



THE 11<sup>TH</sup> EDITION OF THE INTERNATIONAL CONFERENCE  
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REALITIES AND PERSPECTIVES

**The Youth of Today - The Generation of the Global  
Development**

**The Discourse of the Power**

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**Abstract:** Power it's in the middle of the international system. The behavior of each state and the dynamism of the international system rise in the structure and the distribution of the global power. Power represents the keystone of the international relationships. All the realistic theories consider that the worries about power, the balance of the power, the dynamism of the power, represents the engine of the international business. Also, it represents a basic instrument, if it isn't the only one, in order to achieve the national interests' goals. As a result, realistic theories posit that the states are in a constant competition to achieve the power.

**Keywords:** balance; international relationships; national interests' goals

**Introduction**

Power it's in the middle of the international system. The behavior of each state and the dynamism of the international system rise in the structure and the distribution of the global power.

Power represents the keystone of the international relationships. All the realistic theories considered that the worries about power, the balance of the power, the dynamism of the power, represents the engine of the international business. Also, it represents a basic instrument, if it isn't the only one, in order to achieve the national interests' goals. As a result, realistic theories posit that the states are in a constant competition to achieve the power.

**According to Joseph Nye**

There are three types of powers in his classification about it:

1. *Soft power* the ability to form beliefs of other states through persuasion and attraction. Credibility is the most feared resource. At political level it was reached the idea that persuasion, negotiation and use of a variety of tools are beneficial for both peaceful strong states, and for the poor ones, who suffered greatly from the use of force.

Economically, it is about a simple calculation cost-benefit type declaring that war or threat of force, excessive militarization and hard politics can damage much greater, or in any case involving the

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allocation of vast budgetary resources for the maintenance of an army oversized or a war waged on the basis of new technologies.

2. *Hard power*. It's the use of economic or military resources to influence the behavior or interests of other states. This form of political power is often aggressive.

According to Joseph Nye, the term is "the ability to use carrots and sticks of economic and military power to make others follow your will." Here, "carrots" are incentives such as reducing trade barriers, offer or promise of an alliance or military protection. On the other hand, "sticks" are threats, including the use of coercive diplomacy, the threat of military intervention or economic sanctions implementation. Ernest Wilson describes as the ability to coerce "another act in ways that entity would not have acted differently".

3. *Smart power*. Combines the strategies of the two powers mentioned above. Joseph Nye believes that it's the best strategy combining power but it needs a strong army and diplomatic alliances or partnerships.

### **How do we perceive the Power?**

Ioan Jude makes the difference between political power and state power. State power is supposed to be the authority delegated by the people. It can be maintained as long as the power structures are legitimate, and it does not act on the company or parts of it. Political power is understood as being the only sovereign power, indivisible, inalienable and imprescriptible.

But what is the real difference between the two of them?

Political power is continuous, not erode over time, its essence and content doesn't change over the time. On the other hand the power status is prone power changes in terms of content and forms of exercise and in terms of power holder.

### **The Speech in the Discourse of the Power**

The speech is an essential tool which conquers, retains and exercises the power. Also, the speech is the mechanism whereby a political actor may succeed or may rate to conquer, retain and exercise power.

In a system desirable normal as the democratic actions of those who wish to accede to power or to retain it are most actions, processes and commitments of the order discursiveness because speech is the most efficient way to connect those who can grant legitimacy.

### **The Future of the Power**

Joseph makes out a case that the boom age of some countries such as China, India or Brazil is not synonym with a decline of USA. Thinking that the USA's place will be gradually taken by other economics and politics powers is not correct, only looking at the figures, we lose sight of exactly the power mechanisms.

USA may seem a power in decline not because of the ascension of other countries but because of informatics revolution so they can offer answers to the main challenges of the modern world: nuclear danger, Islamic fundamentalism, the ascension of the Asia.

There are few chances that a global government to be formed in the 21th century, some degree of global dependence can be identified, but nations are not like human beings to be able to predict their lives and their behavior.

**From the “Cold War Order” to “The New Global Disorder”**

Vladimir Putin declared that the extinction of the URSS was the twentieth century biggest tragedy. We can say that in fact it is about the way that the URSS disappeared is been a tragedy, for their direct successors and also, for their ex-rivals.

We can't be frightened of Russia, because this state it's not far so strong, but it count with so many resources to resignedly accept the lack of a post -imperial status recognized to a worldwide level, this post-soviet Russia was surrounded of new states ready to enter in the national exclusivism contest, but they also have a lack of national cohesion criteria.

The East, now equated with the Islamic fundamentalism, was called to replace the old Soviet hereditary enemy in a new crusade waged by “Americanized Empire of good”.

Cold War bipolarity guaranteed balance, either the terror that was the basis for predictability, stability and security relations between countries of the world. Unilateralism which was imposed by the fall spontaneously one of opposites, put under question all the principles of law of the bipolar order: sovereign equality, non-intervention, nonaggression and the threat of force etc. In the absence of the old rules, the single superpower inevitably abuse (any power corrupts; absolute power corrupts absolutely) induced a greater chaos as the US proved able to win any war but unable to impose peace.

The economic crisis mankind claimed today is a crisis of global balances and a moral crisis. The West itself has been declining, reaching behave today frivolity the senile empires are convicted to die.

**Putin and the New Russia**

For Russia and for the Russians the sun rises over America. It's not just the symbolism, Russia only compares itself with the United States.

Through this comparison Russia becomes a superpower, even in the ONU area and it takes control over the strategic areas, but Russia hasn't the ability to lay out its power at a global scale.

From the Tsushima war, 1905 that Russia lost with Japan, and to the Kursk submarine explosion in 2000 Russia was a constant loser in the game for the navy power and we can't think that it would regain the lost territory in a time. However, both currently and in the future than the main threat is that cohorts of assassins of militant Islam. Putin avoid to talk about it when referring to the dangers of terrorism but as a result of the wars in Afghanistan and Chechnya, traumatic, and the terrorist attacks changes, Russians are extremely aware of this continuing threat.

**Germany in the Balance of the Power**

The Fischer doctrine proclaim that the existence of Nazi crimes made as Germany to be responsible for preventing their recurrence. In September 1999 the German Chancellor Schroder announces that Germany already had become a major power in Europe. This transition was underlined by the removal of the capital from Bonn to Berlin over the course of that year. Germany began to lose stability at the Centre of the continent.

The impact of European integration on the Balkan crisis was huge. Therefore, the beginning of the new century has witnessed a massive intensifications of the European politico-military integration and NATO enlargement, Germany opening the way, given its size and central position. In other words, the European Union will transcend *Mittelage*.

### **French President Mitterrand and its Impact on European Construction**

Strengthening policy influence internationally initiated by French President Mitterrand, challenging USA hegemony, and the actions to develop the construction undertaken in the European Community have allowed France to make their voice heard at the international level in the context of the cold war.

Mitterrand wanted to favor multilateral crisis management, being the origin of the ONU resolutions, the creation of the international criminal tribunals for the former Yugoslavia (1993), Rwanda (1995) and the draft International Criminal Court.

At the Community level, European action to Mitterrand was consolidated his cooperation with WEST GERMANY and in 1983 declared that France and Germany are the ones that are supposed to build the foundations of an agreement increasingly more solid.

### **USA in Relation to the Balance of Power**

Beyond Europe, the United States of America, are so large and strong. You can't compare them with China, India or Europe, but we only could compare them with Russia.

The United States Army's ability to project power on the world scale.

The exercise of power is ambiguous in terms of morale, but the moral principles of the USA will have no value if the country is destroyed. Pursuit of universal rights requires more than just speeches, require power. To get to this point, the American people have to mature, it is a people invented, what awaits solutions to problems which do not require perfection and solve from its leaders.

### **Emerging China**

At the beginning of the XXI century, China is poised to become a major world power. Although it has been written about the emergence of China, a key aspect of this transformation went unnoticed: how China uses soft power to call its proximity both to states and to more distant states.

We have examined the significance of China's recent reliance on soft power at: - diplomacy, trade incentives, cultural and educational exchange opportunities, and other techniques to project an image of itself beneficial to position itself as a successful social and economic model, and to develop stronger international alliances.

For Chinese power, soft power means anything outside the military and the security, including not only popular culture and public diplomacy, but also economic and diplomatic coercive levers - "carrots and sticks". Indeed, Beijing may threaten other nations with these "punishments" if that does not help China achieve its objectives, but it can be rewarding greatly if they do. Soft power can be "high-level" meant elites of a country, or "low", targeting the general public. It can come from government and non-governmental actors.

In China, soft power has become one of the most commonly used phrases among political leaders and journalists. Chinese leaders are trying to use soft power in international politics strategy of China. For example, former president of the Republic of China (RPL) Hu Jintao noted that rising international status of China and its influence depends both on hard power, which includes elements of economics, science, technology, and defense, as well as soft power which involves elements of culture, highlighting the urgent need to build China's cultural soft power to meet domestic needs and to meet the challenges of the international system.

Some analysts believe that Chinese soft power is weak now, but other observers think that the prospect of China's soft power can compete with other countries, because China has abundant sources of soft power such as culture, traditional philosophy, etc.

### **Paternalism and Change**

Paternalism is a form of exercise of power typically specified the totalitarian societies, but they are not limited to them. And because power is required, not recognized as a form of paternalism, excessive exercising totalitarian power is often associated with many limiting democratic freedoms which could threaten the stability at a time.

Freedom of expression is amputated or canceled, the right of association is allowed only in supporting structures of power, the opposition is silenced or eliminated, diversity of any kind is perceived as a threat and so on. And when all the power is focused in the hands of a man, excessive paternalism can take the form of personal dictatorship, like Hitlerism, Stalinism, Maoism or Ceaușescu regime.

