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Migration Dynamics and New Trends in European (In)Security Conference Proceedings 2019

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FEAR OF "OTHERS"? PROCESSES OF SECURITIZATION IN SOUTH TYROL

Andrea Carlà[1]

ABSTRACT:
SITUATED AT THE INTERPLAY BETWEEN THE FIELD OF ETHNIC POLITICS, MIGRATION AND SECURITY STUDIES, THIS ARTICLE ANALYZES PROCESSES OF SECURITIZATION IN SOUTH TYROL, AN ITALIAN PROVINCE WITH GERMAN AND LADIN-SPEAKING POPULATIONS AND A SOPHISTICATED CONSOCIATIONAL SYSTEM TO PROTECT THEIR CULTURAL FEATURES. SINCE THE 1990S, THE PROVINCE WITNESSED THE ARRIVAL OF MANY MIGRANTS FROM FOREIGN COUNTRIES. SCHOLARSHIP ON SECURITIZATION HAS TENDED TO REPRODUCE KYMLICKA'S DYCHOTOMY BETWEEN ETHNIC/IMMIGRANT GROUPS AND NATIONAL MINORITIES; WHEREAS MANY SCHOLARS FOCUS ON THE SECURITIZATION OF MIGRANTS AND MIGRATION, OTHER RESEARCH APPLIES THE CONCEPT TO THE POLITICS OF ETHNO-NATIONALISM. DEPARTING FROM THIS DICHOTOMY, I CONSIDER CULTURAL DIVERSITY ITSELF, RATHER THAN A SPECIFIC COMMUNITY, AS THE TARGET OF SECURITIZING MOVES. WITH THIS FRAMEWORK, THE ARTICLE ANALYZES TO WHAT EXTENT, HOW AND ON WHAT TERMS SECURITIZATION DYNAMICS HAVE UNFOLDED IN SOUTH TYROL VIS-À-VIS THE PRESENCE OF CULTURAL DIVERSITY AND DIVERSE CULTURAL COMMUNITIES IN THE PROVINCE, WHETHER HISTORICALLY ROOTED OR DERIVING FROM RECENT MIGRATORY FLOWS. TO CONDUCT THE ANALYSIS, I ADOPT THE COPENHAGEN SCHOOL'S UNDERSTANDING OF SECURITIZATION AS A SPEECH ACT. I USE A QUALITATIVE METHODOLOGY FOCUSED ON ANALYZING DISCOURSES THAT EMERGED IN PARTY PROGRAMS AND POLITICAL SPEECHES. IN THIS WAY, THE ARTICLE AIMS TO BRING TO LIGHT HOW DIFFERENT FEATURES OF CULTURAL DIVERSITY BECOME TARGETS OF SECURITIZING MOVES AND HOW DISTINGUISHED PROCESSES OF SECURITIZATION INTERACT OVER TIME.

KEY WORDS: SECURITIZATION, SOUTH TYROL, NATIONAL MINORITIES; MIGRANTS

INTRODUCTION

The presence of culturally diverse 'others' remains an enduring test in many EU countries. Some states struggle to recognize and/or implement minority rights whereas even highly protected minorities might provoke schismatic tensions. Migrant inclusion is a challenge for many countries as shown by the retreat from multiculturalism and the concerns regarding Muslim migrants and the risk of radicalization. In this context, the concept of securitization, developed in Security Studies, is a powerful analytical tool that brings attention to what extent and under what circumstances minorities and culturally diverse 'others' are constructed as a threat and to what extent

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institutional/legal/political instruments of minority accommodation address processes of securitization. The past decades have seen several publications that applied securitization to minority issues. Though informative, this scholarship presents some limitations, *in primis* the distinction between works focusing on "old" national minorities and research on "new" communities stemming from recent migratory flows,[2] as well as an excessive focus on a master narrative securitizing a specific minority.

This article contributes to this line of research, combining the fields of ethnonational politics, migration research and security studies. Defining securitization as the process through which cultural diversity itself, rather than a specific community, is presented as a threat, I analyze the unfolding of processes of securitization in the Italian province of South Tyrol. Characterized by a German-speaking population, a small Ladin minority and a complex system of measures to deal with their cultural features and resolve past ethnic tensions, in the last decades South Tyrol witnessed the arrival of many people migrating from foreign countries. Thus, the province epitomizes the example of a highly diverse society, in which to analyze how processes of securitization vis-à-vis both old and new minorities develop. Using the Copenhagen School's understanding of securitization as a speech act, I conduct a qualitative analysis of political discourses, focusing on the electoral programs elaborated by South Tyrolean political parties for the last 2019 Provincial election. The analysis builds a more balanced account of securitization processes, revealing the variety of such processes and concentrating attention on unexamined linkages among securitizing moves targeting diversity as it relates to the presence of old and new minorities.

The article is divided in three parts. First, after providing a brief analysis of studies of securitization, in particular of its application to minority politics, I highlight my specific understanding of the process of securitization and the methodology used in the analysis of South Tyrol. Second, I provide an historical-institutional account of South Tyrol and current demographic data concerning cultural diversity in the province. Then, I analyze processes of securitization as emerge in recent South Tyrolean parties' program and in the conclusion, I compare the parties' discourses and discuss future lines of research.

SECURITIZATION AND ITS APPLICATION TO MINORITY POLITICS

Developed in the 1990s within the field of Security Studies, the concept of securitization has become a common analytical tool, applied in several academic fields in social science, including politics concerning minority communities (both old minorities and new migrant communities). As developed by the so-called Copenhagen School of Security Studies, securitization refers to the process through which an issue is considered as an "existential threat, requiring emergency measures and justifying actions outside the normal bounds of political procedure".[3] This is a constructivist understanding of securitization where this process does not refer to an objective state and the existence of a real existential threat; rather an issue is securitized because it is presented as a threat.

Thereafter, scholars have long debated how and where processes of securitization unfold as well as the context and conditions behind such processes. In the original formulation of the Copenhagen School, the process of securitization is a "speech act" developed in political discourses, according to which "by saying the words, something is done".[4] In addition, the securitizing speeches need to be accepted and endorsed by a public audience. Other scholars, including the so-called Second Generation of securitization analysts, have elaborated a sociological variant to understand processes of securitization, highlighting the role of historical narratives, social and legal practices,

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[2] For the distinction old/new minorities see Roberta Medda-Windischer, "Integration of Old and New Minorities: Beyond a Janus-faced Perspective," *European Yearbook of Minority Issues* 14 (2017).

[3] Barry Buzan, Ole Wæver and Jaap de Wilde, *Security. A New Framework for Analysis* (Boulder and London: Lynne Rienner Publishers, 1998), 23

[4] Buzan, Ole Wæver and de Wilde, *Security*, 26.

social, cultural and political contexts, public images, media, institutions and physical acts.[5] Finally, scholars of the so-called Paris school of Security Studies apply Foucauldian bio-politics to argues that the process of securitization is the outcomes of a series of acts that make up everyday practices used to govern our society and order the life of people, such as prevailing rationalities of governance, methods of social control and surveillance technologies used in specific loci of power.[6] All these approaches are not mutually exclusive but rather show different dynamics through which processes of securitization could happen.

The concept of securitization has been applied, in all its various understandings, to numerous specific perceived security problems concerning minority politics. This scholarship development has tended to reproduce Kymlicka's dichotomy between ethnic/immigrant groups and national minorities, since scholars have addressed processes of securitization vis-à-vis these two segments of the population separately.[7] Indeed, one strand of research has focused on processes of securitization concerning migration, showing how various segments of the migrant population (from undocumented migrants to asylum seekers to second/third generations) have been framed in political discourses, media or government practices as a threat to states' cultural identity and/or their political, economic and welfare systems.[8] Another strand of research has instead brought the securitization concept in studies on ethnic conflict and politics of ethno-nationalism, showing how specific national minorities, like Palestinian citizens of Israel, have been securitized thought legal and policy documents.[9]

These studies offer new perspectives that advance our understanding of minority issues, concentrating attention on contingent processes and unexamined linkages. Indeed, they problematize the dynamics through which there develop negative connotations concerning the presence of minorities, providing a better sense of how to comprehensively deal with diversity and encourage peaceful co-existence among majority and new/old minority communities. Furthermore, the concept of securitization explains why discriminatory practices persists; indeed, illiberal practices are justified and accepted because ethnicity is articulated as a matter of security.[10]

At the same time, these studies enrich our understanding of securitization processes. According to Gromes and Bonacker, securitization has three main components. First, it consists of a narrative claiming an existential threat to survival and requiring exceptional measures. Second, it implies the adoption of an emergency mode and extraordinary actions beyond normal politics. Third, it has effects on the relations between involved units (the referent object, namely what should be protected, and the perceived threat) through exceptional measures targeting the supposed threatening entity.[11] When the concept of securitization is applied to minority issues, the second component loses its importance; indeed, minority members can be the target of exclusionary and illiberal measures enacted through democratic decision-making process and liberal procedures.[12] Instead, in the field of minority, another key component of securitization is highlighted, namely the fact that it has an identity element and exclusionary effects. Indeed, processes of securitization foster a friend-enemy distinction, shaping the boundaries of the communities, i.e. the group to be secured, the threatening groups as well as who is an insider and who is an outsider.[13] Consequently, the process of

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[5] Thierry Balzacq (ed.), *Securitization Theory: How Security Problems Emerge and Dissolve* (London: Routledge, 2011); Matti Jutila, "Securitization, history, and identity: some conceptual clarifications and examples from politics of Finnish war history," *Nationalities Papers* 43:6 (2015).

[6] Didier Bigo, "Security and Immigration: Toward a Critique of the Governmentality of Unease," *Alternatives* 27 (2002).

[7] Will Kymlicka, *Multicultural Citizenship* (Oxford: Clarendon Press, 1995), 10.

[8] Jef Huysmans, "Migrants as a security problem: dangers of 'securitizing' societal issues," in *Migration and European Integration*, ed. Robert Miles and Dietrich Thränhardt (London: Pinter Publishers, 1995).

[9] Ronnie Olesker, "National Identity and securitization in Israel," *Ethnicities* 14:3 (2014).

[10] Olesker, "National Identity," 376, 387.

[11] Thorsten Gromes and Thorsten Bonacker, "The concept of securitization as a tool for analyzing the role of human-rights-related civil society in ethno-political conflicts," *SHUR Working Paper Series* (2007).

[12] Dimitrios Skleparis, "Studying the 'migration-security nexus' in Europe: Towards which end of the 'nexus'" (paper presented at UACES Student Forum 12th annual conference, Guildford, June 30-July 1, 2011).

[13] Andrea Carlà, "From security considerations to de-securitising the discourse on 'old' and 'new' minorities," in *Extending Protection to Migrant Populations in Europe*, ed. Roberta Medda-Windischer et al. (London: Routhledge, forthcoming).

securitization is exclusive in two ways: first, the other is presented as evil and as the villain; and second, within the group to be secured, those who do not fit are marginalized.[14]

The scholarship, however, presents some limitations. First of all, the schism between these two strands of research is unfortunate because "old" and "new" minorities present similar features and dynamics when it comes to processes of securitization; thereby potential connections and insights are missed.[15] Indeed, behind processes of securitization of new or old minorities, lies the same diversity conundrum, namely the fact that, in Toivanen's words, it is "the recognition of diversity" and "of being different" that is actually missing.[16] Furthermore both strands of research tend to focus on a master prevalent narrative that present processes of securitization that target a specific minoritarian community. In this way, as pointed out by Bilgic, the research "does not reflect the pluralism of the politics of security;" instead, the politics of security involves multiple actors and there are alternative discourses, ideas and practices embedded in the polity, which remain ignored.[17] Furthermore, by focusing on minorities as the target of processes of securitization, a dichotomy is created between the 'good' victimized minority, which should be protected by such processes, and the 'bad' state authority/majoritarian community, which is the perpetrator, the securitizing actor. However, minorities themselves can initiate processes of securitization.

In this regard, some scholars, rather than focusing on processes of securitization that target a specific minority, have examined this process in regards to ethnic tensions/conflicts, like former Yugoslavia, looking at how all parties involved in tensions/conflicts act as securitizing actors.[18] Along these lines, I define securitization as the process through which cultural diversity itself and the presence of several cultural communities (rather than a specific cultural minoritarian group) is ethnicized, in the sense that is perceived in prevalently exclusionary forms centered on a 'we vs. them' dichotomy, implying homogenous entities in conflictual oppositions that requires extraordinary measures to be securitized; in this way diversity is identified as a supposed threat to state's survival, as well as to the well-being of communal entities and their individual members.

In the following pages, I analyze whether and how such processes of securitization are present in today South Tyrolean society. With its past of ethnic tensions, its current situation of successful peaceful cohabitation and the recent inflow of foreign migrants to the province, it is an ideal case to examine whether and in what forms processes of securitization emerge and intersect. To conduct the analysis, I adopt the Copenhagen school's approach that considers securitization as a speech act, focusing on political discourses, and in line with Bilgic's suggestion I consider the discourses of a variety of political actors. Specifically, I consider the political discourses of all the political parties elected in the Provincial Council in the last 2019 provincial election, conducting a critical discourse analysis of their electoral programs. In the analysis I focus on the following elements: 1) the "foregrounding," namely "the prominence given to parts of a text, either by their physical placement or size or by the emphasis given them through word choice or syntactic structure;" 2) the "background," i.e. the "taken-for-granted, usually implicit, elements against which new elements are to be understood by the listener or the reader;" 3) the use of specific "codes," which consist in a "polarized scheme, dividing the world according to a meaningful distinction"; 4) the "narrative," namely "the report of connected events, real or imaginary, presented in a sequence."[19] When necessary and possible,[20] the analysis is enriched by insights from previous political speeches, examined in previous research conducted by the author. Before proceeding with the analysis, I

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[14] Jutilia, "Securitization," 938.

[15] Carlà, "Security considerations."

[16] Reetta Toivanen, cit. in Carlà, "Security considerations," 171.

[17] Ali Bilgic, *Rethinking Security in the age of Migration* (New York: Routhledge, 2013), 6.

[18] Niels van Willigen, "From nation-building to desecuritization in Bosnia and Herzegovina," *Security and Human Rights* 2 (2010).

[19] Giuseppe Sciortino, "Critical discourse analysis" (presentation Bolzano, March 19, 2019).

[20] Some South Tyrolean parties are new and thereby previous political discourses are not available; other parties are small and changes in the leadership does not allow continuity in the analysis of parties' political discourses.

present a brief historical-institutional account of South Tyrol as well as demographic data reflecting the degree of diversity in the province.

SOUTH TYROL: HISTORICAL-INSTITUTIONAL BACKGROUND

Part of the Habsburg Empire and mainly inhabited by German-speakers and a small Ladin community, South Tyrol was annexed to the Italian state after the First World War. A few years later, Mussolini Fascist government started a program for the Italianization of South Tyrol. This included, for instance, the prohibition of the use of the German language in public spaces, the closure of German-language schools and newspapers, the Italianization of names, and the substitution of local administrators with personnel from other parts of Italy. Furthermore, the fascist government built several industries to attract Italian migrant workers. In this way, the Italian population grew from 7,000 people in 1910 to more than 100,000 in 1943. In 1939, Hitler and Mussolini signed the so-called Option Agreement, which gave South Tyroleans the choice between emigrating to the Third Reich, or remaining in South Tyrol and accepting the Fascist Italianization program. Consequently, 86 percent of South Tyroleans voted for leaving; but because of the Second World War, only 37% actually left. After the war, Italy and Austria signed an agreement with which the Italian government committed to provide some forms of protection and political autonomy to the German-speaking inhabitants. However, the government in Rome poorly implemented the agreement. Meanwhile Italian immigration continued, and in this regard a securitizing speech developed. Indeed, the expression *Todesmarsch* started to be used to refer to the 'march to death' taken by the German speaking community, which – this was the fear – was becoming a minority in its own land and would soon be extinct. Ethnic tensions emerged from the late 1950s to the 1970s, with separatist activists targeting symbols of the Italian state. In 1972, the Italian State enacted the so-called Second Autonomy Statute, which provided for additional measures to protect the German and Ladin population and led to the settlement of the conflict.

The Second Autonomy Statute consists of a sophisticated power sharing system that combines an extensive territorial autonomy for South Tyrol, where the German-speaking population is the majority, with measures of corporative consociationalism. The main measures are: proportional representation of the linguistic groups in legislative and executive government bodies of the province; the so-called ethnic proportion, i.e. the distribution of public employment and public resources among the linguistic groups in proportion to their numerical strength, as measured through a declaration of linguistic belonging/affiliation released at the time of the census; mandatory bilingualism of public signs and public officers; and education in the mother tongue, implemented through three separate school systems.

The system has guaranteed peaceful cohabitation within the South Tyrol population, which in the last 2011 census consists of 69.4% affiliated to the German-speaking group, 26.1% to the Italian-speaking group and 4.5% to the Ladin group. Whereas the Second Autonomy Statute provided groups with a feeling of protection and encouraged elites' interethnic collaboration and mutual trust, at the same time it maintains some divisions between the linguistic groups in aspects of social/political life, since each group has created its own structures like political parties, associations and mass media and social contacts between groups are limited.[21] However, in the past decade there have been improvements in terms of increasing interethnic interaction and cooperation in the civil society.[22]

Moreover, the South Tyrolean autonomy no longer matches the changing demography of the territory. On the one hand, it does not take into account the increasing number of bi- or plurilingual raised people, estimated to be around 25,000- 35,000 people. On the other hand, it does not consider that since the mid-1990s South Tyrolean society has become more diverse due to the arrival of many migrants from foreign countries. Foreign migration in South Tyrol started to become relevant with

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[21] Joseph Marko, "Is there a South Tyrolean 'Model' of Conflict Resolution to be Exported?" in *Tolerance through Law*, ed. Jens Woelk et al. (Leiden: Martinus Nijhoff Publisher, 2008).

[22] Günther Pallaver, "South Tyrol's changing political system: from dissociative on the road to associative conflict resolution," *Nationalities Papers* 42:3 (2014).

the turn of the century. At the end of 2018, 50,333 migrants from more than 130 countries lived in South Tyrol, representing 9.5% of the total population. One third of these migrants came from European Union countries, another 30% from other European countries, 19.3% from Asia, and 14.1% from Africa. The main nationalities are Albanian (5,767 / 11.4%), German (4,500 / 8.8%) and Moroccan (3,650 / 7.2%), followed by Pakistani (3,550 / 7.0%) and Romanian (6.6%).[23] In addition, in the past years South Tyrol witnessed the arrival of asylum seekers, mostly from countries in Central Africa as well as Iraq, Afghanistan, Pakistan and Bangladesh, which amount to around 1400 persons.[24] In this context, South Tyrol is along the path of many people in transit attempting to reach Central and North-European countries through the Brenner Pass. In their attempt to pass the border, some have ended up in Bolzano/Bozen, South Tyrol's main city, as undocumented migrants.

It should be noted that, under the Italian administrative framework, the South Tyrolean provincial government has responsibilities over several areas that concern the accommodation/inclusion/integration of migrant residents (i.e. social services, health services, social housing, and education), whereas the central state has authority over the control of the border, citizenship, political rights, asylum and refugee status. In 2011, the Province enacted a specific law to regulate the process of integration of the migrant population in South Tyrol. However, as in the rest of Italy and other European countries, the recent arrival of asylum seekers, with the related focus on undocumented migrants, has, in part, hijacked the public and political debate in matter of migration.

SECURITIZATION PROCESSES IN SOUTH TYROL PARTY PROGRAMS

As shown above, South Tyrol is a highly complex and diverse society. In the following pages, I analyze how the topic of diversity, of both the German/Italian/Ladin linguistic groups and the new minorities stemming from foreign migration and recent flux of asylum seekers, is discussed in the electoral programs of the parties elected in the last 2019 provincial elections. The analysis highlights whether and on what terms diversity and the presence of diverse communities are the target of processes of securitization. The parties analyzed are: the Südtiroler Volkspartei (SVP), the Lega, Team Köllensperger, Verdi-Grüne-Vërc (Green party), Partito Democratico (PD), Movimento 5 Stelle (M5S), Die Freiheitlichen (dF), Süd-Tiroler Freiheit (SF), and L'Alto Adige nel Cuore Fratelli d'Italia Uniti.

The SVP is a catch all party that has traditionally represented the German (and Ladin)-speaking population and has dominated the South Tyrolean political landscape since World War II. In the 2019 election, this Christian-oriented center political force received 41,9% of the votes and 15 representatives. Following the 2019 election it governs together with the Italian-speaking Lega, as mandated by the South Tyrolean consociational system. The Lega is a national party with, today, a populist anti-migrant and EU sceptic agenda. Historically the party has never been particularly strong in South Tyrol, but saw an exploit in the last election among the Italian-speaking population, receiving 11.1% of the votes and gaining 4 representatives. The Lega took the place in the local government of the national center-left PD, which in the last election confirmed its decline, receiving 3.8% of the votes and one representative. The main opposition party is Team Köllensperger, a newly founded local party that split before the election from the Italian populist party M5S. It saw a great electoral success, receiving 15.2% of the votes and six mandates, whereas the M5S got 2.4% and one representative. Since the 1990s, the Verdi-Grüne-Vërc is a stable force in South Tyrol political landscape, proposing an interethnic and environmental political agenda. In the last election, it received 6.8% of votes and three mandates. The dF, which is inspired by the national-liberal ideology of the Austrian Freiheitliche Partei Österreichs, and the SF are German right-wing nationalist parties that have in their political agenda the independence and self-determination of South Tyrol. After growing for years, in the last election they experienced a setback obtaining respectively 6.2% and 6% of the votes and two representatives each. On the other side of the linguistic spectrum, L'Alto Adige

[23] ASTAT, "Popolazione straniera residente 2018," *AstatInfo* 30 (2019).
[24] Provincia Autonoma di Bolzano and EURAC Research, "Richiedenti asilo e rifugiati in Alto Adige" (2017).

nel Cuore Fratelli d'Italia Uniti is a coalition of Italian-speaking right-wing nationalist parties that received 1.7% of the votes and one representative.

The analysis is organized in three sections: government parties (SVP and Lega), Italian or German right-wing parties (dF, SF, and L'Alto Adige nel Cuore Fratelli d'Italia Uniti), and other opposition parties (Team Köllensperger, Green, PD and M5S).

Government parties

The program of the SVP restates the role that the party has given to itself as the protector of South Tyrol and the German and Ladin-Speaking groups and the party of the autonomy system that has provided their protection. Indeed, the program emphasizes the concept of the "homeland South Tyrol," which is the title of the first section of the program, and the terms "customs," "traditions," "language," and "culture" are mentioned and highlighted in bold in the first section.[25]

The program reflects two main assumptions of the SVP vision. First the idea that in South Tyrol there are three linguistic groups that are internally homogenous and externally well distinct. For the (German and Ladin-speaking) linguistic groups language and culture play a key role since they are the "core" of the identity, the "epitome" of the feeling of home; along the same line customs and traditions are extremely important, since "our customs are an integral part of our lives and determine our everyday life."[26] In this regard, as emerged in other SVP policy document, groups should reinforce their culture before interacting.[27]

Second, the SVP program assumes a defensive attitude. The primary focus is on the need to protect the German and Ladin-speaking groups and their language and culture. This task is presented as a duty and as occupying the party's central concern. Thus, the assumption is that there might be some kind of danger for the German and Ladin-speaking population, though what this danger might be is not explicit. In any case, this danger does not refer to the Italian-speaking group and cultural diversity, which are not seen as a problem or threat. It is interesting to notice that the Italian-speaking group is actually never mentioned directly, but only indirectly in regard to the coexistence of the three linguistic groups, which is peaceful thanks to the autonomy system, in which the ethnic proportion and mother tongue education are indispensable keystones to preserve the identity of the German and Ladin speaking group.

The peaceful coexistence is assumed to be in danger as well, but in this case the threat is well specified. It is "migration movements of recent years" which "have posed great challenges to this orderly coexistence," though the program does not spell out why migration is a challenge.[28] In this way, migration comes to be securitized in the SVP program. This securitizing move is highlighted by the fact that migration is addressed with the topics of coexistence and security within the section on "living together." In this regard, in the past, the SVP has voiced a demographic fear against the risk of foreignization and more recently pointed out the concern that migrants have integrated mainly in the Italian-speaking group. However, it should be noted that, in previous political discourses, the SVP expressed an ambivalent position toward migration, considering it an economic necessity and rejecting xenophobia but at times embracing populist arguments against migrants, especially from Muslim countries, stressing that migrants should learn the local language and culture while supporting the idea/practice of limiting their access to some social benefits so that migrants will not be a burden for South Tyrolean welfare.[29] Among measures proposed by the SVP to deal with migrants, the program highlights that they must adapt, following the rules, and respect and adhere to South Tyrolean values, which are rooted in the "Christian and humanist" tradition.[30]

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[25] Südtiroler Volkspartei, "Stabil. Stark. Südtirol!" (October 21, 2018), 8-11. Author translation.
[26] Südtiroler Volkspartei, "Stabil," 10. Author translation.
[27] Andrea Carlà, "Tensions and Challenges between New and Old Minorities: Political Party Discourses on Migration in South Tyrol," in *Migration in Autonomous Territories. The Case of South Tyrol and Catalonia*, ed. Roberta Medda-Windischer and Andrea Carlà (Leiden-Boston: Brill, 2015), 74.
[28] Südtiroler Volkspartei, "Stabil," 21. Author translation.
[29] Carlà, "Tension," 75-77.
[30] Südtiroler Volkspartei, "Stabil," 21. Author translation.

To conclude the analysis, the SVP program offers two binary codes, dividing the society into a clearly polarized scheme. On the one hand, there is the contraposition of "our" (of the German and Ladin-speaking population) language/culture/customs vs those of others, but these others are actually never mentioned. On the other hand, there is a positioning of "our" (South Tyrolean Christian) values vs. the values of migrants.

Moving to the SVP government ally, the program of the Lega confirms its role as a party with a strong populist anti-migrant agenda, which in previous political discourses presented itself as the defender of Christian and Western values against foreigners, especially Muslim migrants.[31] Though migration appears in the program as only in the fifth of six sections, the topic acquires further relevance since it appears and is discussed mainly in negative terms in other sections. The program takes for granted that migrants are in a privilege position and takes advantages of the situation whereas the Italian population is at a disadvantage. In addition, it hints that migrants are taking over society, for instance, pointing out that in schools "our" children "feel like foreigners in their own home."[32] Based on two overlapping binary codes: Italians vs. foreigners and/or asylum seekers; and autochthonous South Tyroleans vs. non-autochthonous (mainly foreigners), the narrative of the Lega clearly securitizes migration and links it with security issues. Indeed "immigration and security" is the title of one of its sections. The program points out how migration and migrants threaten society in several ways, for example highlighting the violence and crimes committed by asylum seekers and arguing that the presence of migrant pupils in schools "hinders the education of our children!" and their future.[33] In response to these threats, Lega proposes some drastic measures such as a curfew for reception centers of asylum seekers and limitations on their access to health services.

Besides migration-related issues, the program stands out for what is actually missing in its background. The topics of the relationship between the linguistic groups along with their coexistence as well as the autonomy system are almost never mentioned. The Lega's vision does not give any relevance to these matters, thus it seems to assume that cultural diversity in terms of the presence in South Tyrol of Italian, German and Ladin speaking groups is a normal feature of South Tyrolean society and does not raise any problems and contrapositions among groups.

Italian or German right-wing parties

As expected, the programs of SF and dF highlight the concept of independence, which is respectively the first and second topic of the programs. In this context, the SF program presents the South Tyrolean population as a unitary community that has no link whatsoever with Italy, as summarized in the slogans "We South Tyroleans are not Italians!"[34] Indeed, building on the dichotomy South Tyrol vs. Italy, both programs present the Italian state as a threat because belonging "to Italy has made us politically and economically dependent" and "as long as South Tyrol is part of Italy, developments that endanger the survival of the German and Ladin minorities can never be ruled out."[35] Among the various ways in which Italy endangers South Tyrol, the dF program lists the risks that the autonomy will be eroded, that the mother-tongue education will be questioned, as well as citing the Italian State's public debt, its bureaucracy, its tax burden and the ongoing absence of legal certainty that taken together endanger South Tyrolean economy.

This negative understanding of the Italian State does not extend to the Italian-speaking population in South Tyrol. Though using a dichotomy South Tyroleans/Tyroleans vs Italians, the program of the SF does not mention the Italian-speaking community. Thus, it is not clear how the party sees cultural diversity and the presence of different linguistic groups in the province. Instead, in the program of dF, all three linguistic groups would be part of the South Tyrolean people in an independent South Tyrol, overcoming thinking in terms of majority and minority. The party has,

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[31] Carlà, "Tensions," 91.
[32] Lega, "Domenica Ottobre 21. Il Programma," 3. Author translation.
[33] Lega, "Domenica," 4. Author translation.
[34] Süd-Tiroler Freiheit, "Programm der Süd-Tiroler Freiheit für die Landtagswahl 2018," (2018), 1. Author translation.
[35] Süd-Tiroler Freiheit, "Programm," 1; Die Freiheitlichen, "Das freiheitliche Wahlprogramm zur Landtagswahl 2018," (2018). Author translation.

indeed, a positive understanding of the presence of different (German, Ladin, Italian) groups in the province, considering their presence an opportunity "to act as a bridge between the German and Italian cultural and economic areas, offering our homeland and its people prosperity, quality of life and great opportunities."[36] However, this is the case only as long the groups and their culture remain distinct and are preserved, especially through the maintenance of a distinct education system, avoiding an "egalitarian uniformity porridge."[37] Thereby dF, like the SF party, opposes the creation of mixed schools and sustains the need to preserve the German features of German schools, like measures to maintain a high percentage of German-speaking pupils. Behind these statements, lies the fear that mixed school classes will slowly bring about assimilation into the Italian-speaking group.

Together with the Italian state, both party programs highlight and securitize the topics of migration, assumed to be a threat to South Tyrolean society. Immigration is the third topic addressed in the SF program, under the title section "Immigration: We don't want over alienation!" whereas in the program of dF the first section is entitled "Migration needs control, so that South Tyrol remains (our) homeland."[38] Among the threats that migration represents for South Tyrol, for example, SF links it to anticriminal measures, whereas dF points out things such as that immigration reduces the level of education in South Tyrolean schools and brings new old diseases. Furthermore, in the past, both parties connected the fear towards migration to its effects on the relations between South Tyrolean linguistic groups, stressing the need to prevent that "today's migrants become tomorrow's Italians," shifting the ethnic balance; thought dF speeches usually reflect more common xenophobic arguments that highlight the social, economic and cultural problems caused by migration.[39] To deal with migration the parties propose measures such as the denial of residence for immigrants without proof of identity and limits to migrants' access to social benefits, and stress that migrants should adapt to the South Tyrolean way of life and traditions.

However, in the SF's program, the threat posed by migration is subsumed by the threat posed by the Italian state, which determines which and how many foreigners come to South Tyrol. Instead, according to dF, not all migrants are seen in negative terms. Building on a dichotomy good migrant vs bad migrant, the party program invokes a migration "compatible with the special ethnic structure of the territory, the cultural characteristics of South Tyrol, the needs of the South Tyrolean economy and the social structure."[40]

On the other side of the linguistic spectrum but with a similar ideological stance, the analysis of the program of Alto Adige nel cuore/Fratelli d'Italia Uniti is limited because the coalition adopted only a short program in bullet points.[41] The coalition represents what is left of a strong tradition in South Tyrol of post-fascist nationalist political forces, which appealed to the Italian linguistic group and aimed at protecting the interests and rights of the Italian-speaking population against the South Tyrolean measures that protected the German-speaking group. Alto Adige nel cuore/Fratelli d'Italia Uniti inherited this role, though there is a de-emphasis of the conflictual aspects of the relationship between the Italian-speaking and German-speaking groups and there is no longer any questioning of the salient elements of South Tyrol Statute of autonomy.

The political coalition presents itself as the defender of the role of the Italian-speaking group in South Tyrol. The assumption in the program is that the Italian-speaking group has a diminished status in South Tyrol. The coalition's narrative is, thus, to give back to the Italian-speaking group "dignity" and the right to be treated as equal inside the South Tyrolean political autonomy.[42] It should be stressed that such position does not see the other linguistic groups and the measures to protect them as a danger. Instead, highlighted in bold, problems derive from the German-speaking right-wing

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[36] Die Freiheitlichen, "Wahlprogramm." Author translation.
[37] Die Freiheitlichen, "Wahlprogramm." Author translation.
[38] Süd-Tiroler Freiheit, "Programm," 2; Die Freiheitlichen, " Wahlprogramm." Author translation.
[39] Carlà, "Tensions," 82, 84.
[40] Die Freiheitlichen, "Wahlprogramm." Author translation.
[41] The program is actually a commitment to maintain specific positions when engaging, after the election, with other political forces in discussions to form the new provincial government.
[42] Alto Adige nel cuore/Fratelli d'Italia Uniti, "Patto prima del voto," October 19, 2018. Author translation.

parties, whose initiatives are presented as "a detriment to the cohabitation" among the linguistic groups.[43] Thereby, the program is shaped around the distinction between moderates vs German-speaking right-wing extremists.

Missing from this narrative is the topic of migration, which is not dealt with at all in the program. From an analysis of past political discourses of the local leader of Alto Adige nel cuore, A. Urzí, it seems that the party has a positive approach to migration. Connecting today's migration to the fact that many people in South Tyrol come from outside the territory, Urzì, has argued that any person can belong to South Tyrol, contributing to the heritage of the society. However, it is necessary that migrants integrate, in the sense that they understand and incorporate the rules, culture and values of the society.[44] More recently the party leader has embraced securitizing discourses vis-à-vis undocumented migrants. In a recent interview, he links the problem of criminality and that of undocumented migration and the fact that criminals have taken over public spaces from citizens and that the police cannot expel an undocumented migrant.[45]

Other opposition parties

Exhibiting some variation, other opposition parties present the most positive and non-securitizing discourses towards diversity related to both old and new minorities. The program of Team Köllensperger is available in Italian and German language and it should be noted that there are some discrepancies between the Italian and the German version. The program addresses in the second of its twelve sections the matter of cohabitation, highlighting (in the Italian version) the concepts of being "beyond differences" and working together.[46] The program assumes that bilingualism is an added value, but it is based on the idea that South Tyrolean institutions causes problems. In particular, separate schools are viewed negatively as dividing the society and taking away opportunities because "compulsory schooling to the sole option of the 'solid-colored' enclosure of the language group to which they belong will not make them (students) feel part of a community that is enriched by mutual differences, will not prepare them for the future and will not make them competitive."[47]

These assumptions are based in the rejection of codifying South Tyrolean societies in binary terms as composed by opposites. According to the program

> "'cohabitation' is an abused and especially outdated concept. 'Coexist' remind us that we are different, that there is an 'us' and there is a 'them,' two parallel universes that should tolerate each other, coexisting on the territory as separated at home … it is time to go beyond the fences to look forward together."[48]

Thus, the party reflects the desire to go beyond the distinction between the linguistic groups, since daily problems, like pollution, affect everybody. In this light, the party's narrative is centered on preparing South Tyrol for the future with measures such as plurilingual education with mixed classes to foster real bilingualism.

Noticeable this specific approach is missing in the German version of the program, which presents a different message. The German version stresses the concept of "living together" instead of "beyond differences."[49] It assumes that there are elements of frictions in South Tyrolean societies, but new generations might have a different perspective, in this way building on a dichotomy older people vs. young people, who have a different starting point. The program's narrative in German

[43] Alto Adige/Fratelli, "Patto." Author translation.
[44] Carlà, "Tensions," 87.
[45] "Intervista di Alessandro Urzì alla 'Tribuna Elettorale' andata in onda su TGR," October 19, 2018, accessed March 26, 2019, https://www.facebook.com/AltoAdigeNelCuore/videos/860629724326220/.
[46] Team Köllensperger, "12 punti per un Alto Adige moderno. Il nostro programma per le elezioni provinciali," accessed March 26, 2019, https://www.teamkoellensperger.it/it/il-nostro-programma/. Author translation.
[47] Team Köllensperger, "12 punti." Author translation.
[48] Team Köllensperger, "12 punti." Author translation.
[49] Team Köllensperger, "12 punkte für ein modernes Südtirol. Unser Programm für die kommenden Landtagswahlen," accessed March 26, 2019, https://www.teamkoellensperger.it/12_punkte_programm/. Author translation.

highlights the need of sharing ways of life, in particular through cultural events, and of learning other languages, stressing the role of families (rather than schools) to improve the coexistence among the language groups. In this way, whereas the party appeals to go beyond an understanding of South Tyrolean society as composed by different linguistic groups, the program of the party with its two different linguistic versions treats actually the linguistic groups as different entities with different needs and perspectives.

Instead, the issue of migration is treated in common terms in the German and Italian versions of the program. The topic is addressed in the fifth section of the program, and the key concepts highlighted are "solidarity," "control," "responsibilities," "integration," and "workforce."[50] Four main features emerge. First there is a strong distinction between refugees and economic migrants, underscoring the assumption that these categories of migrants should be addressed differently. On the topic of refugees, the program stresses their right to seek asylum and points out that South Tyrol should assume its responsibilities. Second, the program rejects the use of an emergency tone and securitizing discourses vis-à-vis migration since the current numbers are manageable. However, migration is seen as a potential problem and requires control because the capacities of integration of hosting countries are limited. Third, the program addresses non-refugee migrants exclusively in economic terms, stressing the needs of South Tyrolean economy. Fourth, the program sees refugees and labor migrants as part of South Tyrol, which "welcome and consider migrants as equal candidates for work and housing opportunities and as member of our society."[51] At the same time, the Team Köllensperger's narrative assumes that the process of integration is based on the will of migrants to integrate and it consists of a 'qui pro quo' dynamic, where migrants should respect fundamental values in exchange of access to labor market and all public services.

As its most successful spin off, the short bullet point program of M5S highlights the concept of "plurilingual school" and assumes that South Tyrolean schools create divisions.[52] In its narrative, M5S's consider bilingualism in positive terms, since it "is an opportunity, not an instrument of division" and it believes that "the language should be used to eliminate cultural and linguistic gaps that are present in this territory," for example through mixed classes.[53] The diversity brought by the migrant population is not included in this view. Instead the matter of migration is mentioned only under the topic "more security" (the ninth and second to last point of the program).[54] In this way, though in a more moderate tone, the party embraces the link between migration and citizens' insecurities and the dichotomy citizens/migrants. However, since the final goal is to better integrate migrants, the program seems to imply that the problem is not the migrant population itself but its numerical strength.

More than any of the other parties, the programs of the Green party and the PD reflect an interethnic and inclusive vision that aims at overcoming divisions in South Tyrolean society vis-à-vis the presence of both old and new minorities, centered on the concept of plurilingualism and plurilingual society. In the Green program, plurilingualism, together with "respect" and "solidarity" is the slogan, and its importance is restated in various sentences such as "plurilingualism as a way of life setting", and the fact that the program is completely bilingual (German and Italian).[55] The PD program highlights the concepts of multiculturalism, inclusive and especially plurilingual society several times and in various ways (i.e. bold and capital letters). Rooted in this vision, both parties consider that identities, though important, are not fixed, but are instead dynamic, and assume a positive understanding of diversity, rejecting a view of society divided along linguistic lines. The Green party "recognize(s) the value of diversity and the right to be oneself," "consider(s) precious the

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[50] Team Köllensperger, "12 punti." Author translation.
[51] Team Köllensperger, "12 punti." Author translation.
[52] Movimento 5 stelle, "10 punti per l'Alto Adige" (n.d.). Author translation.
[53] Movimento, "10 punti." Author translation.
[54] Movimento, "10 punti." Author translation.
[55] Verdi-Grüne-Vërc, "Grün bewegt/Spinta verde. Wahlprogramm Landtagswahl 2018/Programma per le elezioni provinciali 2018," (n.d.), 3-4. Author translation.

plurality of language" and "see(s) in interaction among various culture a great opportunity."[56] Instead, in the PD program, there is the awareness that differences in history and traditions of South Tyrolean groups can cause tensions, but they are mainly view as an opportunity of enriching encounters and common growth. Through awareness, understanding and mutual respect it is possible to avoid conflicts and learn to appreciate differences.

This vision does not regard exclusively the South Tyrolean linguistic groups, but includes as well the migrant population and its diversity. As stated in the Green program:

> "Plurilingualism and multiculturalism area an important asset of South Tyrol, enriched every day by persons coming from all over the world. This great variety represents an opportunity for change, enrichment and renewal."[57]

Indeed, as pointed out in previous party's discourses, migrants are an economic, social and cultural enrichment for South Tyrol and should be able to manifest their culture.[58] Along similar lines, the PD program rejects a dichotomy between locals vs. foreigners and provides a positive view of migrants, defined in terms of "new citizens" and considered "an integral part of South Tyrol's present and future" and the "strength of the new multicultural social texture."[59] Indeed, according to the PD the same modus operandi that works for South Tyrolean old diversity today favors migrants' integration.

In light of this understanding of diversity, both parties' narratives point out that there is something wrong in South Tyrol, linking the topic of migrant diversity with issues of autonomy and cohabitation among linguistic groups. The PD program presents the implicit message that South Tyrolean society is not yet truly inclusive and open. The autonomy system, though seen in a positive light in the past, is no longer adequate and should be reformed and "made suitable for a process of growth capable of seize all the opportunities of a plural history without limiting its potential;" indeed, "the Statute of Autonomy is to be understood and applied as a dynamic tool to protect and promote all language groups as well as new citizens."[60] Specifically, the PD focuses on measures to implement plurilingualism and trilingual education, consider a key element for cohabitation and transformation and the development of an open society. The Green program refers to increasing mental barriers; thereby it proposes a turnaround to open South Tyrol to the future. Building on the dichotomy 'openness vs closure', rather than dichotomies between communities of people, the party program argues that against "the risk of nationalism and racism" it is necessary "to develop a common territorial identity," foster a "plurilingual society" and develop "a good cohabitation among all linguistic groups, beyond the traditional ones" (i.e. Italian, German and Ladin).[61] Thus, the party proposes measures such as the establishment of a common plurilingual school, and the right to vote in provincial elections for migrants.

