non-state actors as well as has the competences to work in a multidimensional environment. There is a need for a pragmatic approach that will facilitate the advanced countries to collaborate with developing countries in a way that can help

Despite all the hard work which has been done by the UN in order to mitigate the risks and threats around the world, the organization is not able to find the roots of the conflict before starts. This is why in many cases the UN intervenes in situations when the conflict has escalated to a level where the peace process is needed to be settled, by using techniques and methods that can be applied to change the form of conflict from one of violence to non-violence. There are many examples where the intervention of international organizations was too late or with delay, such as the genocide in Rwanda, ethnic conflict in Bosnia. However, no one guarantees that the conflict will not escalate again in the future.

The UN has never possessed the power to control all the issues related to security in this globalized world. There are many other international organizations which are active in the same area, such as Group of Seven (G7) that lead range of topics directly related to economic and security, as well as World Trade Organization (WTO) that is responsible for global economy.

Since the UN foundation, the organization has had no substantial reform on peacekeeping dimension; it has resulted in an organization that is no longer capable of achieving its missions. Different states have individual necessities and each conflict has unique requirements. The UN has

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[288] Michael Pugh, *The UN, Peace and Force,* Frank Cass and Company Limited, Great Britain, 1997, p. 14.

been restructured several times as a result of an initiative from Member States. Every Secretary-General has taken the office with his own agenda which includes a reform package[289].

The UN's determination to reform the managerial and structural parts is saluted by Member States. The only way to deliver better results in the field is by reforming the UN's peace and security agenda. The reform should cover all the areas, including headquarters structures, since have been considered as the main pillars who can deliver guidance and principles to the UN forces on the ground.

Due to the fact that peacekeeping operations have increased in numbers, and the responsibilities of the mission have doubled their functions, the UN cannot respond individually. The new concept of global governance, such as respect for human rights, good governance and democratization are directly linked to the amount of missions which peacekeeping forces are required to fulfill under their mandate. An increase amount of tasks is not proportionally equivalent to resources required in order to achieve the objectives of the missions. These new type of missions require a much wider variety of tasks which peacekeeping forces are asked to undertake.

Nowadays, the UN is facing numerous problems which may affect the functions of the organizations. First and foremost, one of the biggest problems that the organization encounters nowadays is the size of the missions. Despite achieving remarkable results in different regions of the globe, the UN forces face difficult challenges. Secondly, in many peace operations there are not proper political strategies that would find sustainable solutions to conflicts. These long-lasting problems must be considered by Member States in order to come with a comprehensive concept designed for peace and security, specifically for filed missions. There is not a perfect strategy or a concept that can be fully implemented in order to solve the conflicts around the globe. History has shown that the UN Secretariat has not always adaptable to a changing environment.

Conclusions

The security environment is on permanent eVol.ution. The UN is going through a period of transformations and reforms in order to face new threats. These UN reforms are integrated with global challenges in order to mitigate the risks on the global scale. In addition, the core values and principles such as good governance, respect of human rights democratization, are on the reform agenda of the UN organizations. These UN ongoing reforms are based on the results of analyses of the security environment and are focused on prevention and maintain the international peace and security around the globe. In the same regard, this type of reform will allow the UN to successfully optimize its structures and accomplish its mission. As the UN faces big challenges in dealing with such peacekeeping operations of a complex character, we have to take into account that the international system is dynamic and all the effort of the international actors should be concentrated on anticipating the potential risks and threats, based on experienced on the past and lessons learned from peace operations.

In order to respond appropriately to the complex and dynamic international environment, each mission should have a clear mandate, adequate training, and necessary resources before deploying blue helmets in conflict zones. In addition, the UN forces should be familiar with the area and possess cultural and religious backgrounds and gender diversity of the region. The process of peacekeeping reform should be transparent by inVol.ving both structures; the Security Council and the Special Committee on Peacekeeping Operations. As contemporary challenges call for innovative responses, the abovementioned structures should provide new policies and strategic direction on improving security of peacekeeping and identify practical and effective recommendations in order to reduce the peacekeeping forces fatalities.