Where power is exercised paternalistically, it is unevenly distributed and concentrated in high places. Decisions are taken from the top down, not bottom-up, and virtually no civil society. Responsibility for decision-making is undertaken almost entirely by power management.

Citizens want daddy to enjoy protection, but also waive the willing or unwilling, to some democratic freedoms. Over time, almost imperceptibly, they come to experience the fear or the inability to say no to the one who is now manager of individual and collective destinies. Therefore daddy is loved and hated in equally. Long term in companies with excessive paternalism problems are not solved by social frustration, stress, such as elections, but by riots or revolutions.

### **Conclusion**

International relations have undergone important changes in the last decades, but the most important ones are and will be those relating to organizational principles. "Soft power" can be one of the most important changes, and once more states will resort to techniques adjacent cultural diplomacy and "soft power" when global competition will enter a completely different era. Already, it is diminished the role of the military in foreign affairs, but this change will not end weapons implication whatsoever, but rather a recalibration. Also, to effectively use the mechanisms that make up "soft power" it will require a more professionalized information wing, and here, reforms and new strategies adopted by the world's intelligence is made precisely within this purpose.

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## Analyses on the Possible Brexit through the Lisbon Treaty

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**Abstract:** Europe is facing a social crisis like never before, and this comes just after an economical one. The huge flow of migrants that started crossing into Europe at the end of 2015 was just the straw that broke the camel for Great Britain, because the Brits were threatening to leave the EU for some time. Prime Minister David Cameron has warned his European counterparts that his country might leave if his demands are not met. He clearly affirmed that he wants to stay in the EU, but under different rules. He negotiated a package of reforms, demanding concessions from a frightened Brussels, that has seen almost inevitable the change in some EU treaty terms. The PM used the 2011 European Union Act at the negotiations, document which requires any EU treaty that passes new powers to Brussels to be put to an internal British referendum. On June 23<sup>rd</sup> there is set a referendum on the country's membership to the EU. But this amount of uncertainty led to the fall of the pound (reaching its lowest level since 2009), to fear for the investors and furious debates between the political parties. We shall further analyze the Lisbon Treaty, in order to better understand the legislation behind this European-wide tension, and to explain the implications of such an event.

**Keywords:** Brexit; European Union; referendum; Lisbon Treaty; United Kingdom; employees' rights; migration

### 1. Introduction

#### Voluntary Withdrawal from EU of a Member State- Before the Lisbon Treaty

It is necessary to state that never before since the creation of the Economic Community of Coal and Steel in 1951 until today, none of the member states left the EU, in neither of the versions in which it has presented itself. The possibility of voluntary withdrawal was not mentioned in the Constitutive Treaties, before adopting the Lisbon Treaty in 2009 (signed in 2007). But neither the Accession Treaties of every member state don't have such a clause, although in theory, this right is recognized. Procedural forms to support such an initiative were not established, and this is due to an accumulation of reasons.

According to the European doctrine, the lack of regulation in the EU is due to the absolute confidence that the countries' leaders have had in the stability and durability of the construction of Europe. And the presence of such regulations would have put to doubt the arrangement between the nations, allied to achieve common objectives, assumed by the founding Treaties. It would have boosted the risk of

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such an event, because the regulation should have been accompanied by a procedure and an overview of the possible consequences.<sup>1</sup>

Two separate interpretations were generated due to lack of express clauses from the constitutive treaties. The first stipulates that unilateral right of withdrawal exists even in the absence of clear provisions under the right of any sovereign state to withdraw as a signatory to the treaties concluded. A second interpretation is that there exists a supreme commitment between the member states in order to accomplish the mission and the vision of the Union, evidence of the irreversible nature of unification, and so contrary to exit clause. Proof of the constant effort to maintain the integrity and unity of the European structure is the fact that exactly the concluding of the treaties is done indefinitely. Besides this there are restrictions on the right to renegotiate the treaties of accession<sup>2</sup> the *acquis communautaire* acceptance by all Member States the principle of solidarity and others.

Public international law and the Vienna Convention on the Law of Treaties (1969) are sources for a possible interpretation of this dispute. The *Pacta sunt servanda*<sup>3</sup> principle is enshrined by the Vienna Convention, acknowledging the right to terminate a treaty. Situations where this might happen is either if that right is expressly provided<sup>4</sup> or may be deduced from the content / nature of a Treaty<sup>5</sup>, or if applicable the *rebus sic stantibus* clause, meaning where there is a fundamental change of circumstances which has occurred with regard to those existing at the time of concluding a treaty which was not foreseen by the parties, if: the existence of those circumstances constituted an essential basis of consent to be bound by the treaty and this change had the effect of transforming the radical nature of the obligations remaining to be performed under the treaty.<sup>6</sup>

Of these three possibilities under the Vienna Convention only the last (*rebus sic stantibus*) may apply in case of withdrawal of an EU Member State given the "absence of a clause to that effect in the constituent treaties and the impossibility of deducting a right of withdrawal, or even approved, from the content or nature of the treaties"<sup>7</sup>. Also, extremely limited is the application of the doctrine that provides change of circumstances in exceptional situations, and a more permissive interpretation could endanger the very stability and inviolability of treaties.

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<sup>1</sup>Miheș, Andreea, Voluntary withdrawal and exclusion from the EU and Economic and Monetary Union, 2012, Juridice.ro <http://www.juridice.ro/201796/retragerea-voluntara-si-excluderea-din-uniunea-europeana-si-din-uniunea-economica-si-monetara.html>

<sup>2</sup>The renegotiation took place in favor of the UK in January 2016.

<sup>3</sup>The principle of binding force regarding treaties on legal pact.

<sup>4</sup>*Article 54 of the Vienna Convention*: "Termination of or Withdrawal From A Treaty Under Its Provisions Or By Consent Of The Parties. The termination of a treaty or the withdrawal of a party may take place: (a) In conformity with the provisions of the treaty; or (b) At any time by consent of all the parties after consultation with the other contracting States."

<sup>5</sup>*Article 56*: "Denunciation of or Withdrawal from a Treaty Containing No Provision Regarding Termination, Denunciation Or Withdrawal **1.** A treaty which contains no provision regarding its termination and which does not provide for denunciation or withdrawal is not subject to denunciation or withdrawal unless: (a) It is established that the parties intended to admit the possibility of denunciation or withdrawal; or (b) A right of denunciation or withdrawal may be implied by the nature of the treaty. **2.** A party shall give not less than twelve months' notice of its intention to denounce or withdraw from a treaty under paragraph 1."

<sup>6</sup>*Article 69*: "Consequences Of The Invalidity Of A Treaty **1.** A treaty the invalidity of which is established under the present Convention is void. The provisions of a void treaty have no legal force. **2.** If acts have nevertheless been performed in reliance on such a treaty: (a) Each party may require any other party to establish as far as possible in their mutual relations the position that would have existed if the acts had not been performed; (b) Acts performed in good faith before the invalidity was invoked are not rendered unlawful by reason only of the invalidity of the treaty. **3.** In cases falling under articles 49, 50, 51 or 52, paragraph 2 does not apply with respect to the party to which the fraud, the act of corruption or the coercion is imputable. **4.** In the case of the invalidity of a particular State's consent to be bound by a multilateral treaty, the foregoing rules apply in the relations between that State and the parties to the treaty."

<sup>7</sup>Miheș, Andreea, Voluntary withdrawal and exclusion from the EU and Economic and Monetary Union, 2012, Juridice.ro.



Sovereignty although cited in the existence of a right of withdrawal of states does not fully guarantee action. Miheş (2012) discusses the example of *Costa / E.n.e.l.*<sup>1</sup> in whose verdict rendered by the European Court of Justice noted the limitations of the principle of sovereignty by joining the EU and by signing the founding Treaties. Thus, the transfer to the European system from the law of the Member States of rights and obligations bring a permanent limitation of their sovereign rights. One element that distinguishes the constitutive treaties of other international treaties is the transfer of sovereignty of the first set Member States have limited their sovereign rights by creating a community of unlimited duration of operation, possessing its own institutions which subsequently acquired legal personality and to which powers have been transferred from its members.

In conclusion, we believe that states can invoke the sovereignty principle with great difficulty to denounce previously concluded treaties. Prior to adoption of the Lisbon Treaty (2009) there was only one theoretical possibility you could withdraw from the EU, based on negotiation, all of it embodied in an agreement ratified by all Member States.

### **The Lisbon Treaty**

The Lisbon Treaty has brought enshrining the right to voluntarily and unilaterally withdraw by several provisions designed to shed light on this delicate issue. Art 59<sup>2</sup> "Voluntary withdrawal from the Union" enshrines explicitly the right of withdrawal of any EU Member State, in accordance with its own constitutional procedure. Thus, as a direct consequence, European law becomes inapplicable to the State which decides to withdraw, from the withdrawal date set in the agreement or up to 2 years from the date of notification of withdrawal, according to the Constitutional Treaty. The state which has undergone the procedure can change his mind later, wanting to be again a member state of the Union, but then it will be required to follow a new procedure for accession, like any new candidate (art. 49-The general procedure for accession).

Article 50, paragraph (1) of the TEU stipulates that "any Member State may, in accordance with its constitutional rules, withdraw from the Union" with procedural formalities set out in the following articles. Thus, the state shall notify the European Council regarding its intention to withdraw, and the Union shall negotiate and conclude an agreement with the state (agreement negotiated in accordance with art. 218 paragraph (3) TFEU). In it are inscribed the conditions for the withdrawal procedure, taking account of the nature of its future relationship with the Union. It shall be concluded by the EU Council, with the approval of Parliament, with a qualified majority. The state representative cannot attend for reasons of procedural matters at the debates in the European Council and the Council. Also, Article 50 sets out the conditions for termination of the application of EU law into national law, namely from the entry date into force of the withdrawal agreement or two years from notification of intention to withdraw. There is an exception though, if there is a unanimous decision to extend (the default delay) from the European Council, in agreement with the Member State that submitted procedure.