CONCLUSION

As shown in the above analysis, past securitizing moves towards the presence of old minorities have mostly disappeared from South Tyrolean political landscape. Though with some important differences, all South Tyrolean parties do not see old diversity as a threat, but rather in positive terms. If a threat is identified, it instead consists of the Italian state (dF, SF) extremist claims (Alto Adige nel cuore/Fratelli d'Italia Uniti) or the rigidity of South Tyrolean consociational mechanisms that hinder

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[56] Verdi-Grüne-Vërc, "Grün bewegt," 6. Author translation.
[57] Verdi-Grüne-Vërc, "Grün bewegt," 47. Author translation.
[58] Carlà, "Tensions," 93.
[59] Partito Democratico, "Alto Adige, insieme con fiducia. Progetto politico" (n.d.) 2, 4. The PD program presents as well a contribution from its political ally, Radicali Italiani. In this contribution there is a link between undocumented migration and insecurity. However, this link is does not develop in a securitizing move towards undocumented migrants. Instead the contribution aims at tackling illegality by facilitating residence permits and fostering legal channel of immigration, and facilitating increase intercultural mediators in schools.
[60] Partito Democratico, "Alto Adige," 2. Author translation.
[61] Verdi-Grüne-Vërc, "Grün bewegt," 41. Author translation.

intergroup interactions (Green, Köllensperger, PD, M5S). However, some securitizing aspects persist. Indeed, not all parties refute an exclusionary understanding of diversity and 'we vs. them' dichotomy, seeing diversity and interaction among cultures as an enrichment. Some parties, instead, maintain a vision of diversity as implying entities that are and should remain distinct and/or in potential competition (SVP, dF, SF, Alto Adige nel cuore/Fratelli d'Italia Uniti).

At the same time, with few exceptions (Green and PD), we can trace the development of processes of securitization of diversity related to recent migratory flows. Interestingly, in addition to the common cultural and social threats that are usually associated to migration in other contexts, in South Tyrol at times this process of securitization (or its absence) intersect with discourses concerning the coexistence of old minorities.

These speeches find some confirmation in South Tyrolean public attitudes as registered in public opinion surveys, used as a proxy to measure public acceptance of securitizing acts. Indeed, according to surveys, an increasing majority of the South Tyrolean population (77.9% in 2014) considers the presence of more linguistic groups in South Tyrol as an enrichment or as an enrichment under some conditions. 54.2% of the German-speaking population and 44.6% of the Italian-speaking population considered it an enrichment. Furthermore, without major distinctions among the linguistic groups, 72.6% of the population thinks that knowing one or more language is a personal enrichment and 45.7% see it as an advantage. Only a minority has negative attitudes, considering it a necessity (18.5%), useless (1.2%), and a threat to cultural identity (0.6%).[62] Concerning migration, according to a 2007 survey, for almost half of the South Tyrolean population, migration from non-EU countries is among the three main problems of the country. Furthermore in 2016, 48.9% of South Tyrolean think that increasing migration leads to the spread of terrorism and crime and 29.9% disagree with the statement that migrants' presence is positive because it allows to confront other cultures (35.5% of the population agrees and 34.6% neither agree or disagree).[63]

However, the above analysis shows also the great variety of political discourses developed in South Tyrol. In particular, regarding diversity related to migration, there are alternative non-securitizing discourses. Though it is not possible to foresee whether such discourse will prevail in the future, it is a good reminder that securitization processes are not an unavoidable development but the result of political choices as well as of political, social and cultural contexts. In this regard, it remains to examine how the specific securitizing speeches that characterized South Tyrol today are interrelated with specific features of South Tyrol, in particular the South Tyrolean consociational institutional context that fosters separation among the linguistic groups and ingroup thinking[64] and the provincial policies and legal practices towards migration. In order to explore these dynamics, further research is necessary, combining Copenhagen school understanding with other approaches to securitization processes, such as those that look at social and legal practices or institutions.

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INCLUSION AND EXCLUSION. THE ROLE OF THE ROMANIAN ROMA MUSIC IN INTERNATIONAL RELATIONS

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ABSTRACT:

THE AUTHOR OF THIS ARTICLE EMPHASIZES THE CATEGORY OF MUSICIAN ROMA SINCE THE VERY FIRST HISTORICAL RECORDS MENTIONING THEM. THE MUSICIAN JOB IS PRESENTED AS A BASIC PROFESSION. ROMA MUSICIANS HAVE BEEN AND CURRENTLY STILL ARE REPRESENTATIVE FOR THEIR ORIGINATING ETHNICITY. OVET TIME, THEY HAVE SUCCEEDED IN TURNING THIS PROFESSION INTO AN ELEMENT OF ETHNIC IDENTITY AND PRIDE. THIS IS ARGUED BY THE PRESENCE OF THE MUSICIAN ROMA AROUND ALL SOCIAL CATEGORIES, CLASSES AND AMONG ALL THE POPULATIONS THEY CAME INTO CONTACT WITH. FROM THIS PERSPECTIVE, IT IS VERY INTERESTING TO APPROACH THE ASPECTS RELATED TO THE EVOLUTION OF HISTORY, ECONOMY AND DEMOGRAPHY SPECIFIC TO THIS ROMA CATEGORY STANDING OUT THROUGHOUT HISTORY.

Introduction

"[…] the ingenious gypsy, who is both a blacksmith and a musician"[67] *Nicolae Iorga.*

In order to understand the specificity of this Southeastern group, it is necessary and essential to synthesize the role and social situation of the musician Roma, by conducting a historical incursion. The relationship between the Roma music and the Roma ethnics is important due to the fact that music in itself is a piece of a puzzle which is representative of building of a collective and individual identity.

The individual identity and the characteristics of social groups are the result of a process of interpretation undergoing changes based on the relationships with the others, along with personal experiences. Such interethnic relations, expressed over time are subject to a cultural, social, historical and geographical context causing them. The practices and social and cultural relations allow people to become acquainted in the situation in which they are part of a group belonging to a particular place, historical time, as well as the values underlying it.

From the very beginning of their journey into the world in search of a better life, the Roma have been able to discover in music a way to survive and to be appreciated. In Romania (including the Republic of Moldova), this profession, generally practiced by the Roma, is called (*lăutărie*) fiddler music and its practitioners, (*lăutari*) fiddlers.

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In the Romanian provinces, the Roma fiddlers have become, over time, militants for the image of the Roma ethnicity within the society, as well as for the promotion, preservation and evolution of the Romanian culture through the presence of the Roma music groups/bands in the cultural environments of the intellectual families. If the Roma musicians had not been purposeful and persistent, the history of the Romanian culture would have probably been different.

The emphasis of the Romanian fiddlers as well as of the Roma musicians everywhere over the years has been done through the historical recordings drafted by the secretaries of kings, rulers, baron families and by foreign travelers in documents presenting the Roma musicians' type or organization and taxation, the part they played at historical events, the experiences and memories resulting from their visits or transits across the territories in which they established themselves. The dual character and the perfect combination between the Romanian folklore, and not only, with the history of the Roma in the Romanian principalities is worth mentioning, as the folklore specific to the areas where they had settled, is preserved and spread across mostly by the Roma, especially in the south eastern part of Europe.

Through music, the Roma managed to ensure a way of life for themselves. In time, the Roma minority, together with the music played by this profession's active members, is faced with the marginalization phenomenon and the process of adapting and changing its entire structure. These changes, caused by certain historical events, triggered an evolution of both the population and the specific professions of the Roma ethnicity, by transitioning from the coloured tents to the sedentary life specific to the embracing communities, to the royal courts, monasteries and baron mansions, later making it to the institutionalized environment (army, schools), public spaces and up to the great scenes of the most famous festivals around the world.

All the professions developed by the Roma represent a pool of specific and adapted knowledge, reflected in the services provided to the population they come into contact with. The freedom of practice is an ethnicity-specific element which neither has a user manual, nor a written recipe for the final result. Simultaneously, the Roma music includes characteristics of the *ethnic consciousness* (territorial, cultural, linguistic, religious, related to rituals, race, anthropology, psychology, etc.), of *ethnic identity*: biological, racial (bloodline roots), territorial and climatic (historical territory) as well as *socio-cultural* characteristics (the history of its people, the ethnic symbols of culture and religion, etc.) that were created during the historical and cultural development of the community in question[68].

Structured in five sections, this paper is the analysis of a bibliography based on the history of the Roma ethnicity, with emphasis on the relevant aspects regarding the music played by the Roma over time, in political national and transnational contexts, followed by economic changes with repercussions on the ethnic cultural and identity dynamics, as well as on the connection between the performance and power of the Roma musicians and their lifestyle. Everything the Roma people do is within their minds.

1. Roma music

The beginnings of the Roma history is closely related to their musical talent observed in all the historical documents. However, physical anthropology and ethnology are yet to clarify the originating place of the Roma migration towards Europe and the reasons behind it.[69]

Nonetheless, the legends are still those standing at the foundation of the Roma history, of which we mention the one dating back to 950. This states that the Persian monk Bahram Gur, who ruled until 483, was faced with a problem regarding the people's welfare. The problem was that the inhabitants of the empire couldn't enjoy music due to a very small number of those practicing it. Finding out about the existence of a nomad Indian tribe which had music as a main occupation, the

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[68] Elena Barbu, *Identitatea etnică și conştiinţa etnică în condiţiile consolidării societăţii civile [Ethnic identity and ethnic consciousness in strengthening the civil society]*, online https://ibn.idsi.md/ro/vizualizare_articol/20543, accessed on 21.04.2019.

[69] Viorel Achim, *Ţiganii în istoria României [Gypsies in the Romanian history]*, The Ecyclopedic Publishing House, Bucharest, 1998, (p.9-10).

monk asks the Indian sovereign for 12 000 *luris* (the name of the tribe members) to entertain his people. The legend says that they were granted land and livestock by the king to work and settle in those places. After receiving their gifts, with the passage of time, the members of the tribe refused to work the land and, as a result, were banished by King Bahram Gur[70]. The name of *luris* survived in Persia and Central Asia as *lulis*, which leads to considering these deported musicians as the ancestors of the Roma outside India[71]. This version is written by the classical Persian poet called Ferdusi, in his book *Shah Nameh – The Book of Kings*, published in 1010. Historically speaking, this story corresponds to the time when India was attacked by the *White Huns* and the northern part of India was under the rule of the Sassanid dynasty, which may explain the forced migration of the Roma ancestors[72].

Roma music sums up the elements acquired over time while travelling from India to Europe, gaining diversity and inventiveness. The adaptability feature is found in the fact that this music is listened to both by the rich and the poor, as well as of the foreigners who are keen to knowing their cultural and identity elements.

2. Roma musicians in the Ottoman Empire

The assumption that the Roma originated in the North western part of India is accepted by most researchers, this concept underlying the theory which states that the Roma approached three different roads after migrating through Persia/Iran:

- The first wave migrated towards the Balkans through Constantinople/Istanbul, from where they travelled towards central and western Europe;

- The second wave of immigrants opted for the Muslim area, more precisely through Palestine, Egypt, Northern Africa, and from there they reached Spain and southern France;

- The third wave reached Armenia and spread to the Caucasus[73].

One of these waves passed through Anatolia, the Asian part of Turkey, on its way to Europe. The Turkish authorities relocated them to Rumelia/The Balkan Peninsula. The area was called Thrace at the time and was seen as the Roma area. They contributed to the reconstruction of the area, providing human resources for the Ottoman army, together with the other locals. In Villayet-Rumelia, in 1475, under the leadership of Mehmed II, the Roma were tax payers and subsequently, they were registered in registers.

> *"Suleiman the Magnificent adopted a special law in 1530*
> *for the Roma to settle in Rumelia. The Ottoman records*
> *defined the Roma population in terms of age, employment*
> *and marital status to receive regular taxes. The Roma's*
> *social status and dignity preserved their ethno-cultural*
> *characteristics, the nomad lifestyle and the traditional*
> *professions and managed to better express their identity*
> *towards medieval Europe."[74]*

The Roma freely moving within the Ottoman Empire paid a tax called *haraci*, while those working for the army: the military musicians, armorers, gun powder makers organized into service groups, also called sanjaks[75], were exempt from such payments.

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[70] https://ro.wikipedia.org/wiki/Romi, accessed on 21.04.2019.

[71] Lev Tcerenkov, Stephane Laederich, *The Rroma*, Schwabe & Company GmbH, 2004 Vol 1, (p.14-16)

[72] *Ibidem*, p.17

[73] *Ibidem*, p.87-88

[74] Marushiakova, E. and V. Popov 2001. Gypsies in the Ottoman Empire, p.2, apud.
http://www.errc.org/roma-rights-journal/the-perception-of-gypsies-in-turkish-society, accessed on 21.04.2019.

[75] Jean Perre Liegois, *Romii în Europa [The Roma in Europe]*, the Council of Europe Information Office in Bucharest, 2008, (p.20)

Even if the guild system in the Ottoman Empire was legislated in 1773, the fiscal register of the Ottoman Empire from 1522 to 1523 registered the Roma as people carrying out several professions, including the musician one.

The traveler Evlia Celebi (historian, geographer, born in Istanbul[76]) mentions the Roma in the guild list. The 10th guild mentions 70 people, among whom bear Roma (namely "bear trainers"). The 15th guild is made up of 300 horse traders (all men), rich individuals with stables accommodating 40-50 Arab horses; most of these traders being Roma. The *Roma musicians* were part of the 43rd guild comprised of 300 people[77], which confirms that the Roma musicians were integrated as well-known craftspeople. The 45th guild included the actors, artists, mimes, and dancing boys. This guild had 12 subdivisions, the first of which consisted of 3000 people, most of them only Roma men. They were represented by a specific flag, which, in time, becomes an ethnic identity element[78].

Even if the guilds were an organized way of taxing the population in the time of the Ottoman Empire, and the Roma population had a few prohibitions, their general situation was far superior to that in the other European countries, because the Roma were much better organized, they established stable and tax-paying communities, just like the rest of the population, and those who failed to comply with the tax system became slaves.

3. Roma musicians in the Habsburg and Hungarian territory

The 14th century has few documents on the Roma, but the 15th century brings a lot of information about them in general, including that about the Roma musicians[79].

On the Hungarian territory, the Roma stood out as ironsmiths and musicians and received special benefits. Thus, the Roma musicians are mentioned in 1489 in the city of Buda through a payment to the Roma who played the lute in front of Beatrice de Aragon, the wife of Matei Corvin, on the island of Csepel, south of Budapest[80]; in May 1525, 2 florins were paid to the pharaohs (Roma) who played the *zither* for the king at the royal race; in 1543, after Ferdinand of Habsburg took over a part of Hungary, the Roma are mentioned in a letter from Queen Isabella to the Court of Vienna, in which the excellent quality of the Egyptian musicians is mentioned, being believed as they were descendants of the pharaohs[81].

The musician profession is embedded in the Habsburg authorities' well-established gradual policy to assimilate the Roma and turn them into good citizens. This initiative takes place after the middle of the 18th century during the reigns of Empress Mary Theresa and her son, Joseph II, being applied to the Roma from the Hungarian kingdom that encompassed western Romania and the principality of Transylvania.

The empress' son, Joseph II continues the policy started by his mother, publishing, on September 12th 1782, an order regarding the Roma in Transylvania, De Reagulatione Zingarorum, which, among its stated provisions, stipulates the practice of music by the Roma only when there is no work available, followed by the Hauptregulatio ordinance on October 9th 1783, which stipulates: the prohibition of living in tents, the distribution of children of 4 years and older in neighbouring houses, the prohibition of nomadism, the prohibition of horse ownership with the purpose of selling them, the punishment with 24 club blows for eating carrion, the prohibition of marriages between the Roma, banning of beggary, forcing children to attend schools, the Roma would receive land to handle agriculture, those abandoning their homes will be brought back, the Roma houses will be numbered and they will have to adopt the clothing and language of the villages in which they settle[82].

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[76] According to https://ro.wikipedia.org/wiki/Evliya_%C3%87elebi, accessed on 12.05.2019.

[77] According to https://rm.coe.int/imperiul-otoman-fise-de-informare-despre-istoria-romilor/16808b1942, accessed on 12.05.2019.

[78] Lev Tcerenkov, Stephane Laederich, *The Rroma*, Schwabe & Company GmbH, 2004 Vol 1, p.91

[79] *Ibidem*, p.99

[80] According to https://www.scribd.com/document/260852643/Angus-Fraser-Tiganii# p.134, accessed on 26.05.2019

[81] Lev Tcerenkov, Stephane Laederich, *work quote.*, p.135.

[82] Viorel Achim, *Țiganii în istoria României [Gypsies in the Romanian history]*, The Encyclopedic Publishing House, Bucharest, 1998, p.(p.70-71)

Aspects of this policy were also encountered in Sagh, in the Timisoara area in 1814, when the English researcher Richard Bright meets five or six Roma families which were highly talented in terms of music, but were trading horses and tobacco. These occupations contributed to their status, placing them well above the Hungarian peasants[83].

The measures proposed during the reign were mainly destined to affect the travelers, and less those sedentary, nonetheless, the results were rather weak, considering their severity and harshness. Moreover, the sedentary Roma benefitted from tax privileges. These privileges are mentioned for five such sedentary Roma musicians named Ferenc, Janos, Lacko Bakos, Laszlo Boromi and Lazlo Tinka. They were registered as having been granted *litteras priviligiades* privileges from Count Ferenc Esterhazy, exempting them from taxes[84].

I mention the fact that in Bucovina, at the end of the 18th century, the Emperor of Austria, Joseph II, issued on June 19th, 1783 the abolition of the gypsy slavery in the province as a lot of Roma were grouped around monasteries and baron courts[85].

4. The Roma music in the Romanian principalities before the 19th century

In Romania, the remarks on the Roma musicians were present since 1495, mentioning Mircea Purcel, the zurla player[86] who lived in the village of Nănești de Gherghești, in the Vaslui area. This area will stand out through the appearance of the Manoi village, comprised of Roma fiddlers who had learnt to play brass band instruments. During the period of Roma slavery, the slaves who were skilled in the professions they practiced, including musicians, were given in exchange of services made or to be made as a token of appreciation and gratitude to consolidate friendship relations or acts of recognition.

The Roma fiddlers seemed to have had a special status due to their talent of entertaining the Romanian people, but their lives and fates still depended on the families they were settled with. This aspect was recorded in Moldova in 1570, when Stoica the fiddler and his wife, together with Tîmpa the fiddler and Ruste are used by rulers Bodgan Voda and Mircea Voievod as part of their beneficences[87]. The music played by the Roma was part of a cultural mix represented at the rulers' weddings by princely and Turkish trumpeters, making up the Moldavian or Wallachian military band together with the Turkish one.

The princely music was composed of native music played by Roma fiddlers and foreign music (Turkish) played by the Turks.

The specific lilt of the Roma music is highlighted in 1652, at the wedding of Vasile Lupu's second daughter, where:

> *"...Timuş a savage man from the steppe...came out*
> *of his state of apathy only when the fiddlers*
> *started to play...it was only then that he started*
> *to cheer...and ordered the Cossacks to dance, who*
> *then rumbled, like cattle in the mud..."[88]*

Another way of standing out was using their voices, as their lyrics reached the hearts of the party participants. Their repertoire was that of the peasants, including songs of sorrow, outlaw songs, lamenting over their slavery hardships, but also folk and court dances. Even though the ballad is

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[83] Richard Bright, *Travel from Vienna through lower Hunger/Travels from Vienna through lower Hungary with some remarks on the state of Vienna during the congress in the year 1814*, Cambridge University Press, 2012, p.187-189

[84] Gilliat-Smith, B.j.An Eighteenth Century Hungarian Documents. JGLS(3)4:2,1963,PP.50ff, apud. Lev Tcerenkov,Stephane Laederich, *The Rroma*, Schwabe & Company GmbH, 2004 Vol 1,p.137

[85] Dimitrie Dan,*Etnii Bucovinene [Ethnicities in Bucovina]*, Mușatini Publishing House, Suceava 2012, according to the http://www.dragusanul.ro/wp-content/uploads/Etnii_bucovinene.pdf website.

[86] C.Bobulescu,*Lăutarii noștrii [Our fiddlers]*, Jean Ionescu &Co National Printing House, Bucharest, p.39

[87] Viorel Cosma, Figuri de lăutar [Fiddler figures], The Musical Publishing House of the Union of Composers of the Romanian People's Republic, Bucharest, 1960,p.14

[88] C.Bobulescu,*Lăutarii noștrii [Our fiddlers]*, Tip.Națională Jean Ionescu &Co, Bucharest, p.86

specific to the fiddlers, it's still them who carry on the Romanian tradition of national Romanian dances during weddings, a form of perpetuation of the Romanian nation's history. The lyrics about the courageous deeds of national heroes played by the Roma fiddlers made them ever present around the Romanian rulers and barons at times when they prided themselves with the history and bravery of the people.

The Hungarian chronicler Szamoskozy, together with Bethlen Farkaş state that Mihai Viteazu entered Alba Iulia accompanied by his Roma fiddlers who wrote and sung their original Romanian ballads to praise war victories[89].

The fiddlers' payment for playing at a baron's wedding could go to as high as 8 *thalers* according to a 1700 writing. Economically, the Roma were kept as slaves for a period of 500 years as their obligations (mandatory work and payment of dues/taxes) increased the wealth of barons and rulers. Goldsmiths were at the top of taxed professions, while the musicians ranked 3rd in a total of 8 skills. Ruler Mihai the Brave stated that his income was also completed by the gypsies' taxes[90].

In terms of both enhancing the image of the ruler and capitalizing on the musical talent, as well as strengthening collaboration relation between influential individuals, the Roma musicians were sent to various parties where several personalities of the Great Powers were present. Such a moment was recorded in 1819, when ruler M.G. Suțu sent a fiddler orchestra to a ball in Chisinau to play for Emperor Alexander I of Russia. His appreciation and amazement with the orchestra was particularly represented by the fact that he spent a considerate amount of time next to it, charmed by the way in which the fiddlers played the songs without using scores and how they interpreted national songs, finally rewarding them with 1000 rubles[91].

In 1740, a fiddler orchestra led by Ioan Nedelcu was at the court of tsarina Ana Ivanova, in Petersburg. In 1774, Field Marshal P.A. Rumianțev asks the Wallachian divan for the Ivăniți brothers playing the kobza and Stancu, the flute player[92].

The moment of recognition as a profession takes place with the emergence of the fiddler guilds around 1786, these being the ones who played the folk repertoire. The guilds appeared due to the fact that the fiddlers had a representative leader. It was due to these guild that they were able to acquire their redemption through payment or gain their freedom via the state laws[93].

Gradually, under the influence of oriental music, the Roma fiddlers would also add new elements to the structure of folk music, imposing their own style. With time, the fiddler music would replace the Turkish music that was no longer a preference of the young, due to the fact that its specific oriental elements were assimilated into the traditional songs. The Roma were hence successful in adopting a new style of interpretation, making the transition to the western music.

The Roma musicians are witnesses to a change of the upper class that replaces traditional dances with the western ones, having thus to learn new repertoires to meet the demands of the environment in which they were active. Musicologist Viorel Cosma notes that the Romanian peasants in Transylvania and Banat were the promoting the traditional Romanian music, while in Wallachia and Moldova, this was a matter for the Roma[94].

5. Roma musicians in the Europeanization process

The European civilization made its presence felt in the Romanian principalities with the growth in the number of Romanian youths attending the renowned European schools. The role of the

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[89] I.Sîrbu, „Ist.lui Mihai Vodă Viteazu" *[The history of Mihai the Brave]* II.p.339 apud,C.Bobulescu, *Lăutarii noştrii, [Our fiddlers]* Jean Ionescu &Co National Printing House, Bucharest, p.67

[90] G.Potra ,*Contribuții la istoria ţiganilor [Contributions to gypsies' history]*, Mihai Dascal Editor, Bucharest,2002,p.63-64

[91] Melania Boțovan,George Pascu, *Hronicul Muzicii Ieşene [The Chronical of Iasi Music]*, Noel Publishing House, Iaşi, 1997,p.35

[92] Viorel Cosma, *work quote.*, p.16-17

[93] Viorel Cosma,*work quote.*,p.15

[94] Viorel Cosma, *work quote.*, p.11

French and Italian officers, as well as of the immigrants who arrived after the French Revolution is highly important in the evolution of the Romanian society's life, as they became teachers in the baron's homes and educated the new generation in the European spirit, teaching piano, violin or foreign languages.

The end of the 18th century and the beginning of the 19th were characterized by numerous theater and opera performances given by the foreign theater groups (French, Italians, Germans). The society was focusing on creating modern national culture and art. In this respect, the Roma fiddlers took part at revolutionary events underlying the beginning of modern history, from 1821, during the revolution and the Battle of Dragasani, where the battalion was led by the gypsy music of baron Constantin Golescu from Colintina[95].

The change in the Roma's image begins with the liberal ideas of ruler Grigore IV Ghica who, at his arrival in Bucharest on November 6th, 1822, was accompanied by 200 well-dressed gypsies. This event was recorded by Kreuchely-Schwertberg, the Prussian consul at Iasi, in a letter addressed to the Prussian consul at Constantinople[96].

With a futuristic mindset, the scholar Dinicu Golescu founded a boy's boarding school with free education, giving thus access to any social category, including slaves. In 1825, he also financially supports the musical education of a group of 12 Roma musicians, with the help of a musician brought from Sibiu. The latter was supposed to teach them the western style chamber music, as well as the way in which an orchestra was organized. The fiddler orchestra was comprised of 2 violinists, 2 flautists, two clarinetists, an oboist, a flute player, 2 trumpeters, a hammered dulcimer player and a drummer[97].

The education of Roma fiddlers, but not only, becomes thus a priority as the access of members of the lower social classes to all social environments was conditioned by knowledge through education. The adaptation to the new musical trend of the Roma fiddlers is highlighted by two descriptions dating from 1847.

The first is an important account in the history of the Romanian music culture, which mentions the great pianist Frantz Liszt, who, while on his way to Odessa, has three concerts in the Romanian principalities, one being held at the Copou Theater in Iasi. This is when he meets the fiddler orchestra bands of the famous Barbu Lăutaru of Iasi[98], Nicolae Picu from Cernăuți, and the Hungarian fiddler orchestra bands led by Bela Karoly from Debrecen and Laci Pocsy from Sighet. Following the audition of the Roma fiddlers' music, Liszt composed the Romanian Rhapsody[99].

The second description dates back to 1874 and belongs to the German writer Wilhem de Kotzebue who states that fiddlers Barbu Lăutarul and Angheluță successfully complemented the European bands in theater shows and performances[100].

We notice that these impressions are presented along those relating to the Vienna orchestra concerts conducted by Johann Strauss, the son.

Embedded in the Romanian principalities people's traditions, the Roma music becomes indispensable, even if it undergoes a fast modernization process. There is a division between the rural and urban music that takes place, which only confirms the fact that the repertoire they preserve, approach and develop is highly diversified, managing to address all social layers. In this respect, we mention a writing from March 6th, 1852 which includes the report of archbishop Constantin Vrabie from Bîrlad, in which he asks the leader of the church for the dead to be buried with the music of the

[95] N.Iorga, *Izvoarele contimporane asupra mişcării lui Tudor Vldimirescu [The contemporary sources of Tudor Vladimirescu's movement]* apud. G.Potra ,*Contribuții la istoria țiganilor [Contributions to the gypsy history]*, Mihai Dascal Editor, Bucureşti,2002,p.124

[96] *Doc.Hurmuzachi vol X* apud. G.Potra ,*Contribuții la istoria țiganilor [Contributions to the gypsy history]*, Mihai Dascal Editor, Bucharest,2002,p.124

[97] Octavian Lazăr Cosma,*Hronicul Muzicii Româneşti [The chronicle of Romanian Music]*, The Musical Publishing House,Vol.III, Bucharest , 1975,p.3

[98] Octavian Lazăr Cosma,*Hronicul Muzicii Româneşti [The chronicle of Romanian Music]*, The Musical Publishing House,Vol.III, Bucureşti , 1975,p.205-209

[99] Ibidem,p.208-209

[100] Melania Boțovan,George Pascu, *Hronicul Muzicii Ieşene [The chronicle of Iasi Music]* , Noel Publishing House,Iaşi, 1997,p.37

fiddlers. The locals' requests, considering that this was allowed[101] in larger cities like Galati, Tecuci, Focsani, proves the fact that the Roma music became part of the Romanian culture, which further consolidates the aspect of traditional music. Folklore studies carried on by musicologists have also highlighted the role and style of the Roma fiddlers.

Caudella, a Romanian musicologist, son of Francisc Caudella, who came from Vienna and settled in Iasi to teach music to the barons' children, concludes after the analysis of the musical language that one of the scale underlying the Romanian folk music is the minor gypsy scale[102].

As we have mentioned at the beginning of this analysis, the foreigner refugees in the Romanian principalities managed to instill ideas of freedom and generosity through the ideas they had acquired in the West. These were the seeds planted in the educated young people's minds which led to the idea of liberating the Roma from the slavery they've been living under for over 500 years. Thus, in 1844 the Moldavian ruler Mihai Sturdza frees the Roma enslaved by barons and monasteries, a gesture is very well received and appreciated by the educated young people, as well as by the western European states. On December 22nd, 1855, the Commonwealth Divan adopted the abolition of slavery. On February 20th, 1856, the law on the emancipation of the Roma in the Wallachian Principality is issued[103].

CONCLUSION

We can state that music is running through the Roma's veins, but there are exceptions. They also managed to make a living from music, maybe even…to avoid having to work…as the legends or certain voices around us say. But it is clear that, from the very beginning, the Roma music managed to find a place at the courts of the great emperors, rulers, barons and even peasants.

Their repertoire incorporated over time the characteristics of the culture they came into contact with, creating new styles of musical interpretation which have been and still are subjects of study in the great contemporary music schools.

The fiddler music, especially that performed by the Roma, earned its place next to the classical one through technicity, spontaneity, feeling and the genre-specific improvisation. This means of adaptation can also be attributed due to the context of the profession, under the public's and client's pressure who must be satisfied with the service paid. This music has a historical connotation in Romania for the areas in Moldova and Wallachia, where this profession was attributed to the Roma slaves. In Transylvania, an area less targeted, the music remained more in the peasant's care and less in that of the Roma, who practiced it is smaller numbers given the policies adopted in the time of the Austro-Hungarian Empire. I concluded that the music played by the Roma created a bond of coexistence between the Romanian people, the Ottoman, Russian and Austro-Hungarian Empires. The Roma musicians managed to alleviate the pain of the Romanian peasant with the help of the *doina* and ballads, most probably coming from their personal feelings and experiences. The music played by the Roma experienced a paradox in the sense that it was considered to be profane. We only refer here to the character of the music played the Romanian Roma, which must not be confused with the specific gypsy music or Romanian music, precisely because of its multiethnic background (Hungarians, Saxons, Serbians, Poles, Ukrainians, Hutsuls, Jews, Bulgarians, Turks, Russians, Tatars, Romanians).

As the musician profession was the most attractive in a limited range of occupations available for the Roma, music because closely associated with the Roma identity and their lifestyle. This aspect allows us to draft the idea that in Romania, the Roma musicians had a significant contribution both in

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[101] C.Bobulescu,*Lăutarii noştrii [Our fiddlers],* Jean Ionescu &Co National Printing House, Bucharest, p.124

[102] Melania Boţovan,George Pascu, *work quote.,*p.142

[103] Viorel Achim,*Ţiganii în istoria României [Gypsies in the Romanian history]* ,The Encyclopedic Publishing House, Bucharest 1998, p,(p.95-97)

developing and preserving the Romanian people's national identity, as well as that of the Roma ethnics.

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KEY CHALLENGES FOR SOCIAL INNOVATION AND INCLUSION IN THE CASE OF MIGRANTS AND REFUGEES ACROSS EU COUNTRIES

Delia ȘTEFENEL [104]

Fiori A. ZAFIROPOULOU [105]

ABSTRACT:
THE AIM OF THE PRESENT PAPER WAS TO RAISE AWARENESS ABOUT THE LATEST INNOVATION STRATEGIES STAKEHOLDERS PERFORM TO SUCCED IN THEIR WORK WITH IMMIGRANTS, REFUGEES AND VICTIMS OF HUMAN TRAFFICKING, IN ORDER TO ENABLE PROPER SOCIAL INCLUSION. MOREOVER, WE AIMED TO INVESTIGATE THE SOCIAL INNOVATION MODEL, THE VALUE CO-CREATION AND THE TYPOLOGY OF THE OFFERING, IN ORDER TO GENERATE CHANGE IN ADDRESSING THE PRESSING ISSUES OF MIGRATION AND FLIGHT. THE METHODOLOGY USED FOR THIS PAPER IS BASED ON FIRST HAND QUANTITATIVE DATA PROVIDED BY REPRESENTATIVES OF PUBLIC AND PRIVATE INSTITUTIONS, ACTIVISTS, MANAGERS, CIVIL SOCIETY MEMBERS INVOLVED IN MIGRATION, REFUGEES AND HUMAN TRAFFICKING RELATED ISSUES IN SIX SOG-TIM PARTNER COUNTRIES (N= 451). DATA COLLECTION WAS PERFORMED IN ITALY, GREECE, POLAND, ROMANIA, SLOVAKIA AND SPAIN, WITHIN THE FRAMEWORK OF AN INTER-EUROPEAN ACADEMIC SURVEY FUNDED BY THE EUROPEAN COMMISSION, "SOCIAL GROWTH ON TRAFFICKING AND IMMIGRATION" (SOG-TIM) PROJECT[106]. THE MAIN FINDINGS OF OUR PAPER INSIST ON FOSTERING THE KNOWLEDGE IN ACCORDANCE WITH THE SOCIAL INNOVATION MODEL FETURES DEVELOPED BY INTERVIEWEE ORGANISATIONS IN ORDER TO ACHIEVE COMPETITIVE BUSINESS MODEL VENTURES AND TO PROVIDE VIABLE SOLUTIONS FOR BETTER EMPOWERING COMPETITIVE BUSINESS FOR RESCUED VICTIMS OF REFUGEE CRISIS, MIGRATION AND HUMAN SLAVERY.

KEY WORDS: MIGRATION, REGUGEES, HUMAN TRAFFICKING, SOCIAL INNOVATION, NOGS, SOG-TIM

INTRODUCTION

The last years have witnessed a considerable rise in social innovation initiatives among public and private organizations dealing with vulnerable populations, including the integration of victims of migration, flight and human trafficking. Moreover, seminal contributions have been made by the EU in the attempt to address, implement and support social innovative ideas, in order to meet the needs for future-readiness, the impact creation among such communities in need. In this direction, "Europe 2020: A strategy for smart, sustainable and inclusive growth"[107] states, among the seven Flagship

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[106] This research was funded by the Erasmus+ Program of the European Union, within the project "Social Growth on Trafficking and Immigration (SOG-TIM)", no. 2016-1-SK01-KA204-022541

[107] Europe 2020: A strategy for smart, sustainable and inclusive growth, accessed July, 17, 2019, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52010DC2020&from=en.

Initiatives, two priorities aiming innovation and acquisition for new skills and jobs, respectively. In the later one, the EU agenda mentions the imperative "to design and implement programmes to promote social innovation for the most vulnerable, in particular by providing innovative education, training, and employment opportunities for deprived communities, to fight discrimination (e.g. disabled), and to develop a new agenda for migrants' integration to enable them to take full advantage of their potential" (p.18). Within the framework of these EU priorities this paper seeks to put forward a brief presentation of social innovation concept, followed by a cross-national study which shed new light on field applications of social innovation model.

In the literature, social innovation usually refers to "new ideas (products, services and models) that simultaneously meet social needs and create new social relationships or collaborations" being "both good for society and enhance society's capacity to act"[108] (Mulgan et al. 2007, p.3). Therefore, social innovation emerges as a novel solution to a societal problem, based on pragmatic philosophy and not a perfectionist one, advisable to be undertaken under experimentation (Leadbeater, C., 2006[109]). Various approaches have been put forward to design different models of innovation within social ventures, but we found Alvord et al (2004)[110] assumptions well-grounded, being already researched in Zafiropoulou F. (2013)[111]. We choose this particular apparatus as it empirically highlights the main specific systems of innovation emerging around: capacity building initiatives, mobilizing existing assets of marginalized groups, running package dissemination and building local movements, scaling up the strategy and the transformational impact, managing the offering and strengthening the alliances, along with systematic learning both at individual and organisational level. Battilana, Leca and Boxenbaum (2009) point out three key elements of social innovation: a) creation of a vision for divergent change, this means defining an issue, conceptualizing it and justifying it; b) the mobilization of people of allies and c) the act of motivating those people to actually engage in actions to achieve the vision[112]. In the same line, Zahra et al (2009) trace three advances concerning the following social innovation composites: the process to discovering a problem, the target impact and the resources to be mobilized[113]. In order to become successful, in accordance with the framework of the Social Innovation Spiral[114], any social innovation process goes through six evolutionary stages: 1) prompts (need for the change and the inspiration); 2) proposals (inception generating step); 3) prototyping (the idea is tested); 4) sustaining (long-term practice); 5) scaling (growing and scaling-up); 6 systemic change (visible impact over time) (Murray, R., Caulier-Grice, J., Mulgan, G. 2010, pp. 11-12). Based on literature review, it was decided that the best procedure for the study of social innovation among social ventures dealing with 'Bottom of the Pyramid' populations was to investigate target organisations in several European countries that are actively engaged in the integration and of fringe populations, victims of different forms of modern slavery.

The aim of the study was to investigate the social innovation model of those organisations addressing the pressing issues of refugee and human trafficking crisis. The main findings were used to create a

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[108] Mulgan, Geoff; Tucker, Simon; Ali, Rushanara; Sanders, Ben. Social Innovation: What it is, why it matters and how it can be accelerated, Skoll Centre for Social Entrepreneurship 2007, accessed June, 15, 2019, http://eureka.sbs.ox.ac.uk/761/1/Social_Innovation.pdf.

[109] Leadbeater, Charlie. The user innovation revolution: how business can unlock the value of customers' ideas. London: National Consumer Council, 2006.

[110] Alvord, Sahah; Brown, David L; Letts Christine W. "Social entrepreneurship and societal transformation: An exploratory study". Journal of Applied Behavioral Science 40(2004): 260-283.

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[112] Battilana, Julie; Leca, Bernard; Boxenbaum, Eva. "How actors change institutions: Towards a theory of institutional entrepreneurship". Academy of Management Annals 3(2009): 65–107.

[113] Zahra, Shaker A., Gedajlovic, Eric; Neubaum, Donald, O., Shulman, Joel. M. "A typology of social entrepreneurs: Motives, search processes and ethical challenges". Journal of Business Venturing, 24(2009): 519–532.

[114] Murray, Robin; Caulier-Grice, Julie; Mulgan, Geoff. The Open Book of Social Innovation London: NESTA, Young Foundation, 2010, accessed June, 19, 2019, https://youngfoundation.org/wp-content/uploads/2012/10/The-Open-Book-of-Social-Innovationg.pdf.

training platform for the incubation of non-profits and social entrepreneurs active in these fields, across Europe[115].

Research question: What are the social innovation features of the organisations dealing with migrants, refugees and victims of human trafficking?

METHODS

Participants.
Data were collected from a total of 451 participants, 66 % females and 34% males, mean age between 30 and 49 years old, the most being Bachelor (26,7%), or Master degree holders (40,6%), whose main occupational activities are either employees, activists, start-uppers or managers in the interviewee organisations. The cultural composition of the samples is represented in the table 1.1.

Table 1.1. Sample composition in accordance with the country belonging

Country	Frequency	Percent	Valid Percent	Cumulative Percent
Romania	166	36,8	36,8	36,8
Poland	76	16,9	16,9	53,7
Slovakia	71	15,7	15,7	69,4
Greece	68	15,1	15,1	84,5
Italy	44	9,8	9,8	94,2
Other	26	5,8	5,8	100,0
Total	451	100,0	100,0	

The sampling selection criteria were country belonging; being enrolled in non-for-profit, public and private structures targeting human trafficking, migration and refugees, social enterprises, start-uppers, people involved or interested in social entrepreneurship.

Instruments and procedure.
Data collection was undertaken using a survey with open and closed questions. The completion of the questionnaire was initiated as a web based questionnaire using Survey Monkey tool[116]. The questionnaires adapted from English were translated to each of the target languages and also pretested, in order to ensure equivalence in all languages. The questionnaires were filled in participants' native languages, respectively in the Greek, Italian, Polish, Romanian, and Slovak. The survey comprised a block of questions, based on theoretical documentation and prior qualitative research approach, aiming to depict pertinent empiric answers to general, but less examined research questions, such as: Who are the social organisations in the five respondent countries? What do they offer? By which means the offer is delivered? How to they learn? Do they create any social impact?

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[115] In this direction see SOG-TIM the training documentation available at https://sogtim.socialgrowthhub.com/ ; http://ngo.socialgrowthhub.com/.
[116] SOG-TIM Survey available on https://www.surveymonkey.net/home/?ut_source=header.