Another aspect that should be taken in consideration in peace operations is the requisite financial and logistical support. A mission cannot be successfully accomplished without the necessary peacekeeping capabilities. The financial contribution is essential in peacekeeping and might have a negative impact on the overall goal of the mission. In this context, additional efforts would be required to make member states fully pay their contributions.

Finally, the best way to overcome the security and humanitarian challenges is by enhancing strategic partnership with international actors, regional organizations and member states. The success of a mission it requires collective security and support from the membership.

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[289] Francisco Mancini, *Managing Change at the United Nations: Lessons from Recent Initiatives*, International Peace Institute, October 2015, p.5

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BOOK REVIES

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ABOUT THE MEDIA COMPONENT OF MILITARY CONFLICTS - AN EXTENSIVE ANALYSIS OFFERED BY NICOLETA ANNEMARIE MUNTEANU

Abstract:	*The volume entitled Componenta mediatică a conflictelor militare is on the Romanian specialty market since 2018, under the signature of professor Nicoleta Annemarie Munteanu, and in the editorial realization of TechoMedia in Sibiu.* *This research Vol.ume proposes an inter- and multidisciplinary approach to the relationship between the media and the military organization - especially during military crises and conflicts.* *From a varied and useful content, remains noteworthy the author's contribution to crisis and conflict-specific media communication strategies: journalistic methods of crisis and conflict prevention (delimited in two categories, private and institutional); journalistic strategies for crisis and conflict prevention; the principles of media communication in crisis and conflict prevention.*
Keywords:	**Media; military organizations; military conflict; national security; war journalism**
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In 2018, the security analysis literature was enriched with a Volume signed by professor Nicoleta Annemarie Munteanu, under the title *Componenta mediatică a conflictelor militare* (in the editorial realization of the TechnoMedia in Sibiu, a prestigious publishing house recognized by the National Council of Attestation of University Degrees, Diplomas and Certificates).

The fundamental reason for this research is specified in the *Foreword* by Professor Cristian Troncotă, who warns that "In the information age and the information war, the security-media binomial becomes intrinsic, being impossible to separate. Communication strategies become components of security strategies, and prevention must become concrete through the actions planned and carried out according not only to what is required, but especially to what people expect to be told"[1].

Additional details are provided by the author in the *Introduction*, with necessary details about the relationship between the media and the phenomenon of war today: "The media can neither initiate a war nor stop it, but the media can intervene in a positive or negative way in the process of social communication and social change, their impact being multidisciplinary and long-term. In conflict prevention, the impact of the media requires institutional security for controversy, for the possibility of diversity and pluralism. In a rule-of-law state, media law is a framework in which codes of ethics for journalists promote accountability at the individual level. In the field of conflict prevention, the media

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[1] Nicoleta Annemarie Munteanu, *Componenta mediatică a conflictelor militare*, TechnoMedia, Sibiu, 2018, p. 13

can play a particularly important role by rehabilitating and credibilizing information, but also by alerting society and decision makers about dangerous situations"[1].

In a general economics of the 301-page paper, the author introduces us to the subject itself through a few contextual pages on the influence of globalization on media communication (specifying the basic terminology - media communication, its functions and content, to then put in relationship determining the process of globalization and media communication).

The next chapter develops, in a comparative manner, the processes of media communication and military organizational communication. In advance, the two forms of communication are described by their specific features, to then make the connections between them - with priority being analyzed the effects of media communication on the military organization and the relationship between the military and civil society through the media. The context under which all applicative analyzes are made is described as follows: "The military organization, by the content and nature of its activities, by its status and role in society, by the specific way of organization, by the quality of human resources, by national and international relations, is an important point of attraction for the media. Especially nowadays, the interest of journalists is increased due to the presence of Romanian military structures in various theaters of operations in the world. From this perspective, the press influences the way in which the topics are presented to the public, both from the point of view of informing the public and from the point of view of presenting the opinion on that information"[2].

The third chapter deepens the horizons opened by the previous one. Under the title *Crisis and conflict management from the perspective of media communication*, we have the benefit of two case studies in media management of crises and conflicts: the Iran-Israel crisis and the conflict in Afghanistan. Based on these, general principles and rules regarding the relationship between the army and the media in theaters of operations are deduced; the role of the journalist in military conflicts; protection of the journalist in conflict areas; the role of media networks in crisis and conflict prevention.