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<sup>1</sup>CJCE, decision from 15<sup>th</sup> July 1964, *Costa/E.N.E.L.*, 6/64, (Miheş, 2012).

<sup>2</sup>1. Any Member State may decide to withdraw from the EU in accordance with its own constitutional requirements. 2.A Member State which decides to withdraw shall notify the Council of its intention; the European Council shall examine that notification. In the light of the guidelines provided by the European Council, the Union shall negotiate and conclude an agreement with the State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union. That agreement shall be concluded on behalf of the Union by the Council of Ministers, acting by a qualified majority, after obtaining the consent of the European Parliament. The representative of the withdrawing Member State shall not participate in Council of Ministers or European Council discussions or decisions concerning it. 3.This Constitution shall cease to apply to the State in question from the date of entry into force of the withdrawal agreement or, failing that, two years after the ratification referred to in paragraph 2, unless the European Council, in agreement with the Member State concerned, decides to extend this period. ”

### **Article 50 of the T.E.U.**

The wording of Article 50 TEU is very permissive, in that the State in question may either carry a negotiation followed by an agreement for the withdrawal to operate, or may be about a unilateral withdrawal. The state concerned is not required to sign an agreement that would draw new relations with the EU, negotiations could fail and still the notification of its intention shall take effect. In the absence of an agreement, the state will no longer be subject to union rules, even after the expiry of two years' time from the date of notice of its wish to withdraw. Each state has full freedom of decision and can act in accordance with their own constitutional rules, and the withdrawal decision cannot be censored at EU level.

Aside from the questions of the nature of the process, there is another aspect of the recall, which is highly debated in the current situation in the Union. After the announcement from the Great Britain of its intention to leave the Union, the EU could face a massive withdrawal of Member States who wish to negotiate separate agreements with numerous advantages, to determine their stay in the EU. The European Council was forced to negotiate special clauses in order to change Britain's intention to leave, and also to act with great care, in order to prevent a dissolution of the Union.

## **2. Brexit- General Discussion**

Britain has a long history as a signatory of international treaties and as a reliable partner of various international alliances. FCO or Foreign Affairs Office of the British Government (Foreign and the Commonwealth Office) made a census of treaties, from 1834 to the present. The result was no less than 13,200 documents of bilateral treaties, agreements, pacts and acts establishing the UN and NATO.

The word that generates many disputes between the parties involved in the delicate situation with the possible Brexit is sovereignty. This supreme illustration of power, this quality to exercise unrestrained political power both internally and in relation to external forces cannot be taken away from what it is *de facto*. Parliament's sovereignty is and will remain intact even if the authority is delegated. The members of the Parliament can always abrogate treaties in force, whether we are talking here about the EU, NATO or the UN. Philip Stephens, Financial Times<sup>1</sup> editor, said about EU membership that it represents "the most extensive and complex exercise of delegation of authority to a supranational organization."

Britain, as a sovereign state, has global interests, which lead, in consequence, to extensive vulnerabilities. Economic and strategic interests weigh heavily in the balance, in trying to make a decision on leaving the EU. And the decision will take into account, of course, the implications of Brexit on the security and prosperity of the nation.

### **Implications of a Possible Brexit**

Exiting from the European Union would have broad implications over the United Kingdom, especially adverse implications on a large number of fields. The main impact would be on the economy (remember that in late February 2016, the pound recorded a historic low, from its lowest level in 2009, and continued to fall). Secondly, national security would be at great risk, taking into account terrorist

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<sup>1</sup>Financial Times, [http://www.ft.com/intl/cms/s/2/26b6a12c-daf2-11e5-a72f1e7744c66818.html?ftcamp=social/free\\_to\\_read/brexit\\_sovereignty\\_comment/awareness/editorial&segid=0100320#axzz41DSGPEp4](http://www.ft.com/intl/cms/s/2/26b6a12c-daf2-11e5-a72f1e7744c66818.html?ftcamp=social/free_to_read/brexit_sovereignty_comment/awareness/editorial&segid=0100320#axzz41DSGPEp4).

threats and negative signals from some countries (Russia Korea Iran, etc.). Many analysts believe that Britain could better negotiate personal advantages remaining in the EU than outside it.

Countries outside the European Union who stand and watch this unwanted situation should realize the danger. Brexit would mean a severe blow, both "physical" and psychological, on a Europe already weakened. It would mean breaking the fifth largest economy of its market outlets, and the fifth largest arms buyer among its allies<sup>1</sup>. Brexit campaigners believe that Britain is held in place by the European Union when it comes to progress; in theory, UK could continue external trade in the event of leaving the Eurozone. But in reality, the European Union would allow access to a restricted common market under special conditions. If we were to look at Norway or Switzerland, we would see that the UK should still accept free movement of people, along with a substantial payment to the EU budget, before having unrestricted access to the common market. In terms of the years 2000-2016, the EU has come to absorb about half of the total export mass of goods/products from the United Kingdom, while imports from the Union do not exceed 10%. British trade deficit is linked mainly to Germany and Spain, and not necessarily to the rest of the 25 Member states<sup>2</sup>.

For some skeptics all these difficulties and restrictions which may be imposed in the event of a Brexit do not represent a major impediment, since the Kingdom would recover its sovereignty. This means regaining complete freedom of decision against the will of the EU which interferes in every sector of citizens' lives, from the bonuses received by bankers and limits to weekly working hours. Specialists wonder to what extent this statement is an illusion. For a completely globalized world, power is being used as the most powerful weapon. The British state gave up part of their sovereignty to be members of NATO, the IMF, the EU and so on. Alliances are a double-edged weapon: the act of signing treaties involves obedience to the collective rules, in exchange for compensatory gains.

The immigration issue is extremely sensitive in the current refugee crisis, and an integral part of the early 2016 Brexit negotiations. The year 2015 brought to Europe the largest flow of migration seen in modern times, coming from the Eastern part of the continent and from the Orient. Half of the migrants that are being accepted in the UK on a daily basis come from the EU, and there are no actual measures that the British Government can take in order to restrict them. Only in the case of a British exit-Brexit, this could be done, but restraining immigrants from coming to the UK has some cons, and the damage is yet difficult to estimate. We mean, of course, losing the access to the common market, plus Britain would lose the young workforce, most of them qualified, and the services sector would suffer a huge decline, since it is based on the Italian doctors, French bankers, Romanian IT specialists or Bulgarian builders.

Another area of activity that will suffer if a Brexit happens is science and research. Although Britain is a generous contributor to the EU fund, it attracts every year more research money than their pay. Between 2007 and 2013, the UK has contributed with over 5.4 billion Euro in the R&D (Research and Development) Fund of the Union, but attracted an enormous amount of 8.8 billion euro, cited Steve Connor, editor for The Independent.<sup>3</sup>

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<sup>1</sup>The Economist, <http://www.economist.com/news/leaders/21693584-leaving-eu-would-hurt-britainand-would-also-deal-terrible-blow-west-real-danger>.

<sup>2</sup> The Economist, <http://www.economist.com/news/leaders/21693584-leaving-eu-would-hurt-britainand-would-also-deal-terrible-blow-west-real-danger>.

<sup>3</sup> The Independent, <http://www.independent.co.uk/news/uk/politics/eu-referendum-british-science-would-suffer-badly-in-event-of-a-brexit-scientists-warn-a6898376.html>.

### **Brexit- Effects on Workers' Rights**

Frances O'Grady, general secretary of the largest union for workers in the Kingdom, warns that workers' rights are in danger in the possibility of a Brexit. Separating Britain from the European Union would adversely impact on the right to work, on maternity leave for women, on payroll and payments policy field between men and women, on redundancies and so on.

Kathleen Morrison, attorney for the law firm Brodies LLP, has offered for The Independent newspaper 11 examples of workers' rights from British law which came from European legislation.<sup>1</sup>

### **3. Working Time**

Employees' working programme was not highly regulated before the introduction into UK law of the 1998 act called UK Working Time Regulations (WTR). The regulations have met the implementation of the European Directive of Work (European Working Time Directive), and include 48 hours-working week, the right to have daily and weekly breaks, and working time limitations for workers on night period.

#### **1. Vacations**

The European Directive for the Work Program has prompted all Member States to give employees holidays of four weeks every year, period when they could exercise their right to leave (but leaving is up to workers). Since its adoption, however, Great Britain has brought changes to the UK legislation, meaning that now, the four weeks holiday was extended to five weeks of vacation annually.

#### **2. Protection of Workers in Case of Business Transfer**

Employees are protected by their rights when a business is changes ownership, and so they are transferred to the new owner; they are kept under the same terms and conditions as when they were employed. They are protected from dismissal due to a possible transfer, and in the case of major decisions regarding employees, they are informed and consulted.

#### **3. Employees with Temporary Status**

Also called agency workers, they are entitled to the same basic working conditions (right to be remunerated for their work and leave entitlements), as have the employees with a permanent status, but only if they had worked in a place for at least 12 weeks (3 months).

#### **4. Collective Redundancies**

If an employer wishes to start a series of collective redundancies of over 20 employees within 90 days, he is obliged by law to engage into collective consultations with the employees' representatives. Starting date of a round of negotiations must be established with a sufficient period of time ("in good time") before the actual redundancies.

#### **5. Discrimination**

Discrimination is not moral nor legally accepted in the UK, when it comes to gender maternity, race, religion, beliefs disability, age, sexual orientation or gender reassignment. There are also attempts to lessen the gap between the salaries received by male and female employees.