RESULTS AND DISCUSSION

The social innovation prevalence among investigated social ventures in Greece, Italy, Poland, Romania, Slovakia and even in related additional countries, was descriptively measured in terms of the following features, as proposed by Alvord, S., Brown, L., Letts, C. (2004)[117]: 1) innovative characteristics of the organisations; 2) strategies to mobilize assets and resources of disadvantaged groups; 3) regular learning and training staff provision; 4) prerequisite networking skills from venture holders; 5) sustainable development and social transformational impact, and 6) innovative nature features registered at the investigated social ventures.

1) Innovative typology of social ventures. Respondents were requested to indicate the extent to which they agreed with a series of statements related to the main offering (activity) of the organisation.

Table 1.2. Distribution of the organizational offering

		Frequency	Percent	Valid Percent	Cumulative Percent
	1. Disseminating a content package to solve common problems (e.g. create an offering to help resolve a social issue)	208	46,1	49,8	49,8
	2. Building local capacity to solve a problem	134	29,7	32,1	81,8
	3. Building local movements to deal with other powerful actors (build networks of support).	76	16,9	18,2	100,0
	Total	418	92,7	100,0	
NR		33	7,3		
Total		451	100,0		

Most of the participating organisations declare to activate on the social market in order to disseminate or create an offering to help resolve social issues (49,76%) being based in Romania, Slovakia and Greece, followed by respondents focused on building local capacity (Poland and Italy) while few of them being focused more on creating local networks and movements. Additionally, there were several participants and organizations that either did not fit in the given dimensions of the offering provision, either desired to provide further explanation for the activity they run. Most of them make reference to belonging to social and economic entities that are active in the following fields: a) education and research organizations, offering high level of education and training activities (Romania); b) psychosocial services designed to provide support to vulnerable and juvenile groups, where specialized services are given to people in risk, either children and adults (Romania, Greece, Italy); where vulnerable families receive material and emotional support (Romania); where integration is offered to interethnic and social instable communities; where is provided "support for people in need in order to build together pathways towards autonomy" (Italy); where work is done for the village and the local community (Poland); c) workforce development and encouragement, where foundations and NGOs receive support at local level, in order to create more jobs (Romania); support for small and middle sized enterprises (Poland); d) cultural heritage preservation, with emphasis on traditions and heritage preservation (Romania), where cultural socio-cultural events are supported in Transylvania (Romania).

2) Resource management of disadvantage groups Asked whether their organisation mobilises existing resources of disadvantaged groups for the delivery of their offering, the majority of the respondents provided positive answers. Furthermore, when country differences were called intro question, it was easily noticeable that Romania was the top country not mobilizing the resources of the beneficiaries,

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[117] Alvord, Sahah; Brown, David L; Letts Christine W. "Social entrepreneurship and societal transformation: An exploratory study". Journal of Applied Behavioral Science 40(2004): 260-283.

whereas all the others use this strategy in order to deliver their offering (Poland 73,33%; Greece 72,1%; Italy 65,9%; Slovakia 54,9%).

3) Learning and training provision. One set of analyses highlighted the existence of systematic training provided to the individuals that deliver the offering or to the entire personnel of your organisation. The overall response to this question was surprisingly positive in almost all countries (63,4% in total) (Table 1.3).

Table 1.3. Cross-country distribution following regular learning and training staff provision

Country		Do you offer systematic training to the individuals that deliver the offering or to the entire personnel of your organisation?		Total
		yes	no	Total
	Slovakia	69,1%	30,9%	100,0%
	Romania	61,2%	38,8%	100,0%
	Poland	55,3%	44,7%	100,0%
	Italy	79,5%	20,5%	100,0%
	Greece	74,2%	25,8%	100,0%
	Other countries	48,0%	52,0%	100,0%
Total		64,4%	35,6%	100,0%

4) Interpersonal skills and attributes. The vast majority of participants 69,5% (54,67%- agreed and 22,84%- strongly agreed) considered extremely vital their relationship with the specific partners from their network for the overall success of their business. Asked whether the offering (its creation or delivery) has been influenced by the relationship and networking skills of the board members/founders of the organisation, a high percentage indicated that a strong relationship and networking abilities certainly lead to a productive working environment.

5) Social transformation impact. From the total number of participants at the present study, a significant percentage (94%) of the respondents believes their organization offers a transformational impact at the social level. Also, 73, 50 % consider that their offering impacts at the cultural level. In addition to this, in this hierarchy, an impact at the economic level follows, with still a high percentage representation as far as effect outcome is concerned (64,8%). Moreover, there was depicted a mistrust towards the political impact that such social ventures might empower , given that only a marginal preference was registered by the organizations which consider their offering impactful on political level (39,10%).

The exception comes from Greece, where more than half of the interviewed organizations admit that their offering achieves a transformational impact at the political level. But, all things considered, the major tendency that almost all participants expect their offering to have a social transformational impact on the market and the community, in general. The mean score distribution of the answers following the impact level targeted and created in all investigated communities is stated in the next table (1= strongly disagree, 5=strongly agree).

Table 1.4. Means and standard deviations of the impact levels created by the investigated organisations , as reported by the all cultural groups

	N	Minimum	Maximum	Mean	Std. Deviation
Our offering creates a transformational impact at the social level	434	1	5	4,38	,707
Our offering creates a transformational impact at the cultural level	435	1	5	3,84	1,001
Our offering creates a transformational impact at the economic level	431	1	5	3,53	1,103
Our offering creates a transformational impact at the political level	430	1	5	3,00	1,168
Valid N	423				

The odds that the results observed in all countries are not just a chance result. Therefore, taking all data comprised and analysed in detail, we can sum up that among the different impacts that the offering creates to the beneficiaries and to the society as a whole, the a social impact is main visible impact (M=4.38), followed by a cultural (M=3.84) and the economic one (M=3.53) and less by the political one (M=3.00).

Table 1.5. Correlations between impact levels outcome

Our offering creates a transformational impact at:	1	2	3	4
economic level	-			
political level	,344[**]	-		
social level	,231[**]	,035	-	
cultural level	,074	,120[*]	,354[**]	-
**. Correlation is significant at the 0.01 level (2-tailed).				
*. Correlation is significant at the 0.05 level (2-tailed).				

Additionally, our presumption was that there might be some associations among the dimensions presumed to be of importance, as far as driven effects are to be realised. Therefore, we run a correlation analysis as provided in the table 1.5, which shows that there are significant relations between most of the generated impact levels introduced in the survey. What really confirms all suppositions in social economy theories, and also in our case, is the fact that there do exist a strong and statistically significant association between the social and economic levels among the probed organisations (r=.231, p<0.001). The economic level remains a decisive element in creating fruitful activities, that might be idiosyncratic and influential at political level (r=.344, <0.001).

6). Nature of social innovation development. Analysing the data listed at the question related to core elements specific to the organisations, it is noticeable that most of the investigated companies aim to the same extend to change attitudes, to create new relationships (M=4.10), to create new products and services (M=3.75), and to generate a new incentives of doing things (M=3,61) or using new technologies (M=2,97). In addition to this, the community has raised several concerns about the most distinctive feature of the offering of the questioned organisations, which is in each country, the ability to create new relationships and the conviction this changes attitudes and mind-sets. One of the most striking observation to emerge from our data comparison was that, some social ventures were focused on being innovative chiefly in changing minds and attitudes, as is the case in Romania, Slovakia and Poland, others being a bit more concerned on building new relationships, as is the case of Greece, Italy and Poland. Certainly, given that our findings are based on a restraint number in some groups, the results from such analyses should thus be treated with utmost caution.

These findings add to a growing body of literature on understanding more what the offering of those in charge or integration victims of flight, migration and human trafficking is. In this regard, several participants provided additional notes mostly connected to the need of training, to the scarcity in

providing support and public funding for vulnerable groups in their field of expertise. In this respect, some narrations coming from Romanian interviewees are briefly reported, underneath.

"I would be delighted to see that the mentality in Romania is changing towards a better open minded mentality, which might be more visible abroad. What we do for disadvantaged groups is not a "one man show", as perceived by those who expect permanent charity, who do not learn their beneficiaries "how to fish alone and don't wait all their life for fried fish", if not for the golden fish!"(NGO representative from Romania).

"I think it is necessary to raise more the awareness among women in Romania. We, the people working in different locations around the world for the centres in our native country (the diaspora in Canada, in my case), we notice that the civic sense and that "public awareness" is still asleep in Romania. That's why I suggest doing several campaigns among young people, active campaigns not just on the surface. Public policies on vulnerable groups are still missing in Romania, 38 years after the fall of communism".(Romania migrant activating in social field in Canada).

"I would like to make a statement that is based on my own experience. We have not been able to integrate the Roma people since prince Cuza period till now, and there are children who do not have a birth certificate, who do not go to school, who are leaving school, who have all the chances to suffer, because of the environment they grow, to suffer when they'll grow up, themselves, but also those around them. I wonder what a chance we have with refugees. The project that I am doing has no European funding. The parish can't access such funds, from the mayor's office until the present day, we have not received any money, although we have already made 7 requests and the county council has been allocated 10000 lei (around 2000 Euro). If for such a project, maybe unique in the country, the authorities can allocate just 10000 lei then, what we are talking about?!. I do not say categorically "no" to refugees, but we are still unable to do so. Even worse, we don't care to integrate the Roma people, who are only in my village around 1000 and in the nearby town they are a few thousand" (NGO representative from Romania).

"It is needed more training on business skills, on how to make money, on how to support the business, because ultimately it is a social business, given that the funds are limited and the donations / sponsorships are still unstable".(NGO for refugees integration in Romania).

Taken together, these partial reserch results would provide useful insights about who are those dealing with vulnerable groups and what are the demands of those aiming to work with such communities. Trying to offer a brief map, in terms of *social innovative model* among the intervied organisation, we can conclude, according to our data that, those active organsations in the social field are mainly: oriented around disseminating a content package to solve common problems (e.g. create an offering to help resolve a social issue) describes the main offering of their organisation), focused to provide training to the individuals that deliver the offering or to the entire personnel of your organisation, but not so focused on mobilising their resources in order to generate income.

Without any doubt, we are confident that our research results may improve knowledge and practice about social venture and updated social innovation models with worthwhile insights for nowadays social marketing. We hope that our research will be prised and useful as it shows first hand data related to the mapping of social ventures at cross-cultural level, as for who are they, what are they doing, what their offer is, what was done and what should be done in the next steps. At the same time we believe that the main findings could be an useful tool not only for new comers in the field of social ventures around Europe, but it can serve to policy makers at in Europe, that should encourage more stakeholders towards social visible support in the area of human trafficking, migration and refugees.

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RELIGIOUS NGOS – EU PARTENERS IN THE IMPLEMENTATION PROCESS OF SOCIAL POLICIES. CASE STUDY: THE ROLE OF RELIGIOUS NGOS AS EU PARTENERS IN PROMOTION AND IMPLEMENTATION OF EU POLICIES IN THE FIELD OF DEVELOPMENT AND HUMANITARIAN AID GRANTED TO MIGRANTS

Dragoș-Ioan ȘAMȘUDEAN[118]

ABSTRACT

THE BACKGROUND FOR THIS RESEARCH IS REPRESENTED BY THE MIGRANT CRISIS AND THE ROLE OF RELIGIOUS NGOS AS WORKING PARTNERS FOR EUROPEAN INSTITUTIONS. IN THIS CONTEXT, I PROPOSED AN EXPLORATORY CASE STUDY REGARDING THE ACTIVITY OF RELIGIOUS NGOS AS EU PARTNERS IN PROMOTION AND IMPLEMENTATION OF EU POLICIES IN THE FIELD OF DEVELOPMENT AND HUMANITARIAN AID GRANTED TO MIGRANTS. STARTING FROM FOLLOWING RESEARCH QUESTION: WHAT ARE THE MOST RELEVANT CONCEPTUAL FRAMEWORKS REGARDING SOCIAL COHESION IN THE CONTEXT OF INSURANCE AND IMPLEMENTATION OF DEVELOPMENT AND HUMANITARIAN AID POLICIES GRANTED TO MIGRANTS BY EUROPEAN INSTITUTIONS IN PARTNERSHIP WITH RELIGIOUS NGOS? I TRIED TO LINK THE CONCEPTUAL FRAMEWORKS WITH THE DATA IN ORDER TO DETERMINE THE BACKGROUND AND CONTRIBUTIONS OF THESE TYPES OF NGOS AS EU PARTNERS I THE MANAGEMENT OF SOCIO-CULTURAL ISSUES REGARDING THE MIGRANTS CRISIS. FROM METHODOLOGICAL POINT OF VIEW, I USED THE INSTITUTIONAL DISCOURSE ANALYSIS. THE CONCLUSION REVEAL THAT A COMPLEX PROBLEM SUCH AS MIGRANT CRISIS REQUIRES AN INTERVENTION FROM A WIDE RANGE OF ACTORS, INCLUDING THE RELIGIOUS NGOS WHO ARE THE MOST PREPARED ACTORS TO MANAGE THE SOCIO-CULTURAL PROBLEMS OF THE MIGRANTS CRISIS DUE TO THE SPECIFIC FEATURES COMING FROM THE RELIGIOUS SPHERE.

KEY WORDS: MIGRANTS CRISIS, EUROPEAN UNION, RELIGIOUS NGOS, HUMANITARIAN AID, CHARITY, SOCIAL COHESION

INTRODUCTION

The background for this research is represented by the Migrant crisis and the role of religious NGOs as working partneres for European Institutions. The religious demographic map of the world will change in the next century, and the number of people for whom religion is an important part of identity will increase. In this context, it is important to understand the relation between religious actors within the EU and the European institutions and how this particular type of actors can be involved in promoting policies and even managing crises at regional level in cooperation with EU.

Regarding the research problem, I focused on The network of non-governmental religious actors working in collaboration with the (secular) institutions of the European Union to manage issues in the socio-cultural sphere. Due to the fact that there are a multitude of non-governmental religious actors at EU level, for this research my focuse goes on the chatolic NGOs because the migrant crises is an issue that affects all the states of the European Union and chatolicism is the only religion that is equally present in all the EU member states. Even though there are a lot of research on the relation between European institutions and NGOs in the implementation of European policies in the sphere of development and humanitarian aid, there are few research on the relation between European institutions and religious NGOs, and even fewer research on the relation between European institutions and religious NGOs in the context of migrant crisis because of the fact that The European

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Union has a secular character, there are a multitude of religious actors at EU level, and the migrants crisis is a relatively recent phenomenon.

Starting from what I previously presented my research question is: What are the most relevant conceptual frameworks regarding social cohesion in the context of insurance and implementation of development and humanitarian aid policies granted to migrants by European institutions in partnership with religious NGOs? According to the European Commission In 2015, over 1 million people have made their way to the EU, escaping from conflict in their country in search for better economic prospects. So, the migrant crisis is a major crisis which from the point of view of the *Regional security complex theory* developed by Barry Buzan and Ole Wæver, requires cooperation between a wide range of actors like supranational ones as EU, traditional ones as the state and non-governmental actors, secular and religious.

From the point of view of the structure of this article, for a better understanding of the topic discussed, I made a brief revision on the specialized literature resuming the debates of the most relevant authors for the chosen theme.Further I have presented the main conceptual frameworks, the methodology, the case study and last but not least the conclusions.The conclusion is that a complex problem such as migrants crisis requires an intervention from a wide range of actors, including the religious NGOs who are the most prepared actors to manage the socio-cultural problems of the crisis due to the specific features coming from the religious sphere.

Review of literature - Problems and debates.

In order to provide a starting point for understanding the topic we have discussed, we have the debates of the most relevant specialists on the topic of this article. Thus, I introduced the main concepts with which I will later work, while aiming to create a context of debate on the relationship between European institutions and religious NGOs in ensuring and implementing development policies and humanitarian aid to migrants.

One of the most important conceptual frameworks for our research is social cohesion, whose definition, origins and evolution are found in Justine Burns's , George Hull's, Kate Lefko-Everett's and Lindokuhle Njozela's,article *Defining Social Cohesion*. They describe the reality covered by this concept as one of the most challenging and important challenges to political decision-makers, especially in groups / zones / areas whose social structure is a mosaic.[119]At European Union level, from the perspective of relations between European institutions and religious NGOs, social cohesion is addressed from the perspective of two concepts specific to each actor involved: humanitarian aid and charity.Regarding the concept of humanitarian aid, the first author who defines this concept and offers a perspective on the humanitarian aid architecture at the international level is Annika Billing.It defines humanitarian aid as one of the most effective means by which to manage and reduce the effects of a war, a natural disaster and any situation that threatens the lives and safety of some people.[120]More specifically, a perspective of what humanitarian aid means at EU level is outlined by Charlotte Dany. The author presents an assessment of the policies developed by the European Commission in the field of humanitarian aid, as "the largest contributor to humanitarian aid globally".[121]

With regard to the concept of charity, it is defined and explained by Bruce Friedman in the paper "Two Concepts of Charity and Their Relationship to Social Work Practice". According to the author, charity whose origins are found in the New Testament is one of the main values of Christendom, and an important factor in the assurance of elements derived from social welfare state

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[119] Justine Burns, George Hull, Kate Lefko-Everett şi Lindokuhle Njozela, „Defining social cohesion", in: *SALDRU Working Paper*, nr.216, 2018, pp.1-3.
[120] Annika Billing, „ Humanitarian Assistance.An introduction to humanitarian assistance and the policy for Sweden's humanitarian aid", in: *Perspectives*, nr.17, 2010, p.4.
[121] Charlotte Dany, „Politicization of Humanitarian Aid in the European Union", in: *European Foreign Affairs Review*, Vol.20, nr.3, 2015, p.419.

policies.[122]At the level of the European Union, Tiberiu Brăileanu and Aurelian-Petrus Plopeanu present an analysis of the social mission of the Catholic Church. The authors analyze the social and charitable implications of the Catholic Church in Europe from the nineteenth century to the present. They also reveal certain similarities regarding the values on behalf of which both the EU Institutions and Catholic Church through religious NGOs,are socially active.[123]

Last but not least, the concept of social welfare is defined and analyzed by the author Paul Spicker whose research starts from the individual and the values that contribute to the assurance of personal well-being and ends with the idea of state welfare[124]while the concept of the papal encyclical is explained by Anne Fremantle who presents an analysis of official papers issued by the Holy Father in which papal encyclicals are presented as the Vatican's action strategies at different time points on issues in various sectors.[125]These latter two concepts need to be explained because they are directly related to the main data and conceptual frameworks analyzed. The debate surrounding the question of research includes discussions on the moral values on which the European Union has built up, values which in the great majority send to the Christian dogmas of help, understanding, communion, thus establishing a connection between European Union and the Catholic Church as a representative of the Christian world, a link that, despite the secular character of the EU, transcends European areas and policies such as development and humanitarian aid.

Conceptual and theoretical frameworks.

One of the authors who investigate and analyze the theories of international relations from the religious perspective of their radar is Daniel Philpott. He points out that the theories of international relations have a secular character, incorporating a set of historical events and features taken over from 1500-1700 such as the transfer of power and authority from religious institutions to sovereign states and the subordination of state religious actors to the state on state territory, Hobbes, Machiavelli, JJ Rousseau and Kant not only describe the world in which religious actors have lost power, but even encouraging the separation of the State from the Church and the political practice. The historical event with the greatest impact on the relationship between the state and the Church was the Protestant Reform that led to the development of three factors that facilitated the transfer of power and authority to the state. The first factor is the development of theology and theological thinking which led to the delegitimization of the prerogatives of the Catholic Church and the legitimation and enhancement of the prerogatives of the king or the prince. The second factor is the attraction of a large part of the population to Protestantism, which led to the weakening of the Catholic Church. The last factor is the fact that Protestants were placed under the protection of kings and princes, demonstrating that religious actors can not act independently in the international system.[126]

The fact that religious authorities have lost to secular power is understood to mean that the Pope's transnational political authority has disappeared, Papal authority being strictly a spiritual one. Religious authorities are also subordinated to state political authority. Catholic theologian Henri de Lubac in his work Corpus Mysticum develops a theory called The Migration of the Holy, which

[122] Bruce D. Friedman, „Two concepts of charity and their relationship to social work practice", in: *Social Thought*, nr.21, 2002, p.8.

[123] Tiberiu Brăileanu, Aurelian-Petrus Plopeanu, „Catholic social teaching and the origins of European Union", in: *CES Working Papers*, Vol. VI, nr.2, 2014, p.16.

[124] Paul Spicker, *Principles of social welfare. An introduction to thinking about the welfare state*, Ed. Routledge, San Paolo, 1988, p.8.

[125] Anne Fremantle, *The Papal Encyclicals in their historical context*, Ed. The New American Library, New York, 1956, p.21.

[126] Daniel Philpott, „The Religious Roots of International Relations Theory", in: *Religion and International Relations: A Primer for Research,The Report of the Working Group on International Relations and Religion of the Mellon Initiative on Religion Across the Disciplines*, University of Notre-Dame,pp.76-77, consulted on 22.08.2017, available on-line: https://rmellon.nd.edu/working-groups/international-relations-and-religion/.

presents the Church as a body of individuals who migrated to the political body, namely the secular state.[127]Realists like Hobbes, Machiavelli and Rousseau and liberals such as Kant, Locke and Smith described international relations as if the ecclesial authorities had little control, evoked and supported the loss of power by the Church, which they sometimes even ignored and more than that, they supported the existence of a morality of international relations, independent of the authority and teaching of the Church. Niccolo Machiavelli claimed that the Church itself is more than just a political actor (religious component) and involved in manipulations and other political behaviors similar to Italian-state cities. Thomas Hobbes, in his Leviathan ... did not ignore religion, but imagined his political authority without the influence of the bishops in particular. Hans Morghentau said that it is impossible to be a successful politician and a good Christian. Last but not least, coming from a theologian, Reinhold Niebuhr, is the idea that moral norms should not or should govern political behavior in an absolute sense.[128]

There is a close relationship between a supranational entity such as the European Union and the Catholic Church. The EU has its roots in Catholicism and its social dogma. Several traditions of political Catholicism have stimulated the vocation of the new European construction after the Second World War. One of them was based on the European continental orientation of political Catholicism antagonizing socialist ideology and Stalinist centralization. If in the Middle Ages the Catholic Church provided the means necessary for the struggle against the Ottomans, in the twentieth century it provided the democratic values necessary for the fight against communism.[129]The visible link between religion and politics at the level of the European Union is represented by the Christian Democratic parties. The role of the Christian-democratic European parties in the realization of the European Union was an important one because of the formal and informal co-operation ties established by them, which contributed to the creation of a capital transnational social and trust in a European political project. The Christian Democrats have tried to build a Catholic Europe, a decentralized federation based on the Catholic principle of subsidiarity.[130]

As regards the research problem of this article, the most relevant concept is social cohesion. Social cohesion has generated an increased interest from international organizations, government institutions, states, and decision-makers since the 1980s. The interest in this concept was often due to divisions and divisions within societies, divisions related to economic factors, tensions associated with migration and ethnic or cultural conflicts.[131] The European Council defined social cohesion as "the ability of society to ensure the long-term well-being of all its members, including fair access to available resources, respect for human dignity, respect for diversity, personal and collective autonomy and responsible participation within that society".[132]
These definitions are often practice-oriented and relate to programs and policies implemented in particular by governments, international actors and NGOs.[133] In order to implement such projects and policies, the European Union collaborates with religious NGOs on the basis of humanitarian aid and charity concepts thus ensuring social cohesion for migrants in this case.

Humanitarian aid means all efforts to save lives, alleviate suffering and maintain human dignity for the benefit of people in need who are or are at risk of armed conflict or are affected by armed conflicts, natural disasters or other disaster situations , which are serious impediments to the supply and survival of populations or of a whole community. In the case of armed conflict, the main beneficiary group is the civilian, the population, but also members of the armed forces that are no longer engaged in hostilities, such as injured and sick soldiers.[134] With regard to humanitarian aid, the

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[127] *Ibidem,* pp.77-80.
[128] *Ibidem,* pp.80-84.
[129] Tiberiu Brăileanu, Aurelian-Petrus Plopeanu, *op.cit.*, pp.27-28.
[130] *Ibidem,* p.28.
[131] Justine Burns, George Hull, Kate Lefko-Everett, Lindokuhle Njozela, *op.cit.*, p.2.
[132] The European Council official page, consulted on 22.03.2019, available on-line: https://europa.eu/european-union/about-eu/institutions-bodies/european-council_ro.
[133] Justine Burns, George Hull, Kate Lefko-Everett, Lindokuhle Njozela, *op.cit.*, p.4.
[134] Annika Billing, *op.cit.*, p.5.

European Union seeks to provide assistance and individual assistance to all third-country nationals who are victims of natural or man-made disasters in order to respond to the humanitarian needs resulting from these different situations as stated in Article.143 TFEU.[135] The EU is the largest contributor to humanitarian aid worldwide, given its contributions as a supranational organization, as well as the bilateral aid granted by the Member States. The European Commission spends more than 1 billion euros annually in the humanitarian aid sector.[136] The EU involves a large number of NGOs as partners in the implementation and formulation of humanitarian aid policies. Most of the contributions to the negotiations are transmitted through the Voluntary Organizations in Cooperation in Emergencies (VOICE), a network of over 80 NGOs based in Brussels, including religious NGOs.[137]

With regard to the concept of charity, it comes from Latin word caritas, and according to Christian doctrine it has the meaning of giving up some of its own assets to help your neighbor. In other words, through charity, we understand any aid action that ensures a decent level of living or at least the survival of some people. As practice in Christian churches, charity is often attributed to Saints, most notably St. Francis of Asissi. These people not only provide material but also spiritual, moral support. This concept has evolved with society and the world, and today it has been taken over from Christian dogma, into state and even supranational policies of the EU in the form of social welfare.[138] Social well-being is defined as the sum of the welfare of all individuals in a society that in turn means the ability to assure all primary needs.[139] At the level of the European Union, Papal Encyclicals of Papal Paul VI, John Paul II, Benedict XVI and Francisc urge both European leaders and citizens to understanding, mutual aid and communion. The Papal Encyclical is a pastoral letter or an apostolic letter, universal in character for all people, through which the Holy Father expresses points of view and provides advice on major issues on the international relations arena. For the Vatican and the Catholic Church, these papal encyclicals are the equivalent of presidential decrees, the equivalent of action strategies in various fields.[140]

Methodology.

The specialized literature that has been consulted identifies, as primary sources, the following documents: Europe 2020. A European strategy for smart, sustainable and inclusive growth, My Region, My Europe, Our Future. Seventh report on economic, social and territorial cohesion and Papal Encyclicals: The Populorum Progressio encyclical of Pope Paul VI, The Encyclical Sollicitudo Rei Socialis of Pope John Paul II, The Encyclical Caritas in Veritate of Pope Benedict al XVI-lea and The Encyclical Laudato Si of Pope Francisc.Europe 2020. A European strategy for smart, sustainable and inclusive growth was launched in 2010 and proposes five EU action areas with targets to be achieved by 2020 that will lead the Union's process and actions and will also be translated into national targets of the Member States. These areas cover jobs, research and innovation, climate change and energy, education and the fight against poverty. In essence, this strategy represents the European leadership's response to problems within the Union, proposing to create more jobs, raising the standard of living for citizens and ensuring a safe social climate in all respects by delivering smart, sustainable and inclusive development policies.[141] To better understand the projection of these strategies in the European Union, including a look at the wave of migrants facing the EU, we identified the European Commission's report My Region, My Europe, Our Future.

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[135] *Consolidated Version of the Treaty on the Functioning of the European Union*, consulted on 22.03.2019, available on-line: https://eur-lex.europa.eu/resource.html?uri=cellar:9e8d52e1-2c70-11e6-b497-01aa75ed71a1.0006.01/DOC_3&format=PDF.

[136] Charlotte Dany, *op.cit*, pp.419-420.

[137] *Ibidem,* p.422.

[138] Bruce D. Friedman, *op.cit*., p.9.

[139] Paul Spicker, *op.cit*., p.12.

[140] Anne Fremantle, *op.cit*., p.21.

[141] The European Comission, *Europe 2020. A European strategy for smart, sustainable and inclusive growth*, Bruxelles, 2010, p.3, , consulted on 13.03.2019, available on-line: https://ec.europa.eu/commission/index_ro.

Seventh report on economic, social and territorial cohesion that provides insight into what has been achieved and what has not been achieved within the EU by the year 2017 in relation to the strategy adopted in 2010.[142]

From the perspective of the Catholic Church, the main data was gathered following the revision of Papal Encyclicals, which I will shortly present in chronological order. The Populorum Progressio encyclical of Pope Paul VI was issued by the Holy Father in 1967. Despite the fact that they have been around 60 years since then, her exhortations are more current than ever. Paul VI emphasizes the need for the communion and the cooperation of the European leaders at that time to achieve the well-being of all people, the need for understanding and tolerance.[143] Commitment to cohesion, understanding and friendship is continued by Pope John Paul II in the Encyclical Sollicitudo Rei Socialis, while stressing the importance of the social mission of the Catholic Church and the need for collaboration between the Church and political bodies to cope with contemporary social needs by ensuring prosperity and the good development of all people.[144] The most recent and clear of the encyclicals studied – regarding the charitable mission of the Catholic Church and the need for interinstitutional cooperation between secular and religious institutions in promoting and implementing social aid policies; is the The Encyclical Caritas in Verity of Pope Benedict XVI.The Holy Father emphasizes that the charity of the Church, alongside with Christian moral and social values must be more present than ever in the formulation of development and social aid policies, while promoting tolerance, understanding and equal opportunities.[145] Last but not least, in the Encyclica Laudato Si, although the main topics covered are global warming, environmental issues and the degradation of the planet, social issues such as poverty, discrimination and conflicts are not neglected. Francis joins his predecessors in the social discourse, highlighting the importance of charity, the need for understanding and tolerance, especially in the context of the wave of migrants, peace and cooperation in the context of the Crimean crisis and cooperation between political leaders in order to ensure the stability and welfare of citizens.[146]

Thus, the conceptual projection of social cohesion through humanitarian aid is found at European Union level in the Europe 2020 Strategy. A European strategy for smart, sustainable and inclusive growth. So, in terms of development and humanitarian aid, the "European Platform Against Poverty", whose purpose is to ensure territorial, economic and social cohesion, combating poverty and social exclusion, raising awareness, recognizing and respecting rights fundamental principles of people experiencing poverty and social exclusion and ensuring them a dignified life with active participation in European society. All this involves collaboration between the European institutions, Member State governments and non-governmental organizations.[147] The research method used is the institutional discourse analysis for documents issued by the European Commission, in this case, Europe 2020. A European strategy for smart, sustainable and inclusive growth, My Region, My Europe, Our Future. Seventh report on economic, social and territorial cohesion and documents issued by the Holy See, namely the Papal Encyclical: The Populorum Progressio encyclical of Pope Paul VI, The Encyclical Sollicitudo Rei Socialis of Pope John Paul II, The Encyclical Caritas in Veritate of Pope Benedict al XVI-lea and The Encyclical Laudato Si of Pope Francisc.

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[142] The European Comission ,*My Region, My Europe,Our Future. Seventh report on economic, social and territorial cohesion,* Luxembourg: Publications Office of the European Union, 2017 consulted on 13.03.2019, available on-line: http://ec.europa.eu/regional_policy/en/information/cohesion-report/.

[143] The Holy See, *Populorum Progressio. Encyclical of Pope Paul VI on the development of peoples*, Roma, 1967, pp.2-3, consulted on 15.03.2019, available on-line: http://w2.vatican.va/content/vatican/en.html.

[144] The Holy See, *Sollicitudo Rei Socialis,* Roma, 1987, pp.4-8, consulted on 15.03.2019, available on-line: http://w2.vatican.va/content/vatican/en.html.

[145] The Holy See, *Caritas in Veritate*, Roma, 2009, pp.2-13., consulted on 17.03.2019, available on-line: http://w2.vatican.va/content/vatican/en.html.

[146] The Holy See, *Laudato Si. On care for our common home*, Roma, 2015, pp.53-57, consulted on 17.03.2019, available on-line: http://w2.vatican.va/content/vatican/en.html.

[147] The European Comission, *Europe 2020. A European strategy for smart, sustainable and inclusive growth*, Bruxelles, 2010, p.3, , consulted on 13.03.2019, available on-line: https://ec.europa.eu/commission/index_ro.

Case Study: The role of religious NGOs as EU parteners in promotion and implementation of EU policies in the field of development and humanitarian aid granted to migrants.

The bind of the cooperation between the institutions of the European Union and the religious institutions, especially the Catholic ones, in the field of development and humanitarian aid granted to migrants is realized and is implemented by religious NGOs. From a conceptual point of view, the activity of this type of non-governmental organizations is found at the border between secular and religious, their actions relying on the concept of humanitarian aid found in EU official documents as well as on the concept of dogma charity Christian religion. At the practical level, what distinguishes the activity of religious NGOs from the work of other types of NGOs is represented by this reference to moral and Christian values and the support of the Churches, which facilitates the implementation of projects taking into account the capacity of a large influence of religious institutions, the number of their followers who can easily provide the necessary volunteer staff and the deep-rooted spiritual-cultural ties in most societies, the clerical staff being constantly in the midst of the communities, knowing their needs and problems, and thus contribute to the effective formulation of policies in the social and humanitarian sphere.

In order to better understand the chosen case study, it is first necessary to define what religious NGOs mean. In recent literature and studies, non-state religious actors - in local, national, regional, international, and global contexts - are mentioned in various ways. These include: religious NGOs, non-profit based religious organizations and faith-based organizations. Religious NGOs are defined as formal organizations whose identity and mission are consciously derived from the teachings of one or more religious or spiritual traditions and operate according to a non-profit, independent, voluntary organization in order to provide services, both at national and international level.[148]Also, non-governmental religious organizations are characterized by missions rooted in religious and spiritual beliefs that rely on a variety of processes to achieve their goals. Processes such as networking, monitoring and providing information (propaganda) are common to most NGOs, while others, including spiritual guidance, prayer and modeling, are a unique feature of religious NGO operations.[149]

In today's international context, the work of religious NGOs includes, in particular, actions in the sphere of the social sector, humanitarian actions and the support of various development programs, both in infrastructure (construction of hospitals, schools) and in the training of specialized personnel (medical assistance, social assistance, teachers, etc.) Religious non-governmental organizations are also involved in programs of rehabilitation and social inclusion of disadvantaged and integrative people at the level of small communities (eg cities), especially in the current European context, integration of migrants. Thus, through priests and pastors, as well as the Church as an institution, religious NGOs provide both the specialized assistance necessary for the persons mentioned in the above programs and spiritual assistance, the purpose of these NGOs being to assist individuals and give them the necessary framework to build their own lives.[150]Based on the concepts of humanitarian aid and charity to ensure social cohesion for migrants and on the basis of shared values shared by the European Institutions and the Catholic Church, as a major religious institution at European Union level, non-governmental religious organizations are integrated into the Governance process of EU through the European Instrument for Democracy and Human Rights (EPDDO). It was set up in 2007 with a total budget of EUR 1.3 billion for the period 2014-2020, with a view to implementing projects from civil society through NGOs, projects selected following application and implementation their analysis. Religious non-governmental organizations as part of civil society are

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[148] Jeffrey Haynes, „Faith-based Organisations at the United Nations", in: *EUI Working Paper*, nr.70, San Domenico di Fiesole, Italia, 2013, p.2.

[149] *Ibidem*, p.3.

[150] Candice N. Watson, "Faith-based Organizations and Their Contributions to Society", in: *Research Papers: Open SIUC* , nr.323, 2012, p.8.

encouraged to apply for EU funding to implement human rights, development and humanitarian projects within the framework of human development and humanitarian aid granted to migrants.[151]

Despite the commitment to values such as democracy, human rights and humanitarian aid, member states in the European Union, with some exceptions (Germany and Sweden), have failed to address the effective management of the migrants' crisis, EU leaders being incapable of provide a common and coherent response to managing migratory flows. Moreover, at some Member States, a tough, even extremist rhetoric was addressed to migrants, promoting exclusionary measures and making asylum difficult.[152]In the context of the migrants 'crisis and the lack of response from the European Union, NGOs' activities of humanitarian assistance and humanitarian aid to migrants' are an important part of the actions and projects of non-governmental religious organizations. Based on the relations established with the EU institutions and projects started and supported by European funds presented in the previous subchapter at the level of the member states, they ensured the transition and the integration of the migrants in the society. Against the backdrop of an attitude of social exclusion, racism and xenophobia, and in the absence of European integration policies, the work of religious NGOs, congregations, parishes and Christian-social missionary organizations has become much more important and visible, including the High Commissioner for UN refugees recognizing the importance of the work of religious NGOs.[153] At the European Union level, this activity was manifested in the context of the migrants' crisis through the lobby of non-governmental religious organizations alongside the national governments of the EU member states in order to intensify asylum procedures for applicants, respect for human rights and the environment socio-economic integration of migrants. An example of this comes from the UK where the bishops of the Anglican Church criticized the government for making asylum procedures difficult for migrants.[154]Another example is the Protestant clergy in Germany who, along with non-governmental religious organizations, have asked German political leaders to step up migrant rescue operations in the Mediterranean. Last but not least, the Conference of European Churches and the Dutch charity Church in Action called for the Dutch government to provide asylum seekers with much better living conditions throughout the proceedings.[155]Also, religious NGOs provide access to information and shelter for migrants. Following a high-level meeting of the European Commission and following the call by Pope Francis for accepting, protecting and integrating migrants in European society, Catholic religious NGOs, along with local churches, provided migrant churches with temporary shelters. Thus, through the action of non-governmental religious organizations, the resources needed to provide the basic needs for migrants were provided. Also, through religious NGOs, migrants also have access to information on asylum procedures and the social and cultural structure of the European Union.[156]

Last but not least, these non-governmental religious organizations ensure the development and implementation of long-term projects, integration into European societies and labor market access for migrants.[157]Since there are many religious NGOs at EU level and the article does not allow for an analysis of the work of all in the field of development and humanitarian aid to migrants, I chose to exemplify and support the theoretical and methodological aspects, the presentation of the activity in the mentioned field of NGOs religious organization Caritas Europa, an NGO working under the direction of the Catholic Church. In order for the topic to be topical, Caritas Europe's work

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[151] Philippe Perchoc, *Religion and the EU's external policies*, decembrie 2017,p.3, consulted on 4.12.2018 available on-line: http://www.europarl.europa.eu/thinktank.

[152] Luca Mavelli, Erin K. Wilson, *The Refugee Crisis and Religion: Secularism, Security and Hospitality in Question,* Ed. Rowman & Littlefield, New York, 2017, p.3.

[153] Christine Goodall, „ Shouting towards the Sky: the role of religious individuals, communities, organisations and institutions in support for refugees and asylum seekers", in: *New issues in refugee research*, nr.275, 2015, pp.3-4.

[154] *Ibidem,* p.16.

[155] *Ibidem,* p.16.

[156] Martina Prpic, *Religion and human rights*, pp.6-7, consulted on 11.01.2019, available on-line: http://www.europarl.europa.eu/at-your-service/files/be-heard/religious-and-non-confessional-dialogue/events/en-20181204-eprs-briefing-religion-and-human-rights.pdf.

[157] Darrell Jackson, Alessia Passarelli, „Mapping migration, mapping Churches response in Europe" in: *World Council of Churches Publications*, nr.1, 2016, p.101.

as an EU partner in development and humanitarian aid to migrants will be presented in the context of a project that is in progress, the period being between October 2017 and September 2020. Caritas Europe is one of the 12 Caritas organizations from 11 European countries participating in a three-year project that aims to raise awareness of the links between migration and development. The start of the project, 2017, coincides with the presentation of the European Commission report My Region, My Europe, Our Future. Seventh report on economic, social and territorial cohesion, which draws attention to a major new issue at EU level: migration and integration of migrants. Thus, in the Caritas Europe project, each year, Caritas will focus on a specific topic that covers the evolution of the migratory process and the situation of migrants, starting from identifying the causes of forced migration, integration and steps to create societies that ensure social inclusion of migrants and, last but not least, ensuring integration in European societies by identifying the most effective ways in which migrants can benefit those societies so that they can be assured that human dignity and decent living, objectives also pursued by the Europe 2020 Strategy A European strategy for smart, sustainable and inclusive growth. The project is titled "Migration.Interconnectivity. Development "(MIND) and is co-funded by the European Commission through the Directorate-General for International Development and Cooperation.[158]

The MIND project is structured on three pillars as follows: 1. Cases of forced migration, 2. Preparing European societies for receiving, accepting and integrating migrants, and 3. Migrants as development actors for European communities. This project seeks to raise awareness of the relationship between sustainable development and migration and the role of the EU in development cooperation. Overall, the objective of Caritas Europe in this project is to encourage the acceptance and inclusion of migrants in the societies of the EU Member States and, on the other hand, to ensure that EU and Member States' development aid is used exclusively to reduce and eradicate poverty and improve people's lives.[159]Moreover, through the meetings organized by this religious NGO with representatives of national governments, corporations and the international business community as well as members of civil society, Caritas Europe also tries to identify possible jobs, so that at the end of the project , MIND to leave behind not only changed mentalities regarding migrants but also a social situation that allows them to ensure human dignity and decent living. The religious NGO Caritas wants a Europe that receives, protects, promotes, integrates and leaves no one behind.[160]

European Union financial support for the project implemented by Caritas Europe underlines the trust the EU attaches to this religious NGO, along with the recognition of common values in whose behalf these actors operate, values such as aid and charity, freedom and cooperation, understanding and tolerance.