The latter topic is developed in a separate, highly applied chapter, which presents crisis and conflict-specific media communication strategies; journalistic methods of crisis and conflict prevention (delimited in two categories, private and institutional); journalistic strategies for crisis and conflict prevention; principles of media communication in crisis and conflict prevention.

From the various conclusions and with applicative value, we note that "In the information age, media networks, through specific activities, produce both positive effects, image level of the military organization, but also negative effects that affect the image, credibility and legitimacy of the military entity. Media visibility, which can prove to be a vulnerability in the field of security, is manifested by the leakage of information, with effects both in peacetime and in times of crisis or conflict. In matters related to security, the context is particularly important and should only be reported in the press by specialized journalists. During these periods, media organizations are divided into three categories: own, adversary and neutral, each category acting according to its own logic and policies. In the national, regional and global security equation, media organizations can participate in strengthening or degenerating the security situation"[3].

The Vol.ume ends with an impressive bibliographic list (laws and regulations; doctrines, conventions, regulations, protocols, manuals; books; articles, publications, research papers; bibliographic resources on the Internet).

For additional documentation of information, comments and analysis, the reader benefits from 13 annexes, which summarize schematically and graphically introductory aspects of communication, media and analysis of organizations.

Who uses Mrs. Nicoleta Annemarie Munteanu's research? As an inter and multidisciplinary approach, it can be proposed (equally) to experts and students in communication and journalism, as well as to those in the military and security field. Last but not least, the topic can open a specific direction of research and higher education, autonomous and well specified, as a cornerstone in the preparation of the war journalist. In fact, the paper is already in the recommended bibliography of courses taught at the University "Lucian Blaga" in Sibiu - Department of International Relations,

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[1] *Ibidem*, p. 69
[2] *Ibidem*, p. 108
[3] *Ibidem*, p. 254

Political Science and Security Studies, both at the undergraduate level (program "Security Studies"), as well as at master's level ("Security and International Relations" program).

Nicoleta Anne-Marie Munteanu este lector universitar doctor în cadrul Universității „Lucian Blaga" din Sibiu, Facultatea de Științe Socio-Umane, Departamentul de Științe Politice, Relații Internaționale și Studii de Securitate.

Este doctor al Universității Naționale de Apărare „Carol I" din București, în domeniul Științe militare și informații, licențiata în jurnalism și drept, cu studii masterale în domeniul științelor comunicării, precum și cercetări postdoctorale în sfera relației dintre mass-media și securitate.

Aria sa de expertiză include analiza efectelor mesajelor mediatice asupra securității, comunicarea organizațională militară, influența mass-media asupra operațiilor militare moderne, războiul mediatic.

Era informațională reclamă definirea relației dintre presă și armată și particularizarea acesteia. Gestionate corespunzător, mesajele mediatice pot avea un rol preventiv și benefic pentru receptori, pe parcursul planificării, organizării și desfășurării acțiunilor militare moderne.

Dezvoltarea rețelelor mediatice influențează starea de securitate, fiind necesară crearea unei relații între mass-media și structurile implicate în criză sau în conflict, care să aibă la bază stabilirea unor strategii menite a diminua efectele negative asupra securității.

În contextul prezentării rolului structurilor mediatice în prevenirea conflictelor, am introdus un nou concept, jurnalismul de prevenire a conflictului. Această nouă paradigmă jurnalistică este necesară pentru a contribui la prevenirea conflictului, deoarece rolul media în prevenirea conflictelor este foarte puțin cercetat.

Jurnalismul de prevenire a conflictului este într-o perioadă de pionierat, studiile existente axându-se cu precădere pe aspecte legate de rolul mass-media în conflict. Rolul structurilor mediatice trebuie evidențiat și conștientizat, atât pe perioada derulării conflictului și în perioada post-conflict, dar mai ales din perspectiva prevenirii crizelor și a conflictelor.