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<sup>1</sup> The Independent, <http://www.independent.co.uk/news/business/news/eu-referendum-tucs-frances-o-grady-warns-that-workers-rights-are-being-forgotten-in-brexit-debate-a6897801.html>.

## **6. Fixed-Term Employees**

EU laws prohibit less favorable treatment for fixed-term employees, compared with permanent workers.

## **7. Part-time Employees**

Workers employed part-time are protected against less favorable treatment compared to permanent employees by the European law.

## **8. Maternity and Pregnancy**

Some rights regarding pregnancy and child care period came from the European Union legislation, although British regulations go beyond what provides as a basis in the European legislation. Thus, the United Kingdom provides for a period of 52 weeks maternity leave for its female employees, unlike the European minimum of 14 weeks.

## **9. Parental leave**

Employees who are eligible for parental leave are entitled to up to 18 weeks of unpaid leave for each child, a period that can be used until the child's eighteenth birthday.

## **10. Privacy**

Data Protection Act in the United Kingdom (UK Data Protection Act) was specifically designed to implement the data protection system in the European Union and for its citizens. Workers' rights are being threatened by negotiations on the Brexit case, and principles such as paid holidays and the right to employment of part-time workers are on the list of cuts. European law mandates each Member State to comply with its agreements on workers' rights. For example, the principle of equal pay for equal work has existed since the formation of the Treaties.<sup>1</sup>

On the other hand, there are opinions that wages will rise in the UK because of a limited access to employment of foreigners in the case of Brexit. The number of migrants will suffer a decline and existing workforce will have to be paid in addition to the current payroll. Lord Stuart Rose, former chief executive of Marks and Spencer, told *The Telegraph*<sup>2</sup> that Britain staying in the EU will mean "one way street" for immigrants. Labour migration to developed countries is constantly growing as, shown in recent statistics. Thus, in Great Britain, more than 257 000 citizens from the EU member states came to the UK in 2015, and more than 630 000 EU citizens were registered to receive a social insured number (National Insurance Number)

## **3. Conclusions**

Permanent development of the European Union by increasing the number of new members with a high level of political and economic integration has changed the face of Europe, as it is known to us today. The European Union was established as a comprehensive cooperation project, with a distinct role in maintaining economic and social stability, peace and to ensure a "lifeline" for Member States which are in difficulty. All agreements signed so far have established a legislative framework of the

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<sup>1</sup>The Independent, <http://www.independent.co.uk/news/uk/politics/eu-referendum-workers-rights-paid-holiday-brexit-labour-angela-eagle-a6901146.html>

<sup>2</sup>The Telegraph, <http://www.telegraph.co.uk/news/newstoppers/eureferendum/12181385/Wages-for-British-workers-will-rise-in-the-event-of-a-Brexit-head-of-in-campaign-says.html>

European construction, leaving room for an increased level of integration of its members, and also ignoring an essential criterion: that of withdrawal of a state.

At the beginning, the economic crisis came from the United States (2008), and continued with a massive economic recession, political differences and extremist parties gaining ground in the last election, aging of population in the EU, exchange rate fluctuations, crisis and wars, migrants flow, and all this, however, confront us with problems whose solutions are proving to be extremely difficult. This raises the increasingly problematic question that an exit from a member country would pose to the European Union.

Close ties between states have prompted a considerable transfer of attributes that are nothing but enshrined the national sovereignty of each state. European institutions, empowered by the transfer of sovereignty, have attracted in recent years discontent from some states. Increasingly obvious politicization of EU directives and regulations which must be integrated into national legislation, contributions in cash for the survival of poor countries are reasons of dissatisfaction in strong democracies.

And given the current context, in which uncertainty leaves room for speculation and concern for the stability of the Union, and given the fact that no further than 2013 Greece was in a position to be saved with a huge financial aid to prevent its withdrawal, now the year 2015 brings a clear attempt of the UK to leave the Union, we consider justified treating this theme. Whether we are talking about the revanchist politics of Russia, or the terrorist threats and the expanding sphere of influence of ISIS (ISIL DAESH), nuclear proliferation, environmental degradation, huge debts from the states and diminishing resources, we understand how important the negotiation on a possible Brexit is.

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THE 11<sup>TH</sup> EDITION OF THE INTERNATIONAL CONFERENCE  
EUROPEAN INTEGRATION  
REALITIES AND PERSPECTIVES

## The Effects It Has Had the Romanian Accession to the European Union on Trading Policy

Alexandru-George Marcu<sup>1</sup>, Alexandru-Narcis Serban<sup>2</sup>

**Abstract:** It reveals that imports have increased in the last decade compared to exports, which had an importance quite special, and taken the fact that for two decades, every year, the trade balance of Romania was deficient in terms of exports and politics foreign trade. Moreover, the balance has increased exponentially in recent times.

**Keywords:** export; import; commercial ballance

### 1. Introduction

The purpose of this paper is to put in perspective the trade policy before and after Romania's accession to the European Union as well as the impact felt by the variation of prices both in foreign trade and domestic trade, advantages and disadvantages of Romania's convergence to EU trade policy. This paper has particular importance given that these changes affect us at both macroeconomic and microeconomic level. The aim of the study is to weigh trade policies post - accession and pre-accession and to analyze the economic impact. We aim to show the consequences that has had or would have had to have positively on the balance of payments and trade policy on post accession, and multilateral and regional commercial effect. We are interested to watch and to prove if there was positive impact on the role of economic diplomacy and the role of economic policy abroad for promoting and sustaining economic interests and trade sectors, Romanian public and private externally and increasing contribution to attracting foreign investments in Romania and expand cooperation with foreign partners on third party markets.

In the paper by Octavian Gh. Botez and Madalina Militaru entitled "*Politica Comercială A României În Perioada De Pre Și Postaderare la Uniunea Europeană/ Romania's trade policy in the pre and post EU accession.*" It is highlighted the economic and commercial impact it had Romania's integration into the European Union on 1st January 2007. In another work of Octavian Gh. Botez, called "*Romania's trade balance - annually two decades' deficit balance*" written with Simona Corina Gudei reveals that Romania's trade balance was poor, moreover, this deficit is growing.

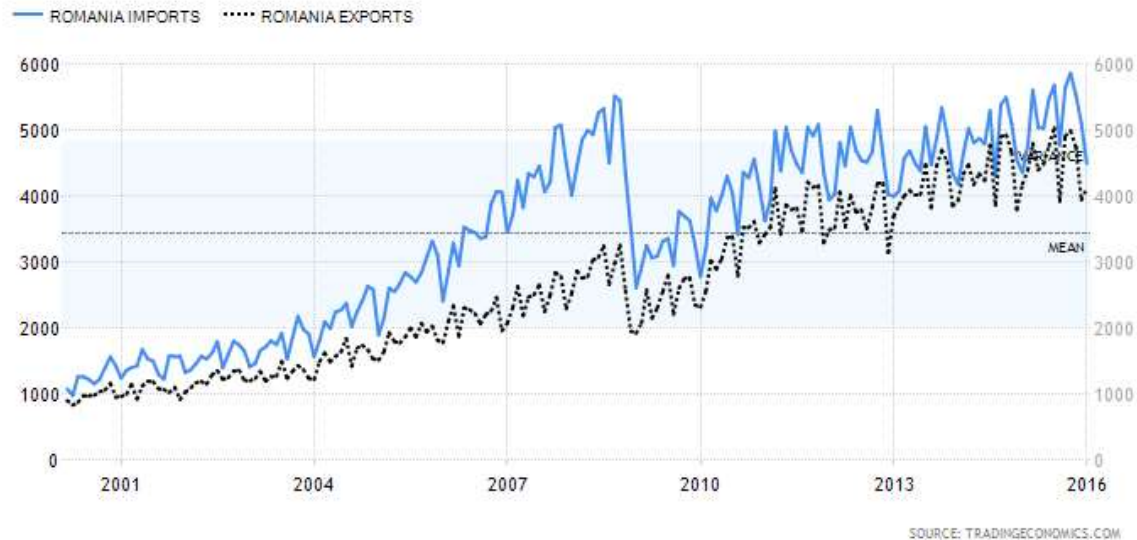
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## 2. Content

During the process of drafting the article we studied a series of articles and specialized works and data provided by EOROSTAT, INESEE, [tradingeconomics.com](http://tradingeconomics.com).



**Figure 1. Comparison between imports and exports of Romania in the period 2000-2016 expressed in million euros**

*Source. [www.tradingeconomics.com](http://www.tradingeconomics.com).*

Note that the rate of imports increased more than exports resulting from that of an influx of foreign products and services that lead, ultimately, to export capital on foreign markets. Maximizing imports lead to a destabilization of the Romanian economic market by discouraging consumption of Romanian products and reinvestment of capital in the Romanian market. From the trading perspective, joining the European Union has led to market liberalization that generated Romania effects more destructive to the economy than constructive producing comparative advantage that large chains foreign holding a diverse portfolio of products and financial strength that is superior to of domestic producers.

The offer great foreign merchants brought an influx of foreign products on the Romanian market, a much lower price compared to their similar products made in Romania, but also of poor quality compared to domestic products. These higher prices are due to deficient tax system and production technology.

In the period 2001-2009, the group of mineral fuels, lubricants and derivative balance recorded a cumulative deficit of 20 billion euros, accounting for oil and gas import necessary especially manufacturing.

In the following, we summarize the graphic evolution of Romania's trade balance in 2006 on export FOB (Freight on Board) and CIF (Cost Insurance and Freight).