CONCLUSIONS

Looking at the relationship between religion and social progress, it can be argued that social development must not necessarily be associated with secularization and that religious NGOs along with other non-governmental organizations and with governments and institutions of the European Union can make special progress in the area of health systems, education and service provision and development, and in the event of crisis situations such as the wave of migrants, ensuring their transition, accommodation and integration into the new societies.[161]

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[158] Caritas Europa, *Migration and development matter!*, consulted on 22.04.2019, available on-line: https://www.caritas.eu/migration-and-development-matter/.
[159] Caritas Europa, *MIND.Migration.Interconnectedness.Development*, consulted on 22.04.2019, available on-line: https://www.caritas.eu/mind/.
[160] *Ibidem.*
[161] Nora Milotay, *Faith-based actors and the implementation of the European Pillar of Social Rights*, iunie 2018, pp.5-6, consulted on 08.01.2019, available on-line : http://www.europarl.europa.eu/pdf/divers/EPRS_EN_2606.pdf.

As far as the results of this research are concerned, we have identified that the concept of social cohesion in the provision and implementation of development policies and humanitarian aid to migrants promoted by the European institutions in partnership with religious NGOs actually includes two other concepts and namely humanitarian aid from the perspective of the European Union and charity from the perspective of religious non-governmental organizations. Thus, social cohesion is seen as a key objective in both the European Union's strategy for action, Europe 2020. A European strategy for smart, sustainable and inclusive growth, and in the Papal Encyclicals issued by the Holy See, encyclicals governing the work of the Catholic Church and NGOs Catholic religious cults. At the practical level in ensuring and implementing development policies and humanitarian aid to migrants, social cohesion from the EU perspective takes the form of humanitarian aid, while from the perspective of the Catholic religious NGOs of the Union takes the form of charity. Despite the fact that the European Union has a secular character, far from a religious affiliation, the relationship between the European Union Institutions and religious NGOs is grounded in the existence of common issues taken over by the EU in its religious formation process. Starting from the principle of subsidiarity taken from the organization of the Catholic Church and up to values such as human dignity, freedom, equality and human rights, the EU has more points to share with religion than it is to be believed. What is to be borne in mind with religious NGOs in European Construction is that, despite specific features from the religious sphere, these types of non-governmental organizations are effective and trustworthy partners for the European Institutions, being involved in both the EU governance governance (policy formulation, assistance with specialized personnel in different areas of expertise) and fieldwork in the context of this article to promote and implement EU development and humanitarian aid policies for migrants.

As there is a multitude of non-governmental religious actors at the level of the European Union, we chose to present the work of the Caritas Europe religious NGO in the case study on its involvement in humanitarian development and humanitarian aid for migrants. Thus, the presented theoretical and methodological framework finds its projection in the implementation of the MIND project by Caritas Europe in the period 2017-2020. Migration. Interconnectedness. Development. In partnership with the European Commission - the Directorate-General for International Development and Cooperation, in line with the 2020 strategy objectives. A European strategy for smart, sustainable and inclusive growth and the 2017 Commission report My Region, My Europe, Our Future. The seventh report on economic, social and territorial cohesion, as well as the Christian charity and the objectives mentioned in the Papal Encyclical, especially the Benedict XVI Encyclical Caritas in Verity, Caritas Europe has set the foundations of the MIND project, EU awareness of migrants 'issues, identification of the causes of forced migration, preparation of EU Member States' companies for the reception of migrants and, last but not least, the integration of migrants and their preparation for integration into the labor market.

Last but not least, as I have already said, the migrants cirsis is a complex one requiring an equally complex response from a wide variety of actors. At regional level, the most effective partners for European institutions in managing socio-cultural issues in the context of migrants' crisis are religious NGOs. These types of NGOs, due to the characteristics from the religious sphere, can ensure the most effective integration of migrants into the new societies of the EU member states. What is to be borne in mind by this article is that social development and integration must not necessarily be associated with secularization. In partnership with the European Institutions and national governments as well as with other non-governmental organizations, religious NGOs succeed at the level of the European Union to collaborate and provide the necessary resources to improve the standard of living of European citizens. Moreover, as can be seen from the case study, religious non-governmental organizations, in cooperation with EU institutions, can provide expert expertise and can act in the direction of crisis management.

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ALBANIAN IMMIGRANTS TO ITALY:

ACHIEVEMENTS AND CHALLENGES OF INTEGRATION

Juliana GJINKO[162]

ABSTRACT:

AFTER THE POLITICAL AND ECONOMIC COLLAPSE OF THE COMMUNIST REGIME, THE ALBANIAN PEOPLE EXPERIENCED SOME GREAT MIGRATION WAVES TO ITALY. EACH OF THEM WAS CHARACTERIZED BY EXTREMELY DIFFICULT STARTING CONDITIONS, AS WELL AS BY THE COMPLETE SHOCK AND UNPREPAREDNESS ON THE ITALIAN AUTHORITIES AND POPULATION. THE INTEGRATION PROCESS HAS PASSED THROUGH FAILURES AND CHALLENGES BUT IS TODAY CONSIDERED A MOSTLY SUCCESSFUL INTEGRATION STORY. WHICH ARE THE MAIN FACTORS THAT CONTRIBUTED TO A RELATIVELY RAPID INTEGRATION AFTER SUCH A DRAMATIC START?
THIS PAPER EXAMINES THE DYNAMICS AND CHALLENGES POSED IN THREE DECADES OF MIGRATION FLUXES, WITH A SPECIAL FOCUS ON CULTURAL AND WORKFORCE INTEGRATION, CRIMINAL ORGANIZATIONS ACTIVITY, THE MEDIA'S ROLE IN DESCRIBING AND SHAPING THE RELATION BETWEEN MIGRANTS AND THE LOCAL COMMUNITIES. INTEGRATION STATISTICS ARE ANALYZED, ESPECIALLY WORKFORCE INTEGRATION, FAMILY REUNIFICATIONS, EDUCATION AND CRIME, IN RELATION TO THE ITALIAN POLITICAL AND SOCIAL DYNAMICS. SOME OF THE INTEGRATION FACTORS ARE ALSO CONSIDERED, WITH A SPECIAL INTEREST IN THE DEMOGRAPHIC CHARACTERISTICS OF THE REFUGEES AND MIGRANTS DURING THE DIFFERENT MIGRATION FLOWS. ON THEIR PART, ITALIAN AUTHORITIES HAVE UNDERTAKEN SOME IMPORTANT INTEGRATION CAMPAIGNS FOCUSED ON THE LEGALIZATION PROCESS OF THE OCCUPIED ILLEGAL ALIENS AND THE AGREEMENTS WITH THEIR ALBANIAN COUNTERPART REGARDING THE DEPORTATION OF LEGALLY CONVICTED ALBANIAN CITIZENS. THE EXAMINATION OF THESE INTEGRATION FACTORS MAY HELP TO EVALUATE THE BEST PRACTICES TO ACHIEVE THE LESS TRAUMATIC AND MOST SUCCESSFUL COEXISTENCE IN THE EVERCHALLENGING MIGRATION WAVES EUROPE HAS TO DEAL WITH.

KEY WORDS: IMMIGRATION, CHALLENGES, INTEGRATION, AGREEMENTS

Historically, Italians and Albanians have been part of a shared socio-cultural and economic space. The relevance of such common space has been very discontinuous through centuries. As Della Rocca used to observe: "Albanians are a sort of recurring geopolitical obsession, a presence that periodically intrudes into the Italian imaginary, and then disappears in a lethargy of unpredictable duration."[163] The last occasion the two Mediterranean people faced each other, begun with the end of the Cold War. After the political and economic collapse of the communist regime, the Albanian people have experienced three mass migration waves to Italy. First, there was the great exodus during 1991, as a consequence of political confrontation and extreme economic deprivation in Albania. Just during March 1991, 25.700 Albanians crossed the Otranto Canal in boats and rafts of every type; During

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[163] Morozzo della Rocca, R., "Roma e Tirana, le convergenze paralelle", in *Limes* 2, 2001

August 1991, 20.000 arrived on the Italian coasts on dramatically overloaded ships. The second mass migration happened in 1997, after the financial pyramids crisis and the civil confrontations. The last wave of massive migration flows from Albania to Italy came as a consequence of the 1999 Kosovo War.

Each of these waves has been characterized by extremely difficult starting conditions, as well as by the complete shock and unpreparedness on the Italian authorities and population. Subsequently, the integration process has passed through failures and challenges, but it is today considered a mostly successful integration story[164]. Which are the factors that contributed to a relatively rapid integration after such a dramatic start?

Analyzing the main demographic characteristics of Albanian citizens legally residing in Italy as of January 1st 2017, we record:

- a substantial balance between genders: women represent 48.6% and men 51.4%, in line with the number of legally resident non-EU citizens, among which the female gender represents 48.5 %;
- an average age slightly lower than that recorded on the total of non-EU citizens (32 years, compared to the 33 years recorded for the overall non-EU population)[165].

The Albanian community has showed a great attachment to Italy, detectable by indicators such as the strong motivation to reunite families, to raise children in Italy, to invest for their future in the receiving country. As for the reasons of permit requests, 52% of Albanians hold a residence permit for work, while family reunifications amount to 42.5%. The rapid turnaround compared to the past appears evident if we consider that only in 2000 the holders of a residence permit for family reunification were just 30%. The incidence of married people is significantly higher than the average of the total number of immigrants (8 percentage points more). Also this indicator, together with the others already analyzed, suggests an advanced "familiarization" process[166].

Italy found itself unprepared, given its being a very recent host country to immigrants. The changing labor market and the end of the Iron Curtain had prompted the passage of a broader law in 1990 (Law 39/1990, known as the 'Martelli law'), which provided for annual planning of migratory flows, norms regarding the rights and obligations of foreigners in Italy, their stay and work conditions and other matters regarding family reunion, and social integration. Asylum – which had not yet seriously affected Italy – was also addressed[167]. At the time, Albania was still a closed country. Immigration became a significant issue in the 90's – in no small part because of flows from Albania – leading to Law 40/1998[168] (the so-called Turco-Napolitano law or Testo Unico), issued by the centre-left government. This law, passed during a period when Albania was the spotlight country for immigration to Italy, created a three-pillar immigration policy, subsequently upheld by the centre-right coalition, based on: a) fighting illegal migration - bilateral agreements and criminal penalties b) regulating legal migration - a quota system (an annual ceiling); c) integrating resident foreigners - a national immigration fund. The government was required to publish three-year planning documents for immigration. Entry to Italy was allowed within the national quotas and with either a job offer (invitation from an employer), or 'sponsored job-seekers' (guaranteed by a legal resident). In 2002, the 1998 immigration law was revised. Law 189/2002 (known as the Bossi-Fini Law) imposed further restrictions on entry and tightened the conditions for stay; integration measures were left

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[164] Pittau F., Ricci A., Urso G., "Gli Albanesi in Italia: un caso di best practice di integrazione e sviluppo", in *REMHU: migracoes e desenvolvimento,* v. 17 n. 33, 2009

[165] Ministero del Lavoro e delle politiche sociali, *La communita' Albanese in Italia. Rapporto annuale sulla presenza degli immigrati*, 2017, 9

[166] Mai, N. Albanian *Migration to Italy. Toward differential Circularisation?* Metoikos Project, RSCAS Publications, 2010, 22

[167] Legge 28 Febbraio 1990. "Conversione in legge, con modficazioni del DL 30.12.1989 n.416 recante norme urgent in material di asilo politico, di ingress e soggiorno dei cittadini extracomunitari e di regolarizzazione dei cittadini extracomunitari ed apolidi presenti nel territorio dello Stato. Disposizioni in material d'asilo", *Gazzetta Ufficiale del 28 Febbraio 1990, n.49*

[168] Legge 6 marzo 1998, "Disciplina dell'immigrazione e norme sulla condizione dello straniero.", *Gazzetta Ufficiale n. 59 del 12 marzo 1998 - Supplemento Ordinario n. 40*

intact. The management of foreign labour flows in Italy centers on the quota system, which establishes a ceiling for annual entries for labour purposes.

Tab.1 Entrance quotas for the Albanian workforce[169]

Year	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Quotas	3000	3000	6000	6000	3000	1000	3000	3000	4500	4500

The improvement in the control of irregular migration is due to Albanian policies as well: with the institutional strengthening, it has ensured more effective support for the Italian migration policy, so effectively that it is often taken as an example for the application of readmission agreements (dating back to 1997) and the fight against labor traffickers.

Research on the Albanian population in Italy[170] shows how strong the weight of the negative image that the Albanian migrant has been attributed by the media. From 1991 until mid 2000s, the aversion to the foreigner was stereotyped and stigmatized in order to make the entire immigration a reality to be monitored, with the consequence of criminalizing, or at least, framing entire communities negatively, and making it more difficult for them to successfully integrate.

Faced with the dramatic mass immigration images, Italians reacted in different ways. For the sociologist Rando Devole, "the Italians were caught unprepared, because the majority of them had not set themselves the problems connected with the presence of (different) immigrants in their society; few actually met them, if not occasionally"[171].

The Italians would follow the events on television; they discovered the phenomenon through the newspapers. The media have the faculty to present us facts, people, events, of which we often have not had a direct experience in our life, and it is normal that if they continue to show something that we do not know by always associating it with negative facts, we will automatically tend to have a negative conception of that. Their informative and communicative action provides a significant contribution to the construction of contemporary reality. For example, when an Italian reads in the newspaper about a crime committed by an Albanian, and he has Albanian friends, he will never argue that the Albanians are all delinquents. However, as long as the knowledge of the "different" occurs only through the mass media, the risk is to generalize, to cultivate completely absurd stereotypes. Without a second thought, the media has increased the alarmist tone by warning the Italian public opinion about other Albanian exoduses and thus starting a stigma campaign. Immigration was described as a very strong and violent threatening phenomenon. Alarmist titles such as the "La Repubblica": "An Albanian invasion, the desperates of the sea come back"[172], contributed to create the idea of criminal and violent Albanians. A sort of media myth has been created whereby the Albanian was considered a risk to public order, a risk to public health (because they brought diseases) and a risk for public morality (the exploitation of prostitution). It took only a few months and the Italian media managed to create the stereotype of violent and criminal Albanian in the collective imagination.

Pic.1 The first page of the national newspaper "Corriere della Sera", March 8th 1991, "10.000 refugees assault".

The main commentary reads "Oh, Mother: Albanians are coming!" with a related prayer against the "invasion".

[169] Data elaborated from "Dossier Statistico Immigrazione Caritas/Mig...

[170] Pittau, Franco; Reggio, Marco, *Il caso Albania: immigrazione a ... Alessandra. Quel giorno che gli albanesi invasero l'Italia: gli att... italiana sulla questione delle migrazioni dall'Albania*; Devole, Ran... Jamieson, Alison; Silj, Alessandro. *Migration and criminality: the ca... Non-persone: l'esclusione dei migranti in una società globale*; Silj, A... *uno stereotipo*, p. 247-261; King, Russell; Mai, Nicola. *Of myths an... Italy*, p. 161-199

[171] Devole R., *Albania: fenomeni sociali e rappresentazioni*, 1996, 44

[172] Devole, 56

Una giornata drammatica in Puglia mentre decine di imbarcazioni continuano a solcare l'Adriatico verso l'Italia

Diecimila profughi all'assalto

Altre navi dell'Albania sfondano il blocco, Brindisi invasa da una marea di disperati
Il governo: non possiamo accoglierli tutti, molti di loro dovranno ritornare in patria

Il presidente USA rilancia la pace in Medio Oriente

E ora sui territori occupati è scontro fra Bush e Israele

Grande festa al Congresso di Washington per la vittoria - Baker partito per la regione - Risposta negativa di Gerusalemme

Until mid 2000s, both immigrants and local populations would experience a very strange coexistence, described by King and May as the "Albanian assimilation paradox": The Albanian post communist xenophilia and anticipatory assimilation crush into widespread albanophobia among Italians[173]. Albanian immigrants are representative of the quite peculiar Albanian identity regarding openness, laicism and a desire to blend with the host society. According to an UNDP survey, more than 90 percent of Albanians consider religious tolerance to be a fundamental value, and confirm that the state does not have to interfere with the religious belief of the individual[174], so they tend to escape the "Muslim immigrant" stereotype and the self-ghettoization tendecy.

The mid 2000s were characterized by the coincidence of a couple of factors impacting the Albanian immigrants' path of integration. First of all, there was an Albanian institutional further strengthening, initiated in early 2000s and culminated with the NATO accession and the visa free regime with the EU. Secondly, after the 2001, there was the advent of new immigrant groups in Italy, as well as a rise in Islamophobia. The Albanian people already present in Italian territory, inadvertently found themselves among the beneficiaries of the new stigmatization processes aimed at new immigrant communities. All of a sudden, the Albanian stereotypes and the focus on Albanian criminality disappeared altogether from the newspapers and screens and they begun being depicted under a new light.

Although there were (and still are) aspects that caused concern, such as the involvement of Albanians in organized crime and illegal trafficking, in the workplace Albanian people enjoyed an excellent reputation. They were considered available, reliable, respectful of the authority and above all willing to accept very strenuous jobs, with ability and firmness, respectful of timetables[175]. Today we can speak of a positive metamorphosis in the perception of Albanian immigrants by Italian society, to which many factors have contributed and, firstly, the capacity of a community to be accepted and the ability of its prominent members to represent it. The emergency, however, is far from over and the aversion to the foreigner, risks making the entire immigration a reality to be monitored with the risk of criminalizing, or at least, to frame entire communities negatively, and making it more difficult to successfully integrate[176].

The evolving demographic structure of Albanian immigrants in Italy is another indicator of integration and stabilization. Analyzing the main demographic characteristics of Albanian citizens legally residing in Italy on 1 January 2017, there is:
- a substantial balance between genders: women represent 48.6% and men the remaining 51.4%, given in in line with the number of legally resident non-EU citizens, among which the female gender represents 48.5%;

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[173] King R. & Mai N., Italophilia meets Albanophobia: paradoxes of asymmetric assimilation and identity processes among Albanian immigrants in *Italy, Ethnic and Racial Studies, 32:1,* 2009, 117-138
[174] Institute for Democracy and Mediation, *UNDP, Religious Tolerance in Albania*, 2018, 74
[175] King, R. "*Albania as a laboratory for the study of migration and development*", p. 133-135
[176] Mai, N. Albanian *Migration to Italy. Toward differential Circularisation?* Metoikos Project, RSCAS Publications, 2010, 14

- an average age slightly lower than that recorded on the total of non-EU citizens (32 years, compared to the 33 years recorded for the non-EU population as a whole)[177].

Out of 1,480 marriages celebrated in 2015 in which at least one spouse is of Albanian nationality, a little less than half consists in an Italian husband and an Albanian wife (49.3%), about 30% is related to an Albanian citizen who marries an Italian woman , while a fifth involves both foreign spouses. The incidence of the community is greater between the marriage involving a non-EU husband and an Italian bride: in 14.7% of the cases the groom was Albanian. The distribution by type of couple of the 14,973 marriages involving at least one spouse of non-EU nationality during 2015 was slightly different: the majority of unions still provides for Italian husbands and foreign wives, but with an incidence higher than that recorded in the community in examination (59.5%); one fifth of the wedding regards both foreign spouses, while a similar quota is related to mixed couples in which non-Italian citizenship is the groom[178]. All these gender and age trends show a rapid process of normalization, as the immigration characteristics are rapidly becoming more similar to those of the local population.
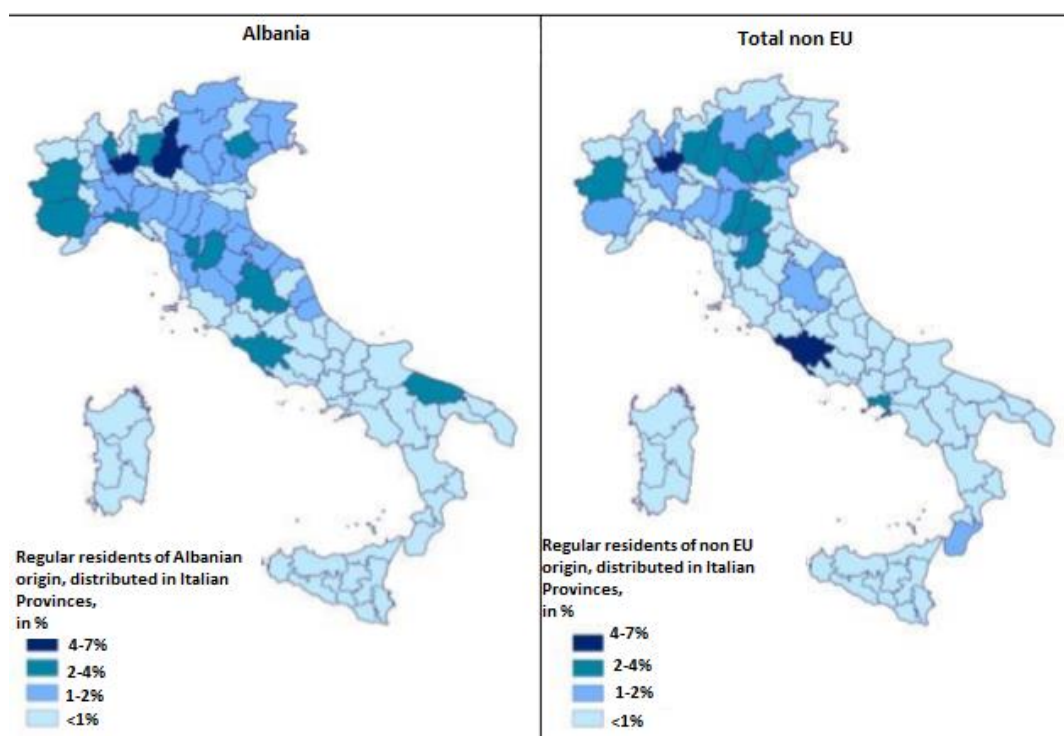

Fig.2 Non-EU citizens regularly present by settlement area and geographical area of origin (% distribution by province). Data as of 1 January 2017, ISTAT data

Research on the Albanian population in Italy shows how strong the weight of the negative image that the Albanian migrant has been attributed by the media. In fact, between the work placement and the social integration of the Albanians there was a diaphragm constituted by the ethnic prejudice against this great community. Although there are still aspects that still cause concern (such as the placement of Albanians in first place for incidence of complaints with 17.1% and their involvement in organized crime and illegal trafficking), in the workplace the Albanian enjoys a excellent reputation: available, reliable, respectful of the authority and above all willing to accept

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[177] Ministero del Lavoro e delle politiche sociali, *La communita' Albanese in Italia. Rapporto annuale sulla presenza degli immigrati*, 2017, 21
[178] Bonifazzi c, Sabatino D., "Albanian migration to Italy: what official data and survey results can reveal?" in *Journal of Ethnic and Migration Studies, 29(6),* 967-995

very strenuous jobs, with ability and firmness, respectful of timetables[179]. To a symbolic exclusion in public places, the Albanians seem to have reacted by proposing integration played on the invisibility of their belonging[180], as a strategy to counter mediation prejudice and criminalization. Today we can therefore speak of a positive metamorphosis in the perception of Albanian immigrants by Italian society, to which many factors have contributed and, first of all, the capacity of a community to be accepted and the ability of its elites to represent it. When the fear of ending up besieged by the newcomers came to an end, the Italians showed themselves to be calmer in the face of the Albanians who, on the whole, managed to show that they knew how to live with the Italians. The emergency, however, is far from over and the aversion to the foreigner, after addressing others (the Romanians, Moroccans, the Roma), risks making the entire immigration a reality to be monitored with the risk of criminalizing, or at least, to frame entire communities negatively, diverting their strength from integration and making it more difficult. The role of the decrease in judicial charges against Albanians can certainly be traced to contributing to the relaxation of the climate. The Albanian migratory pressure during the 1990s meant that Albania had a very high impact on repatriations at the border: 22% on 45,157 rejections in 1998 and over 30% on rejections in the following two years (48,437 in 1999 and 42,221 in 2000), making it the first country for migratory pressure in front of Morocco, Romania and Yugoslavia. In 2000, Albania was also the first country in the ranking of foreigners reported, with a high incidence of irregular immigrants, on average 72.2% of the cases[181]. In the three-year period 2000-2001 the complaints presented against Albanian citizens remained at the level of 11-12% and the regular presence, while considerably increasing, did not have a corresponding impact on the penal charges: this trend is an indicator of the evolution that in the meantime he was getting to know the Albanian community, which began with the mass landings and the adventure of the rubber dinghies and continued with a tenacious daily insertion, in the world of work and in other social areas. The overall complaints concerning the Albanians in the seven years included in the period 2000-2006, although the regular reference population has considerably increased, have been numerically lower than those presented during the entire 1990s.

Italy and Albanian are perfect candidates for co-development oriented migration policies. After all, there is a large and stable Albanian community in Italy sending hundreds of millions in remittances annually; there are also extensive commercial and cultural ties, significant development spending, and thousands of Albanian students in Italy. Anyway, Italian migration policy is still developed according to interests and considerations that have nothing to do with impact on the sending country, or on the human resources involved in migration. Policy makers involved in migration policy – from setting national legislation to establishing procedures – are more concerned with controlling short-term legal labor migration than with development impact.

The improvement in the control of irregularity is also due to Albania itself: as it has been strengthened in its structures, it has ensured more effective support for the Italian migration policy, so much so that it is often taken as an example for the application of readmission agreements (dating back to 1997) and the fight against labor traffickers. The trafficking of smugglers has long since diminished, to tell the truth also because in the meantime, having already established a significant number of Albanians in Italy, the pressure has eased.

Albania is one of the European countries that have experienced the highest rate of emigration during the last 20 years, particularly towards Italy. Migration is the most powerful engine of social, economic and cultural change both in the countries of origin and in those of destination; a fundamental "bridge" between the two coasts of the Adriatic. The facilitation of regular flows, together with the success of bilateral cooperation projects, have helped to control a migratory

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[179] King, R.; Mai, N. "*Of myths and mirrors: interpretations of Albanian migration to Italy*", 161-199

[180] Romania, V. *Farsi passare per italiani. Strategie di mimetismo sociale*; King Russell, Mai Nicola. "*Italophilia meets Albanophobia: paradoxes of asymmetric assimilation and identity processes among Albanian immigrants in Italy*", 117-138

[181] Pittau F., Ricci A., Urso G., "Gli Albanesi in Italia: un caso di best practice di integrazione e sviluppo", in *REMHU: migracoes e desenvolvimento,* v. 17 n. 33, 2009, 163

potential that is by no means exhausted, although it remains to be done with regard, on the one hand, to the future scenarios of social and economic integration of migrants Albanians, and on the other of political stability and the socio-economic development of the country. The Albanian case, in fact, with all its peculiarities, confirms the beneficial effect of migration on the development of the country. it should be emphasized that the beneficial impact of migration is not only measured in terms of micro and macro economic growth, but also on investment in human capital, through the acquisition of know-how abroad or through better education for children, these profitable elements for the purposes of socio-cultural development which, although in the medium-long term, could change the appearance of the country. Migration is therefore a tool for developing the country in transition, especially if it is accompanied by targeted policies both in the destination country and, above all, in the country of origin, since "development ultimately depends on the sound domestic economic policies". Immigration, integration and development will continue to be discussed for many years, as it is certain that much remains to be done.

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GYPSIES / ROMA IN BULGARIA PROFESSING ISLAM - ETHNIC IDENTITY (RETROSPECTIONS AND PROJECTIONS)

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ABSTRACT:

GYPSIES/ROMA IN BULGARIA WHO PROFESS ISLAM HAVE HETEROGENEOUS ETHNIC AND GROUP IDENTITY. IN THE YEARS AFTER SEPTEMBER 1944 TO 1990 (THE TIME OF THE SO-CALLED SOCIALISM IN BULGARIA) AMONG MANY OF THEM THERE IS A STRIVING FOR SELF-DETERMINATION WITH A TURKISH IDENTITY, AT THE SAME TIME THE STATE POLICY IS TO PRESERVE THEIR GYPSY IDENTITY, AND SUBSEQUENTLY-TO ASSIMILATION.

DEMOCRATIC CHANGES IN BULGARIAN SOCIETY AFTER 1990 LEAD TO THE OPENING OF BORDERS AND FREE MOVEMENT, ACCESSION TO THE EUROPEAN UNION. IN THIS CONTEXT, A PART OF THE UNEMPLOYED ROMA (GYPSY) COMMUNITY MIGRATES IN SEARCH OF WORK FROM VILLAGES AND TOWNS TO THE CAPITAL AND SOME OF THE MAJOR CITIES IN THE COUNTRY, OTHERS EMIGRATE AND SETTLE IN DIFFERENT EUROPEAN COUNTRIES, THIRD AND MARGINALIZED IN THEIR TRADITIONAL HABITATS. DURING THE LAST TEN YEARS, THERE HAVE BEEN PROCESSES OF REISLAMISATION OR ISLAMIZATION IN THE ROMA, WHO PROFESS ISLAM. REISLAMIZATION IS PRESENTED AS A RETURN TO TRADITION, BUT IN FACT IT IS A VISIBILITY OF THE PROCESS. THE COMBINATION OF LACK OF EDUCATION, NON-INTEGRATION INTO SOCIETY, SOCIAL EXCLUSION, MARGINALIZATION, ACCOMPANIED BY ATTEMPTS TO PERSISTENTLY IMPOSE CONSERVATIVE RELIGIOUS UNDERSTANDINGS AND PRACTICES, CREATES PREREQUISITES FOR RADICALIZATION IN INDIVIDUAL POPULATED SOME GROUPS.

KEY WORDS: MUSLIM ROMA, ISLAM, ETHNIC IDENTITY, RE-ISLAMIZATION.

INTRODUCTION

Gypsies/ Roma have been living in Bulgarian lands for centuries along with other ethnic groups. Many Gypsy groups with their own ethno- and sociocultural characteristics, differing in the religion they profess, are being resettled and displaced. Over the centuries, the number of Islamic faith groups has been different (chorochae/ millet, ferdjeliy, sacharats, reshetary, futadjiy, bivolary/ danukolary, etc.). Very often, the surrounding are called Turkish Gypsies or Horohane Roma, and this name also dates back to the Ottoman Empire when mixed religion and ethnicity. Horohane Roma are a heterogeneous community, and identity is complex, defined on different levels, which are often

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blurred, and with a dual orientation towards the Turkish or the Gypsy community[185]. They are scattered all over the country, and in some areas are the most numerous ethnic minority.

The communication will follow the processes that run among the Roma/ Muslim Roma for self-determination of their identity during the second half of the twentieth century (the so-called socialism in Bulgaria) and in the first decades of the 21st century. How different socio-economic conditions influence the transformation of religion into a major marker of national and ethnic identity. The topic is a problem of the present day although some studies and publications have been made in separate strands, it regularly appears in the media, the ongoing processes of radicalization in Bulgaria in this community need an even more accurate and clear picture. Muslims of Gypsy/ Roma ethnicity are quicker to Islamize and change their religious habits and lifestyle.

Our thesis is that the combination of lack of education, nonintegration into society, social exclusion, marginalization, accompanied by attempts for permanently impose conservative religious beliefs and practices, creates preconditions for radicalization in certain settlements in some Gypsy/ Roma groups.

The thesis is built upon the introduction of previously unused historical data, narrative sources and ethnological research into scientific circulation and its analysis and comparison. The empirical data that is utilised in the article is mainly derived from our fieldwork. The field inquiries have been carried out for a period of more than a decade (late 20th - early 21st century). We have systemised and analysed the accounts of our fieldwork by putting them in broad historical, societal and cultural context. They have been corroborated with various sources (public and official information, reports, decrees and correspondence) found in a number of archives - Bulgarian State archives and the archives of the Ministry of Interior, access to which was granted after 2006. The historical method has been deployed in the tracking and analysis of the patterns of development of the studied processes. The historical method has been deployed in the tracking and analysis of the patterns of development of the studied processes. In view of the limited volume of the message, the thesis will be supported only by separate examples.

RETROSPECTION: THE YEARS OF SO-COLLED SOCIALISM IN BULGARIA (1944-1989)

The new socio-political system in Bulgaria, established after 9 September 1944, is by its very nature totalitarian. All power is in the Communist Party, as there is a merging of the party with the state functions. Without commenting on the reasons for declaring the existence of national minorities in the country, we will note that the policy of the Bulgarian Communist Party (BCP) governing in the period 1944-1989 about so-called „national question" is largely inconsistent and contradictory.

Periodic censuses, as well as statistical data collected by specialized institutions, show that ethnic minorities in those years are under 15% of the population. The largest groups are those of Turks and Gypsies/ Roma, with the number of the latter constantly rising. While in 1946 they were between 167481 and 170011 (from different sources) or 2.4% of the total population of the country, 1956 were 197865 or 2.6% in 1978-1980 were 523519 (5.9%), and in 1989 they reached 576927 (6.4%)[186]. According to information from the Ministry of Interior (MI) of 1950, there are 167481 Gypsies Mohammedans in the country, 250000 in 1986, or about half of all Gypsies[187].

In the first years after the Second World War, certain demographic processes also took place in Bulgaria, including the mass exodus of Jews to the newly formed state of Israel and Muslims to Turkey.

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[185] Evgeniya I. Ivanova, Velcho Krustev, *The Roma Woman – dimensions and margins in her life* (Munich: Lincom, 2013), 5; Elena Marushiakova, Veselin Popov, *The Gypsies in Bulgaria* (Sofia: Club 90, 1993), 128-131.

[186] The Committee for Disclosing the Documents and Announcing Affiliation of Bulgarian Citizens to the State Security and the Intelligence Services of the Bulgarian National Armed Forces (CDDAABCSSIBNAF), f.2, inv.1, a.u.731, p.3; a.u.1837, p.2; Marushiakova, Popov, *The Gypsies*..., 92-93.

[187] CDDAABCSSIBNAF, f.13, inv.1, a.u.758, p.155; *State Security andreligions*, Part II - Muslim Religion and the Catholic Church in Bulgaria (1944 – 1991), Documentary Volume, (Sofia, 2017), DVD, 235, available at: https:///C:/Users/DELL/Desktop/Downloads/DVD_43-2.pdf, accessed on 20.05.2019.

According to the Convention from 1925, between 1948 and 1949 Bulgaria and Turkey gave permission for Muslims to leave Bulgaria and it turned out that many were willing. According an information of the Communist State Security, most of the Gypsies are hold themselves for Turks, and the enemy elements, and especially the Turkish Intelligence Service, use this situation for their own purposes. The Turkish agency and the Turkish radio stations are fueling the emigration question among the Turks, Pomaks and Gypsies Mohammedans. A large part of the Gypsies in Plovdiv, Stara Zagora, Bourgas, Rousse, Pleven and others. counties along with the Turks filed for expulsion, engrossed in the general psychosis for departure in Turkey. Some of them, concealed as Turks, get permission to leave. An especially characteristic example of this is the Turkish Gypsies from the Veliko Tarnovo District, which are recorded in the registers of the respective People's Councils by nationality „Turks". They themselves are also considered as such, and during the resettlement some are able to leave for our southern neighbor. For their part, the MI authorities have determined the submission of requests by the displaced Gypsies for "*hostilities*". The documents clearly show the negative attitude towards both as holding themselves for Turks and their intentions for emigrating[188]. Also reported in the 1947 Intelligence Department of the General Staff of the Ministry of War is that the Gypsies are mostly Muslims, and it is their honor to call themselves Turks, although Turkey does not allow them in their territories and local Turks do not recognize that they are part of them. The behavior of the Turkish government, which has begun to advocate for the Gypsy population as Muslims, is disturbing. In a report to Ankara of the Turkish Legation in Bulgaria of 17 March 1947, „*the number of Turkish and Gypsy populations is generally given as a homogeneous minority element*"[189]. The deportation process ceased in October 1951 with the closure of the Bulgarian-Turkish border.

The inconsistent and contradictory policy of the authority towards the Gypsy minority is evident in the first decade of the government. In the beginning, BWP (c)[190], through party-propaganda rhetoric, relies on the policy of concessions to minorities to win them on their side. At the end of the 1940s, preconditions were created for strengthening the gypsy identity by initiating and building mass gypsy organizations, cultural institutions, by creating and tolerating a gypsy press. Gradually totalitarian communist rule began to seek to involve minorities in the Marxist-Leninist ideology and, in the future, to create an ethno-nation state. Consequently, a concept for the integration and affirmation of the Gypsies as part of the Bulgarian nation is being developed. In 1950, the Communist State Security collected detailed information about the established gypsy cultural and educational organizations, their leadership, the names, and the brief characteristics of the gypsies with authority. The Secretariat of the Central Committee of the BCP in 1952 ordered „*the existing Gypsy organizations and committees to be self-discharged, and all the work of the Gypsy population to be carried out by other mass public organizations*", such as the Fatherland Front, the Dimitrov Union of Folk Youth and others[191].

Towards the end of the 1950s a course on the inclusion of minorities in the Bulgarian nation was launched, which also affected the Muslim Gypsies. The Mohammedan religious customs are silently limited, steps are being taken to „*volunteer*" change the Turkish-Arabic names with Bulgarian. With Politburo decisions Central Committee of the Communist Party of 1959, and since 1962, the process of renaming the Muslim Gypsies has been formalized. Not everywhere the gypsies agree with the change, express dissatisfaction, refuse to receive official documents with the new

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[188] CDDAABCSSIBNAF, f.2, inv.1, a.u.1815, p.3-4, 9, 11; a.u. 219, p. 1, 3-4; f.13, inv.1, a.u.625, p.1; a.u.759, p.11, 44-45;a.u.769, p.7; a.u.776, p.3;*State Security – Change of Names – Revival Process (1945-1985)*, Documentary Volume, vol.I, (Sofia, 2013), DVD, 368, available at: https://comdos.bg/media/DVD_DOKUMENTALEN%20SBORNIK-12-TOM-1.pdf, accessed on 20.05.2019

[189] *State Security – Change of Names..*, 42, 45-46.

[190] The Bulgarian Workers' Party (Communists) was renamed the Bulgarian Communist Party (BCP) at its Fifth Congress in 1948.

[191] Central State Archive, Sofia (CSA) f.1B, inv.25, a.u.71, p.1-3; inv.27, a.u.20, p.2-3; CDDAABCSSIBNAF, f.13, inv.1,a.u.776, p.1-7, 21-24, 42-43.

names[192]. This led to a second campaign to renaming the Muslim Gypsies in the 1980-1984 period, which also did not go smoothly anywhere. In many places in the country they are differently opposed. In 1983, for example, there were „*separate sharp enemy manifestations*" in the Varna District in connection with the change of the Turkish-Arab names. In spite the measures taken by the District Administration of the Ministry of Interior - State Security in Varna, separate arrant gypsies continue to hold themselves as a turksand refuse to change their names. In Plovdiv they in a mass and demonstratively visiting the mosque, loudly and magnantically celebrating the Muslim religious holidays to show that they are Turks. In Shumen, however, Gypsies from the quarter the White soil say that „*with them, the work is easier, where push them, they are agree. They will wear their new names without problems, they will still be gypsies*"[193].

Before the Communist Party took power in September 1944, the Gypsies in the neighborhoods had spiritual municipalities, mostly Muslim. Religious rituals are served by both as a imams gypsies and a imamsturks[194]. At the end of the 1940s, Gypsies Muslims were almost everywhere in the country and included in Turkish religious communities. Turkish minority religious communities are acutely reacting to this and declaring they do not want Gypsy interference in their affairs. For them the Gypsies are Mohammedans, but they are not Turks. However, for example, in the five-member leadership of the Turkish religious community in Varna in April 1948 there were two Muslim Gypsies, members of the BWP (c)[195]. Other Gypsies, like the so-called buvolari/ danakolari – nomadic gypsies, numbering about 220 people, are highly religious. Their Hodges, who have a great influence on them, are kept in secret and remain unknown to the militia[196].

Public development in the first half of the 1950s necessitated the suppression of the influence of religion and, in particular, of Islam, and later, systematic, targeted, and offensive action to curb and intercept the harmful ideological impact of Islam among Bulgarian citizens. Despite this state policy, at the end of the 1970s, State Security reported that „*still a part of the Gypsies who profess the Mohammedan faith are hold as Turkish. This leads to political instability and national division among them, to alienation and detachment from the Bulgarian nation*". Islamic religiosity serves as a means of preserving certain family-household and cultural-psychological traits as well as ethnic self-preservation. In the mid-1980s, on base of islamization among the Gypsies was formed a process of differentiation and demarcation from the Bulgarian ethnic. At the same time, their turkizing and activating of Islamic customs and traditions continue. Thus the Gypsies enter in the mosque trustees, become imams, and some of them appear as one of the most fanatical and active figures of Islam[197].

PROJECTIONS: YEARS OF DEMOCRACY (1989 -...)

The disintegration of the so-called socialist system in the late 1980s and early 1990s, and the departure of Bulgaria on the road to democracy and market-based economic relations affect adversely for the industrial sector. Reforms are starting are halved, incomplete and inadequate by market mechanisms until the mid-1990s. At their core is the transformation of state property into a private one. The socio-economic and political cataclysms in this transition also reflects on the lifestyle and social status of the population in Bulgaria. The living standard of the Gypsy/ Roma population was aggravated sharply. Due to their low education and insufficient qualification, they are uncompetitive on the labor market and more and more of them start looking for food outside the neighborhood and the city.