Nicoleta-Annemarie Munteanu

Componenta mediatică a conflictelor militare

Nicoleta-Annemarie Munteanu

Componenta mediatică a conflictelor militare

TechnoMedia

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"ROMANIAN COCKADES OVER CZECHOSLOVAKIA"
("Rumunské kokardynad Československom")
Authors: Martin Cibula, Peter Kaššák, Radovan Frait

Abstract:	*In December 2019, at Degart Publishing House s.r.o., the work "Romanian Cockroaches over Czechoslovakia" appeared in Slovak, which refers to the participation of the Romanian Royal Air Force (Romanian Air Corps 1) in the campaign for the liberation of Czechoslovakia from December 21, 1944 to May 8, 1945. The authors present in detail the list of losses from the turn of the Romanian pilots and the aids in fighter planes, provided by the aircraft factory from Braşov, to Slovakia. The book is the only complete publication in the world, with the most extensive material on the inVol.vement of Romanian military aviation in this stage of the war.* *The work fills a gap in Slovak, Czech or Romanian historiography.*
Keywords:	**Romanian Royal Air Force; campaign for the liberation of Czechoslovakia; military documents; archive documents; military operation on the Moravian-Slovak border; losses among Romanian pilots**
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In December 2019, at Degarts.r.o., the attractive and much-needed documentary publication mentioned above has gone out of print. He completed a gap in Slovak, Czech (and Romanian) historiography, as it maps in an original way the participation of the Romanian Royal Air Force (Romanian Air Corps 1) in the campaign for the liberation of Czechoslovakia from December 21, 1944 to May 8, 1945. The book is based on Romanian and Czechoslovak military documents and archive documents. However, the authors were not satisfied only with the mentioned sources, but supplemented them with other German ones, with memoirs and publications belonging to Romanian, Czech, Slovak and German historians and memorializes. The appendix of the book includes, among others, illustrations of fighter jets that operated over Czechoslovakia, including German and Romanian aircraft (IAR-80M No.111 Group 2 Hunting). As a curiosity, we mention that the aircraft factory in Braşov, which produced engines for its own aircraft, also supplied engines to its small ally, the Slovak State.

The authors also present in detail the list of losses among Romanian pilots (pp.202-205). The book, which has 206 pages plus color annexes (in A4 format), is not limited to the description of the planes, or the listing of the individual Romanian squadrons; but it also maps in detail each air battle, whether it is bombing (with German, Romanian and Soviet planes), or reconnaissance flights and air duels.

So far, "Romanian Cockroaches over Czechoslovakia" is "the only complete publication in the world, with the most extensive material on this stage of the Romanian Air Force battles" (p.5).

The Romanian air force operated over Czechoslovakia in coordination with the Soviet ones. However, the Romanian planes did not fly in formation with the Soviet planes. Of course, if the situation required it, they attacked together in larger combat operations, for example over Zvolen and its surroundings.

The individual attacks are described in detail - even the unfortunate operation on the Moravian-Slovak border, where Soviet and Romanian aircraft bombed the alleged German trenches, given that the Soviet ground troops had already conquered them. So the bombs fell on theirs ... in vain the Soviet soldiers waved white flags. It was an ordinary deception tactic ... and the Soviet pilots did not fall prey to it. We only add that the incident was not even investigated, because the Soviet infantry units announced the conquest of the German trenches too late.

The numerous vintage photographs of commanders and aircrews, which were preserved, represent a huge contribution even if, in some cases, the protagonists could not be identified. For the sake of completeness, we state that there are over 300 photos in the book (sic!). The authors also included a table with the hierarchy of ranks in military aviation, from "soldier" to "marshal".

In this context, it would certainly be useful to translate this valuable documentary publication into Romanian. Romanian translators, living historians or memorializes, or veteran Romanian aviators would certainly bring it additions.

On page 191 are listed, among others, the names of private individuals (in addition to the extensive and worthy of all esteemed sources on p.191 and 192) who contributed, in one way or another, to the enrichment of the book's content. Among them are Romanian names: Mihail Pica, Dan Antoniu, Alexandru Arma, Eugen Dorin.

In conclusion, we express not only our gratitude, but also our admiration for the authors of the publication, which composed an extremely valuable work. Not only did it fill a gap in Slovak, Czech or Romanian historiography, but it also paid homage to both fallen and surviving heroes.