**Table 1. Evolution of the Romanian trade balance of goods in large groups during the years 2006-2010 expressed in million euros.**

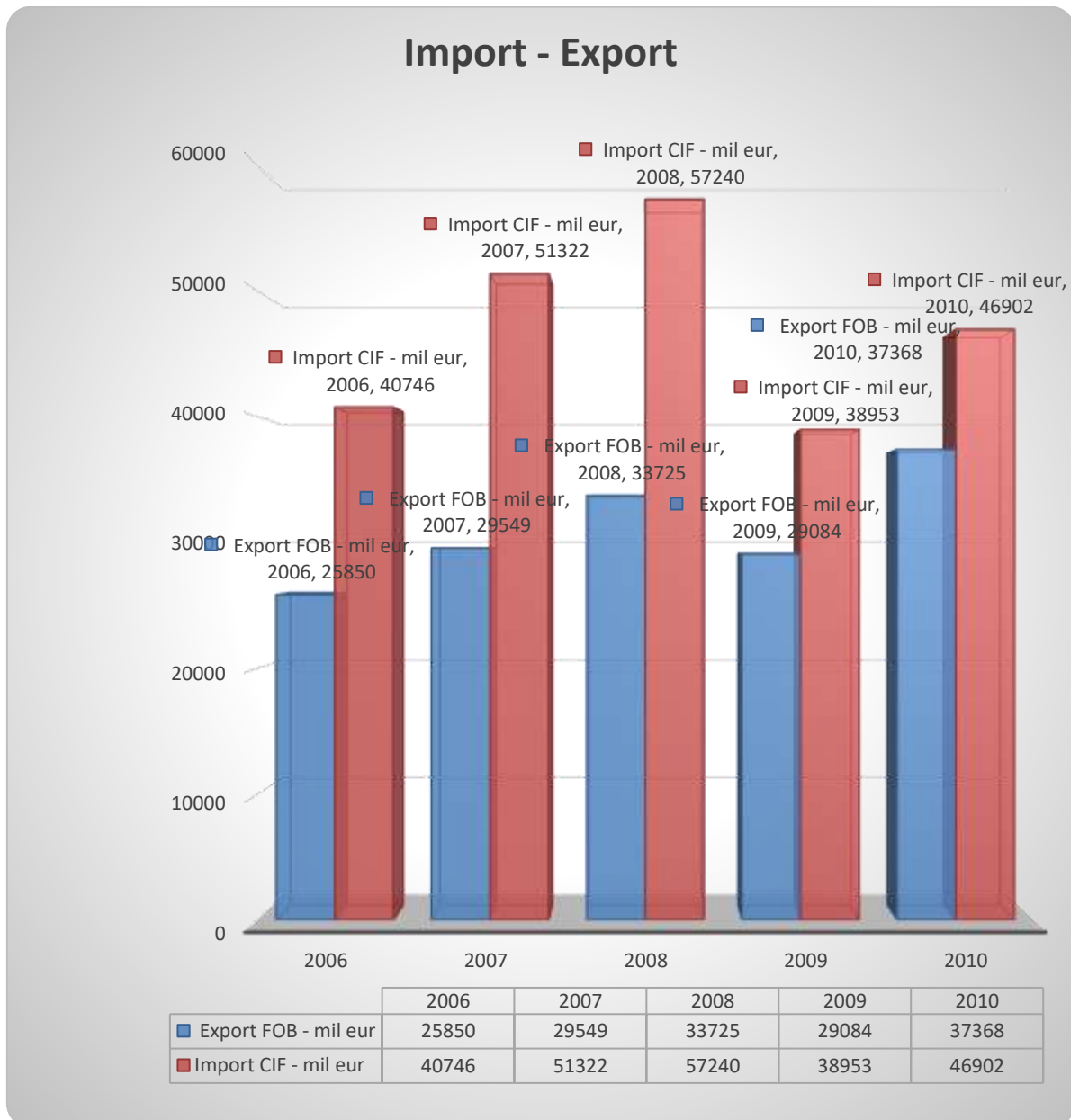
<i>Name of activity</i>		<b>Export FOB</b>			<b>Import CIF</b>		
		2008	2009	2010	2008	2009	2010
<b>Total</b>		<b>33.725</b>	<b>29.084</b>	<b>37.368</b>	<b>57.240</b>	<b>38.953</b>	<b>46.902</b>
<i>Name of activity</i>		<b>Export FOB</b>			<b>Import CIF</b>		
		2006	2007	2008	2006	2007	2008
<b>Total</b>		<b>25.850</b>	<b>29.549</b>	<b>33.725</b>	<b>40.746</b>	<b>51.322</b>	<b>57.240</b>
1.	<i>Products of agriculture and hunting</i>	553	614	1368	547	1038	1274
2.	<i>Products of forestry and logging</i>	18	23	30	29	28	19
3.	<i>Fish and other fishing products</i>	*)	1	1	8	13	20
4.	<i>Coal and lignite; peat</i>	1	6	1	303	368	395
5.	<i>Crude petroleum and natural gas</i>	-	*)	-	4532	4291	5350
6.	<i>Metal ores</i>	52	23	39	429	483	283
7.	<i>Other mining and quarrying products</i>	15	17	17	85	100	139
8.	<i>Food products and beverages</i>	318	407	564	1724	2283	3042
9.	<i>Tabaco products</i>	9	135	262	199	61	76
10.	<i>Textile products</i>	1017	1052	1009	2761	2853	2585
11.	<i>Wearing apparel; furs</i>	3179	2880	2533	510	652	780
12.	<i>Leather and leather products</i>	1523	1502	1388	1102	1203	1174
13.	<i>Wood and products of wood (except furniture)</i>	956	1003	961	363	557	591
14.	<i>Pulp, paper and paper products</i>	105	144	129	635	734	798
15.	<i>Printed matter and recorded media</i>	29	40	51	138	165	204
16.	<i>Coke, refined petroleum products and nuclear fuel</i>	2420	2078	2777	638	796	1279
17.	<i>Chemicals, chemical products and man-made fibres</i>	1426	1666	2034	2956	4784	5645
18.	<i>Rubber and plastic products</i>	706	976	1199	1979	2353	2539
19.	<i>Other non-metallic mineral products</i>	246	278	252	789	1057	1256
20.	<i>Basic metals</i>	3321	2984	4017	2400	3645	4305
21.	<i>Fabricated metal products (except machinery and equipment)</i>	653	890	994	1800	2334	2555
22.	<i>Machinery and equipment</i>	1981	2535	2922	4459	5995	6315

Source. National Statistics Institute Annual Summary Archive, [www.insee.ro](http://www.insee.ro).

After analyzing the table, we see a lower deficit in trade balance compared to the post-accession period there were inedible materials, non-exclusive fuel which proves that have exported more raw materials than finished products that are more valuable for export.

We can also notice only if the group of beverages and tobacco significant growth after a slump between 2007-2008. This is from 317 to 46 million euro and became surplus only after 2007 with a

value of 100 million euros. In our opinion this variation occurred due to the advanced technologies used abroad which lead to better prices for foreign merchandises. The lack of investments in technology from Romania led to an abnormal situation for Romania, which was the cumulative negative balance of trade in the product groups food and live animals as well as oils and fats of animal and vegetable although Romania is a country with tradition and great agricultural potential. The amounts were built between 2001-2009 at a cumulative negative balance of 13 billion euros, continuing its growth until now.



**Figure 2. Import- Export 2006 – 2010 Shown in millions euro adapted from [www.insee.ro](http://www.insee.ro).**

### **3. Conclusions**

Through this paper we have tried to demonstrate that Romania's EU entry on January 1, 2007 brought as consequences a decline in exports of finished materials and a massive import of consumer goods. This work balance both pre- accession economic situation and the post- accession.

We propose that Romania take some decisions responsabilabile regarding a serious analysis and thorough on the danger they represent the passive attitude of present exports and curbing imports at very low prices leading to destabilization of the Romanian market that make a detriment of manufacturers and traders Romanian products. Optimizing imports and upgrade the agricultural and industrial construction, in tourism and other services including addressing serious diplomacy abroad can bring a plus Romania and only then can we talk of extra capital and default evolving concrete economic. We also setting up a special ministry to manage trade policy both exterior, interior and by allocating significant budgets but also certain tax advantages for achieving a national strategy for export and import.

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THE 11<sup>TH</sup> EDITION OF THE INTERNATIONAL CONFERENCE  
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REALITIES AND PERSPECTIVES

## **Green Economy through the Rosia Montana Case - Best Solution in the Context of Schemes Offshore Routed by the International Corporations**

**Nicolae Moroianu<sup>1</sup>**

**Abstract:** The object of researching paper, prepared by the student Nicolae Moroianu, under by Anișoara POPA, doc. conf. at *University of Galati Lower Danube* in analysis of the controversial case ” Roșia Montană - gold exploitation”. The utility of estimating needs for a structured analysis of the Roșia Montană case it is actually in Romanian society. According with the last 15 years, many conflicting tensions occurred between citizens, corporate officials, journalists, civil society actors and Presidential, Government and Parliament representatives. In this period, all stakeholders have provided often conflicting information and opinions on the benefits and risks in exploitation of gold and silver minerals from the Apuseni Mountains, by a Canadian majority-owned company. In 2016, mine opponents enjoyed a major victory when the village of Rosia Montana and surrounding Transylvania region were *nominated* to become a UNESCO World Heritage site, a designation protesters hope will secure international support and protection to the area. Still, the company continues to build the mine. Gabriel Resources is now threatening to sue the Romanian government under investment agreements for rejecting the mine. If they make good on this threat, the country could be embroiled in a World Bank tribunal trial for months.