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[192] CSA, f.1B, inv.6, a.u.4034, p.1-3.
[193] *State Security and Minorities*. Documentary Volume, (Sofia, 2015), DVD, 541, 543, available at: https://comdos.bg/media/DVD%20SBORNIK%2032_Minorities%20opt.pdf, accessed on 20.05.2019; CSA, f.1B, inv.55, a.u.1350, p.2; CDDAABCSSIBNAF, VI-L, a.u.46 (Shumen), p.95.
[194] CDDAABCSSIBNAF, f.2, inv.1, a.u.729, p.1.
[195] CSA, f.165, inv.9, a.u.106, p.1-10; CDDAABCSSIBNAF, f.13, inv.1, a.u.271, p.50; f.2, inv.1, a.u.183, p.3, 8, 19.
[196] Archive of the Ministry of the Interior (AMI), f.26, inv.1, a.u.431, p.9-10.
[197] CDDAABCSSIBNAF, f.22, inv.1, a.u.104, p.10; *State Security andreligions…*, 237-238.

Democratic changes also lead to the opening of borders and free movement, accession to the European Union, expansion of economic, trade and cultural relations. In this situation, part of the Gypsy/ Roma community covered by unemployment migrates in search of jobs from villages and small towns to the capital and some of the big cities in the country. Others are marginalized in their traditional habitats, and others emigrate and settle in different European countries. Emigration is a way of finding a way out of the negative economic situation and an opportunity to raising the family's standard of living. They target those countries, and especially areas where they have close people or relatives wich can help them[198].

Going abroad, some Gypsies/ Roma seek support and are supported by different religious institutions, depending on their group and religion. Religious, even on a manner of life Islamic, receive support and assistance from mosques, prayer homes, and their boarding houses. Upon their return to Bulgaria, most of them undertake a recovery of their Turkish-Arab nam

On the other hand the Balkans, and Bulgaria in particular, as an important economic and socio-cultural crossroads, in the presence of multiethnic, multicultural and very diverse confessional societies, are being subject to the activity by radical organizations and ideological movements that spread their ideas by unacceptable way.

Social inequality, poverty, social exclusion, and other processes among Gypsies/ Roma professing Islam imply the penetration of radical currents among them, although most profess a traditional Islam that categorically rejects radicalism. This activates religious awakening primarily among young people who are part of the global process of reislamization. These are also the main interests of the various organizations in Bulgaria funded by the Middle East. These young people are acquainted with the doctrines of Islam, argued by Islamic theology, uncharacteristic for the country. With money from global and regional organizations, funding for the construction of mosques in the Roma neighborhoods, going to the Hajj, open religious schools and imam courses, putting into summer Koran courses, imports literature coming in most of the Middle East.

Here are some examples. The construction of the mosque in the Roma neighborhood of Nova Zagora began in the second half of the 1990s. At the beginning of the 21st century, the mosques were built in the Roma neighborhoods "Iztok" in Pazardjk and "Nadezhda" in Sliven. It is no coincidence that Bulgaria is one of the leaders in Europe by number of mosques - 1280 (by 2015). The figure is impressive on the background of our neighbors, with only 258 mosques in Greece, and only 77 in Romania[199].

After the 90s of the twentieth century, visit to Mecca (pilgrimage) was started from Gypsies/ Roma. There everyone gets the Koran in Arabic. For example, in Nova Zagora, two people in 1992 reached 14 people (including three family couples) in 2006, same organized and sent by the foundation of the former chief mufti, Nedjim Genchev, and others from the Chief Mufti's Office. All Hadjies, upon their return, become chairmens and members of the Mosques's Board of Trustees in the city. After 2010, 5 people went on a pilgrimage at their own expense. In the Gypsy/ Roma district of "Lozenets" in Stara Zagora, the first was from 2002 and by 2017 three more went. In Asenovgrad until the end of the east year, there are 8 Hadji, and in the Gypsy/ Roma district of "Stolipinovo" in Plovdiv - there are almost 400 people, including women and children. According to Dr. Asen Kolev (Roma, theologist and researcher of the processes in the Roma neighborhoods), „*Nedjim Genchev with his Islamic Foundation continues to send people to a pilgrimage from Stolipinovo by using money from the Arab countries*".

The introduction to the doctrines of Islam, argued positively by the Islamic theology and most of the uncharacteristic for Bulgaria, is mostly in the religious schools that were opened at the end of 1990s. The most famous one is this in Sarnitsa, Pazardzhik region. It was opened as a course for imams in 1999 by a decision of the Chief Mufti and the Supreme Spiritual Council. It has to prepare young cadres for imams and hatibies because of the large number of mosques and schools in Bulgaria

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[198] Evgenia I. Ivanova, Velcho Krastev, *Gender relationships among the Gypsy/ Roma in Bulgaria*, (Stara Zagora: Litera Print, 2013), 145-149.

[199] Tsvetana Kirilova, *I want an immediate referendum to ban the construction of mosques in Bulgaria!,* available at: http://bgpravda.blogspot.com/2015/01/blog-post_46.html, accessedon 20.05. 2019.

and the lack of a sufficient number of qualified staff to serve these religious homes. On graduated students are issued a certificate of imam-hatib by the Chief Mufti's Office. The Arabic language is also teahc in the imam course. Teachers are highly qualified lecturers both from Bulgaria and graduates of higher religious education in Saudi Arabia and others countries. By 2005, more than 100 young people have completed, many of whom work as imamsor others lead Koran courses. In 2003/2004 a course for imams was organized in the Roma district of "Nadezhda" in Sliven in order to oppose Evangelical churches in the city and to literate the imams preaching in the villages[200].

The school in Sarnitsa continues to work, both Bulgarian and foreign media are regularly interested in it, and different state institutions keeps it under surveillance (including with respect to the rights of children). According to State Agency for National Security (SANS), it is funded by the Al-Wahl-al-Islam based in Niderlandorganization, which is banned for participating in terrorist attacks[201].

The same school ends Ahmed Musa, imam in the Abu Bekir mosque in the Roma district of "Iztok" in Pazardjik. His name make a stir after the action of SANS in 2010 and the lawsuit against him and 13 of his adherents from Pazardzhik, Plovdiv and Asenovgrad. In 1990, Musa left Bulgaria and to make a living in Austria, working in Vienna, where his religious awakening was triggered by Islamic radicalism. Later in Cologne, Germany, joined radical Islam and established contact with the Turkish extremist group Kalifaatsstat. In Bulgaria preaches banned ideologies such as Salafism and Wahhabism, and in some of his sermons in Pazardzhik and Plovdiv calls for war, persuades Muslims to join Islamic country. Ahmed and his adherents have profiles in social networks, showing photos with quotes from Islamic state leader Abu Bakr Al-Baghdad. The new mosque in Pazardjik, built in a private property funded with money from abroad, is also named after the leader of an Islamic state. This speaks of a certain radicalization in Pazardzhik's Roma neighborhood, a case without analogy, concealing new dangers for ethnic and religious peace[202].

The process of re-Islamization among Muslims of Gypsy/ Roma ethnicity flows rapidly and manifests itself through a sharp change in religious habits and lifestyle. For them the norms of „traditional" Islam are illegitimate and they seek a new argumentation of their beliefs outside the authorities and traditions of the Balkans. Most the members of the community have a vague national identity and are often legitimized in publicity as Turks, even though the Turkish community in Bulgaria rejects them. Hewever part of the Muslim Roma, thanks to the re-Islamization, have been converted to Islam, formerly atheists of Muslim or Christian origin[203].

In less than ten years a number of Roma neighborhoods (especially those in Pazardzhik, Plovdiv and Asenovgrad, Nova Zagora, Haskovo, Bourgas) is Islamize. There are also attempts to Islamize Roma in Northwest Bulgaria, where traditional Islam is less popular. The process of returning Turkish-Arab names among the Gypsies/ Roma in Sofia, Vratsa, Vidin, Lom, Montana is also very strong. Poverty, social exclusion and the search for identity are the main reasons for the

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[200] G. Yusufova, *Islamic Religious Education in the Transition to Democracy.* Diploma work, protected in 2005, available at: http://isamveri.org/pdfdrg/G00005/2011_3/2011_3_YUSUFOVAG.pdf, accessed on 20.05.2019.

[201] "Rhodope Mountains - in the embrace of Islam", available at: https://www.dw.com/bg/родопите-в...на.../a-14991369, accessed on 20.05.2019.

[202] "Who is Ahmed Musa, who was accused of preaching war in Pazardzhik", available at: https://www.24chasa.bg/novini/article/4444874, accessed on 19.05.2019; "They arrested the radical Imam Ahmed Musa in Pazardzhik", available at: https://clubz.bg/11112-restuvaha_radikalniq_imam_ahmed_musa_v_pazardjik_obnovena, accessed on 19.05.2019; "Bulgaria: Romani "imam" arrested last year for allegedly joining the so-called Islamic State", available at: http://www.romea.cz/en/news/world/bulgaria-romani-imam-arrested-last-year-for-allegedly-joining-the-so-called-islamic-state, accessed on 19.05.2019.

[203] Stefan Ilchevski, *The Muslim community in Bulgaria: choice between tradition, re-Islamization, secularization and radicalization.* http://svobodazavseki.com/broj-13/37-myusyulmanskata-obshtnost-v-balgariya-13.html, accessedon 20.05.2019.

rediscovery of Islam in them. Nowadays the Roma neighborhoods in Pazardzhik resembles Arab neighborhoods of the Middle East, were man must wear beards and women burqas[204].

An analogous picture Velcho Krastev and Evgeniya Ivanova observed in the spring of 2017 in "Stolipinovo" in Plovdiv. It was remarkable that expensive cars contained bearded, well-dressed man who demonstrated self-esteem and well-being. There were no hurrying many women, dressed, with long black clothes and richly decorated long vests. Some were accompanied by their husbands, all with their characteristic beards. On noisy groups moved young mans wearing black trousers and short black jackets. They were all trimmed and bearded. Against this background, there were three „Taliban" - both in long white slaves and the third - gray. Equally long beards, clothes of high-quality cloth, shoes - alpine type. They stopped in front of the groups, saluted, and slowly moved down the street. From them there was arrogance, haughtiness, superiority over the others. They were followed by a lot of people, and so they demonstrated that there were always many adherents with them.

These are also some of the specific manifestations and symptoms of radicalization processes. In the 2016 issue of the Center for the Study of Democracy, „Guidance for Practitioners in the Field of Understanding, Assessment and Monitoring of Processes and Guidelines for the Development of Radicalization", four groups of visible indicators are mentioned. They are related to individual and group behavior (social exclusion, engagement with propaganda materials, abrupt change of religious habits and their imposition on others, aggressive behavior and immaculate behavior, etc.), appearance (beard, traditional Islamic clothing and etc.), the identity and the moods (strong commitment to the change, using of pseudonyms, critical statements to the government and etc.) and high-risk factors that precede violence (contacts with extremist groups, acquirement of weapons and explosives, organizing protests, criminal acts, etc.)[205].

CONCLUSION

On the basis of the above pointed out, the following conclusion can be drawn: In Bulgaria, over the last ten years, there have been processes of re-Islamization or Islamization among Gypsies/ Roma who practice Islam. Re-Islamization is presented as a return to tradition, but in fact it is a visibility of the process. There are also significant differences, especially in the spread of Islam among the until recently evangelized communities, inasmuch as those who preach Islam today among Roma communities have received education in schools and universities that did not have a presence before the Territory of Bulgaria. It is quite clear that the re-Islamization provides an opportunity for radicalization of the Muslim community in Bulgaria through the penetration into the country of Muslim currents, professing to a different extent „radical" Islam. Roma Muslims who, to one degree, are permanently isolated or anader, are turn out in insulation, are subject to such an impact. The state is taking appropriate measures to limit these processes. The Strategy for Counteraction to Radicalization and Terrorism (2015-2020) has been developed and adopted. In 2016, the National Assembly adopted amendments to the Criminal Code, which criminalized radical Islam.

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[204] Asen Kolev, "Muslim Gypsies and Islamic Terrorism". - In: *Risks for Bulgaria from Islamic Fundamentalism*. (Sofia: IFI-BAS, 2005), 175; "The 13 defendants of Imams were part of Al Wahh al-Islam". http://www.cross.bg/ahmed-islyami-popova-1393417.html#axzz3S2j4kMsq, accessed on 20.05.2019.
[205] Tihomir Solakov, Hristo Hristov; "Background radicalization of the muslim community in Bulgaria". – In: *Collection of reports from an annual university conference 2018 at the National Academy of Sciences "V. Levski" Veliko Tarnovo.* (Veliko Tarnovo: HUV Publishing Complex, 2018), 633-634.

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4. CSA, f.1B, inv.25, a.u.71.

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19. CDDAABCSSIBNAF, f.13, inv.1, a.u.271; a.u.625;a.u.758; a.u.759; a.u.776.

20. CDDAABCSSIBNAF, f.22, inv.1, a.u.104.

21. CDDAABCSSIBNAF, VI-L, a.u.46 (Shumen).

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THE EFFECTS OF THE MIGRATION CRISIS IN ALBANIA: THE SYRIAN REFUGEE CASE

Meljana BREGU[206]

Abstract

THE MIGRATION CRISIS IN 2018 PUT IN SERIOUS RISK THE FRAGILE EQUILIBRIA INTO THE EUROPEAN UNION REGARDING THE SECURITY OF THE EASTERN BORDERS AND REVEALED ON MORE TIME THE TENSIONS BETWEEN EU MEMBER STATES OVER HOW TO HANDLE IRREGULAR IMMIGRATION MAINLY FROM AFRICA AND THE MIDDLE WEST. THE REFUGEE CRISIS AFFECTED ALSO THE BALKAN STATES, A GROWING NUMBER OF MIGRANTS ARE USING THE NEW TRANSIT BALKAN ROUTE THROUGH ALBANIA, MONTENEGRO AND BOSNIA TO REACH THE WESTERN EUROPEAN COUNTRIES.

THE SYRIAN REFUGES IN ALBANIA WERE IN THE CENTER OF THE POLITICAL DEBATE OFTEN A XENOPHOBIC POLITICAL DEBATE USED BY THE OPPOSITION IN ORDER TO ATTACK THE GOVERNMENT. THE CONCEPT OF "REGIONAL DISEMBARKATION PLATFORMS' USED BY DONALD TUSK BEFORE THE EUROPEAN COUNCIL MEETING IN JUNE 2018 INCREASED THE TENSION IN THE COUNTRY, DUE TO THE FORMER PRIME MINISTER BERISHA ALBANIA WAS ONE POSSIBLE LOCATION. ALSO, THE HEAD OF OPPOSITION LULEZIM BASHA ACCUSED THE PRIME MINISTER OF TRANSFORMING THE ALBANIANS A MINORITY IN THEIR OWN COUNTRY BUT RAMA EXPRESSLY DENIED THE OPENING OF CENTERS FOR MIGRANTS IN ALBANIA.

THE PAPER AIMS TO ADDRESS THE POLITICAL DEBATE IN ALBANIA DUE TO AN INCREASED NUMBER OF MIGRANTS FROM SYRIA, AND THE MEASURES IN ORDER TO SECURE THE BORDER LIKE THE COOPERATION WITH FRONTEX. ALSO, THE PAPER DESIGNS THE SITUATION IN ALBANIA AS A TRANSIT COUNTRY IN THE FLUX OF MIGRANTS, WHO USE FORMAL REQUESTS TO CLAIM ASYLUM SIMPLY TO GAIN TIME BEFORE CONTINUING ON THEIR WAY TOWARD EUROPEAN UNION COUNTRIES

KEY WORDS: MIGRANT CRISIS, TRANSIT COUNTRY, NEW BALKAN ROUTE

Introduction

In 2015, migrants and refugees reaching Europe from Africa, the Middle East, and South Asia have presented European Union and the European leaders with a great challenge regarding the future of the organization and had shaped the relations between the European Union and the Western Balkan. The high influx of migrants and refugees has created tensions between the EU member states over how to handle irregular immigration and the flux of refugees. From 2015 the flux has decreased, due to the EU deal with Turkey, the control border in the Balkans and also the agreement between Italy and Libya, but still thousands of people are trying to get to Europe.[207]
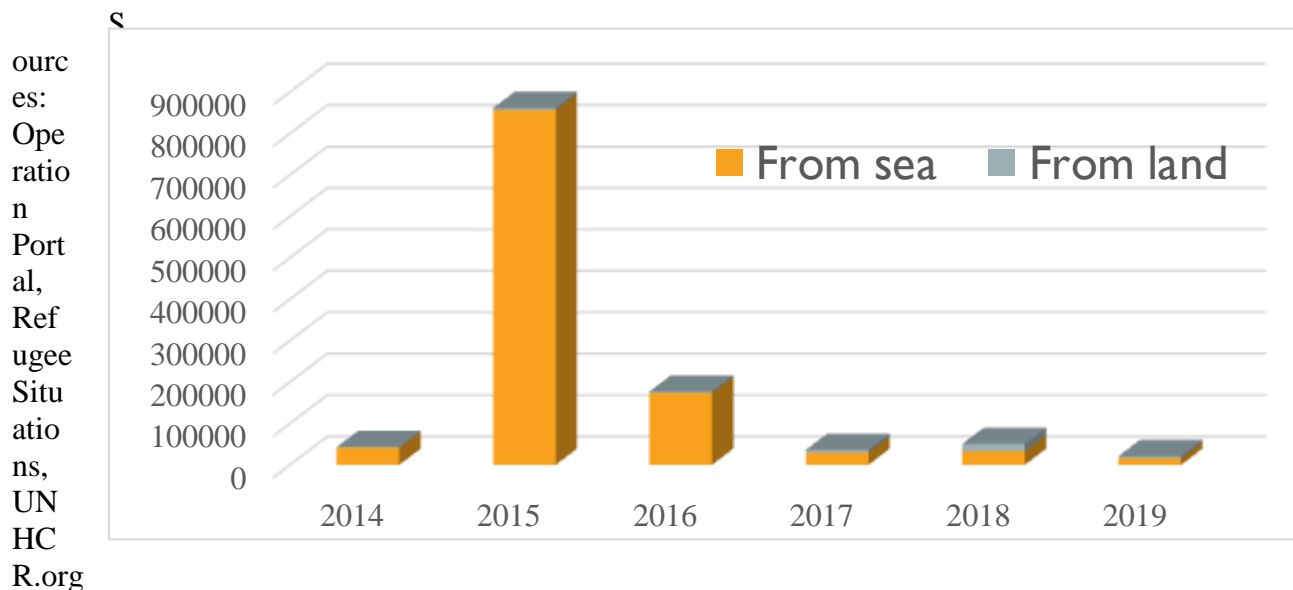
According to UNCHR, less people are directed to Europe but the numbers are still important so, only in 2019, 15.459 people have arrived by sea to Italy, Greece, Spain, Cyprus and Malta and 5779 have arrived by land to Greece and Spain, mainly from Syria and Afghanistan.[208]

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[206] Phd. In International Relations, Faculty of History and Philology, University of Tirana.

[207] *What is the current state of the migration crisis in Europe* in https://www.theguardian.com/world/2018/jun/15/what-current-scale-migration-crisis-europe-future-outlook

[208] https://data2.unhcr.org/en/situations/mediterranean

The high number of migrants from 2015 till now had influenced the foreign policy of the European Union but had also shaped the relations between the member states. Due to their geographical position, Spain, Italy and Greece faces most of the migrants and refugee but inside the European Union lack a complete and definitive agreement regarding the issue. Some countries are willing to have stronger external borders control despite of others whom prefer a more equal distribution between the European countries. Inside the European Union different necessities need to be balanced, and in same cases these are quite opposite, such Hungary that doesn't want migrants on the territory and Germany with Merkel that pushes on more acceptance of refugees on European soil.

The problem increased after 2018 when in Italy the far-right League Party of Mateo Salvini become part of the government, with Salvini as minister of the interior. The right movements or parties which gain important numbers in the national elections such as in Italy but also France are not the only problem inside the EU. Anti-immigration sentiments are raising all over Europe, as Eurobarometer (the Commission's twice-a-year poll), showed that immigration remains the main concern, with 40% of mentions (+2 percentage points since spring 2018).[209] The highest level of concern about the issue was noticed in countries where immigration is minimal, such as Czech Republic where 58% of the interviewers indicate immigration as the most important issue at the moment, in Estonia 65% percent of the interviewers and in Hungary 54% of the interviewers thinks that immigration is the most important problem of the EU.[210]

Indeed, as Estevens pointed out the lack of total state control on national sovereignty in Europe demands cooperation in terms of security and defense but there was no common EU response on how to manage the refugee crisis, due to different national cultures and also political and social necessities.[211]

The EU tried to approach the problem on June 2018 European Council and different positions emerged with the lack of a common response on the issue. The result was not a total success especially when Italy threatened to veto the entire text if the EU was not willing to help more with

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[209] http://europa.eu/rapid/press-release_IP-18-6896_en.htm
[210] http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/survey/getsurveydetail/instruments/standard/surveyky/2215
[211] Joao Estevens, *Migration crisis in the EU: developing a framework for analysis of national security and defense strategies*, Comparative Migration Studies, 6(1), 2018

the arrivals on the Italian shores, but the Italian position faced with Hungary and central European states which oppose to any mandatory action.[212]

The decisions of the Council and the EU policy towards the migration crisis influenced the Western Balkan region and its response to the crisis.

The paper aims to prove that the European Union decisions are important in the Balkans and especially in Albania but also all the involved countries like Albania, Serbia and Northern Macedonia tried to take advantage of their position in order to accelerate the integration process. So, the European Union decisions shaped the regional relations in the Western Balkans.

During the European Council in 2018, the leaders agreed on some important decisions such as support to Italy and other frontline EU countries, stressed the need to fully implement the EU-Turkey agreement and supported the development of a concept of regional disembarkation platforms for people saved at sea.[213] The concept of regional disembarkation was new and not clearly explained but due to the Council results those who are saved on EU territory should be taken charge of, on the basis of a shared effort, through the transfer in controlled centres. These centers were to be set up in states, only on a voluntary basis.[214]

The *modus operandi* of the these centers was unclear but in theory they would function in order to separate economic migrants from refugees with a potential right to seek asylum.

One important decision which is crucial to this paper is the affirmation of the need to work and collaborate closely with Western Balkans partners which were affected from the crises but also are extremely important in the external control borders of the European Union and the control of the flux of refugees trying to reach Europe by land.

Indeed, the Western Balkan states are very important for the European Union in the migrant crisis, as a growing number of migrants were using the new transit Balkan route through Albania, Montenegro and Bosnia in order to reach the Western European countries.

According to the European Commission, during 2015 and in the first quarter of 2016, more than 920 000 refugees and migrants - primarily from Syria, Afghanistan and Iraq - have passed through Serbia on their way to Hungary and Croatia, with the intention to reach the EU member states as Germany or Austria.[215] The "Western Balkan route" became a well-known term for public debates throughout the EU. Refugees and migrants moved on from Greece, in order to reunite with other family members in Europe, using the most common route till 2016 through the Northern Macedonia into Serbia to Hungary and then further on to mainly Austria, Germany and Sweden.[216]

According to the European Border Agency (Frontex), in 2015 the region recorded 764. 033 detections of illegal border crossings by migrants, a 16-fold rise from 2014. The top-ranking nationality was Syrian, followed by Iraqis and Afghans.[217] For this reason the Western Balkan region became the center of the european policy for a short period of time. Serbia, Northern Macedonia and Albania tried to take advantage from the situation in order to settle more advantages for their integration process and to bargain the European Union attention while helping to resolve the crisis.

In 2016 the situation evolved, routes increasingly diversified as countries tightened border control, including the introduction of a new border regime in Hungary, the construction of a fence between Hungary and Serbia and the provision of Hungary to return to the other side of the fence those detected within 8 km of the border.

Also, the number of migrants passing through the Western Balkan reduced significantly in 2016 due to the EU – Turkey deal, under which the parties agreed to restrain irregular migration

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[212] *EU leaders hail summit victory on migration but details scant* in https://www.theguardian.com/world/2018/jun/29/eu-leaders-summit-migration-doubts

[213] https://www.consilium.europa.eu/en/meetings/european-council/2018/06/28-29/

[214] https://www.consilium.europa.eu/en/meetings/european-council/2018/06/28-29/

[215] European Commission, *ECHO Factsheet Serbia response to the Refugee Crisis*, available in https://www.osservatoriodiritti.it/wp-content/uploads/2017/08/peace.please-documentario_migranti-serbia_fondi-ue.pdf

[216] UNHCR Bureau for Europe, *Desperate Journeys, Refugees and migrants entering and crossing Europe via the Mediterranean and Western Balkan Routes*, February 2017 in https://www.unhcr.org/58b449f54.pdf

[217] FRONTEX, Migratory routes, available in https://frontex.europa.eu/along-eu-borders/migratory-routes/western-balkan-route/

across the Aegean Sea. According to FRONTEX in 2016 and in 2017 the non-regional flow transiting the Western Balkans considerably decreased, diminishing from 128.000 illegal border-crossings in January 2016 to 3000 in December 2016.[218]

The closure of the Balkan routes brought to the creation of a new Balkan route that passed through Albania and Bosnia-Hercegovina trying to reach Croatia and continuing further in the north.[219] Albania, at first was not involved in the migration crisis and indeed the country didn't face a crisis but the situation influenced the political and social panorama.

Indeed, Albania not only faced some challenges due to the crisis regarding the control of the borders, the conditions of the welcoming structures but also tried to take advantage in the europian integration process. This way the paper illustrate that Albania is not a destination but a transition country and that the hope to use the crisis in order to accelerate the integration process was invane. After 2016, the Western Balkans slipped again in the back yard of the European policy and the attention shifted once more toward Turkey.

But, if the countries in the Balkans were affected and reacted in an individual way to the crisis, the refugee crisis impacted the relations between them. The relations between Sllovenia, Croatia, Serbia and Northern Macedonia initially were tense due to the lack of cooperation, and to the closure of the serbian frontier which strained the situation in Croatia, so the crisis revealed the old problems and mistrust between the Balkan countries.[220]

The relations improved when the number of the migrants who passed in these transit countries decreased and they begin to share information, the summit in Wienna in 2015 with the partecipation of all the Balkan countries created a common plan in order to face the crisis. This was the overall situation in the Balkans due to the refugee crisis, which lead to the analyze of the situation in Albania.

THE SYRIAN REFUGEES IN ALBANIA

Like mentioned above the refugee crisis explicite its effects in Albania after the closure of the Balcanic route and the creation of a new transit Balcan route through Albania, Montenegro and Bosnia to reach the Western European countries.

The Syrian refugee become the center of the public debate in Albania when they begin to seek asylum in the country, and also tried to pass the border in order to reach other European countries. Pablo Zapata, the High Commissioner for Refugees in Albania, declared that Albania remains mostly a transit country and all the Balkan countries are considered transit countries, "the refugees continue their journey to northern Europe, where they rely on family networks for help, they usually come to Albania to connect with people smugglers to help them travel further north".[221]

According to UNCHR, in 20018 the asylum requests increased comparing with the past years, there were 4378 asylum requests and the border police intercepted 5730 people trying to pass the border.[222] The trend was high in January with 295 arrivals and 266 asylum requests. But, the number of the people that want to pass the border is higher than the number of the asylum request which is a clear fact that Albania remains mostly a transit country for the refugees. The migrants, use formal requests to claim asylum simply to gain time before continuing on their way toward European Union countries, since if they don't ask formally for asylum, deportation to the country which they entered

[218] FRONTEX, *Migratory routes*, available in https://frontex.europa.eu/along-eu-borders/migratory-routes/western-balkan-route/

[219] Amir Puric, Refugees on new Balkan route stuck in limbo, 03.07.2018, in https://www.dw.com/en/refugees-on-new-balkan-route-stuck-in-limbo/a-44509373

[220] Senada Selo Sabic, Sonja Boric, *At the gate of Europe: a report on refugees on the Western Balkan Route*, march 2016 available at http://www.balkanfund.org/publib/biepag/The-migrant-crisis-a-catalyst-for-EU-enlargement-web.pdf

[221] Lindita Arapi, *Syrian refugees find a home in Albania*, 20/11/2017 available in https://www.infomigrants.net/en/post/6159/syrian-refugees-find-a-home-in-albania

[222] UNHCR factsheet on Albania, available in https://www.unhcr.org/see/wp-content/uploads/sites/57/2019/03/Fact-Sheet-UNHCR-Albania-Updated-31-January-2019.pdf

is immediate. The requests are mostly formal because the number of the applications is higher than the number of hearings and in some cases the procedure is just interrupted due to the departure.

The legal framework regarding the asylum procedures was drafted in order to harmonize the legislation with the EU directive and the result was the law n. 121/2014 which provides not only the conditions and procedures regarding the status of refugee but also supplementary and temporary protection in the Republic of Albania and defines the conditions for the integration of the refugees.[223] But, despite the legal framework the asylum seekers are not willing to remain in the country, two thirds of them came mainly from Syria, mostly women, girls and boys but also unaccompanied children.[224]

According to the testimonies of the refugees, Albania was the only solution in order to arrive in Germany and be safe from the turmoil in their country. Guwan Belai a Syrian refugee declared that *Albania is a transit country for me and for the others but is not like Serbia or Macedonia which have closed the borders. Albania is the only solution for transit-based refugees. I came in Albania from Greece and with the will of god I want to end my journey in Germany.*[225]

The journey toward Germany is a common dream also for the other refugees so Berivian Alus declared that *It was a long journey from Syria to Turkey and then in Greece but we hope to reach the UE countries from Albania.*[226]

The presence of the refugees in Albania and the country as a transit one put the government in a difficult position, it needed to address their accommodation and also to control the borders, especially the border with Greece.

The government tried to respect human rights and also to be involved in all the European initiatives in order to approach and resolve the phenomenon. Also, the refugee accommodation put the government in a privileged position with the UE and the PM tried to take advantage from the situation. The European free space without internal border is frequently threaten by the insecurity of the extern borders, including the border with the Western Balkan. The PM Edi Rama in 2016 regarding the migration and the use of the Balkan route declared that Albania *had to follow a third way* which meant neither opening the border nor acting in contrast with European values and human rights, clearly referring to Hungary.[227]

Regarding the accommodation of the refugee, the government prepared the "Contingency Plan for possible mass influx of migrants and asylum seekers at the Albanian border" and also institute the Committee of Refugee and the Albanian National Center for Refugees. The contingency plan aimed on the formalizing the procedures for a durable stay of the migrants, regarding the fluxes form the main Border Crossing Point as Kapshtica and Kakavija, the plan was directed to a high number of migrants but was updated in 2016 to a more moderate influx.[228]

The Committee is a decision- making authority for asylum and refugees and is under the authority of the Ministry of the Interior. In 2016 was created the national Center for the Refugees which would provide food, clothing, health care, education for children especially the unaccompanied children and to help the integration into the Albanian society, the capacity of the center is of 400 people.[229]

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[223] Ministry of the Interior, The Migration Profile in the Republic of Albania, 2017 available in https://mb.gov.al/wp-content/uploads/2018/02/Profili_i_Migracionit_2016_Eng.pdf

[224] UNHCR factsheet on Albania, available in https://www.unhcr.org/see/wp-content/uploads/sites/57/2019/03/Fact-Sheet-UNHCR-Albania-Updated-31-January-2019.pdf

[225] *Refugjatet siriane ne Shqiperi: Destinacioni yne eshte Gjermania,* Gazeta shqip, 22.06.2018, available in https://www.gazeta-shqip.com/2018/06/22/refugjatet-siriane-ne-shqiperi-destinacioni-yne-eshte-gjermania/

[226] *Refugjatet siriane ne Shqiperi: Destinacioni yne eshte Gjermania,* Gazeta shqip, 22.06.2018, available in https://www.gazeta-shqip.com/2018/06/22/refugjatet-siriane-ne-shqiperi-destinacioni-yne-eshte-gjermania/

[227] Fatjona Mejdini, *Albania fears joining new refugee route,* 3 October 2016, in Balkan Insight

[228] Cooperation, Development Institute, *Albania in the Western Balkans Route* ((2015-2016), Working Paper n.1 of the Berlin Process series, available in http://cdinstitute.eu/web/wp-content/uploads/2016/06/2016-06-23-Albania-in-the-Western-Balkans-migration-route-v.2-1.pdf

[229] Per organizizmin dhe funksionimin e Qendres Kombetare Pritese per Azilkerkuesit, 332/2016 published in the Official Journal, available in https://qbz.gov.al/

Despite the efforts, the migrants of the center complain the lack of sanitary conditions and food, also is difficult to have an exact number of the migrants in the center because many of them escape in order to pass illegally the border. Also, the official reports on the conditions is not available to consult but regarding the media and the interviews of the migrants they don't have enough beds, food, bad sanitary conditions and frictions are present among them.[230] Also, they declare that the destination now is mainly France, Germany and Italy trying to pass through Montenegro.

The other concern for Albania and the European Union is the illegal cross border of the migrants, and in this scenario the smugglers and human being traffickers tried to take advantage. The situation in the border was almost quite in 2015, 2016, 2017, there were people who tried to pass the border but the numbers were irrelevant, in 2018 there was a five-fold increase in arrivals (5730) and a 14 times increase of asylum requests (4378) used in order to gain time while trying to reach the UE.[231]

The numbers were smaller than hundreds of thousands that used the so called traditional Balkan route in 2015 but the fear grow up that the new route would be used much more and also created some tensions between Albania and the neighbors like with Montenegro. Montenegro accused Albania for the lack of control in its borders and also for not accepting migrants back after they arrival in Montenegro despite bilateral agreements in this sense.

The Albanian policy enforced the border control with Greece and Montenegro and with Northern Macedonia, also daily there were people caught at the border trying to pass it illegally and smugglers who tried to take advantage from the situation.

The border police tried to take additional measures along the border with Greece and Montenegro due to the local media, the police stopped daily tens of migrants coming from Greece and trying to pass the border.[232] The prime Minister continually asked for the help of the European partner and the European Union react with an agreement that allows the European Border and Coast Guard Agency to coordinate operational cooperation between the EU Member States and Albania on the management of the EU's external borders, which is a further step into the integration with the security framework of the EU.[233]

Also, Albania is the first state outside the European Union which is part of FRONTEX (European Border and Coast Guard Agency) which launched its first and fully operation outside Europe Union and deployed officers and patrol cars in order to support the border control and to prevent cross-border crime.[234]

This was an important step not only for Albania but also for the Western Balkans in general in their European road because it is the sign of a tight cooperation on migration and border management, which can bring closer the region with the European Union. The first mission in Albania was launched in 2019 and will help to control the land border between Albania and Greece but also the check of documents, migratory flows and eventually criminal activities or traffic of human beings.[235] The launch of the first mission was welcomed by the Minister of Interior and also the premier who consider the event as an important step into the integration process and also a

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[230] Fjorela Beleshi, *Ora News ne Qendren e Azilkerkuesve ne Babrru, ankesa per ushqimin dhe trajtimin,* 10/02/2019 available in http://www.oranews.tv/article/ora-news-ne-qendren-e-azilkerkuesve-ne-babrru-ankesa-ushqimin-dhe-trajtimin

[231] UNHCR factsheet on Albania, available in https://www.unhcr.org/see/wp-content/uploads/sites/57/2019/03/Fact-Sheet-UNHCR-Albania-Updated-31-January-2019.pdf

[232] https://www.vizionplus.tv/po-perpiqeshin-te-hynin-ilegalisht-policia-ndalon-30-emigrante-siriane/; https://lapsi.al/2019/04/19/policia-kufitare-arreston-4-emigrante-te-paligjshem-siriane-dhe-iraniane/; https://gazetaimpakt.com/shqiperi-forcohet-kontrolli-kufitar-per-kalimin-e-emigranteve-klandestine-nga-siria/

[233] Nicholas Waller, *EU signs border management agreement with Albania,* in New Europe 5.10.2018 available in https://www.neweurope.eu/article/eu-signs-border-management-agreement-with-albania/

[234] FRONTEX, *Frontex launches first operations in Western Balkans*, in https://frontex.europa.eu/media-centre/news-release/frontex-launches-first-operation-in-western-balkans-znTNWM

[235] *Albania and FRONTEX launch the first ever joint operation outside the EU*, https://eeas.europa.eu/headquarters/headquarters-homepage/62894/albania-and-frontex-launch-first-ever-joint-operation-outside-eu_en

contribution into the relations with the European Union and as a chance in the starts of the accession talks. Despite the positive consideration of the Albanian government and the commissioner Avramopoulos, it is also considered as an assault on Albanian sovereignty.[236]

In June 2018, the European Union strategy toward the emigration tried to reach a compromise regarding the emigration and tried to explore the concept of "regional disembarkation platform", this strategy influenced the political life in Albania. The regional disembarkation platform aims to safely disembarked people rescued at the sea and to distinguish between irregular migrants and people in need of international protection.[237] According to Catherine Wollard, the idea was more simile to a "externalization fantasyland" than to a concrete political plan in order to contain illegal migration, smugglers, traffic human being and to offer international protection to whom really needed.[238]

The concept contains political and legal questions and problems that probably would never seen the life but despite this the idea brought tension outside European Union regarding the states that would accommodate these centers. Surely, the centers would be host on voluntary basis by the states and it was unclear where these centers could be, in Europe, north Africa or elsewhere but the media reported that Albania was one of the countries designed to host a center of disembarkation.

According to the Albanian media the country was considered for the immigrants coming via the Eastern Mediterranean route and the PM would certainly accept to host such centers in order to speed up the integration process and to be a good ally of the Austrian chancellor.[239] The EU denied a specific plan regarding Albania but the Austrian government spokesman Peter Launsky-Tieffenthal told to DW that talks were already underway with Albania in order to host such centers.[240] Also, Antonio Tajani according to the Balkan Insight told that the camps should be established outside EU, like in Albania, and politicians in Germany find the proposal interesting.[241]

The news brought a xenophobic debate in the country and was deeply commented and used by the opposition in order to attack the government. So, the Former Premier Sali Berisha accused the government of accepting "600.000 Syrian former ISIS terrorists"[242], the actual head of the opposition Lulezim Basha, accused the PM that such plan would make Albanians *a minority in their own country.*[243]

The government promptly denied such talks or decision about hosting the center and the PM underlined the construction of the center as a fantasy from the opposition.[244] The debate continued in the Security Commission where the opposition deputies of the opposition and the deputies of the Socialist Party accused each-other in order to threat the national security. Klevis Balliu, a former deputy declared that the *government planned to banish the people of Skanderbeg (the national hero) with the people of Sultan Mehemet.*[245]

CONCLUSION

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[236] Vincent W.J. van Gerven Oei, Frontex is an assault on Albanian Sovereignty, 24.05.2019 available in https://exit.al/en/2019/05/24/frontex-is-an-assault-on-albanian-sovereignty/

[237] European Commission, *Managing migration: Commission expands on disembarkation and controlled center concepts*, 24.07.2018 in http://europa.eu/rapid/press-release_IP-18-4629_en.htm

[238] Francesco Maiani, *Regional Disembarkation Platforms, and controlled centers: Lifting the drawbridge, reaching out across the Mediterranean or going nowhere*, in http://www.reflaw.org/

[239] *Albania possible candidate to host EU "disembarkation platform"*, in https://exit.al/en/2018/06/21/albania-possible-candidate-to-host-eu-disembarkation-platform/; David M. Herszenhhorn, Jacopo Barigazzi, *EU leaders consider centers outside bloc to process refugees*, www.politico.eu

[240] Adelheid Feilcke, Volker Wagener, *Potential EU-Albania asylum deal could help keep Germany's Angela Merkel in power*, DW, 22.06.2018

[241] Gjergj Erebara, *Speculation grows over "Migrant camps" in Albania*, 25.06.2018 in https://balkaninsight.com

[242] https://balkanweb.com/rama-pranon-600-mije-refugjate-siriane-ne-shqiperi-ne-kembim-te-hapjes-se-negociatave/

[243] Gjergj Erebara, EU denies wanting Albania to Host rescued refugees, 22.06.2018, in https://balkaninsight.com/2018/06/22/european-council-denies-plans-for-refugee-disembarkation-platforms-in-albania-06-22-2018/

[244] https://exit.al/2018/06/dw-kampet-e-refugjateve-mund-te-ndertohen-ne-shqiperi/

[245] The debate in the Security Commission among the deputies https://www.youtube.com/watch?v=Qu6cvJ0FMfM&feature=player_embedded

The migration crisis in 2015 put in serious risk the cohesion inside the European Union, the differences between the states were present in the European Council and in different summits. The refugees tried to escape from the turmoil in their states like Syrians and Afghans forward Germany and Austria, using the so-called Balkan Route.

The use of the Balkan Route brought disagreement between the states and some of them decided to build fences like Serbia. The situation influenced also Albania which in 2015 didn't suffered the consequences of the crisis but tried to use the situation in order to enhance the relations with the European Union. The country built the accommodation center and improved the legal framework with the European directive on the refugees and the international protection.

In 2018 the situation changed due to the use of the new Balkan route which involved the use of Albania as a transit country. Albania is not a destination country but a transit country and this is evident with the low number of asylum request, some of them interrupted abruptly due to the abandon of the country.

But, despite the use of the country as a transit one the concept of regional disembarkation created fear and discomfort in Albania. The racist comments and also the extreme position of the opposition regarding the presence of the refugees in the country is the expression of a closed position and also a phobic one towards the other. It is curios to notice this opinion and behavior in a country of migrants where the people mostly want to leave the country, especially the young generation. A country of migrants and refugees, discover itself as a non-tolerant when the migrants are the "others".

On the other side the government tried to take advantage from the crisis in order to accelerate the integration process. The PM wanted to be a factor in the crisis solution especially in the 2016 which would lead to a positive step toward the integration process. As the result was clear, this was only a vain hope, due to two reasons, first of all the integration process is a complex, complete and often political decision. Due to this it was difficult to influence the process and all the 27 states with the measures taken by the government. Also, the migrants in Albania were less than in Greece or in Serbia, and the numbers were very low comparing to our neighbor. In this situation the crisis couldn't be use in order to gain favors in the integration process.