**Keywords:** Green economy; Rosia Montana case; rejecting the mine; UNESCO

### **1. Introduction**

**1.1. Looking to the Back:** The Roșia Montană project refers to the plans of exploring and processing of gold and silver minerals from the Roșia Montană area in the Apuseni mountains, Romania, using a technology based on cyanide leaching, by the exploitation licence holder, S.C. Roșia Montana Gold Corporation S.A. (to be referred to as RMGC). The main shareholders of the company are the mining state company *Compania Națională a Cuprului, Aurului și Fierului “MINVEST” S.A. Deva. 2*, with 19.31%, and Gabriel Resources Ltd. based in Canada, with 80.69% shares. Mainly due to the failure to comply with the Romanian legislation on environment issues, the company has not obtained all the needed permits to begin the exploration.

Ever since the exploitation licence was granted in 1999 to the National Copper, Gold and Iron Company “MINVEST” S.A. Deva, and was further transferred to the newly created RMGC in 2000, the project has been promoted by the company through institutional lobby and extensive PR campaigns in the media for its potential economic, social and cultural benefits for the local community and the Romanian state. After a series of renegotiations of the unprofitable conditions stipulated in the initial licence agreement, the Government of Romania estimates a direct benefit of nearly 5.2bn USD,

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which includes gold and silver royalty, dividends for the Romanian state as a shareholder, income tax, and social contributions for employees.

However, the environmental risks of cyanide-based explorations, the threat posed to the cultural heritage and other industries in the area, the forced expropriations and several i suspicions of corruption, illegalities and overall lack of transparency of the state-company agreements stirred serious citizen and non-governmental organizations' opposition to the project. Legal actions have been taken by several opposing villagers' NGO, Alburnus Maior, against a number of environmental and archaeological permits given by county institutions and ministries; furthermore, initiatives aiming to raise awareness and civic participation have been taking place both in Roșia Montană, mainly through the activist theatre and music festival FânFest, and throughout the country, where public debates, art exhibitions and investigations were organized by universities and other research institutes, activists and journalists. The peak of citizen opposition to the project was the widespread protests in the fall of 2013, triggered by a draft mining bill advanced by Prime-minister of Romania and the ruling coalition at the time, the Social-Liberal Union, which would have created a more suitable legal framework for the project to commence. Counteracting the mainstream media silence on the subject, valuable data and previously classified material such as the 1999 exploitation licence surfaced online and became increasingly visible and discussed.

Nonetheless, the opinions among citizens remain divided. A national referendum was suggested by the President of Romania in 2013, but the proposal was rejected in Parliament. An opinion poll commanded by a news publication and conducted in September 2013 showed that 95% of the Romanians followed the reports on the subject. 52% of the respondents stated that only through the continuation of the Roșia Montană mining safe jobs can be secured for the local community, while 35% believe that the area can develop through tourism, if the project falls.

The controversy of the project has led the Romanian officials to treat it with caution in the electoral campaigns held in the last decade, their discourse oscillating between reinforcing Romania's need of economic benefits out of its natural resources and stating their disapproval of the cyanide exploration. Although some members of the ruling parties and ministers support the project, others are still reluctant in reaching a definitive conclusion. The postponement of the decision regarding the commencement of the exploration can be motivated by the current legislative impediments, the lack of clarity regarding the multiple arguments on both sides and the citizen opposition to the project. (Mihai, Marincea & Ekenberg, 2015, pp. 3-5)

**1.2. In 2014 Presidential Elections:** Looking at their electoral agendas, it seems that the 6 most visible candidates are divided when it comes to the Roșia Montană project: Monica Macovei and Călin Popescu Tăriceanu are neutral, Elena Udrea is more pro-development of the project and Victor Ponta, Klaus Iohannis and Kelemen Hunor are more anti-development of the project<sup>18</sup>. There is obviously still no consensus on what decision should be made in this case and the political risk is high in assuming a definitive position.

**1.3. 2015:** Gabriel Resources Limited issues a formal notification to the President and Prime Minister of Romania calling for a formal engagement in a process of consultation, seeking an „amicable resolution to this dispute which will lead to the development of the Project for the benefit of all stakeholders”. Throughout the years, there has been no consensus on the future of the project within a single party. Think-tank România Curată (Clean Romania) lobbying against corruption, for parliamentary transparency and the rule of law, published a list of 43 well known public officials who have supported the mining project through favorable actions and statements in ministries or

parliament. The officials came from all major parties which have been part of the ruling coalitions of the past 15 years.

The National Agency for Mineral Resources announces upcoming auction for the concession of new perimeters for exploration, four of which contain gold and silver deposits. (Mihai, Marincea & Ekenberg, 2015, pp. 14)

**1.4. This Year:** In 2016, mine opponents enjoyed a major victory when the village of Rosia Montana and surrounding Transylvania region were nominated to become a UNESCO World Heritage site, a designation protesters hope will secure international support and protection to the area.

**1.5. Uncertain Future:** Still, the company continues to build the mine. Gabriel Resources is now threatening to sue the Romanian government under investment agreements for rejecting the mine. If they make good on this threat, the country could be embroiled in a World Bank tribunal trial for months.<sup>1</sup>

## **2. The Arguments of Good Decision Makers, Taken by the Romanian State in the Rosia Montana Project**

**2.1. Economical and Social Aspects:** It is expected that the exploitation of gold and silver is to be carried out for 16,2 years. That means that at the end of the exploitation period people of this area are to be made jobless again, with many unemployed (and a seriously damaged environment), social problems won't be solved in the long term.

The project affects 38% of the surface of Rosia Montana and about 1800 people, who will have to be relocated, and will also result in the demolition of 740 houses and a few churches and their graveyards. This operation provoked a negative reaction and the dissatisfaction of many locals, although many of them accepted the attractive financial compensation offered by the exploitation company.

**2.2. Juridical Aspects:** Compatibility of this project with European legislation in the context of Romanian joining the European Union. This forces Romania to respect some aspects of the European legislation and also to fully adopt it.

### **Problems Identified:**

1. The method used during elaboration of the mining project Rosia Montana infringes the following: Directive of Evaluation of the Impact on Environment 85/337/EEC of 27, July 1985 and Directive 2001/42/EC of the European Parliament;
2. The method of gold separating with cyanide infringes Directive 80/68/EEC of 17, December 1979 for protection of underground waters;
3. Imposed relocation measures that the Romanian authorities are to take against the local residents who refuse to sell their properties infringe art. 8 of the European Convention of Human Rights, which Romania must comply with. People whose fundamental rights have been damaged have at present the possibility of defending them at the European Court of Human Rights;

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<sup>1</sup>[http://nodirtygold.earthworksaction.org/voices/rosia\\_montana#.VvNIJ9KLTIW](http://nodirtygold.earthworksaction.org/voices/rosia_montana#.VvNIJ9KLTIW).

4. This project also infringes the Berlin Convention (10, October 2001) because of the interdiction in using cyanosis in mining exploitations in European Union.

General conclusion is that the project doesn't correspond to the criteria of art. 8 paragraph 2 of European Convention of Human Rights. It is also against not only the environment legislation of the European Union but also against the basic principles and standards of the European Convention of Human Rights.

We can't also ignore the risk of law suits to the European Court of Human Rights of Strasbourg in which Romania (an not the company RMGC ) shall stand accused and face some unfavourable sentences if it shall be proved the rights of some people were compromised or infringed by forced relocation or other legal means.

**2.3. Technological Aspects:** The technology used is based on gold extraction by treating ground ore with sodium cyanide solution. Using this type of technology seriously damages the environment. The experience of the disaster of Baia Mare is relevant for this. Similar accidents (about 30 only after 1990) took also place in other countries that use the same technology. Major accidents took place in USA (1993 and 1998), Guyana (1995), Australia (1995), Philippines (1999), but in less populated areas and thus with less dramatic effects.

72% of those accidents were due to flaws in the barrage, 14% to pipes breaking and 14% transport accidents. Nobody can guarantee that these types of accidents won't happen again and once happened punishing the responsible won't do any good. We need to say that cyanide is not the only danger: also mud and water resulting from the technological process presents high risks of serious pollution , as do the toxic heavy metals content extracted from the ore, that are even more persistent than cyanide and that can't be neutralized! In fact even neutralization products of the cyanide (cyanide, metal-cyanide products) though less toxic still have negative effects if accumulated in large quantities in the draught lake. Their properties (toxicity, biological effects) are still less known and so prudence is needed from this point of view.

The technology stipulated in the project for destruction of cyanide with sulphur dioxide (in open air tanks) also brings a potential supplementary pollution agent. In order to avoid any suspicions, the operation of Rosia Montana should be analyzed by the International Cyanide Management Institute that manages "the Code for producing, transporting and using of cyanide in gold production". The companies that adopt this Code submit their projects to an audit from an independent committee for certification stating that the rules stipulated by the Code. Have been followed. The RMGC project does not mention such certification, although states that "a plan for cyanide management will be worked out." This plan should already exist!

**2.4. Natural capital aspects:** On surface exploitation (in open quarry) produces significant degradation of the environment, in fact a real mutilation of the landscape, leaving behind huge craters and massive deposits of sterile material, as we can see in an open quarry nearby (to Rosia Poieni). Air, water and soil pollution caused by the on surface exploiting equipment (by uncovering) and by massive transport with heavy equipment (150 tones trucks) of important ore and sterile material quantities cannot be ignored.

Destruction of specific landscape of the Apuseni Mountains reduces to zero tourism potential and eliminates the perspective of durable capitalization of the area on a bigger range not only to Rosia Montana. A polluted area won't be able to attract any kind of investors.

The explosions used in the uncovering by blasting technology (five times a week) present the risk of vibrations and seismic waves with negative effects near the quarry. This can weaken and lead to the collapse of some construction and old mining galleries.