Also, the crisis shaped the regional cooperation and relations in the Western Balkans, at first, they were less cooperative with each other but also due to a common problem and crisis they begin to collaborate in order to improve the border control.

Another consequence of the crisis is the presence of FRONTEX forces in Albania in order to facilitate the border control especially that with Greece.

So, the crisis explicate multiple effects in Albania, that led also to an improvement of the legal framework regarding the status of refugees and the asylum procedures, conform with the European directive.

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BARBED WIRE, BORDER WALLS AND THE 'ART' OF FENCING OUT MIGRANTS AND REFUGEES: AN ASSESSMENT OF THE EU AND AMERICAN BORDERING PRACTICES

Edina Lilla MÉSZÁROS[246]

ABSTRACT:
SINCE ANTIQUITY BORDERS HAVE GONE THROUGH MAJOR TRANSFORMATIONS, AND IF FOLLOWING THE SIGNING OF THE TREATY OF WESTPHALIA THEIR MAIN PURPOSE WAS TO DELIMIT THE LEGAL JURISDICTION AND SOVEREIGNTY OF A STATE, BY THE 21ST CENTURY FRONTIERS HAVE TURNED INTO SOCIAL CONSTRUCTS WITH BOTH INCLUSIONARY AND EXCLUSIONARY FEATURES. BORDERS CAN HAVE AN INCLUSIONARY ROLE AS WELL, ACTING AS BRIDGES, CONNECTING PEOPLE AND CULTURES FROM THE TWO SIDES OF THE BORDER. HOWEVER, THE CURRENT RESEARCH WISHES TO EXAMINE MAINLY THE EXCLUSIONARY FEATURE OF BORDERS IN RELATION TO IMMIGRANTS AND REFUGEES BY USING THREE SPECIFIC CASE STUDIES FROM THE EU AND FROM THE UNITED STATES OF AMERICA, ASSESSING WHETHER THE PROCESS OF FENCING OUT IMMIGRANTS AND REFUGEES AND OF BUILDING WALLS COULD BE A SOLUTION TO STOP UNWANTED MIGRATION. NAMELY, WE WISH TO SEE WHETHER BORDERS AND WALLS MAKE GOOD NEIGHBOURS OR NOT?

KEY WORDS: *CEUTA AND MELILLA, US WALL, SCHENGEN, TECHNICAL FENCE, STATE OF EMERGENCY*

INTRODUCTION

When the Berlin Wall, the prominent symbol of the East-West divide and arguably the most shameful border of the twentieth century was dismantled, the world celebrated. Since then, more than 1000 km of new border walls were built on the territory of the European Community/European Union. In 2017, the EU's anti-immigrant infrastructure reached to 15 instead of the two walls[247] existing in the 90s', 10 out of the 28 EU MS raising such walls, especially after the 2015 crisis. Scientific research has identified a causal link between the consolidation of xenophobic parties in various EU Member States and the subsequent erections of border barriers, but we argue that the main purpose behind their setup is the desire to keep out undocumented migrants and would-be

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[247] Iron Curtain and the Berlin Wall.

refugees. In the current study we shall focus on this exclusionary function of the border walls and fences, which are the leitmotivs of our research investigating the practice of erecting walls in the European Community and the rationale behind them since the fall of the Berlin wall. Special attention shall be rendered to the examination of the bordering practices implemented following the 2015 refugee crisis in Hungary, as it represents a rather ambiguous case of fencing within the EU. The building of the fence also denotes the existence of double standards within the EU, as the same EU Commission which years ago paid and supported the erection of the barbed wire fences in Ceuta and Melilla, harshly criticized the Hungarian government for doing the same. Also migration and the building of a wall have turned into meta-phenomena in the USA, dominating the political agenda, especially since the election of Trump as president. By contrasting the EU and the US 'bordering' and 'fencing' practices, we endeavour to find out whether the erection of walls can solve the problem of migration, departing from the presumption that walls might temporarily stop people from getting from one place to another, but ultimately they cannot address the origins of tensions which put those people on the move.

WHAT IS THE ROLE OF BORDERS AND OF BORDERING?

Plenty of scholarly work[248] deals with the deciphering of the meaning of borders/frontiers, also trying to understand the practice of bordering and of erecting walls and fences. There's no unison among the pundits concerning the classification or the rational of borders, while some examine them in their mere geographic constitution, others render to them political, economical, juridical, symbolical, material, performative, affective, figurative, ideological etc. connotations.[249]

Back in 2005, David Lyon, a prominent scholar in border surveillance studies affirmed that "the border is everywhere", however he linked its omnipresence and diversification to the recent developments in surveillance and technological transformations.[250]

Traditionally, borders were identified as spatial demarcation lines delimiting the territory and sovereignty of a state, especially by geographers and historians in their early writings. These researchers had even attributed qualitative features to borders, categorizing them as *good* or *bad*[251], depending on their tension elevating capacity. The concept of borders and the phenomenon of bordering closely intertwined with the emergence and the consolidation of the nation states.[252] However, the art of fencing and bordering was used centuries before the appearance of the Westphalian and the national state model. The walls erected around the Ancient Greek city states acted as a buffer against the threats coming from the exterior, while the Roman limes divided the territories conquered by the Roman Empire from the unoccupied lands, signifying a clear differentiation between the civilized Roman and the uncivilized or barbarian world, thus already in Ancient times borders bared a civilizational/cultural meaning. Moreover, the hierarchy of spaces also existed in the Roman Empire, as the Romans organized the occupied territories into administrative divisions, even categorizing them based on their dimension and function, varying from regions, provinces to cities and settlements.[253]

Undoubtedly, the Great Wall of China[254] is one the most renowned fortifications of the world, an architectural masterpiece of 6434 km long, its construction lasting through centuries, starting in Ancient times in the 7th century BC until 1644 AD. We find similarities between the purpose of erecting the Roman limes and the Great Wall of China, as both of them were designed to act as protective defence lines against the barbarian, nomadic invasions. Even Stephen Turnball argues that

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[248]See the works of Malcolm Anderson, Bort Eberhard, Federica Infantino, Evelien Brouwer, Reece Jones, Thomas Diez, Mathias Albert, Stephan Stetter, James Wesley Scott, Henk Van Houtum, Ros Pijpers, Ioan Horga, Emmanuel Brunnet-Jailly etc.
[249] DeChaine, "For Rhetorical Border Studies," 1.
[250] Broeders, "A European Border Surveillance System,"40.
[251]Ferreira, *Human Security*, 51-52,
[252] Infantino, *Outsourcing Border Control*, 4 .
[253] Brunet-Jailly, "Theorizing Borders," 634-635.
[254] A set of defensive walls.

the Great Wall of China "owes its existence to the history of the interaction between the settled agricultural communities of China and their predominantly nomadic neighbours to the North".[255]

Within the feudal system established during the Middle Ages the boundaries between different empires and dominions were not clearly delimited, so borderlands were quite imprecise, as great importance was rendered mainly to the control of cities and territories. The border forts well-known from history books, were situated on the edge of dominions, somewhat marking the end an area of demesne. The major developments in the field of mapping and cartography enabled the rulers the gain 'connaissance' of the spatial view of their possessions. This practice contributed to border regions' and borderlands' gradual transformation into boundaries or frontiers.[256] This spatial transformation led to the diversification of the terminology as well, demanding an explicit differentiation between the concepts of boundary, border, borderland and frontier. However, the terminology in border studies is rather fuzzy, and many times the differences between *border* and *frontier* are not that obvious. In the European scholarly tradition a *border* is described as an official delimitation between collective entities, politically organized identities in states or equivalent of states, with a dual identity: a *political* one, defending a set of laws and regulations, and a *symbolical* one protecting norms, customs and cultural identities.[257]The American perception of borders is different from the European one, as for them the term *frontier* is a moving zone of settlement, not a borderland or border region as in the French precept. According to the famous Scottish political scientist, Malcolm Anderson, the term *frontier* has a wider sense, describing it as "a precise line at which jurisdictions meet, usually demarcated or controlled by customs, police and military personnel".[258]

The Treaty of Westphalia represents a major momentum in the history of international relations, not only because of the birth of the concept of state sovereignty, but also due to the strict delimitation and consignment of the boundaries marking the territorial possessions of England, France, the Dutch Republic, Spain, Sweden and the German princedoms. Accordingly, geographers and historians had a major contribution to the establishment of the so called modern Westphalian political order.[259]

Following the end of the First World War, Woodrow Wilson's self-determination tenet together with that of sovereignty became the main organizing principles of the newly created boundaries of the emerging nation states. So, during the negotiations at Paris, the sketched borders were a materialization of the 'aggrandised maps' envisaged by the representatives of the European states, which mainly served national interests and not necessarily were a genuine illustration of their territories and people. Consequently, the Paris Peace Treaties closed aftermath the First and the Second World Wars consecrated the newly created borders and state of affairs on the European continent, borders acquiring even more importance as they have delimited the legal jurisdiction of the states, reflecting also the newly born countries' *security needs*.[260]

The emergence of two ideologically and politically divergent power polls following the end of the Second World Conflagration fostered the setup of a heavily militarized and securitized barrier, the *Iron Curtain*. The *Iron Curtain* is hardly out of the ordinary, as it is a border impossible to categorize following the traditionally known criteria: first of all, it's not a national border separating one state from another (it's both a physical and a mental/cultural/ideological dividing line between two opposite political systems); and secondly it is an *arbitrary border*, imposed by force by external decision-makers. Accordingly, the Iron Curtain represents an anomaly in border studies, as it challenges the archetypal ideal of territorial sovereignty, extending on the borders of several countries in Europe, in case of Germany dividing a territory that before was of a unitary state.[261]Also,

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[255] Turnball and Noon, *The Great Wall of China 221 BC-AD 1644*, 4-5.
[256] Brunet-Jailly, „Theorizing Borders," 634-635.
[257] Mészáros, „The Historical Analysis,"462.
[258] Anderson, *Frontiers. Territory and state formation in the modern world*, 25.
[259] Brunet-Jailly, „Theorizing Borders," 635.
[260]Mészáros, „How the security dimension triggered…,"; Brunet-Jailly, "Theorizing Borders," 635.
[261]Zaiotti, *Cultures of Border Control*, 56.

another prominent symbol of this East-West divide could be considered the Berlin Wall, an *arbitrary border* erected as a consequence of dissent between the allied powers and the Soviets at the beginning of the 60s', meant to prevent the citizens of West Berlin to go to East Berlin and East Germany. Thus, we can consider the Wall of Berlin as a political tool of confinement and pressure, and in the same time a mental/ideological barrier.[262]

In the 90s' following the dissolution of the Soviet Union and of the Yugoslav Federation and the reunification of Germany, the borders of Europe went through major transformations, and by the lifting up of the Iron Curtain and the tearing down of the Berlin Wall, postmodernist approaches on borders began to take shape, forecasting a 'borderless' Europe. The idea of a borderless[263] Europe/world was mainly favoured by economists and businessmen, furthermore Francis Fukuyama argued within his *end of history approach*, that according to this scenario, mankind would also witness the end of geography and of the existent nation state system as we know it, and the new process of de-territorialisation would bring the annihilation of borders.[264] As noted by Reece Jones, a renowned American political geographer, the predictions about a borderless world/Europe have not come to materialize, as in the first decade of the New Millennium thousands of kilometres of new security barriers were built along political borders throughout the world, and if we would add up the length of these barriers, it would stretch all the way from New York to Los Angeles, respectively from Frankfurt to Istanbul.[265]

On the other hand, globalization and the liberalization of trade demand more open borders, thus we might ascertain that the need for unhindered trade activities have made the borders more porous, giving birth also to various security related concerns. In case of the European Union, for example the prerequisite for the functioning of a common single market and of Schengen, is the existence of an area without barriers. However, the elimination of borders and of border control within the Schengen area created a security deficit, a shortfall that the policy-makers have tried to manage by strengthening the external borders of Schengen and of the European Community, and by introducing various databases and cutting edge technologies for the control of borders and for the monitoring of the movement of persons. Therefore, in this framework borders have acquired another meaning, as in case of the external frontiers of the European Union, they have become exclusionary lines separating the EU from third countries, challenging the traditional view of the frontier as a principal element for state sovereignty. It also became a defence barrier against the influx of third country nationals fleeing poverty, persecution or war-torn areas, turning also into a site through which socio-spatial differences are communicated and where the *self identity*[266] differentiates itself from the identity of the *other*[267].[268]

THE 'ART' OF BORDERING/FENCING REFUGEES AND IMMIGRANTS .

As Ana Sala-Lopez argues, in the past two decades, border studies have become profoundly interconnected with migration studies, as through the process of bordering, frontiers have turned into veritable *tools of inclusion* or *exclusion* of territories and people from various "hierarchical network of groups, affiliations and identities".[269] According to her, borders have acquired this new role due to the changes occurred in international migration trends and in the global/European geopolitical landscape, this change being also fuelled by the debates between the advocates of a *liberalization*[270]

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[262] Mészáros, The Historical Analysis," 466-467.
[263] As the lack of borders and of border control does not hinder trade.
[264] Ferreira, *Human Security*, 51-52.
[265] Jones, *Border Walls*, 1.
[266] Of forming part of the securitized space of the EU.
[267] It refers to third country nationals.
[268] Ferreira, *Human Security*, 52.
[269] Sala-Lopez, "Exploring Dissuasion as (Geo)Political Instrument,"517.
[270] They prefer de-territorialized social, political and economic practices

vs. a *securitization*[271] ethos. Furthermore, the authoress enumerated 4 levels in which interconnection between border and mobility takes place:[272]

1. First, borders are seen as institutions involved in the management of migration also enabling the extra-territorialization of border control practices;
2. Second, borders are perceived as socially constructed phenomenon and delimiters of social categories functioning based on the principle of selective permeability;
3. Third, they are spaces of bargaining beyond the formal limits of the state that define the collective stories and experiences of people residing in borderland areas;
4. And last, but not the least, borders have turned into instruments of technologies of control and government as a consequence of the securitization and criminalization of migration, legitimizing extreme exclusion and destitution practices, allowing the instauration of a permanent state of emergency.

Looking at the irregular migration trends, from the 90s' onwards we observe the contouring of a securitization rhetoric in the European Community/EU, which called for the strengthening of the external borders of the Community and developed a *security continuum*, criminalizing immigrants, linking them to illegal activities, varying from petty crime, urban violence, organised crime, and money laundering to terrorism. Both borders and immigrants became securitized phenomena, but as several scholars argued, this securitization did not take place only at the border but also beyond it. There were scientific debates about the 'de-nationalization'[273], the 'extra-territorialisation'[274] and even about the 'outsourcing' of border and migration control.[275]

Further unfolding the idea that the securitization of border and of migration does not take place only at the centre or at the border (by Frontex, European decision-makers, Member States) but also on the other side and even beyond borders, Emma Haddad's *centre/periphery theory* is very appropriate. Haddad notes that in several academic studies[276] the border is discursively constructed as "a dangerous place. Things that cross the border undermine the border's authority and have the capacity to "pollute" the inside that the border is trying to protect."[277]She stresses "that where there is a danger […] there is fear, and where there is fear, there is a need for security. Consequently, the actors playing the security game desire to be free from that which scares them: the threat(s)".[278]The identity that must be protected is located in the centre, and distances itself from the threats, which are situated outside or in the periphery, the border being depicted as the place of encounter between the interior and the exterior. Here we can observe a change of roles, the insiders posing in the role of the victim, not the marginalized immigrants or refugees coming from the periphery. Immigrants and refugees are seen as *toxic* elements polluting the pure inside, so accordingly, the centre has to supervise the periphery at the periphery, not from inside, if it wants to subsist: "If the centre wants to survive, it has to control the periphery and it has to do so at the periphery, leading to the institution of norms and legislative instruments to deal with refugees in an attempt to prevent pollution that could bring chaos.[279] In short, the refugee (at the periphery) poses a security problem (to the inside or centre), one which is fundamentally a potential pollution problem. Accordingly, borders must be

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[271] They advocate for re-territorialization and securitization.

[272] Sala-Lopez, "Exploring Dissuasion as (Geo)Political Instrument," 517.

[273]When supranational entities, institutions, organizations take charge of the border control and migration management tasks.

[274] Here we can speak about a remote control, when the control is taking place beyond the borders and even before reaching the border.

'Remote control however is a strategy that seeks to achieve all goals at once, i.e. to circumvent constraints in cost-effective ways, simultaneously appealing to public anxieties over migration, short-circuiting judicial constraints on migration control, while allowing wanted trade, labour, and tourist flows. In practice, this means ensuring that aspiring migrants or asylum-seekers do not reach the territory of the receiving countries." See Infantino, *Outsourcing Border Control*, 5.

[275]Infantino, *Outsourcing Border Control*, 5-9.

[276] Douglas, *Purity and Danger*; Thompson, *Maya Identities and the Violence of Place*.

[277] Haddad, "Danger Happens at the Border," 119.

[278] Ibidem, 128.

[279] Mészáros, "Security Dimension of New EU External Communication." 216.

sealed to prevent contamination of the pure inside."[280] Within this reasoning, the identity of the refugee/immigrant is crafted where the inside and the outside of the border merge, thus the refugee/immigrant becomes an artificial creation of the border, the existence of the border being a precondition for its subsistence. Thus, immigrant and refugee groups exist today due to the modern nation states' thrive to organize people and territories within well-defined political/judicial structures delimited by demarcation lines, called boundaries. A clear line of separation is being drawn between the citizens of a nation state, perceived as the normal, legal, *sedentary society* versus the refugee/immigrant, a *moving entity* which acts as a destabilizing factor by blurring the well defined border of the nation state, in the global state system, the refugees/immigrants turning into an *anomaly*, precisely due to their continuous moving nature.[281]Furthermore, Haddad underlines that migration inside the EU is part of a liberalization ethos (free movement of people under Schengen), while the extra-territorial migration is rendered to a *security ethos*[282](as foreigners or migrants represent a real/perceived threat to the jobs, welfare, culture, religion, identity, security of the EU citizens).

In order to illustrate this *security ethos*, in the following lines we shall present the bordering/fencing techniques used in the European Union vs. the United States of America through three subsequent case studies.

THE EUROPEAN BORDERING/FENCING[283] PRACTICES *CEUTA AND MELILLA AND THE BIRTH OF 'FORTRESS EUROPE'*

Ceuta and Melilla represent one of the most controversial cases in borders studies, combining features of a place of an economic and cultural encounter between Europe and the Maghreb, with elements of heavily guarded barbed wire fences erected in order to stop irregular immigrants.[284] Historically speaking, Ceuta and Melilla symbolize a polemical relationship between Morocco and Spain, fluctuating between peaceful coexistence and tough confrontation shaped by the just prevalent balance of power in the Mediterranean. Since the Spanish 'reconquista' movement both Ceuta and Melilla are under Spanish control, Melilla since 1497 and Ceuta since 1668. A rather ambiguous detail, that while in the Middle Ages the two enclaves were surrounded by high stone walls in order to protect them from foreign invaders and from external threats of all kinds, today they have become the embodiment of the *fortress Europe* metaphor.[285]Ceuta's total surface is 19.48 km^2, its territory being 28kms long, out of which 8 kms represent the land border with Morocco; while Melilla's surface area is 13.41 km^2, measuring 20 kms in length of which 11 kms constitute the land border with Morocco. Both of these enclaves are disputed territories between Morocco and Spain, and since 1986, the year of Spain's accession to the European Community, as a consequence of the Spanish rule they have been also integral part of the European Union, however geographically situated on the African continent.[286]As Xavier Ferrer Gallardo highlights, following Spain's accession to the European Community, in 1991 came the 'Schengenization' of the Spanish-Moroccan border, Ceuta and Melilla turning into a site of two simultaneous but antithetic processes: on the one hand, we can speak about the militarization of the enclaves by the erection of barbed wired border walls with exclusionary purposes; and on the other hand, about the liberalization of trade and the creation of the Euro-Mediterranean Free Trade Area in 2010. After the accession to the EC and the implementation of the Schengen agreement, both the Christian and the Muslim inhabitants of the two enclaves found themselves in a somewhat privileged situation, as they have become EC/EU citizens. However, the

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[280] Ibidem.

[281] Ibidem, 121-122.

[282] Ethos described by the Merriam Webster dictionary as the guiding belief of a person, group or organization.

[283] Raising fences: Austria with Slovenia 2015; electronic security barrier Poland-Belarus; Bulgaria-Turkey 2013; Denmark-Germany 2019 (apparently because of wild boars, swine fever); Estonia-Russia 2015; France-UK (Calais); Greece with Turkey 2012; Hungary with Serbia and Croatia in 2015; Latvia-Russia 2015; Lithuania-Kaliningrad (Russia) 2017; Macedonia-Greece 2015; Slovenia with Croatia 2015; Spain (Ceuta and Melilla).

[284] Johnson and Jones, "The Biopolitics and Geopolitics of Border Enforcement in Melilla," 5.

[285] Saddiki, "Ceuta and Melilla Fences," 1.

[286] Ferrer Gallardo, "Border Acrobatics between the European Union and Africa," 75.

new regulations in vigour acted as separating lines between the Muslims from the enclaves and the Muslim on the other side of the border, in Morocco. As for the survival of the enclaves cross-border interaction with the hinterland was/is absolutely imperative, the EU decision-makers allowed the implementation of the Schengen regime in a selective way, thus permitting a slight exception. This derogation permitted for a certain category of citizens from Morocco, the so called 'desirable migrant' workers and consumers from the adjacent regions of Tetouan (in the vicinity of Ceuta) and Nador (in the vicinity of Melilla) to enter the enclaves for a maximum period of 24 hours without a visa. This atypical deployment of the Schengen border regulations could be considered as an inclusionary border practice meant to secure the political and economic sustainability of the enclaves. On the other hand, this practice didn't only give an impulse to the cross-border flow of people and of merchandise, but it also bolstered the illegal flow of commodities, enhancing smuggling activities as well.[287]

Needless to say that Spain's accession to the EC increased even more the economic gap between Spain and Morocco, which also accelerated the illegal flow of people between the two countries, using Ceuta and Melilla as the main transit zones. The presence of more and more immigrants in the two enclaves trying to get to the hinterland, forced the Spanish authorities to erect fences in order to curb the irregular migration flows. The fencing of the enclaves has started in the 90s', following their declaration as Autonomous Cities within the Spanish constitutional framework. To prevent the flow of immigrants to Spain, the Spanish authorities have raised fences both in Ceuta and Melilla, in 1993 in Ceuta (8.2km) and 1996 in Melilla (10.5 km). In the first years after the erection of these fences it wasn't an arduous task for the immigrants and smugglers to make their way through them, due to the fences' rather rudimentary condition.[288]Unfortunately, the tightening of the border control and the erection of the fences had negative consequences as well, as it intensified illegal crossings through the sea, in 'rickety wooden pateras', leading to many shipwrecks and deaths.[289]

Following an unfortunate event[290] in 2005 when thousands of immigrants from the South of Sahel tried to forcibly climb though the fences, the Spanish authorities decided to strengthen them even more, thus restoring the medieval fortress dimension of the enclaves, combined with new cutting edge border monitoring technologies.[291] The year 2005 saw the implementation of an Integrated System of External Surveillance, or SIVE together with the intensification of bilateral cross-border cooperation between the Spanish and Moroccan authorities. Concerning the fences, their heights were doubled, increased from 3 to 6 meters, equipped with barb-wire, motion sensors, CCTV (closed circuit television), infra-red cameras, pepper-spray mechanism, bright spotlights[292] and watchtowers. Furthermore, the construction of a third tri-dimensional tow-rope fence between the already existing ones was ordered by the Spanish authorities, which was meant to be more secure and less harmful. This tri-dimensional tow-rope fence as an innovative mechanism, never implemented before has also captured the attention of the United States, which considered its implementation at its common border with Mexico. It is rather surprising and also shows the existence of double standards when it comes to the erection of border walls/fences in the EU, the fact that the European Commission bountifully contributed to the construction of the razor wire border around Ceuta, giving 200 million Euros, 75% of the costs of the building and modernizing of fences in the period 1995-2000.[293]

Initially, the fences seemed to have risen to the expectations of their builders, as from 2005 until 2013/2014 they have managed to keep away major flows of immigrants, instead forcing them to choose more perilous routes through the sea. However, since 2014 immigrants have managed to find

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[287] Ibidem, 75-82.
[288]Mészáros, "Security Dimension of New EU External Communication," 226.
[289] Johnson and Jones, "The Biopolitics and Geopolitics of Border Enforcement in Melilla," 11.
[290] According to official reports 13 people have died and thousands were injured.
[291] Ferrer Gallardo, "Border Acrobatics between the European Union and Africa," 85.
[292] Anderson, "Rescued and Caught," 85.
[293] Mészáros, "Security Dimension of New EU External Communication," 226.

alternative ways to get through the fences by using collective force. In February 2014 hundreds of migrants from the Sub-Saharan region tried to make their way through the fences at Ceuta. However, they were spotted by the thermal cameras of the Spanish Guardia Civil and then tried to escape by throwing themselves into the sea. For warning purposes the Guardia Civil fired several rubber bullets into the sea, but the panic their action sow coupled with the cold temperature of the water led to the drowning of 15 people.[294]

As attempts to pass the fences are almost daily in the two enclaves, on the 5th of March 2019 the Spanish Minister of Interior Fernando Grande-Marlaska announced the removal of the third layer of the border wall around Melilla in order to increase the height of wall to 8 or 10 metres and to make it non-injurious. Furthermore, the barbed wire will disappear too, however its place will be taken by CCTV cameras. He cited humanitarian purposes for these measures, namely "the height of the fence will be increased by 30 percent, reaching ten meters, where most of the entries occurred" with the purpose of preventing migrants from being injured.[295]Since June 2019, 41 DOMOS cameras and 11 fixed cameras were replaced by 14 new technical cameras as well as a more modern CCTV control platform in Ceuta. Moreover, the launch of a facial recognition system both in Ceuta and Melilla was announced by the competent authorities. Of an outermost importance is the fact that while Spain has given up the barbed wire (concertina wire), on the other side, Morocco is building new fences with razor wire, for its setup the EU generously contributing with a 140 million Euros investment.[296]

THE 2015 'MIGRANT' CRISIS AND THE HUNGARIAN TECHNICAL FENCE

2015 saw an unprecedented wave of third country nationals targeting the European Union through various migratory routes. An intensification of movement could be observed on the Western Balkans migratory route, in 2015 altogether detecting 764.033 people. After transiting Greece from Turkey, third country nationals crossed Macedonia and Serbia, attempting to enter the European Union through Hungary. For a small country from Central Europe which has never been a colonial power or a main transit country for immigrants, the presence of thousands of immigrants signified a huge shock. According to Eurostat, in 2015 Hungary received 174.400 first time asylum applications, which represented 14% of all asylum application, being the second largest number in the EU, after Germany (with 35%, 441.800 first time applications). In 2015 in Hungary there were only 545 positive decisions concerning the asylum claims, while in Germany there were 148.215.[297]Moreover, we must underline that contrary to the view of various western EU Member States, from the very beginning the Hungarian government perceived the movement of third country nationals as a migration and not as a refugee crisis, stating that the vast majority of them are economic migrants who came to Europe for financial benefits. Accordingly, the central government first, has discursively constructed immigrants and immigration as a threat to the national/European security, wellbeing, culture and identity and after receiving authorization from the reference object[298] (through various national consultations), began the securitization process, namely elaborated security oriented policy actions concerning asylum, migration and border control.[299]

As the migratory pressure at the Southern border was increasing in the summer of 2015, the Hungarian government has taken certain measures, such as the construction of a temporary technical fence (barbed wired fence) at the Hungarian-Serbian and Croatian-Hungarian border, the strengthening of the police, also creating the legal background for the involvement of the army assisting the law enforcement authorities at the southern border for the alleviation of the great

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[294] Anderson, "Rescued and Caught", 86.
[295] Ben Saga, "Spain to Install Surveillance Cameras at Ceuta, Melilla Borders."
[296]Morocco World News, "Spain Steps-up Ceuta-Morocco Border Security."
[297]Eurostat, "Asylum in the EU Member States Record number of over 1.2 million first time asylum seekers registered in 2015 Syrians, Afghans and Iraqis: top citizenships, 4 March 2016, 1.
[298] Hungarian citizens.
[299] See, Mészáros, "State of emergency, public anxiety and the discursive construction of migration as a threat during the current migration/refugee crisis," 11-12.

migratory pressure. The decision to close the *green border* with Serbia and to build a 175 km long[300] and 4 m high fence was taken on the 17th of June 2015. The construction of the fence[301] at Mórahalom began on the 13th of July with the assistance of the army, and the fact that its erection had been finalised much before the actual deadline (30th of November) shows the extreme importance the Hungarian government was rendering to its construction. After the total seal of the Hungarian-Serbian border on the 14th of September 2015, plans were put forward for the erection of fences with Romania and Croatia. While the fence with Romania did not materialize as immigrants did not choose Romania as their main transit country, a 41 km long barbed wire barrier was erected along the Hungarian-Croatian border in September 2015. While the construction of these fences heated up the spirits both within Hungary and in other EU Member States, triggering heavy criticism from the opposite national party leaders, Eurocrats and EU MS decision-makers, in the end it had lived up to the expectations of its architects, as it significantly decreased the number of illegal border crossings, especially at the Hungarian-Serbian border.[302]However, this could be also the result of the deal between the European Union and Turkey from 2016, as Turkey in exchange of financial assistance has pledged to hold back illegal immigrants who are not entitled for asylum or international protection at its border with Greece. Furthermore the government established a new law enforcement unit, helping the work of the border police, called "határvadász,"[303] and tightened the laws, labelling both the illegal border-crossing and the damaging of the fence as criminal offences.[304]Thus, this migratory situation labelled as an extraordinary event led to the amendment of the country's Asylum Act[305], the Criminal Code[306] and the Criminal Procedure Act.[307] On the other hand, as a reaction to the high number of migrants attempting to get to the EU through the Western Balkans route, following the erection of the technical fence by Hungary, other EU Member States as well took restrictive measures at their external borders. Germany had reintroduced border control within Schengen at its common border with Austria, while the Austrian army began to build a fence along the border with Slovenia, and Slovenia built a fence at the border with Croatia, due to the massive flow of immigrants.[308]Poland, the Czech Republic and Slovakia had also taken into account the possibility to seal their borders in front of the migrants. In August 2016 over fears of an influx of immigrants coming from Turkey, the Bulgarian government also followed the example of its Hungarian homologue, starting to build a fence along its border with Greece and Turkey.[309]

The *erection of fences* became a recurring practice in the case of Macedonia as well, which constructed fences with both Greece (the construction of the first wire fence with Greece started in November 2015, while the second line was constructed in February 2016) and Serbia (after the

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[300]Triandafyllidou, "A 'Refugee Crisis' Unfolding,"202.

[301] Following the erection of the technical fences, the Hungarian-Serbian border was subjected to a major migratory pressure on the 15th of September 2015, as in just one day a record number of 9360 migrants attempted to cross the border.

[302] Before the fence this portion of the border was crossed by 1500-3000 people on a daily basis. After the erection of the fence this number dropped to 150-250/ day.
Juhász, "Assessing Hungary's Stance on Migration,"41-42.

[303] In unofficial English translation it would be *border hunter units*.

[304] Hungarian Government, „National Consultation on Immigration and Terrorism."

[305] Practically the Hungarian government has declared Serbia as a safe transit country, automatically rejecting any asylum claims coming from third country nationals passing through Serbia. Furthermore, it has published a list of safe countries of origins and safe countries of transit. The newly amended Asylum Act enabled the accelerated processing of cases where a "safe" third country was available to the asylum seeker. The process of reviewing asylum claims had been shortened to 8 days. Under the umbrella of the *state of emergency* scenario the amended Asylum Act also enabled the police and the army to intervene in so called *mass migration crisis* situations, making possible their involvement in the asylum process.

[306] The newly amended Criminal Code criminalized the crossing of a closed border on the Hungarian territory (unauthorized entry on Hungarian land) which became prohibited and punishable by up to 3 years in prison. Furthermore, damaging the fence or obstructing its construction is also punishable by imprisonment, as these are perceived criminal offenses as well.

[307] Juhász, "Assessing Hungary's Stance on Migration," 40.

[308] Deutsche Welle, "Austria begins erecting fence on border with Slovenia."

[309] Oliphant, „Bulgaria builds 30km fence on Turkish border to keep migrants out."

closure of the Balkan route the desire to stop the illegal border crossings, a 3 meter high barbed wire fence was erected along the border of Macedonia with Serbia.[310]

Even though, the number of people crossing through the Western Balkan route seriously dropped, in 2016 to 130.325, in 2017 to 12.179 and in 2018 to 5869, the Hungarian government still upholds the *state of emergency* declared in 2015 at its southern border. It is labelled as a necessary preventive measure, as according to the Hungarian governmental apparatus there could be an increase in the number of irregular entries any time.[311]

THE UNITED STATES OF AMERICA AND THE 'GREAT WALL' OF TRUMP

Since Donald Trump's dynamic burst into the American and global political scenery and consciousness, the 'Let's Make America Great Again' and "I will build a great great wall on our southern border and I'll have Mexico pay for that" became recurrent catchphrases in his rather ambiguous rhetoric. Contrary to such seemingly public-spirited pledge, we must underline the fact that there already exists a fence between the U.S.A. and Mexico with the purpose of halting illegal immigrants from Mexico and Central America. So, hardly will Trump reinvent the wheel.

Back in 19th century, in 1848 the region that we are examining was part of Mexico, thus even today the Mexican culture makes its presence felt in the aforementioned area. Today, the border has 3145 kilometres, comprising also the Rio Grande River as a natural barrier that passes through Western Texas and divides Mexico from the USA. According to the statistics, it is also the world's busiest and most overcrowded border, as on a daily basis it has to monitor the transit of approximately 1 million people and of goods worth more than 1.5 billion dollars. Furthermore, the US-Mexican border is also the site of the single busiest land port in the world, where more than 50.000 vehicles and 25.000 pedestrians cross each day between San Diego. California and San-Isidro-Tijuana.[312]

The idea to establish a permanent physical barrier between the USA and Mexico across the southern border was proposed at the end of the 90s', and the motivation behind it was the desire to curb the flow of illegal immigrants and of drugs.[313] In this period for example, the number of agents patrolling the Southern border was doubled and new enforcement strategies were also tested. Even though, a few short sections of an actual physical barrier were built, bolder border security projects did not come to materialize due to the lack of enough political and public support. Following the terrorist attacks from 2001, the need to enhance border security further increased.

Approved in October 2006, the so called **Secure Fence Act** bill could be considered as the legal base for the erection of a wall, as it authorized the construction of 1000 kilometres of fence along the southern borders of California, Arizona, Texas, and New Mexico.[314]However, due to the lack of funding, until Trump taking over the presidency of the USA, no concrete steps were taken in this regard. Nowadays, the fence barrier along the US-Mexican border stretches only on 1046 km, and since the arrival of Trump, the US Customs and Border Protection agency has replaced 22.53 kilometres of scrap metal barrier with a bollard-style[315] wall in San-Diego, adding to the already existent anti-immigrant infrastructure 3.21 kilometres of wall in California and 32.18 kilometres of new wall in Santa Teresa, New Mexico. The president believes that the existent border infrastructure is not enough to stop the flow of immigrants from Mexico, which represent a threat to the wellbeing and security of the American people, aspiring to build of wall of 1609 kilometres, as according to him "All Americans are hurt by uncontrolled, illegal migration" […] and "We are out of space to hold them and we have no way to promptly return them back home to their country."[316]Besides security reasons, he claimed humanitarian motives as well, saying that the wall "would save the lives

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[310] Ibidem.
[311] Frontex, „Western Balkan Migratory route."
[312] Mazza, „The US-Mexico Border and Mexican Migration to the United States," 33-34.
[313] Jones, *Security and the War on Terror in the United States, India, and Israel,* 6.
[314] Villafuerte Solis, „The Southern Border of Mexico in the Age of Globalization." 314.
[315] Bollards are defined as steel posts meant to stop vehicles from passing.
[316]BBC, „Why does Donald Trump Wants to Build a Wall?."

of Central American migrants, many of whom are women and children." In Trumps' view "Walls work" […] "They save good people from attempting a very dangerous journey from other countries."[317]

Contrary to the initial claims that Mexico is going to pay for wall, now Trump is expecting the necessary funding from his own government, a total amount of 5.6 billion dollars, this causing him serious backlash with the Democrats, who oppose such megalomaniac plans. According to data, he does not have the support of the majority of the population neither, 59% of them disagreeing in this matter with their president.[318]

Completely disregarding the opposition of the Democrats and the disapproval of the population, on the 27th of July 2019, the US Supreme Court allowed the Trump administration to redirect 2.5 billion dollars from military funds for the construction of the wall, a decision that was presented by the president as a landmark victory and a "big WIN for border security and the rule of law."[319]

CONCLUSIONS

Undoubtedly, since Antiquity borders/frontiers have gone through major transformations, and if after Westphalia their main purpose was to delimit the legal jurisdiction and sovereignty of a state, by the 21st century frontiers have turned into social constructs with both inclusionary and exclusionary features. Thus, we may conclude that the current status of borders is in contradiction with the realist perceptions dominating for centuries, which conceived them as military defended strategic lines protecting from external dangers. Nowadays, borders/frontiers are rather diffuse social constructs, capable of continuously moving and changing, also accommodating to the myriad of current transnational threats. One cannot overlook the fact that borders can have an inclusionary/inclusive role as well, acting as bridges, connecting people and cultures from the two sides of the border. However, the current research aimed at examining the exclusionary/exclusive feature of borders in relation to immigrants and refugees by investigating three specific case studies from the EU and from the United States of America.

As we've reveled through the case studies, the idea of a borderless Europe/world is nothing but utopian, borders being present more and more in our everyday lives. Furthermore, poverty, wars, persecution, water and food scarcity and climate change are pushing millions of people to move from their countries of origin to Europe/EU and the US. The truth is, that since the fall of the Berlin Wall, borders were transformed into securitized spaces, and the process of locking down and closing political borders have become a recurring practice even for the leading democracies of the world.

Ceuta and Melilla represent a controversial case of bordering, combing elements of *selective permeability* (which allows visa free entry for a limited time for certain desirable categories of people) with heavy securitization practices. In our opinion, the current seemingly humanitarian measures taken by the Spanish government to dismantle the third wall and to get rid of the barbed wire are nothing but pure window-dressing, as considerable amount of money was given to the Moroccan government to consolidate the fence on its side of the border. Thus, it will be barbed wire, but on the other side of the border. Concerning the technical fence in Hungary, it was deliberately erected as a response to the increased flow of immigrants through the Western Balkan migratory route, which has managed to live up to its expectations and curtailed the number of irregular entries. However, as in the case of Ceuta and Melilla and the US wall with Mexico, it did not eradicate the root causes of the phenomenon, thus it can be considered only as a shallow and temporary, but not a long-term solution. Statistics have shown, especially in the case of Ceuta/Melilla and the US-Mexico wall, that the erection of fences had immediate negative repercussions, only pushing people to look for alternative routes, which proved to be more dangerous and deadly. Thus, we can conclude that border walls and fences can only temporarily mask the problem of unwanted migrants and refugees,

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[317] Paynter, „Europe's Refugee Crisis Proves Trump's Border Wall Wouldn't Work."
[318] Ibidem.
[319] The Telegraph, „US Supreme Court allows Trump to spend military funds on US-Mexico border wall construction."

by not letting people in, but they do not offer genuine solution to migration, which today has turned into a problem of global magnitude, driven by the desire to correct the North-South gap and demanding a fair redistribution of the global wealth and resources. So answering the initial question: NO, borders and fences make no good neighbours, they make angry neighbours!

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THE HISTORICAL PATH TOWARDS CITIZENSHIP: IMMIGRANTS' NATURALIZATION IN ROMANIA AND FRANCE

Alexandru George MOȘ[320]

ABSTRACT:

A FUNDAMENTAL ISSUE IN THE TRAJECTORY OF IMMIGRATION IS THE ACT OF ESTABLISHING A MORAL AND LEGAL BOND OF THE INDIVIDUAL WITH HIS NEW SOCIETY, THROUGH THE PROCESS OF NATURALIZATION. THIS PAPER AIMS TO IDENTIFY AND ANALYZE TWO PARTICULAR NATIONALITY LEGISLATION MODELS OF TWO HISTORICALLY DIFFERENT, YET SIMILAR CULTURAL SPHERES: ROMANIA AND FRANCE. SIGNIFICANT IMPORTANCE IS GIVEN TO THE CULTURAL MEANING OF THE TRADITIONAL EUROPEAN LEGAL PRINCIPLE OF "JUS SANGUINIS", OPPOSED TO THE AMERICAN BIRTHRIGHT CITIZENSHIP ("JUS SOLI"), PARTLY PRESENT IN THE FRENCH LEGISLATION CONCERNING CITIZENSHIP. ALONG WITH THE HISTORICAL TRENDS, THE OUTCOME OF THE LEGISLATION'S EVOLUTION WILL BE PRESENTED FROM A LEGAL POINT OF VIEW, WITH REFERENCES TO THEORETICAL MODELS AND JURISTIC OPINIONS. THE ROLE OF THIS ARTICLE IS TO DETAIL THE CULTURAL PECULIARITIES THAT SHAPED THE ROMANIAN AND FRENCH NATIONALITY LAWS AND ALSO DEMONSTRATE THEIR INTERCONNECTEDNESS AS PART OF A UNIFIED EUROPEAN CONTINENTAL NATIONALITY TRADITION.

KEY WORDS: CITIZENSHIP, NATURALIZATION, IMMIGRATION, ROMANIA, FRANCE

INTRODUCTION

In the last two hundred years, the European political scheme, largely sketched by the modern concept of *nation-state* saw radical transformations, yet a constant variable of this political community was the legal institution of citizenship, widely seen as an organic link between the state and the individual. But citizenship is more than simply a judicial relationship. It also signals an emotional bond that arouses feelings of national loyalty and belonging in a politically bounded space[321]. Migration, as Anna Lindley suggests, is a spatial phenomenon involving movement between distinct places, locations imbued with power and significance[322]. In the dynamic trajectory of immigration, individuals who form its social substance often find themselves in a continuous, hitherto, social disparity. Upon leaving his native area, the immigrant becomes a cross-border element, having not only a precarious economic and social condition, but also a limited legal status with insufficient attributes meant to protect and integrate him in his hosting society. Even though under the circumstances of an incremental liberal-oriented evolution of their human rights immigrants have the possibility to wield fundamental liberties on the basis of residence, the state itself is the critical mechanism in advancing human rights[323]. Therefore, the quintessential prerequisite of integration and the preamble of unitary, consistent rights is the very institution of citizenship. Citizenship, writes Fukuyama, can be granted at birth on the basis of *jus soli* or *jus sanguinis*, or it can be acquired after birth through naturalization[324]. Consequently, the article seeks to analyze the historical trends of nationality acquisition in two similar, yet divergent European cultures.

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[321] Mabel Berezin, Martin Schain, *Europe without Borders: Remapping Territory, Citizenship and Identity in a Transnational Age* (Baltimore: The John Hopkins University Press, 2003), 13

[322] Anna Lindley apud Cresswell, *Crisis and Migration: Critical perspectives* (London: Routledge, 2016), 7

[323] Berezin and Schain apud Jacobson, *Europe without Borders…*, 43-5

[324] Francis Fukuyama, *Identity* (London: Profile Books, 2018), 149

In the European continental tradition, naturalization consists of embracing the local structure of the state through respecting the legislation, the customs, proving loyalty to the nation, but also establishing a moral bond with the wider community in which the migrant lives. The modern process of naturalization is constructed on the Athenian principle stated by Barbu B. Berceanu, *Naturalisatur itaque fictione iuris habetur pro nato ex parentibus civibus sau indigins*[325]. The definition stands opposed to the custom practiced in Sparta and in the early Roman society, that of *Adversus hostem aeterna auctoritas, (Against the foreigner, dominance shall be eternal)* according to which naturalization was not possible, but allowed the migrant to hold an inferior citizenship status, which could eventually be recognized over time[326]. Usually, states Berceanu, only the children born afterwards had the possibility of being acknowledged as true *cuius et indigeni*[327]. This latter form of naturalization, carrying the burdens of ancient times when belonging to an organic community was enshrined in the biological nature of its people was largely forgotten since, as Roger Brubaker shows, for modern states, citizenship is an inherently egalitarian ideal[328]. In the present, there are no second-class citizens, for citizenship is considered a sacred concept, common for all of its subjects. During the history of some modern states, however, it took a relatively long time until citizenship would be recognized in its universal, Athenian dimension, since immigrants' path towards complete assimilation was hindered by legally acknowledged privileges, such as *ius imperii*, the right to hold public office, reserved merely to the native born population of these states.

In his study[329], Harald Bauder sketches a diorama between two distinct national archetypes: the "new world" settler nation (Canada) and the European organic community (Germany). Correspondingly, nations falling under these categories are predominantly distinguished by their historically different ways of endowing their members with citizenship. The vast majority of the new world countries grant citizenship upon birthright (*jus soli*), since their recent history has been shaped by large immigration movements. The ethnic diversity of these societies cannot be found in the traditional European nationhood scheme, where modern states were romantically built upon ethnic unity and cohesion. In such states, citizenship is restricted to those who follow the blood lineage of their parents, citizens of the same nation (*jus sanguinis*). But the societal needs (labor shortage, natality decline) of these ethnically homogenous societies ultimately led to a reconfiguration of their naturalization policies and citizenship laws. While some traditional European societies (France) embraced elements of birthright citizenship and liberalized their naturalization policies, others (Romania) conserve their historical approaches. Notwithstanding the cultural similarities between these two countries, the ultimate reality of their national history led to divergent evolutions of their nationality laws. If France pioneered the modern concept of citizenship as an egalitarian ideal under the utopian circumstances of the 1789 Revolution, Romania, although considering the former as a civilizational model of development, accustomed its legal infrastructure to its peculiar national reality. The following article seeks to briefly analyze the dynamic of citizenship legislations in France and Romania, emphasizing the *jus soli-jus sanguinis* antithesis in the economy of these laws and the naturalization criteria for the to-be citizens.

I Romania

A country with a fluctuating history of mimetic openness to foreign cultures and hermetic political closure, Romania centers its nationality law solely on the basis of *jus sanguinis*. The history

[325] See Barbu B. Berceanu, *Cetăţenia: O monografie juridică,* (Bucureşti: All Beck, 1999), 128. The principle conveys a legal fiction according to which the individual willing to naturalize is given the same status as the descendent of parents, natives of the land.
[326] Berceanu, *Cetăţenia…*, 137
[327] idem
[328] William Rogers Brubaker, *Immigration and the politics of citizenship in Europe and North America* (Lanham: Md: America University Press, 1989), 17
[329] Harald Bauder, *Re-Imagining the Nation. Comparative Migration Studies* [online] 2(1)(2014), 9-27, Available at: https://www.imiscoe.org/journal-cms-2/2014-1/27-cms-20141-full-issue/file, accessed May 1, 2019

of the Romanian nationality law follows a linear path until the Second World War, which saw the beginning of an influx of totalitarian upheavals reversing the nation's organic modernization process. Unlike France, Romania was not a model of nationhood, but a peripheral state, with a rather poor national culture, prior to its first attempts of westernization. During this process, Romania adopted a French cultural orientation. As a result, the native intellectual elite engineered social, architectural, literal, political and legal patterns following a French model. The most intricate legal work, the first Romanian Civil Code of 1865, was heavily inspired from Napoleon's code, enacted more than half a century earlier. But the abrupt modernization was soon ingrained with a nativist substance. One year after the Code was passed, the Constitution restricted citizenship by possessing a strict religious (Orthodox) identity[330]. Naturalized Jewish communities, living on the Romanian territory for centuries were denied citizenship until 1879[331], yet the naturalization of Jews, excepting those who took part in the 1877 Independence War, was officially recognized only at the end of the First World War[332]. After the First World War, the new 1923 Constitution liberalized the legal condition of citizenship, stating at article 5 that Romanians have access to equal rights, regardless of ethnic origin or religious beliefs. The same legal document emphasized that naturalization was the only accepted method through which foreigners would acquire citizenship. An important peculiarity of naturalization in this timeline was the automatic acquisition of citizenship based on marriage and descent on paternal line (the wife and children of the naturalized foreigner profit from the naturalization[333]) since the legal status of women was still subordinated, the universal suffrage being also restricted to men. Perhaps the most innovative legal documents of the interwar period were developed in the rather eccentric dictatorship of Carol the Second. Although largely rhetorical and cosmetic, the de facto royal dictatorship didn't subject the Romanian citizenry to tyrannical despotism,but drafted truly avant-garde laws compared to the general European interwar judicial imagery. Among the legal changes was the right of women to vote from the age of 30 and the eligibility to hold public office posts six years after naturalization.   High ranking public roles such as ministries were, however, restricted solely to the native citizen as a genuine *primus inter partes*.

However, the new laws had the achievement of being adopted by the later regimes as a legal framework for new amendments in regards to nationality. After a short-lived military junta, replacing an already existing fascist regime which oriented Romania's participation in the Second World War as an Axis member, a coalition of democratic forces, led by King Michael I, turned the political dynamic of Romania by joining the Allied Powers against Nazi Germany. Until 1948, Carol's nationality law preserved the main features of naturalization. It was only after the communist regime was installed in Romania that dramatic changes were engineered in all sectors of every-day life, including the legal conditions of nationality. The communist regime can be reduced to 2 main phases: the period of social imitation of Soviet institutions and the period of internal closure and cultural nationalism. Relating to the evolution of the legal institution of citizenship, these periods underline two tendencies. The first stage resulted in a swift elimination of the old legislation under the revolutionary effervescence of the proletarian dictatorship while the latter developed a strong nationalistic sentiment linked to Ceauşescu's cult of personality, trends remarkable in the formula of the new laws. Therefore, in 1952, Decree 33 abolished all the previous laws concerning citizenship, replacing the whimsical naturalization criteria with three cumulative conditions aimed at stateless persons who have been living in Romania since 1920 and an ambiguous disposition stating that foreigners may become Romanian citizens by request to the centralizing authority (The Presidium of the Great National Assembly). *Jus soli*, however, was still absent from the newly enacted legislation, partly due to the lack of a national precedent, but also by the lack of similar Soviet laws.

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[330] 1866 Romanian Constitution; art. 7 states that naturalization is restricted to foreigners of Christian faith (*Numai streinii de rituri creştine pot dobîndi împămentenirea)*

[331] Constantin Iordachi, *Country Report: Romania*, *EUDO Citizenship Observatory*, European University Institute(2009, revisited in 2010), 2, available at http://eudo-citizenship.eu/docs/CountryReports/Romania.pdf, accessed May 10, 2019

[332] Berceanu, *Cetăţenia…*, 71

[333] 1923 Romanian Constitution, art. 7

Historically wise, there was no *jus soli-jus sanguinis* debate in Romania, *jus sanguinis* being always the legal axiom of citizenship. Whether elements of jus soli could be adopted by the 1952 Decree is debatable, but since the social aim of this act was to reclassify the social stratification of the Romanian society by creating a discretionary power to strip natives of their citizenship and endow formerly discriminated categories with legal attributes, the premise of birthright citizenship was not taken into account, but simply ignored. The second phase of communist development saw the emergence of a more intricate citizenship legislation which emphasized the nationalistic nature of the regime. Drafted in 1971, the new Decree enshrined modern standards for naturalization, 5 of which are still present in the Romanian Citizenship Law. *Jus sanguinis* was yet the dominant part, the first article emphasizing the organic continuity of Romanian people's generations, almost paradoxically continued by an article stating that all the citizens were to be equal regardless of their nationality, religion, sex or way of obtaining citizenship. The addition is indirectly hinting towards Bauder's concept of modern citizenship, whereas state authority makes no difference between the native-born individual and the naturalized foreigner. This *veil of ignorance* plays an important role in endowing immigrants' with the institutional ropes to hold public office indiscriminately. Notably, the state retained its power to strip Romanians off their citizenship, but this power was largely limited to specific cases which at some point might seem legitimate (acts committed abroad which stain the honor of the RSR), while others stand as a clear proof of the hermetic, authoritarian regime (leaving the country by fraudulently crossing the border). While imbued with totalitarian nuances and expressed in a flatulent linguistic style, the 1971 Decree managed to draw a somewhat realistic vision of a modern citizenship legislation.

Shortly after the fall of communism, Law 21/1992 reformulated the former citizenship laws, retaining the essence of naturalization and sketching a plan to repair the mistakes of the totalitarian rule[334].

Nowadays, *jus sanguinis* is the unique principle upon Romanian citizenship is attributed at birth. Therefore, children of at least one citizen are considered Romanian citizens[335]. What might seem at first glance an exception of the *jus sanguinis* rule is the statement of art. 5(3), according to which *the child found on Romanian territory is considered a Romanian citizen, unless otherwise proven, if none of the parents is known.* This, however, does not mean a direct application of *jus soli*, but rather an assumption of *jus sanguinis*. Although an identical disposition is mentioned by the French Civil Code as an application of jus soli[336], Romanian legal doctrine interpreted this case as a relative assumption, *iuris tantum*, that since a child was found on Romanian territory, he might be a descendent of Romanian citizens[337]. Law 21/1991, republished in 2013 describes the criteria of naturalization for foreign citizens (or stateless persons), conditioning the acquisition of citizenship on the grounds of 7 pillars:

- ✓ legal residence in Romania for at least 8 years, or 5 years provided the person is married to a Romanian citizen;
- ✓ loyalty towards the Romanian state, proved through civil obedience and behavior;
- ✓ legal age of 18;
- ✓ legal means of carrying a decent existence in Romania;
- ✓ general good behavior in Romania, as well as the lack of criminal charges outside the Romanian state;

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[334] Art. 11 of Law 21/1991 states that persons who were Romanian citizens, but lost their citizens as a result of the state forfeiting their citizenship without their consent (primarily referring to the abusive acts of the communist regime which retracted the citizenship of persons deemed as "enemies of the state"), are eligible to automatically regain Romanian nationality with the option of keeping their current citizenship.

[335] Law 21/1991, art.5(1)

[336] Art. 19 of Section II entitled *Being French by birth in France*, stating that *a child born in France of unknown parents is French*, clearly hints towards an application of jus soli. Moreover, the text is found outside the jus sanguinis directed panel, present in Section I: *Being French by filiation*

[337] Ion Deleanu, *Instituţii şi Proceduri Constituţionale -în dreptul român şi în dreptul comparat* (Bucuresti: C.H. BECK, 2006), 352

- basic knowledge of Romanian culture and civilization;
- knowledge of the Romanian anthem and constitution.

The Law also stipulates the possibility of halving the legal period of 8 and 5 years respectively provided the person requesting the acquisition of citizenship is either a European citizen (i.e. one of the EU's member countries' citizen), a famous personality, recognized at an international level, someone who legally obtained the refugee status, or someone who invested at least one million Euros in the national economy.

Insofar, the Romanian law favors European citizens by halving the required residence periods. However, it does not provide an advantage to third-state or stateless persons. The admission criteria are therefore, rather harsh. It is now questionable what prospects the immigrants who wish to naturalize have. A possible answer was offered through the national strategy for immigration, initiated in 2004. Prior to Romania's adherence to the EU, the government had to adopt a part of the European acquis (EU's legislative heritage) into the national legal framework. Henceforth, a realistic and moral plan to integrate immigrants in the Romanian society (and implicitly on the labor market) had to be debated. Along with the outcome of Romania's integration in the EU, the implementation of the National Strategy concerning migration resulted in an abrupt shift of naturalization rates: in 2008, more than 5500 persons acquired Romanian citizenship, compared to merely 31 a year before[338]. The statistic brings about an abrupt change of naturalization rates following Romania's commitment to the European project. The strategy outlined 5 main objectives, one of which is also the social integration of foreigners. Consequently, the measures taken in this direction follow the integration of immigrants on the labor market, their access to social insurance, healthcare and education, as well as their possibility to become active members in their local communities with the potential of conserving their cultural identity[339]. As the citizenship law foresees, there is massive difference between the perspectives of European and non-EU citizens. While the former do have several rights in regards to the labor market, citizenship acquisition and even political and electoral activity, the latter found themselves into a rather fragile situation.

II France

A historically revolutionary and republican society, France is the birthplace of the modern concept of citizenship. Originating from the Declaration of the Rights of Man and of the Citizen, the right to hold citizenship was initially sketched as a universal attribute to the exercise of power. The 1793 Constitution briefly confirmed the rather idealistic vision, stating that *every man born and living in France, of twenty-one years of age, and every alien, who has attained the age of twenty-one, and has been domiciled in France one year, and lives from his labor [...] and finally every alien whom the legislative body has declared as one well deserving of the human race, are admitted to exercise the rights of a French citizen.*[340]. Therefore, the Jacobin Constitution made virtually no distinction between foreigners and French nationals[341]. However, the French Revolution, centered not merely on aspirations of bourgeois modernity and anticlerical effervescence, but also on the mythical content of nationality, drew the architecture of the early romantic nationalism. The idea of the Nation itself was enshrined in the Declaration and subsequently, nationality became a leitmotif of the French societal structure. The strong connection between the idea of citizenship and the Jacobin conception of an indivisible national sovereignty has made dissociation between citizenship and nationality impossible[342], therefore, the modern definition of citizenship as a legal and emotional link of the

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[338] Iris Alexe, Bogdan Păunescu, *Studiu asupra fenomenului imigraţiei în România. integrarea străinilor în societatea românească (ediţie electronica, 2011),* 43.
[339] Strategie Naţională din 21 aprilie 2004 privind migraţia, Capitolul 2, 2.4 Politica privind integrarea socială a străinilor
[340] French Republic Constitution of 1793
[341] Cristophe Bertossi, *Country Report: France*, *EUDO Citizenship Observatory*, European University Institute (2010), 1, available at http://cadmus.eui.eu/bitstream/handle/1814/19613/France.pdf?sequence=1&isAllowed=y, accessed May, 14, 2019
[342] Bertossi, *Country Report...*, 1

citizen with the state. All nowadays states have a strong national dimension since they constitute the legal and political superstructure of particular cultures and peoples.

The French national debate regarding the method which should be applied when endowing persons with citizenship stretched over the following two centuries and is propelled by two main principles: *jus soli* and *jus sanguinis*. The former has been practiced by the French state in feudal times and has been exported to the new world, where recently founded nations defined allegiance as independent to hindrance and the ethnical background of their to-be citizens. European societies, on the other side, were already heirs of rich histories of cultural and political upheavals and were characterized by an already existing ethnical bond connecting generations. Highly emphasized through the early romanticist rhetoric, the European concept of nationality has underwent a process of ethnicization, superimposing the genetic community (*Gemeinschaft*) over the substantial sociality of modern statecraft (*Gesellschaft*). France has always been an intellectual space where various interpretations of these two concepts collided. Napoleon, on one side, argued that it could only serve France's interest to grant citizenship to the children of immigrants who settled in its territory as an aftermath of the wars which embroiled France[343]. Children born in France of settled foreign parents have, he suggested, *the French way of thinking, French habits and the natural attachment that everyone has for the country in which he was born[344]*. The opposition he faced came from the enacting organs, according to which the French citizenship should not be attributed in the same way as England.

The English way of attributing citizenship, carrying feudal connotations was perceived as an anti-model. Therefore, the first law introducing elements of *jus sanguinis* was enacted in 1851 and provided the opportunity of 2nd and 3rd generation immigrants to be naturalized instantly (children of parents born in France had the possibility to declare their allegiance at the age of majority, thus obtaining citizenship). The period in which the law was debated was characterized by heated debates concerning the *jus soli/jus sanguinis* dichotomy. Following Napoleon and the mythological legacy of the French Revolution, which sketched France as a *midwife of liberty for the world*, a true refuge for those fleeing despotism[345], the advocates of the former suggested an assimilationist approach: since the national self-understanding of France was stripped of its ethno-religious meaning, the French understanding of nationality would enable a vocation of universality. In other words, France, as a vehicle of political membership, identity and belonging, moved the epistemological (citizenship as a category) towards the ontological (citizenship as felt identity)[346]. The opposing side, criticized *jus soli* for its cultural relativism. In this sense, Camille See argued that *Nationality must depend on blood, on descent, not on the accidental fact of birth in our territory*, stating that, as a consequence of the continuous technological advancement, it will soon be possible to travel across Europe in a matter of hours, rendering citizenship useless from an emotional perspective. These attacks on *jus soli*, as Brubaker suggests, were foreshadowing a mere rhetorical assault. The practical reason for the introduction, preservation and later development of *jus soli* elements, would be the lack of military manpower after the wars which engulfed France in the 19th century, a social necessity acknowledged by the French legislator, regardless of its ideological color. But the 19th century was not the only period in France's history which demanded a large citizenry. World War I was also an important material source of law. Following the large casualties of the Great War, in 1927 a new law was passed, liberalizing the conditions for naturalizations by reducing the required legal age of application from 21 to 18 and demanding merely 3 years of residence on French territory compared to 10 as the previous law stated[347]. As a result, between 1927 and 1930, 170,000 foreigners acquired

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[343] Rogers Brubaker, *Citizenship and nationhood in France and Germany* (Cambridge: Harvard University Press, 2009), 95

[344] Brubaker, *Citizenship…*, apud Napoleon, 88

[345] Brubaker, *Citizenship…*, 91

[346] Berezin and Schain, *Citizenship…*, 52

[347] Paul Lawrence, *Naturalisations In France, 1927-1939: The Example Of The Alpes De Haute Provence* (Royal Holloway, University of London, 1997), 1, available at https://core.ac.uk/download/pdf/9047077.pdf, accessed June 28, 2019

French nationality through naturalisation compared with 45,000 in the preceding five years[348]. The 1927 ammendment had the nationality law introduced in a separate legal document, shifting from the traditional contractualist view of citizenship[349]. After the Second World War, a similar perspective, outlined by General de Gaulle who acknowledged the precarious nature of the national demographic growth, led to a new nationality code. Moresoever, after the War, the decolonization period played a vital role in reshaping the citizenship acquisition criteria. 1961 saw new ammendments to the existing nationality law, creating a special case for the former territories held under French jurisdiction. Residence on French territory, an otherwise essential pre-requsite for obtaining citizenship was replaced with a mere declaration of acceptance of the French Republic[350]. However, as the same author notes, the law did little to bring the former Algerian subjects under French nationality since, presumably under the impact of anti-colonial nationalism, few Algerians wished to follow the path of reintegration. Nevertheless, in an effort to promote the re-integration of its former colonial subjects, France retained the right to hold dual citizenship. Another key element of the institutional evolution of citizenship is the 1973 Law, which officially recognized the egalitarian nature of citizenship through eliminating previous discriminations between men and women; citizenship would now be automatically attributed to children born in France of parents who had been born in the former colonies or overseas territories[351]. In 1993, the legislator incorporated the nationality law into the Civil Code.

The present citizenship law is grounded primarily on the basis of *jus sanguinis* (a French child is one who has at least one French parent[352]), suplimented by *jus soli* (a child is French if born in France of stateless parents or of alien parents and to whom the transmission of the nationality of either parent is by no means allowed by foreign Nationality Acts[353]). Quintessentially, *jus soli* is meant to avoid statelesness, being applied whenever the child's parents are either stateless, either are citizens of a state which does not recognize *jus sanguinis*, in which case their citizenship cannot be transmitted through descent. In regards to obtaining citizenship after birth, the Civil Code mentions several methods, one of which is also naturalization. Therefore, article 21-14-1 states that the acquisition of the French nationality by a decision of the Government results from a naturalization granted by decree at the request of the alien[354]. Subject to the exceptions laid down in Articles 21-18, 21-19 and 21-20, naturalization may be granted only to an alien who proves a habitual residence in France during the five years preceding the submission of the request[355]. The probationary period referred to in Article 21-17 shall be reduced to two years:

- ✓ As regards the alien who has successfully completed two years of university education in view of getting a diploma conferred by a French university or establishment of higher education;
- ✓ As regards the alien who gave or can give significant services to France owing to his competences and talents;
- ✓ For the alien who manifests an unusual record of integration, judged by his actions or accomplishments in the civic, scientific, economic, cultural, or athletic realm[356]

The following article excludes foreign voluntary military personnel, meritous persons whose naturalization is of exceptional interest for France and persons who have legally obtained the refugee

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[348] Bertossi, *Country Report…*, 4

[349] Starting from Napoleon's Code, up until 1927, French nationality law was enshrined into the Civil Code, hence being formal part of private law. While the continental doctrine has divergent opinions on the legal nature of citizenship, nationality is widely regarded as an attribute of the state, therefore the reasons used by the French legislator to shift its texts to a separate law, integrated into the legal public realm. In Romania, the new Civil Code contains no dispositions related to citizenship, proposing instead a separate organic law.

[350] Bertossi, *Country Report…*, 6

[351] Bertossi, *Country Report…*, 7

[352] article 18, French Civil Code

[353] article 19, idem

[354] article 21-14-1, idem

[355] article 21-17, idem

[356] article 21-18, idem

status. The realistic and accesible conditions, marked by a long lasting legislative stability enabled more than 55000 immigrants to obtain citizenship every year since 2000[357]. Once obtained, citizenship can be retracted by the State Council, may the citizen have done acts of treachery abroad and quintessentially, any acts that render his loyalty to the state uneffective[358]. These acts which for native French citizens constitute high criminal offences are considered compromising for the quality of the naturalized person's citizenship. Therefore, although supposed to be egalitarian and universal, the institution still suffers some mitigated social inequalities. However, the legislator adds the impossibility of forfeiture may these acts occur 10 years after the person has obtained citizenship. This disposition, absent from the Romanian nationality law underlines an asimilationist national mentality. Consequently, even though the immigrant has obtained citizenship, may he carry acts which stain his honor as a French, the state would rather forfeit his nationality than judge him in accordance to the criminal law. Only 10 years afterwards, the immigrant has the prospects of being entirely integrated in the French society.

III Comparison

In the present, Romania and France have modern and realistic nationality laws, yet the legal process of naturalization is differently regulated and suffers substantial differences. While Romania uses solely *jus sanguinis*, France applies *jus soli* in subsidiarity in order to avoid statelesness. Romania's nationality law suffered great changes in the last 100 years, being marked by abrupt regime changes, while France, excepting the short lived Vichy Regime's actions, faced more than a century of legislative stability. As a result, its naturalization rates are constant, while Romania's acquistitions of nationality began to skyrocket after the country's integration in the European Union. In regards to access to nationality, the main parameter for measuring the quality of the naturalization and citizenship-acquisition process, MIPEX[359] is ranking France on the 11th place, scoring lower than other western democracies such as Sweden, Germany and Luxembourg. Romania is sharing the 27th position with Malta, Greece and Turkey. Remarkably, Romania scores better than other Eastern European countries such as Hungary, Bulgaria and Slovakia.

1) Access to nationality: Romania and France exhibit a universal vocation of endowing individuals with the quality of citizenship. Therefore, every person can apply for citizenship from the legal age of majority. Also, children of naturalized parents have the possibility to instantly gain the citizenship of their parents. In this case, France offers some nuances, allowing residing children of foreign born parents who didn't acquire French citizenship to automatically recieve French nationality, *iure domicilii*, by personal declaration at the age of 14.

2) Eligibility: While the standard period of residence on French teritorry is of 5 years, the Romanian law-maker increased the necessary period to 8 years. These periods, however, can be halved (generally for refugees and meritous individuals; European citizens are also benefiting from a reduction in Romania's case)

3) Conditions for acquisition: Generally, both Romania and France require their to-be citizens a sufficient level of language and national culture knowledge, suplimented by good civil conduct and economic self-sufficiency;

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[357] The highest number of naturalizations between 2000 and 2006 was recorded in 2005 (89100). These statistics have been extracted from Bertossi, *Country Report…*, 14

[358] A complete list of these acts is present at art. 25

[359] MIPEX (Migrant Integration Policy Index) is an international, open source forum, which analyzes official data from 38 countries (as of 2019) in regards to state policy concerning migration. The following charts have been created by using the available 2014 data for Romania and France using the "play with the data" function. MIPEX is accessible via http://www.mipex.eu/

4) Security of status: Both states retain the same discretionary power to approve, reject and forfeit citizenship of newly naturalized immigrants. France, however, cannot forfeit citizenship after 10 (and in some cases, 15) years after the individual has obtained citizenship;
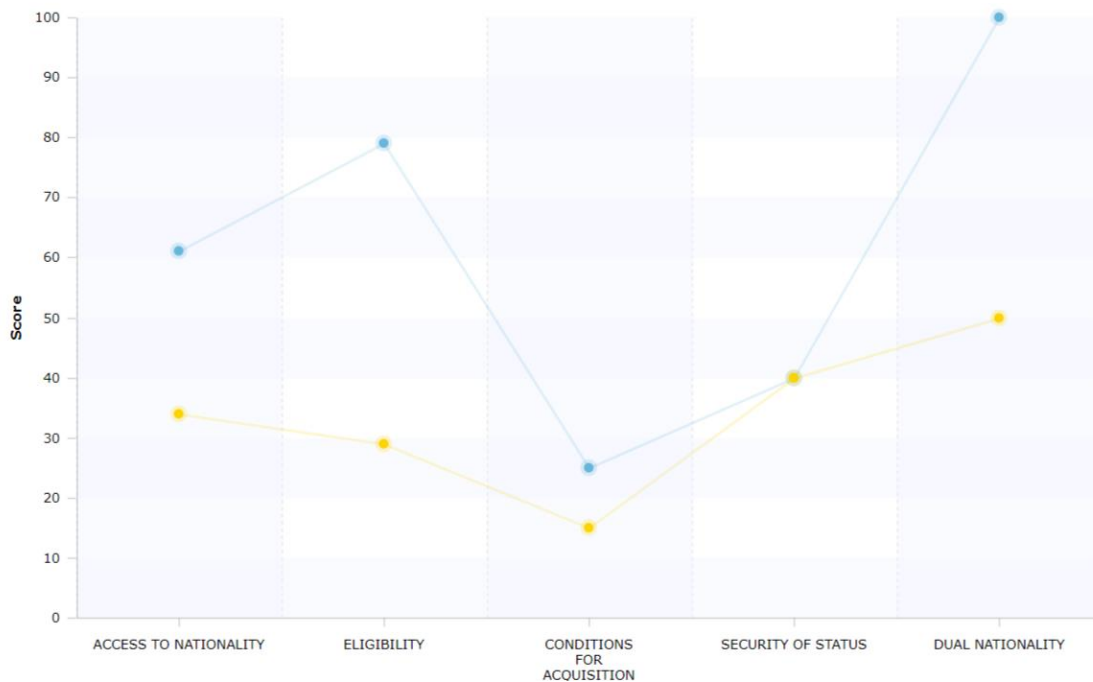5) In the present, both Romania and France recognize the right to hold dual citizenship

figure 1[360]

INDICATOR	YEAR	COUNTRY		VALUE
ELIGIBILITY	2014		France	79
			Romania	29
CONDITIONS FOR ACQUISITION	2014		France	25
			Romania	15
SECURITY OF STATUS	2014		France	40
			Romania	40
DUAL NATIONALITY	2014		France	100
			Romania	50
ACCESS TO NATIONALITY	2014		France	61
			Romania	34

figure 2[361]

CONCLUSION

Intrinsically correlated to the political apparatus of the nation-state, citizenship is a modern legal institution, essential for exercising fundamental rights and liberties. As we have seen in the introduction, although incremental progress has been made in the sphere of universal human rights, states offer the most powerful preamble to stability and social perspectives. States also retain a discretionary power in deciding who shall be a citizen and, therefore, who is to benefit from the legal compound of rights and liberties. Some states, like France, have a rich past of ethnocultural

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[360] Chart created by MIPEX 2015
[361] Chart created by MIPEX 2015

exchange, nuanced by colonial interactions and shaped by early Enlightenment ideas, while others, like Romania, even though encountering modernization with sheer enthusiasm, retained a doubtful spirit of hermetic conservatism. Historical factors such as the reluctance of the French legislator to enshrine birthright citizenship in the 1804 Code, paradoxically ignoring Napoleon strong support for it, led to an absence of *jus soli* in the first fundamental Romanian legal document, enacted in a mimetic effervescence of steadfast modernization.

Nevertheless, the Romanian law-makers didn't hesitate to amend nationality laws by stricter dispositions, underlining a strong, but initially concealed sense of national identity, opposed to the social and political openness of the pioneering elite. But it was precisely the strong national feeling which enabled France to reconfigure its understanding of statecraft in order to universalize the quality of citizenship. Without its revolutionary experience and political singularity in a traditional European picture of authoritarian monarchies, France couldn't perhaps re-imagine its nationality as an all-encompassing attribute of power, the vocation of which is universal. 'Frenchness' would play as a catalyst of integration, whereas the Romanian nationality card would be played in the favor of the native born population. However, modernization is natural and even nations like Romania gradually abolished the privileges of the natives (such as the exclusive right to hold public office), slowly sketching the idea of a modern, universal citizenship. In the present, citizenship is a tool of integration, of absorbing the individual inside a cultural space, indifferent to ethnicity.

Though modern and egalitarian, the institution is still prudently limited by the legislator, conserving a mitigated suspicion since both Romania and France retain the right to retract the earned citizenship under certain circumstances. While at first glance intriguing, the fundamental argument lies in the very process of naturalization. Upon arriving in a new culture and willing to integrate, the foreigner would employ his inner talents and qualities to advance on the path of naturalization. After proving a sufficiently advanced stage in this path, the state might reward the foreigner by linking him to its social and axiological dimension through citizenship. Yet, if the foreigner deems the trust of the state futile and engages in unworthy acts, his progress towards integration is reversed, henceforth his path has failed and the political community which forms the state repeals him. If France limits the capacity to forfeit citizenship to a period of 10 years, Romania shows a higher instability by not mentioning a similar term, a flaw which might be, *de lege ferenda*, repaired. While both Romania and France establish different criteria for the acquisition of citizenship, the fundamental premise of their nationality laws outline an identical mental configuration of European nationality according to which the universality of political membership to a state is equally attributed through social conventions, in our case, through citizenship.

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ILLEGAL MIGRATION

APPROACH FROM THE PERSPECTIVE OF

OPEN SOURCE INTELLIGENCE (OSINT)

Nicoleta Annemarie MUNTEANU[362]

ABSTRACT:
THE SECOND DECADE OF THE 21ST CENTURY IS MARKED BY THE INCREASE IN THE MAGNITUDE OF THE MIGRATION PHENOMENON, WHICH IS WHY INTELLIGENCE SERVICES ARE FACED WITH VARIOUS CHALLENGES.
OPEN SOURCE INTELLIGENCE (OSINT) IS TRANSLATED INTO EFFECTIVE WORKING METHODS FOR THE DEVELOPMENT OF RELEVANT INFORMATION PRODUCTS. IN STUDYING THIS PHENOMENON, WE PROPOSE TO PRESENT THE CONCEPTUAL DELIMITATIONS OF THOSE USED CONCEPTS, NAMELY MIGRATION AND OPEN SOURCE INFORMATION, AS WELL AS TO ANALYZE THE INTERDEPENDENCIES BETWEEN THEM, ESPECIALLY FROM THE PERSPECTIVE OF MEDIA AND SOCIAL MEDIA.
OPEN SOURCE INTELLIGENCE ARE NOW HIGHLY DESIRABLE TO PUT INTO PRACTICE THE PARADIGM OF OPENNESS THAT CHARACTERIZES CONTEMPORARY INTELLIGENCE. INCLUDING THE SENSITIVE AREA OF MIGRATION, IT IS NOTED THAT THE COLLABORATION IS INTENSIFYING AND DIVERSIFYING AT ALL LEVELS OF COMMUNICATION, USING ALL THE POSSIBLE TOOLS, FROM THE RAW DATA COLLECTION AND ANALYSIS TO THE SHARING OF EXPERTISE AND TECHNOLOGY.
 (MAX. 250 WORDS)

KEY WORDS: MIGRATION; INTELLIGENCE; INFORMATION; OSINT (3-5 WORDS)

INTRODUCTION

We are witnessing today a large scale of the phenomenon of illegal migration; the approach on migration as a result of globalization tends to be in the field of history and has posed the problem, indefinitely, under the sign of instability, conflict and crime. Migration has become one of the most serious societal challenges; in the actual international context, illegal migration is part of the organized crime, representing the main risk factors on the national and global security. Proliferation of this phenomenon conducts to political, economic instability, because of the increasing corruption at any level with various effects inside the social life.

Illegal migration causes job instability, the strengthening of the underground economy, proliferation of organized crime. Combating the phenomenon of illegal migration represents a challenge for the intelligence services and becomes one of the main directions of actions of state authorities, both from migrant and transit countries from destination countries.

The importance of open sources information has increased as the information globalization expanded. A relevant experiment conducted by the American intelligence community revealed the importance of open source information in security field. This experiment from 1995, which is well-known in the open sources information field, had as a lead actor the researcher Robert David Steele[363], a pioneer and a consequent militant for the OSINT role. In 1995 The Aspin-Brown

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[363] Robert David Steele is co-founder of the Information Warfare Conference, founder of the Open Source Solutions Conference, invited lecturer world-wide on topics of Cyber, Open Source Intelligence (OSINT), (All-Source) Intelligence

Commission[364], formally titled The Commission on the Roles and Capabilities of the United States Intelligence Community[365] was charged with reviewing the entire US international community and the experiment was suggested named open sources against secret sources[366]. Rober David Steele and his team obtained more information from open sources comparing with those who had access to secret sources about an impromptu question, Burundi in August of 1995: "Overnight, I got information with six phone calls. From Oxford Analytica, I got political military studies on Burundi; from Eastview Publications, I got Russian military maps of Burundi; from Spot Image, I got commercial imagery of Burundi, cloud-free, less than three years old; from Janes Information Group, I got order of battle information for the tribes, at a time when governments were only following the Burundi army; from Lexis-Nexis, the top ten journalists in the world, immediately available for debriefing; and from the Institute of Scientific Information, the top ten academics in the world, immediately available for debriefing. In other words, by knowing who knows what in the private sector, with six phone calls I was able to assemble a team that was vastly superior in knowledge about Burundi than any government intelligence community in the world"[367]. The conclusion was that open sources is important in intelligence activity. Robert David Steele considers that the big important value of OSINT is that is not expensive, because money corrupts, so is an absolute good, in part that is not expensive. His opinion is that OSINT has the capacity to educate[368] giving arguments in this way which he formulated with Alvin Toffler, in order to sustain the fact that communication without intelligence is noise and intelligence without communication is irrelevant.

The author believes that the number of illegal migrants will reach 20 million over the next 5 to 10 years. Actually, in his second book[369] he predicted the phenomenon of illegal migration which we are witnesses today. In this context of illegal migration, he considers every human being as a source and he insist on the ethic aspect of open sources information: truth, transparency and trust, adding that OSINT is a foundation for enhancing integrity in all source intelligence and command.

Although there are many studies and research in the field of migration and OSINT, we found that the interrelation between the phenomenon of migration and the influence of open sources of information is very little present in the literature or in some studies. The influence of OSINT on the migration phenomenon is evident in the current informational context, our research having the precise purpose of demonstrating the usefulness of information from open sources in the process of managing migration, but also the effects it produces. Inside open sources information, media and

Reform, and Applied Collective Intelligence inclusive of holistic analytics, true cost economics, and Open Source Everything Engineering (OSEE) focused on achieving the Sustainable Development Goals (SDG), accessed June 12, 2019, https://robertdavidsteele.com/.

[364] The Aspin-Brown Commission was approved on 30 September 1994 as a bioartisan "Commission on the Roles and Capabilities of the United States Intelligence Community" and the president signed the bill on 14 October, setting a 1 March 1996 deadline for the panel's report. The incident that initially drove the establishment of the Aspin-Brown commission in 1994 was the military encounter in Mogadishu, Somalia, in October 1993 in which the soldiers of a Somali warlord killed 18 US Special Forces soldiers in an intense firefight. It was commissioned by United Stated Congress after the National Security Act of 1992 failed to be passed. The report was released in 1996, accessed June 13, 2019, https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol48no3/article01.html.

[365] Johnson K Loch "The Aspin-Brown Intelligence Inquiry: Behind the Closed Doors of a Blie Ribbon Commission", accessed June 13, 2019, https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol48no3/article01.html and L Britt Snider, "A Different Angle of the Aspin-Brown Commision", accessed June 13, 2019, https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol49no1/html_files/different_angle_11.htm.

[366] Ella Magdalena Ciupercă and Ștefan Vlăduțescu, *Securitatea națională și manipularea opiniei publice*, (București: Editura Didactică și Pedagogică, 2010), 36.

[367] "Interview: Robert D. Steele", Frontline, , accessed March 9, 2019, https://www.pbs.org/wgbh/pages/frontline/shows/hackers/interviews/steele.html.

[368] Roberts David Steele, "Open Source Intelligence, Seminar on Open Source Intelligent at Royal Danish Defence College", accessed April 21, 2019, https://www.youtube.com/watch?v=p9qLlSSHo7I

[369] Roberts David Steele, *The New Craft of Intelligence: Personal, Public&Political-Citizen`s Action Handbook for Fighting Terrorism, Genocide, Disease, Toxic Bombs&Corruption,* (AFCEA International Press, 2000), 128-134.

social media have an important contribution on disseminating information to the public, as well to the other structures interested in public information. In all its forms, media coverage relates to the wider world, providing important sources of information that affect the way people act and think or how the agendas are prioritized by policymakers, also how migrants make decisions[370]. To formulate viable conclusions, our analyze presents few important theoretical delimitations of those two concepts, based on the actual status of specialized literature. Our research will demonstrate the tight interdependencies between the information from open sources, as part of intelligence products, in the process of combating the negative effects of illegal migration.

Migration/illegal migration. Conceptual delimitation

In order to analyze the effects of migration and illegal migration is necessary to define the term. The Explanatory Dictionary of Romanian Language defines migration as being "the mass movement of tribes or populations from one territory to another, determined by economic, social, political or natural factors[371]. Another definition is offered by the Cambridge Academic Content Dictionary: "movement from one region to another and often back again"[372]. From the sociological perspective, migration is "a complex phenomenon, which consists of moving of people from one territorial area to another, followed by change domicile and/or engaging in a form of activity in the area or arrival[373]. From a demographic perspective, by reference to a population once, we can observe two forms of migration: immigration and emigration, as a set of inputs and outputs of the persons. In fact, any migrant is at the same time an immigrant, for the destination country, and emigrant for the country of origin. Another definition important for our study is given by UNESCO: "any person who lives temporarily or permanently in a country where he was not born and who acquired some significant social connections with this country"[374].