There are serious risks of the possibility of water leaking into the draught lake, underground infiltrations, hydrocyanic formation (extremely toxic gas) during summer specially under the influence of acid rain, risks that are aggravated by the proximity of centres of population (Campeni, Abrud).

The project promises to reduce the cyanide concentration to 1 part of a million in the water evacuated in the draught lake. The costs of reducing it to such small values are important and it is not certain that this condition shall be respected.

**2.5. Scientific and historical - archaeological aspects:** The area that this project relates to contains archaeological remains of great scientific interest, invaluable, unique in Europe and perhaps in the whole world, as shown by the partial studies of some Romanian and French scientists, financed by the company RMGC in order to obtain “archaeological discharge”. It is necessary to extend this research from the restricted area already investigated (only 4 ha) to the entire surface referred to (at least 100 ha): this would require more time.

Gold deposit exploitation can lead to permanent destruction of the dig that means unrecoverable loss and would make impossible the creation of any future cultural tourism area, an economic solution that could be viable in the long term. It is well known that many countries appreciate the value of digs and have made of them cultural and tourist attractions that bring permanent income for the locals (Egypt, Mexico, Greece, Italy and others). Destruction of archaeological remains of such value would be a cultural crime.<sup>1</sup>

### 3. Conclusions

In according to this research work, in special inspired from the “A Multicriteria Decision-Making Analysis of the Roşia Montană Gold Mining Project” we will make some final conclusion and recommendation:

- Drawing on the sensitivity analysis we can conclude that the alternative of implementing the project with the old provisions, dating in the 1999 license, can be dropped, because it is clearly the most disadvantageous of the four options. In addition, in most cases, the Tourism alternative turns out to be the optimal one.
- In the current scenario, we mostly took into consideration the socio-economic impact of all alternatives on the local community. In what concerns the economic aspects, we weighed the potential financial costs and benefits for the local people brought by each option, prioritizing employment opportunities, job trainings, standard of living and economic growth, as well as the impact of each option upon other businesses and employees in the area. To these subcriteria we assigned higher weights than to the subcriteria dealing with the impact of each alternative for the national economy.
- In what concerns the social aspects, we looked at issues such as: the impact of relocations and resettlements, the physical safety and health of the local community, access to jobs, infrastructure, clean water, etc. Choosing to prioritize the social and economic aspects over the rest derives from the

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<sup>1</sup> <https://europeangreens.eu/content/gold-corporation>.



worries and interests of the people from Roșia Montană and nearby villages, directly affected by the implementation of any of the alternatives. (Mihai, Marincea & Ekenberg, 2015, p. 61)

#### **4. Acknowledgement**

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THE 11<sup>TH</sup> EDITION OF THE INTERNATIONAL CONFERENCE  
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REALITIES AND PERSPECTIVES

**Contemporary International Relations Disturbance:  
Excessive Migration**

**Adamache Aura-Raluca<sup>1</sup>, Stoica Andrei Tiberiu<sup>2</sup>**

**Abstract:** Debating a new perspective about the immigrants' situation. It is very important because the last actions that took place after the excessive migration left a mark on everyone's perception about migration. Our paper is based on researches showing how the EU is struggling on handling the excessive migration, and on the other side, on the problems that caused the migration in the first place. To capture the practical/research evidence we approached methods like surveys and observation. The empirical studies, evidence and experiences presented resulted in a social and political presentation about the immigrants. The study involved research in the cases of excessive migration in the contemporary period and a short analyze of the latest acts of terrorism that took advantage of the new-life seekers. The studies and researches presented here have a very trustful source and helped us in our way of understanding the causes and the problems that occurred from the excessive migration and the disturbance of the international relations.

**Keywords:** immigrants; randomized trial; European states; Islamic state

## **1. Excessive Migration**

### **1.1. Excessive Migration: Beginning and Contemporaneousness**

For at least 10 to 20 years migration started to take a different turn from the population growth of their new home country and the economical rise to something darker that anyone could ever imagine. But, is it really migration's fault? Or excessive migration is just used by others to come illegally to a bigger country with the idea to create panic?

First of all, we should ask ourselves a few questions:

What are the causes of excessive migration?

Do we have anything to fear about when meeting an immigrant?

Are the stereotypes a barrier between us and the ones who seek a new home here, on our continent, our countries, our continent?

How many should we take? Should we take everyone or should it exist a limit?

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First of all, excessive migration never started from something good. Since the beginning of time there are the same problems that can cause this: low resources, natural disasters and the worst of all, wars. Despite the fact that the last actions showed us that excessive migration is not good for anyone if it can't be handled, because when you are only able to handle one million people and you have to deal with ten, everything will be overwhelmed and the peaceful migration can turn into a disaster in seconds.

About fear, everything we have to fear about is ourselves. You can't fear a certain person only for his race, only because that's coming from our own fear of unknown and ignorance. The barriers between the citizens from a country and the immigrants are in the first place the stereotypes from all around the world. Analysing the reports between people from different races we can observe that even if they have a lot of similarities, everything they and we are able to see in the first place are differences.

**“When shaping immigration policy, we should be holding in the front of our minds that we're talking about real families, real children, who have hopes and incredible stories.”**

“The research suggests that immigrant rights advocates face many, many psychological barriers in pursuit of their goals. Fear of foreigners might well be the most intractable of all human prejudices because it is so tightly linked to survival and natural selection.

“At the end of the day, we're motivated by resource-distribution,” says University of California-Berkeley psychology professor Rodolfo Mendoza-Denton, who studies stereotypes and intergroup relations. When newcomers arrive in the midst of a stable population that's already worked out who gets what, “the most common human reaction is to hog resources, not to share.”

“Taking the American case as an example, the United States were open and everything worked out pretty well with no limit migration, therefore creating the greatest industrial power in the world from wilderness. What migration policy would then benefit the most people, and especially, what policy would benefit the poorest people from the world? The no limit one!

The downside of trying to enforce a limit is saying no to people that are not bad people, and you got to tell them that they can't get in not because they are bad but because we have a limit.”

But is this the answer to all our questions? Is the no limit migration the best answer?

Yes, maybe we should empathise, maybe we should take more immigrants, but more legal immigrants. We can offer them a new home, a new life, but with the condition that they are legal immigrants, because in most of these cases you can't take any risks, not a single one can pass the border of a single country without being completely checked, to avoid disasters to happen. The downside of trying to enforce a limit is saying no to people that are not bad people, and you got to tell them that they can't get in not because they are bad but because we have a limit.

## **2. The Impact of Immigrants on the System**

The impact of immigrants above the system and the international actors is a strong one, as we can see from ourselves in nowadays politics, people and even disasters that occurred from excessive migration. As an example we can take the migration from the states of Syria and the Levant. After a war that is still taking place there and thousands of people dead, they decided to come to the EU looking for a better life and trying to escape from a living nightmare. Of course that with a migration like this there was supposed to happen the illegal migration of some of the Islamic State members, looking for to terrorise a new continent, new people, the World.

“The conflict in Syria continues to be by far the biggest driver of migration. But the ongoing violence in Afghanistan and Iraq, abuses in Eritrea, as well as poverty in Kosovo, are also leading people to look for new lives elsewhere.”

“The International Organization for Migration (IOM) estimates that more than **1,011,700** migrants arrived by sea in 2015, and almost **34,900** by land.

This compares with 280,000 arrivals by land and sea for the whole of 2014. The figures do not include those who got in undetected.

The EU's external border force, Frontex, monitors the different routes migrants use and numbers arriving at Europe's borders and put the figure crossing into Europe in 2015 at more than 1,800,000.

Most of those heading for Greece take the relatively short voyage from Turkey to the islands of Kos, Chios, Lesbos and Samos - often in flimsy rubber dinghies or small wooden boats.”

Seeing the states in action, we can clearly see that they separate in two ways. There are the ones that wanted them to come here, supporting immigrants in coming to their country and not only , especially Germany who was the first supporter of the excessive migration to their country, taking at least 1 million immigrants (statistically 587 for every 100.000 residents) , and we see those who are against it, those that protest everyday on the decision of saving them with the cost of being terrorised by their over religious, fundamentalist people.

The first cause of the rising tensions in the EU is the disproportioned burden faced by the countries that are overwhelmed by the migrants arrival: Hungary, Italy and Greece.

Some of the international actors began to “take care” of the situation, Russia being the one that equalized the forces in the war that takes place in their home countries, attacked terrorist bases and showed them what a great power it still is.

“Turkey, which is already hosting 2.5 million migrants, has been reluctant to readmit those who have managed to reach the EU.

Sending people back to Turkey is also problematic for the EU.

International law forbids returns of asylum seekers to countries if there is a risk of death or persecution there. Only one EU country - Bulgaria - considers Turkey "safe", the European Commission says.

However, an EU-Turkey action plan agreed last October says those who do not qualify for international protection - that is, economic migrants - can and should be sent back. It takes time however to determine genuine asylum claims.”

The EU is offering incentives to Turkey: visa-free travel for Turkish citizens in the passport-free Schengen zone; a new determination to proceed with Turkey's EU membership bid; and €3bn in extra aid for refugees hosted by Turkey.

Internal border controls introduced by eight EU countries to stop the flow of migrants and refugees have strained the Schengen agreement.”

The Contemporary International Relations are and will still be disturbed if the terror of those who came here illegally won't be stopped anytime soon, by catching the ones that are sustainers of the fundamentalism, those who are able to take their life anytime for the game of the bigger ones, for the cause of the ISIS. And yet, the EU can't let this happen anymore here, and the only solution now is to maintain peace among us, being unite in the face of danger and counting on the diplomatic conferences between the bigger powers to find a long-term solution.