Illegal migration is a specific form of organized crime that, due to its recorded amplitude and improved performance, has direct consequences on the economic, social and security situation inside the transit countries of migrants or refugees and from the countries of destination. In the actual context, it is important to clarify the difference between the terms refugee and migrant.

Refugees are persons who, due to justified fears of being persecuted by reason of their race, religion, nationality, belonging to a particular social group or their political opinions, are outside the country of whose nationality they have and cannot or, by reason of this, do not want the protection of this country, or who, having no citizenship and being outside their country of habitual residence as a result of such events, cannot or, due to that fear, do not want to return[375]. From the perspective on international public law, the main documents that aimed on protecting refugees involve the UN Refugee Agency through the 1951 Refugee Convention, ratified by 145 states to which is added 1976 Protocol (which removed the geographic and temporal limits of the 1951 Convention[376]. The document called Convention and Protocol relating to the Status of Refugees[377] states the role of UNHCR in promoting international instruments for the protection of refugees and supervising their application.

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[370] "World Migration Report 2018", International Organization for Migration, , p. 199, accessed April 22, 2019, https://www.iom.int/wmr/world-migration-report-2018.

[371] Ion Coteanu, Luiza Seche and Mircea Seche, *Dicţionarul explicativ al limbii române, Ediţia a II-a,* (Bucureşti: Univers Enciclopedic Gold, 2016), 720.

[372]"Cambridge Dictionary", accessed April 16, 2019, https://dictionary.cambridge.org/dictionary/english/migration.

[373] Traian Rotariu, "Migraţie", *Sociology Dictionnaire*, (1998): 351-353.

[374]"Migrant/Migration", United Nations Educational, Scientific and Cultural Organization, accessed March 12, 2019,http://www.unesco.org/new/en/social-and-human-sciences/themes/international-migration/glossary/migrant/.

[375] Stelian Scăunaş, *Drept intenaţional public, Ediţia 2,* (Bucureşti: C.H. Beck, 2007), 228.

[376]"Protocol Relation to the Status of Refugees, 16 December 1966", UN General Assembly, accessed March 12, 2019, https://www.refworld.org/docid/3b00f1cc50.html.

[377] "Convention and Protocol relating to the Status of Refugees", United Nation Refugees Agency, available on https://www.unhcr.org/3b66c2aa10, accessed March 12, 2019

Migrants are those persons who intend to leave definitively in the state of origin in order to settle in another State and who effectively leave the territory of the state of origin[378]. The essential element of their definition is the ultimate departure intention. This phenomenon requires two components, emigration and immigration, both of which are governed by both national laws and by international law. Migrants generally choose to move to other countries to improve their living and education. If they want to return to their home country, they will continue to benefit from the protection of their government. Migration destination countries apply their immigration laws and processes.

Causes of migration are different, such as armed conflicts, economic deprivations, natural disasters, serious and massive human rights violations. People who migrate for reasons other than persecution are not refugees within the meaning of the 1951 Convention. These people are sometimes called de facto or economic refugees, because they do not abandon their country of origin because of the persecution, but because of the desire to have better conditions of life. Others, called ecological refugees, leave their country as a result of natural disasters, to which refugees are added because of armed conflicts, but neither, nor others, can motivate migration because of persecution[379].

Open Source Intelligence (OSINT). Conceptual delimitation
The field of intelligence has been overwhelmingly influenced by the changes that have characterized the security environment in recent years, which is why there is a reorientation of research in this area to identify better formulas to capitalize on the existing potential. The USA Information Community established first steps in conceptual delimitation, making the difference between Open Source Information (OSINF) and the information obtained through these. OSINF represents the data available to the public, which could be electronic or printed and can be transmitted via television, radio, newspapers, databases, and portable media. These can be propagated to a broad audience, to heterogeneous public specific within mass-media, but also to well-defined groups. Specifically, OSINF is information that does not involve any specific activity of collecting classified information. Trying to complete this approach, Robert David Steele takes also into consideration the information from other technical means, as image satellites, because of the importance of unpublished materials obtained on legal and ethical grounds, such as electronic form erudite knowledge. This researcher identified the main component of open sources:
- All data in public circulation which can be legally obtained by any person on request or by direct observation;
- Data that have a limited circulation but can be used in an unclassified context without compromising national security. The author insist on the importance of human resources in the field of open sources information; he establish 10 targets as purposes for OSINT starting from the facts that the actual threats to the security field are asymmetrical and that open sources information has the most important role in decisions support for intelligence, to establish strategies and policies. Another classification belongs to Ian Wing, who makes the distinction between the information from open sources (OSI) and the classified information from open sources (OSINT)[380].

NATO Open Source Intelligence Handbook presents four distinct categories of open information and intelligence:
- Open Source Data (OSD) – data is the raw print, broadcast, oral debriefing or other form of information from a primary source. It can be a photograph, a tape recording, a commercial satellite image, or a personal letter from an individual;
- Open Source Information (OSIF) – OSIF is comprised of data that can be put together, generally by an editorial process that provides some filtering and validation as well as

[378] Scăunaş, *Drept intenaţional public,* 230-231
[379] Stelian Scăunaş, *Introducere în studiul dreptului internaţional public şi al dreptului Uniunii Europene,* (Sibiu: Burg, 2008), 79.
[380] Ian Wing, *Optimizing Open Source Information,* (Canberra: University College, 1999), 45.

presentation management, being a generic information that is usually widely disseminated, such as newspapers, books, broadcast, general daily reports;
- Open Source Intelligence (OSINT) – OSINT is information that has been deliberately discovered, discriminated, distilled and disseminated to a select audience, generally the commander and their immediate staff, in order to address a specific question; it applies the proven process of intelligence to the broad diversity of open sources of information, and creates intelligence;
- Validated OSINT (OSINT-V) – OSINT-V is information to which a very high degree of certainty can be attributed. In can be produced by an all-source intelligence professional, which access to classified intelligence sources, whether working for a nation of for a coalition staff, also come from an assured open source to which no question can be raised concerning its validity (images of an aircraft arriving at an airport that are broadcast over the media)[381].

Categories of open sources contain:
- Public data as authorities reports, official data about budget, demographic data etc. These official public information sources are important from the perspective of the information guaranteed by the sender authority, being characterized by exact data, objectivity, and transparency[382];

- Traditional media such as press agencies, publications, radio, television represents the main provider of data inside the process of obtaining information from open sources;
- Libraries;
- New media and internet such as social networks, virtual worlds, photo-video portals, wiki encyclopedias, blogs, podcasts, online radio, online extensions of traditional media, specialized information and analysis groups, online libraries[383].

Interdependencies between OSINT and illegal migration

Relating to illegal migration phenomenon, open sources of information could offer information regarding the evolution from the origin countries, about the travel routes of immigrants, about the identification data of the registered immigrants in the reception centers. The main source of information comes from the international, regional or national organizations, such as the UN Refugee Agency (UNHCR), the International Organization for Migration (IOM), the European Border and Coast Guard Agency (Frontex), Eurostat, Eurobarometer, Europol, Interpol. Some of the advantages of the information from these open sources are that are relevant, accurate, in the form of databases, aspects well known by beneficiaries of OSINT. For example, Frontex had an initiative on October 2018 named "Invitation to Industry-Forecasting changes in the migration flows using Open Sources"[384]. The purpose was to explore the connection between open source data and migrant flow changes in a geographical context: places, routes and transit hubs. This initiative is a short review of how open sources information could contributes to final intelligence products, revealing data about discovering and assessing social media sentiment evolution related to migration flows, focusing in transit intentions in predefined tome periods; detecting places, routes and transit hubs where flow changes occurred; identify positive/negative sentiment and whether if social media posts refers to a legal or illegal activity; retrieve social media content to enhance the situational picture integrating, whenever possible, real time information, like time and location of migrants departure.

[381] "NATO Open Source Intelligence Handbook", p.2, accessed March 17, 2019, http://www.oss.net/dynamaster/file_archive/030201/ca5fb66734f540fbb4f8f6ef759b258c/NATO%20OSINT%20Handbook%20v1.2%20-%20Jan%202002.pdf.
[382]Ciupercă and Vlăduțescu, *Securitatea,* 13-18.
[383] Marius Sebe (coord.), *Open Source Intelligence,* Universitatea (Bucureşti: 2010), 9, accessed 13 March, 2019, https://www.academia.edu/4547633/curs_OSINT.
[384]"Invitation to Industry-Forecasting changes in the migration flows using Open Sources", Frontex, accessed March 16, 2019, https://frontex.europa.eu/research/invitations/invitation-to-industry-forecasting-changes-in-the-migration-flows-using-open-sources-7uzal2.

In this context, in the 2018 Consolidated Annual Activity Report of Europol it is shown that "in order to expand the Operational Centre's capabilities and be able to monitor open sources, including social media, licenses for a new tool were procured and the analysts in the Operational Centre made use. This software allows monitoring incidents in and outside Europe and alerting the concerned units at Europol[385]. In this report, as a prioritized initiatives is highlighted the need to improve processing of large volumes of data and varied types of data collected within operations and from open sources.

Other important open sources for the intelligence analysts regarding illegal migration is represented by the mass communication represented by mass-media, as well as the traditional – written press, radio and television, but also new media.

From our point of view, from media perspectives, there are some issues that could create disadvantages; media is more interested in presenting the sensational news, no matter what the subject is. Especially inside the illegal migration phenomenon, there are subjects that attract the audience, because of the delicate context. More than the sensationalism that characterizes the press; the entire migration phenomenon brings negative aspects that are more tasted by the public. In this context of illegal migration, violence and images with kids have a big effect, because of the social implication. Violence in news programs could exists – theoretically approach – only if brings a relevant information for some social themes or if is necessary to signal and to become aware of a hazard or a general risk, individually or collectively

For monitoring the illegal migration phenomenon an important source is social media. Social media have created a de-territorialized social space that facilitates communication among geographically dispersed people in migrant networks. Through internet applications, the users of the social media primarily generate their content. The concept of social media thus refers not only to social network sites such as MySpace and Facebook, but also to forums, weblogs, YouTube, Twitter, and so on. In fact, to a certain extent many online applications have become social media because they allow user contributions and are useful for networking purposes[386].

Migrants' communication practices provide an excellent opportunity to explore community in the context of new social media. People vary in the extent to which new technologies might have consequences for their lives and social relationships. At one end of the spectrum are those who live in localities in which their interaction with significant others (such family, extended kin, neighbors, work colleagues) is largely face-to-face; for such people, the effect of new technologies on social life is minimal. Towards the other end of the spectrum are migrants who leave the communities in which they were born but who try to maintain contact with friends and relations that they have left behind. We consider that collecting the information from open sources is suitable for combating unconventional threats, such as phenomenon of migration and could help the intelligence services; one of the arguments is that in certain geographic areas where migration is manifested are not covered by traditional sources of intelligence; another argument is that could be more easily shared to the public and/or media in order to inform about a risk situation; also OSINT is cheaper than others sources and also is legal and ethical information.

The main link between illegal migration and OSINT is focused on the effects of this phenomenon, because in order to deal with, the institutions needs information. From our point of view the consequences are reflected in transnational organized crime networks, because of that illegal migration and refugee crisis represents an important issue regarding the regional security and the effects at national level. For example, traditional media in the United States and Europe often cast migration as an issue of law of order or security[387].

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[385]"2018 Consolidated Annual Activity Report Europol Public Information", Europol Public Information, 99, accessed June 7, https://www.europol.europa.eu/publications-documents/consolidated-annual-activity-report-caar-2018.

[386] Rianne Dekker and Godfried Engbersen, "How social media transform migrant networks and facilitate migration", *Global Networks. A journal of Transnational Affairs*, 14, 4, (2014), 403.

[387] Roberto Suro, *Introduction in Writing Immigration: Scholars and Journalists in Dialogue*, (Berkeley: University of California Press, 2011), 1-17

We have presented before the categories within OSINT; during our research we observed that the most popular is related to internet, as a social medium, in a continue evolution and finding new forms of diversity, that allows the communication process to become more widespread. In this field, social media has the power to make possible the access to a wider range of individuals, being organized in sites by acquaintance and social media organized around communities of interest converge and overlap[388]. The same researchers consider that inside the migrants' networks the information regarding the imminent legislation, informal jobs, accommodation or illegal ways of crossing borders can spread very quickly, thus affecting migrants` migration strategy.

Continuing the idea, we consider that this part of information from open sources – social media – represents an informal instrument for the intelligence service in order to build a database, as a positive element inside the final intelligence product. Recent research proved that social media has the characteristic to establish a formal and efficient infrastructure in order to exchange social capital inside the migration networks. This kind of information has an important role in migration decision-making, helping potential migrants weigh up the costs and the benefits of migration[389], but also is important because of the data about the potential migrants.

Although, in this context we identified a negative part linked to the veracity of the information from social media and to the imminent characteristic or purpose of social media to manipulate. Social media is also a platform for exchanging the information between illegal migrants, on exchanging such information on mainstream migrants' networks, "but this was less common and there was a higher risk attached to the exchange of illegal information. Social media do not seem to operate at the expense of offline networks but they are an extension of them, with migrants making strategic use of available communication systems[390].

Importance of open source information as a mainly data for intelligence products is proved by the Europol 2018 Report. Particularly in the context of the migrant crisis, European Migration Smuggling Center increased the focus on tackling the production on fraudulent documents, disseminating several intelligence notification on document fraud about 14 investigation related the facilitation of illegal immigration, using also information from open sources. "Regarding the take down of online content related to the facilitation of illegal migration, Europol's European Union Internet Referral Unit closely cooperated with the European Migration Smuggling Center and Joint Operation Team to detect relevant content. In total, 805 contents were assessed by the European Union Internet Referral Unit which focused on a small number of accounts but provided actionable intelligence, with a rate of 98% successful removals of content. (…). European Asylum Support Office provided Europol with tailored made Social Media Monitoring Reports allowing the European Migration Smuggling Center to focus on platforms and content where smuggling was openly provided. The European Migration Smuggling Center delivered relevant intelligence reports and investigation initiation documents"[391].

The same approach is specific to the traditional and new media, too, negative or positive information about migration being products to delivery to the public. The RAPORT shows that "given the media's largely negative coverage of migration and the extent of its influence, raises the question of how media should talk about such a complicated, diverse issue. One perspective argues that the ability to try to convince others of our own views and beliefs is a fundamental characteristic of democratic societies (…). Therefore, we should acknowledge the media in all their forms as playing important roles in public debate[392].

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[388] Rianne and Godfried "How social", 408.

[389] Thomas Faist, Dynamics *of International Migration and Transnational Social Spaces*, (Oxford: Oxford University Press, 2004), 112.

[390] Rianne and Godfried "How social", 404.

[391]Europol Public Information, *2018 Consolidated Annual Activity Report*, 34, https://www.europol.europa.eu/publications-documents/consolidated-annual-activity-report-caar-2018

[392] "2018 Consolidated Annual Activity Report Europol Public Information", Europol Public Information, 205, accessed June 7, 2019, https://www.europol.europa.eu/publications-documents/consolidated-annual-activity-report-caar-2018.

Media information and social media information, as part of OSINT, must be evaluated also from the perspective of the fake news concept; "producing false or at least questionable information for political ends is a standard propaganda technique. Furthermore, it is not a single object, but rather many objects with many purposes, from information that may unintentionally mislead, and material deliberately constructed to deceive, to a label we may attribute, rightly or wrongly, to idea we strongly disagree with[393].

It is clear that the media contribute to our thinking about migration, but the extent to which they drive actions in any direction depends on many factors that vary in different context. Indeed, consensus about the power of the media has shifted over the decades.

Illegal migration, as a form of organized crime, has grown and has consequences on the security, economical and social fields in the migrant transit countries and also in the destination countries. In this context, information from open sources provides data about area with political and military instability in regions with migration potential, about the living standards, about the members of the criminal networks interested in obtaining substantial income. Regarding the security risks, the migration phenomenon is presented in media or inside the institutional reports, national, regional or international, that we consider an important public source of information. Recently, media proved a negative attitude toward this phenomenon, which contributed in a certain measure to internal social problems as social upheavals, xenophobia or ethnic segregation. Another element revealed is represented by the effects of media message on public opinion, creating in some geographical area the increasing of population's discontent with migrants. The link between illegal migration and open sources information has effects when are released information as the involvement of migrants along with members of criminal groups in illicit activities such as tax evasion by phantom companies, drug trafficking and black work.

In this context the public information has an important role, as statistics and analyses about the illegal migration. According to the Europol and Interpol report[394] a big part of the illegal migrants were conducted by the members of the illegal migration networks, information, the funds obtained by these criminal structures being estimated at millions of dollars. For the ultimate goal of obtaining intelligence products from open sources to be reached, a very laborious and not very inexpensive process is necessary. This process involves the discovery, filtering and selection of those pieces of information that integrated and interpreted yield useful information about the illegal migration[395].

CONCLUSIONS

Our overview on the illegal migration through the open sources information, applied on media and social media showed the powerful impact of the diversified media and social media message on migration coverage, especially on illegal migration. The coverage of illegal or irregular migration is mostly connected to the economic and socio cultural threats. We admit that public information from institutions is more suitable to be real comparing with the subjectivity of media message, or with the social media messages. We consider 'more suitable" because any institution has its own purpose to build a positive organizational image, reason for what is important to pay attention at the informational products delivered and to realize that the public relation field is an important element for organizations. Although, the organizations in the area of migrations remains important open sources, on national, regional and international level, especially because of the statistic reports and the human resource experience in this domain. The collaboration between these and intelligence services is crucial in order to manage the illegal migration phenomenon.

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[393] Charlie Becket, *The Value of Networked Journalism, Polis Journalism and Society,* (London: London School of Economics and Political Science 2017), accessed April 12, 2019, www.lse.ac.uk/meida@lse/POLIS/Files?networkedjournalism.pdf and Charlie Becket, "Fake news: the best thing that's happened to journalism", accessed April 12, 2019, http://blogs.lse.sc.uk/polis/2017/03/11/fake-news-the-best-thing-thats-happened-to-journalism/.
[394]"2018 Consolidated Annual Activity Report Europol Public Information", Europol Public Information, 34, accessed June 7, 2019, https://www.europol.europa.eu/publications-documents/consolidated-annual-activity-report-caar-2018.
[395] Dan Plăvițu, "Surse și medii de culegere a onformațiilor, *Gândirea Militară Românească*, 6 (2006): 21-27.

Regarding the media, from our point of view the situation could be characterized by a high subjectivity. As we showed before, the media has different perspective of presenting the migration, function of few dimensions: political, cultural, ideological, social, economical etc. Most of the media institutions are part of private sector, the commercial aspect being an important one. They have to sell the journalistic product in order to survive. And the most wanted subjects in contemporary society are the sensationalist ones. This is the reason why we consider that the media message in most of the situations produces more emotions instead of news. Especially inside the migration phenomenon with its illegal part, there are suitable subjects as: violence, children abused, poverty, broken family, the fight for life etc. which appeals to the public emotions. No matter the geographical area, no matter the cultural background, no matter the political pressure or the level of the media freedom in a country, this remains a common element. Our research conducted us to the idea that with all these considered negative aspects of media, but also from our desire to keep the research objectively, media has an important role inside OSINT, aspect which is recognized by the institutions dealing with the interrelation between illegal migration and open sources, as we showed before.

Social media inside the illegal migration phenomenon brings opportunities for individual migrants because establishes infrastructures for changing social capital in migration networks. Besides the general effects of social media, this interaction produces effects on the research in this field, because of the reconsidering the propagation of extremist ideas or false actions and of the interaction with already radicalized individuals.

Our research is able to provide suggestions for the intelligence services in order to manage, from open sources, the illegal migration phenomenon. First of all we consider that, even the OSINT role in recognized, this recognition is mostly theoretically. Although it produces effects, the open sources information doesn't benefits of an implemented organizational structure, national or international, with few exceptions we have presented in our study. Secondly we recommend compliance with the elements of the OSINT production process; all four steps have a specific information role: discovering assumes to find out who knows; discrimination consists in knowing what represents; distillation/filter is about knowing what is important; dissemination refers to who needs information. Third we believe that all three types of OSINT are relevant, with the remark that human resource is influencing others; the primary type – personal contacts are specific to open sources information and very helpful; direct and interpersonal communication, in a small and close environment, is crucial inside the illegal migration phenomenon, where the individuals are in the centre; our point of view is that this primary sources may act preventively; the secondary types – mass-media and public institutional sites provides information mostly about the facts that are happening; the third type – technical is using satellite images and is specific to the actual technological age.

In the contemporary age is not more a matter about the quantity of information, but the importance of knowledge. Our further direction of research is to analyze the national situation of OSINT organizational implementation inside the country of Europe.

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MIGRATION POLICIES AND EU ENLARGEMENT AS REGIONAL VALUE CHAINS

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Abstract:
QUALITY OF GROWTH IS FOLLOWED BY MIGRATIONS. REGIONAL DEVELOPMENT MUST ANTICIPATE SUCH MOVEMENTS AND PREDICT A FURTHER DEVELOPMENT. THIS MUST HAVE NATIONAL AND LOCAL RESPONSES TO URBAN ECONOMIC CHANGE. WHAT IS URBAN GOVERNANCE AND HOW THIS IS RELATED TO POWER AND POLITICS? WHAT DO WE DO WITH ALL THOSE WHO REFUSE TO WORK AND INTEGRATE THEM IN OUR CULTURE? WE CAN LOOK IN THE PAST AT WHAT IT WORKED, REDISCOVERING SOME COMMUNIST PRINCIPLES LIKE COMMUNITY FARMS (CAP) AND LOCAL COMMUNITY GROUPS CAN HELP THE LOCAL ADMINISTRATIONS TO SAVE MONEY FROM THEIR BUDGET. WE CAN ALSO LOOK IN THE FUTURE AT CYBER PHYSICAL SYSTEMS (INDUSTRY 4.0) AND TRY TO BUILD MODELS. NOW WE TALK ABOUT DEPENDENCE MODELING AND RISK DYNAMICS BUT IN ALL THESE THINGS WE CAN FIND A LOGICAL ALGORITHM THAT CAN PREDICT THE FUTURE DEVELOPMENT. IF WE TRANSLATE THE MARKETS IN MATHEMATICS WE CAN ALSO BUILD ALGORITHMS THAT WILL HELP FURTHER MORE, TO DEVELOP CONNECTIONS WITH THE EMBEDDED SYSTEMS. CYBER PHYSICAL SYSTEMS (CPS) ENABLE THE PHYSICAL WORLD TO MERGE WITH VIRTUAL LEADING TO AN INTERNET OF THINGS, DATA AND SERVICES.

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1. Introduction

Migration influences the economy of Romania, aggravates social problems, affects the demographic balance. Through this article, we want to illustrate the dynamics from 1992 to 2017, in Romania, considering variables as gender, age and nationality as migrants, also the importance of new technologies, within the new type of industrial revolution called Industry 4.0, in developed countries, the value chain created and the effect that this development has on further migration, as brain or gain drain.

Value chain is a process of national or global interdependence, with product development, production, processing, trade, an end consumer, with sales and delivery services, with inputs as provision, outcomes and outputs. Access to education, for the migrants, can have an impact on the home country, as their returns in cash and ideas will contribute to local development, boosting the human capital and bringing new prospects. The higher level approach, thinking on the international clusters, will be brought through networking and new business approach.

Economic development, sustainable, deal with some risks as values, culture, political views, education, but has certain benefits from labor migration of the population, at the international level, as know-how, money, goods, ideas, brain drain of highly educated persons. For the countries of origin we can have a brain drain or brain gain, also the flows of money in the international currency will strengthen the credit market, providing, through returns and remittances, a boost for the local economy. Also, the continuous flows bring a new climate in investments (lobby), know how in technology acquired, capital that generates portfolio for investments, education and skills, understanding the dynamics brought by the new technology, adapt to change and bring improvement in the country of origin through new concepts, as pioneers in a developing process. Contacts, networking, cultural bridge building, access to information, can bring a higher value, more quickly, in the quality of services.

2. Literature review

The European Commission[399], analyzes the post-crisis period and proposes a rethinking of the Europe 2020 strategy for the next financial programme, with the emphasis on the industrial policy. In the immediate aftermath of the crisis, the EU wanted, through the measures and implementation of the Treaty of Lisbon, to encourage new technologies and SME's initiatives, their internationalization, even if these measures entail high costs (Iter, Galileo), the value chain here adding collaborative research, internal market improvements and flexibility for new trade policies, access to private finance, human skills as capital, under the message "A strong industrial base is essential for a wealthy and economically successful Europe"[400]. Among these three dimensions of change, we have a social change (technological paradigm) with a focus on migrations and internal labor market mobility: France to Luxembourg and Belgium, Poland to Germany, Slovakia to Austria. There is a gap in skills and new industries, EU countries are trying to solve this through immigration strategies and, at the same time, integrate their own SMEs into value chains that are clustered and globalized, working from a regional level.

In this study conducted by Judith Nagy and Judith Olah[401], there is a study about the new value chain in which Cyber Physical Systems (CPS), CPSS, IoT are imperative to facilitate customer value creation. The competition shapes the market in demanding a change in technology, with high risks and costs. A change is also in the value chain approach to IoT, CPS and Industry 4.0, the trend

[399] European Parliament, *Industry 4.0*, (Brussels European Union, 2016), 20-24, 29-53.

[400] European Commission, "A Stronger European Industry for Growth and Economic Recovery", (Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the regions, Brussel, 2012).

[401] Nagy Judit, Oláh Judit, Erdei Edina, Máté Domician, Popp Jozsef, "The Role and Impact of Industry 4.0 and the Internet of Things on the Business Strategy of the Value Chain—The Case of Hungary", *Sustainability 10* (2018): 1-25.

towards virtual value chain, cluster or network, digital ecosystems. All this data needs to be stored and protected, industrial safety is a new field widely discussed at European level and an impediment for emerging companies to implement these new technologies.

"Innovation is the engine of the economy"[402], is the logical thread of the study by Susan Helper and Raphael Martins. The adaptability of a people is a proof of intelligence in survival, this concept being found at the level of both social sciences and SME's economics. There are complementarities, such as incentive structure (finance), labor (labor force) and new technologies as sensors and machine learning that will affect value migration and creation, as patterns, in manufacturing, inside and outside across firms. They talk about changing organizational architecture, increased teamwork and horizontal communication, with a good system of performance evaluation.

In the paper written by the German Federal Ministry of Economics[403], there is a connection between the labour flows and value chain map, supplier processes, migrants are actors in this dynamic development through movement. There is an important connection, in the host country of migrants, between markets, institutions and products. Also, the concept involves selection, analysis, process design, meso and macro level conditions and blending other approaches, with a geography interdependence of different locations, creating global value chains, the new development that M.Porter was written about, in the '80s. In Germany they have a high number of SMEs owned by foreign, migrants, entrepreneurs (364.000, in 2005) and the level of new business (start-ups) is 2.9 %, more frequent than those owned by local population.

3. Methodological considerations

Data was provided, for the international comparison, from the EUROSTAT database, for the period 1990-2015. At the national level, the analysis processed data from TEMPO database[404], for the last 25 years, respectively for the period 1992-2017. In 2008, our national economy has had a new classification of activities, revised to ensure a 1:1 ratio with the International Standard Classification of Economic Activities developed by the United Nations Statistical Commission[405]. We compared the eight regions in Romania, have had a survey on other nations from Western Europe, as destinations for migrants, also split the data between 1990-1992 (period after the national revolution) and 1993-2017, as a continuous trend, trying to find a change in dynamics, as an econometric model.

4. Dynamics considering the number of migrants in Romania, between 1990 and 2017

The data presented were extracted from the existing TEMPO-online database, on the National Institute of Statistics' (INSSE) website and processed using the EXCEL and EVIEWS software. Data on permanent migrants for the period 1990-2017 were processed. According to the definitions, from INSSE: "Home changing migrants are people (of Romanian citizenship) migrating abroad. Migration is the action by which a person renounces his or her domicile in Romania and establishes it on the territory of another state."

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[402] Susan Helper, Raphael Martins and Robert Seamans, "Value Migration and Industry 4.0: Theory, Field Evidence and Propositions", *TPRI* (2017), accessed March 12, *Technology & Policy Research Initiative*, 58.

[403] GIZ, German Federal Ministry for Economic Cooperation and Development: *Creating value through migration, Guidelines for technical cooperation for promoting value chains in the context of migration*, (Bohn and Eschborn, Germany: Deutsche Gesellschaft fur Internationale Zusammenarbeit, 2013).
[404] On the Romanian National Institute of Statistics website – INSSE, accessed on March 2019.
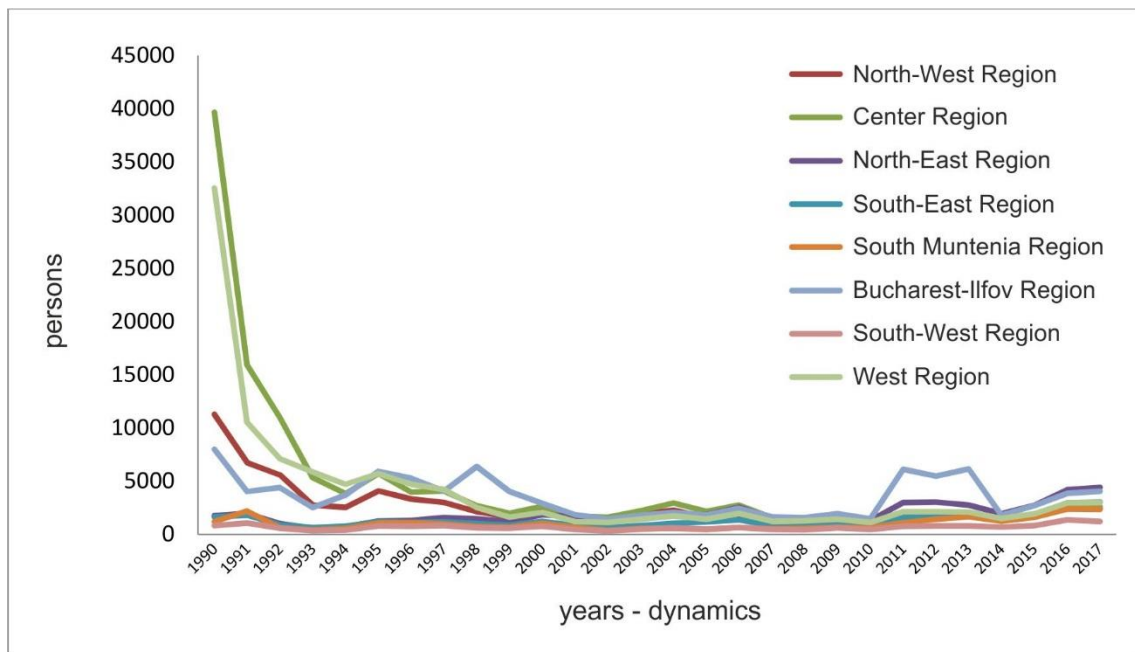[405] NACE Rev2 ISIC Rev4 document, standards.

Figure 1 : Dynamics considering the number of permanent migrants, on Regions, in Romania
Source: processed data from TEMPO-online database and INSSE's website

The number of migrants dropped sharply after 1990, in 1991 their number was half that of 1990. In the early 1990s, most migrants left the Center Region, the West Region, and the Northwest Region. In recent years, migration it's mainly from North-East (19%), Bucharest-Ilfov (17.5%) and South-East Region (13.1%). The gender imbalance has been maintained over time, with the number of women being higher than that of the men leaving. If at the beginning of the 1990s the share of women, in migration, was up to 56%, in the period 2004-2010 the share of women exceeded 60% and then gradually decreased reaching 20.9% in 2017.

At the county level, we can say that at the beginning of the analyzed period, most people left Brasov, Sibiu, Mures, Caras-Severin, Timis and Bucharest counties. In the last 2 years, the counties of Iasi, Brasov, Timis, and Bucharest are in discussion, with an increasing trend for migration.

Considering the nationality, as point of view, we can say that most that chose to change their residence outside Romania were the persons of German and Hungarian nationality. This phenomenon ceased after 1997.
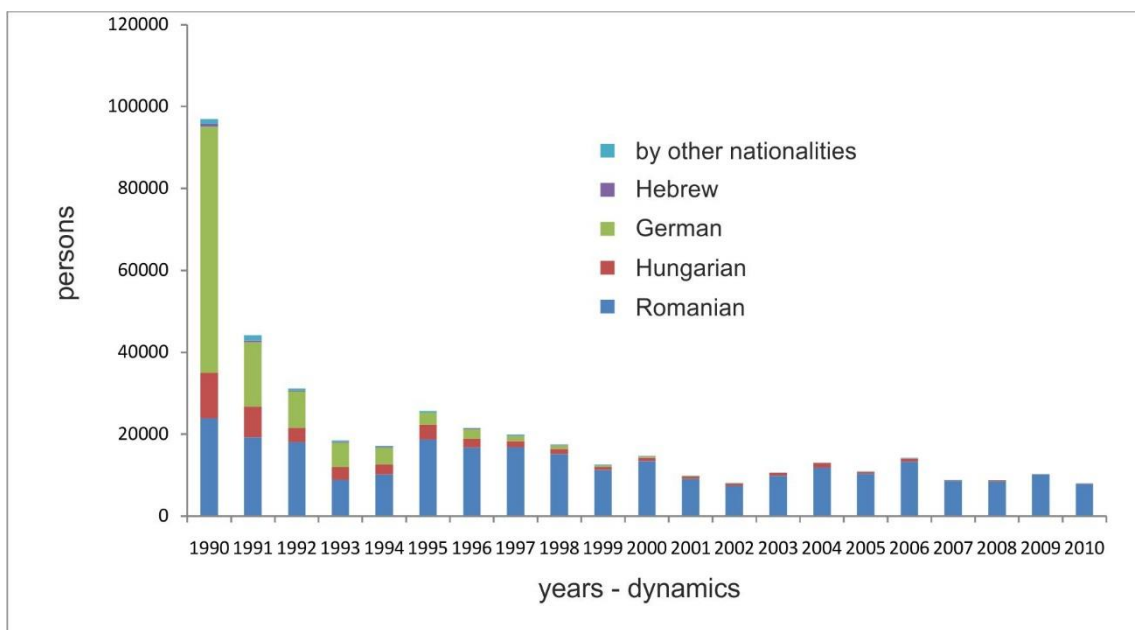

Figure 2 : Dynamics considering the number of permanent migrants, on nationalities

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The countries where the migrants went were Germany, Hungary, the United States of America and Austria. In terms of jobs, Italy and Spain have become an increasingly attractive destination in the last 10 years, in 2017 15% and 24% of migrants, respectively, choosing one of the two countries as home. If in 1990, 68% of the definitive migrants headed to Germany, in 2017 their share reached 18%.

Analyzing the age structure of migrants, we can see for the 25-74 age group that if in the early 1990s, they were leaving abroad predominantly from four regions (Central Region - 34.6%, West Region - 23.1%, North- West - 16.8%, and Bucharest-Ilfov - 15.6%), in 2017 these shares are approaching the average for all regions (the coefficient of variation decreasing three times for the two analyzed years).
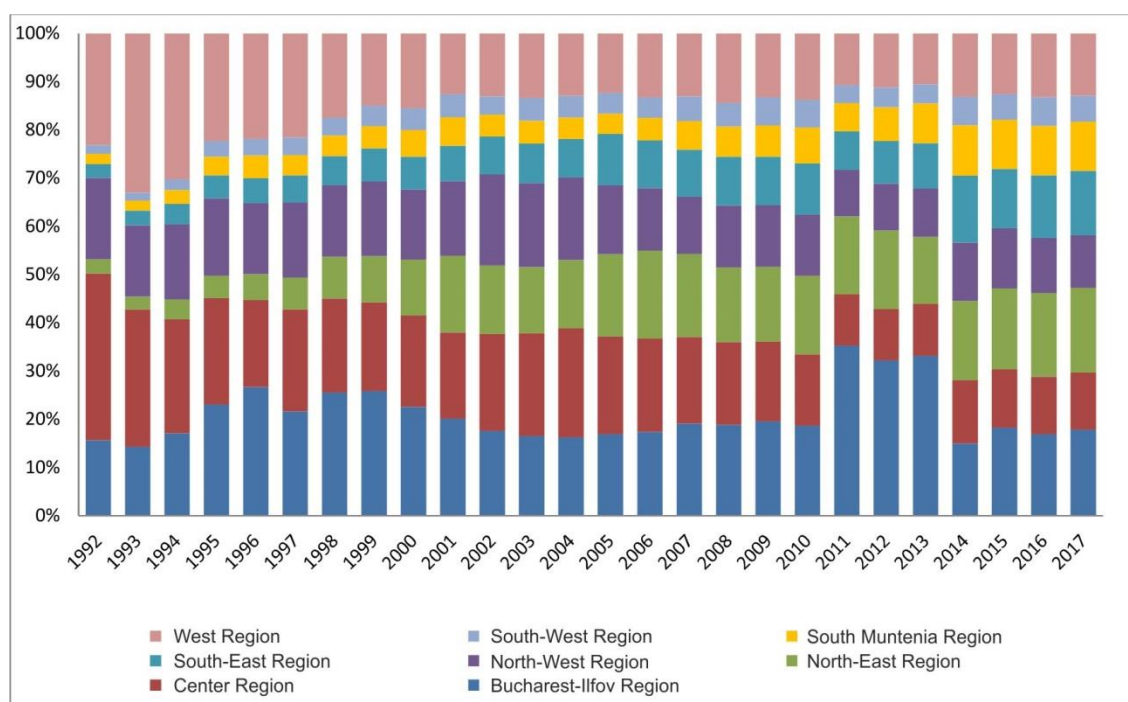

Figure 3 : Dynamics considering the number of permanent migrants, age 25-74 years, on Regions, in Romania
Source: processed data from TEMPO-online database and INSSE's website

In 2017, at the level of the North-East Region, there is a 5% difference between the share of 15-24-year-old migrants and the share of the 25-74 age group.

Table1: Share of permanent migrants by regions of Romania, in 2017 -%
Source: processed data from TEMPO-online database and INSSE's website

	1992		2017	
	Age 15-24	**Age 25-74**	**Age 15-24**	**Age 25-74**
Bucharest-Ilfov Region	10.67	15.68	16.08	17.88
Center Region	31.22	34.61	9.43	11.84
North-East Region	4.47	2.92	22.56	17.54
North-West Region	22.90	16.88	9.16	10.94
South-East Region	3.09	2.88	13.00	13.32
South Muntenia Region	1.79	2.11	11.52	10.19
South-West Region	2.44	1.80	5.52	5.34
West Region	23.41	23.12	12.73	12.95

People in the two age groups, analyzed, are slightly different: while young people go with their parents or for studies, those over 25 years of age generally go for a better job or living conditions.

In order to see whether the phenomenon of definitive external migration had an impact on the economy of the region from which people go, a linear regression model has been developed, that has as the variable explained the gross domestic product and as explanatory variables the number of emigrants and the number of registered unemployed:

$$GDP = \beta_0 + \beta_1 * emigrants + u \text{(Model 1)}$$
$$GDP = \beta_0 + \beta_1 * emigrants + \beta_2 * unemployment + u \text{(Model 2)}$$

The processed data were extracted at the county level (NUTS 3) [INSSE] for gross domestic product 2016, the number of registered unemployed and the number of migrants who changed their residence. To begin with, a unifactorial model was created in which the number of migrants was introduced as the explanatory variable, and the number of unemployed was then added, afterwards.

Table 2: Statistics / Results for applied models
Source: processed data from TEMPO-online database and INSSE's website

	Model 1	Model 2
migrants	-1.2452	-3.04789
unemployment	-	1.569553
intercept	18881.01	4230.275
R^2	0.000634	0.079012
F*statistic*	0.025384	1.672921

The coefficients obtained were not statistically significant, p-value> 0.05 and no F-statistic values were higher than E-theoretical. Therefore, the two models can notprovide trust in order to describe the relationship between the indicators. The study should be continued taking into account other indicators describing economic realities.

The person's domicile (residency) in Romania is the address on which he declares that he has the main residence, past the identity document (current ID's as CI / BI), as evidenced by the state administrative bodies. Emigrants are the Romanian citizens who have settled their permanent residence abroad. Age is expressed in completed years (for example, a person aged 24 years and 11 months is considered to be 24 years of age)[406].

5. Conclusions

The forth industrial revolution changes the nature of the activities, which also leads to redistribution of the workforce, both territorial and within activities. Developing countries are losing their workforce, highly educated in science but with less know-how in new emerging technologies, brain drain phenomena. Some activities disappear and new ones are emerging at an accelerated pace. Whoever does not keep pace with new technologies loses competitive advantage and becomes a consumer, making it a security issue for the states. If there was a massive migration boost on 1990 to 1992, from Romania to Western Europe or the US, after 2009 the trend has gain equilibrium, the economic crisis showing weaknesses in large economies. Through the new technologies that are present in Romania, through clustering and openness to the European Union markets (2007), the educated active population in Romania can have now benefits in our country, working with international markets. Through certain measures of market opening, such as encouraging SME's and their internationalization, cluster development and rethinking of the value chain concept, its global implementation, we can balance Brain Drain and introduce Brain Gain.

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[406] For more details: http://www.insse.ro/cms/.

New technologies bring a migration also on the specialization market, the labour force is continually adapting, this shift influence also regions of Romania, having now new growth poles that attract population from villages.

We can bring more value, more income quickly with services, but we have to consolidate the primary base of economy and that is production of goods, agriculture and energy. The EU will enlarge for safety and will split in three categories because of the economic performance reasons, probably we will have again "Mare Nostrum". Value chains in Industry 4.0 and Creative Industries will change the cities and will bring regional clusters and interdependence.

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