### **2.1. New-Life Seekers, Being Afraid for Their Life Every Day**

We still need to be aware that not all of the ones that are seeking a new life here and targeted their new life in a big country that can assure them everything they need are bad people. In the back of those that are here to destroy, there are people that are afraid, afraid of being sent home to a certain death, and afraid that they are going to a certain death anyway, thinking that they can have the destiny of those that are already gone.

A BBC news from march 2015 presented a heartbreaking image of a 4-years old syrian girl with her hands raised in surrender. She thought that the camera lens used by the photographer was some sort of a gun, and was afraid for her life. That's what the destruction of their own country are creating through everyone, old or young.

The image was taken at the Atmeh refugee camp in Syria, in December last year. She travelled to the camp - near the Turkish border - with her mother and two siblings. It is some 150 km from their home in Hama.

"I was using a telephoto lens, and she thought it was a weapon," says Sağırlı. "I realized she was terrified after I took it, and looked at the picture, because she bit her lips and raised her hands. Normally kids run away, hide their faces or smile when they see a camera." He says he finds pictures of children in the camps particularly revealing. "You know there are displaced people in the camps. It makes more sense to see what they have suffered not through adults, but through children. It is the children who reflect the feelings with their innocence."

Another refugee boy appeared on 22 of March 2016 holding up a placard reading "Sorry for Brussels" near Idomeni, Greece.

"This little boy isn't responsible for the attack on Brussels, but we all know he is going to be blamed. For his refugee status, for his religion, for his place of birth.

Fact is we are all victims of what is happening in the world today. One by a terror attack, the other by drone bombings and another by drowning in the Mediterranean Sea."

### **3. The Islamic State: Ideology and Help the EU**

But can the Islamic State inspire fear to every country they are in only with their own forces, or are they helped by our co-nationals?

A study showed that the Islamic State has been successful in exploiting a sense of alienation among many young European Muslims. The internet played a major role, because teenagers are spending more and more time shut away in their rooms online and their parents often have no idea about the ones they are communicating with. Many of them realize too late that their own child is being radicalized by someone. Teenagers are the best target for the Islamic State because they are easier to manipulate. Promising them the best life they can ever get, they are attracted to go fight in Syria or other country the IS is fighting for.

"There have been many cases of concerned families reporting their suspicions to the authorities, and an ever-increasing number of cases are being referred to the UK government's Channel programme, which focuses on providing support to those identified as being vulnerable to radicalization.

Just as serious as alienation from the family is alienation from society.

IS propaganda aims to convince potential recruits that their loyalty belongs not to their country of residence but to the IS-declared "caliphate", and that to vote in Western elections, pay Western taxes or to serve Western governments in any way is "haram"

Their message is that life in the West is a waste of time and that "hijra" (emigration) to "dar al-Islam" (the realm of Islam), lands under Muslim rule where Sharia prevails, is the duty of all Muslims.

For someone deeply unhappy with their life in the UK, won over by the mirage of some distant society ruled fairly according to God's laws and not man's, this can be an attractive proposition."

The principle driving factors behind IS recruitment is the idea of serving a greater cause, presented here as "the nobility of jihad", which for someone whose life appeared to lack meaning, this can quickly resonate. There are a lot of Europeans that gave up their life in a matter of few weeks.

We can say that the real disturbance in the International Relations is caused by the Abu Bakr al-Baghdadi's ideas for a new Islamic State, starting already when he declared himself caliph.

"The media has wrongly reported Baghdadi's demise several times.

But if he dies, the organization will lose a skilled mediator, a ruthless politician, a religious scholar, and a man of noble lineage - an unusual combination for the leader of a global militant organization, much less a proto-state."

#### **4. Conclusion**

We can wonder now how our world will be in the future according to the migration phenomenon that left a mark on our lives.

According to studies referring to the excessive migration in the past, we can proceed on believing that in a few years, everything will settle back in place like it was in the beginning of immigrants flow.

Migration existed since the beginning of time and in most of the cases it was the best thing that could ever happen to the immigrants and the country that let them in. Despite the fact that there were problems there too, and the case of disaster was about to happen in every moment, humanity survived and continued to prosper.

Even with the Mexican drug cartels, the United States could become a strong power, keeping the problems at a low level. So if they could, why aren't we able to protect ourselves from the disasters that can and will be presented?

There is not a reason for us to believe that our world will collapse from saving other people's lives, we are going to fail as a nation. The failure of our nation will begin actually when we will turn our backs away from the problems that can destroy a nation.

5. Appendix

Asylum claims in Europe, 2015

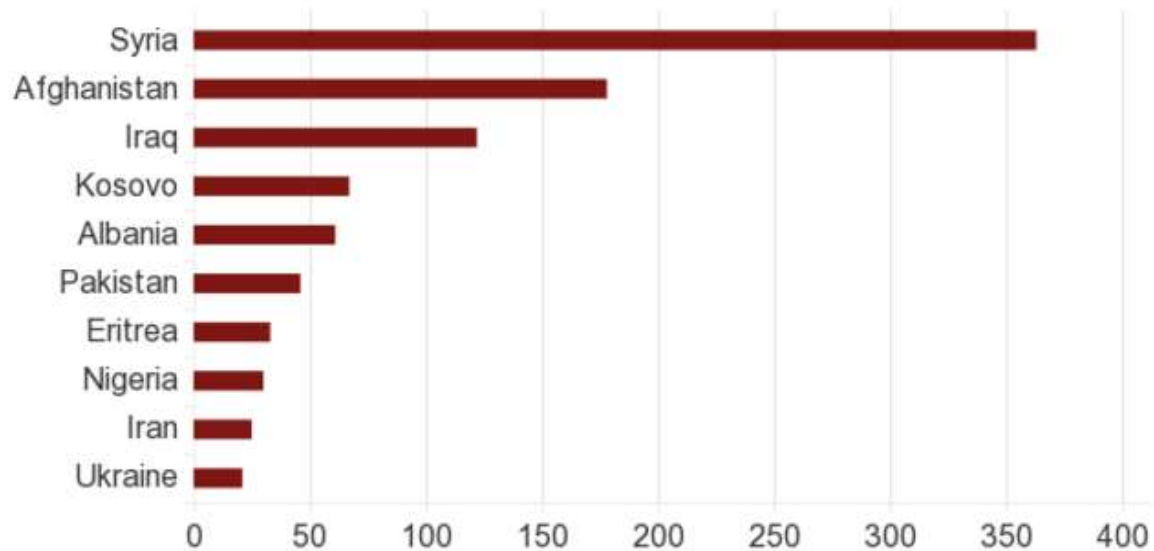


Source: Eurostat



## Top 10 origins of people applying for asylum in the EU

First-time applications in 2015, in thousands



Source: Eurostat

## 6. Acknowledgement

In performing our assignment, we had to take the help and guideline of some respected persons, who deserve our greatest gratitude. The completion of this assignment gives us much Pleasure. We would like to show our gratitude *Ms. Popa Anisoara, Professor of Danubius University* for giving us a good guideline for assignment throughout numerous consultations. We would also like to expand our deepest gratitude to all those who have directly and indirectly guided us in writing this assignment. In addition, a thank you to *Mr. Iftode Florin, Associate Professor of Danubius University* for the valuable comment suggestions on this proposal which gave us an inspiration to improve our assignment.

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THE 11<sup>TH</sup> EDITION OF THE INTERNATIONAL CONFERENCE  
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REALITIES AND PERSPECTIVES

## Text Homeostasis

Dan Balanescu<sup>1</sup>

**Abstract:** Article intend to formulate in terms of problematization and to present the theoretical framework available that allows enunciation of following working hypothesis: “Identifying a necessary cause intervening as in an impersonal communication and leading to a “movement” of the mind of the receiver.”

**Keywords:** homeostasis; impersonal communication; cognitive tension.

### 1. From Biochemical Balance to the Birth Of Self-Consciousness

#### 1.1. The Etymology and Evolution of “Homeostasis” Concept

Homeostasis: homoeos (similar) + stasis (motionless), is the property of a system whose variables are adjusted so that the internal state of the system remains stable and relatively constant.

The concept of a regulatory mechanism of the body in terms of balance begins in ancient Indian medicine Ayurveda, being taken over by the Greeks and Romans in the thesis of the four “humors” (four bodily fluids) that regulates health and temperament.

In the 17th century French physiologist Claude Bernard takes over and change the concept in what he called “interior milieu” (Gross, 1998) principle which ensures the stability of low environmental stability extracellular fluids.

Bernard's intervention is important beyond physiological dimension thanks to statement: “Stability of interior environment provide freedom and independence of life”. (Bernard, 1974) This statement shows the necessary cause of this phenomenon.

In 1926, American physiologist Walter Bradford Cannon takes over and popularized Bernard's theory in his book “Physiological regulation of normal states: some attempts postulates concerning biological homeostatic” and especially in “The wisdom of the body” – 1932, in which states that the emotional expressions are the result of hypothalamus structures, emotional feeling emotional results from stimulation of Dorsal Thalamus.

Bradford impose term “homeostasis” and discover “fight or flight” reflex, on which I will return later to correlate Freudian psychology concepts of “displacement” and “condensation” with Poetic function in communication and with metaphor and metonymy concept.

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## **1.2. Physiology of Consciousness**

Owen Flanagan, professor of neurobiology at Duke University in the US, said: “There is solid evidence that lead to idea that people in all cultures are projecting their own identity in narrative forms.”<sup>1</sup> and “One of the problems of studying consciousness is the way the covert consciousness depend on brain states.”

This new breed of representative are specific to 20th century synthesis sciences researchers who conceptualize the processes by which the brain neurobiology “produce” The Mind.

Australian physiologist Derek Denton, coined the concept of “Primordial Emotion”, “Homeostatic Emotion” or “Primordial Feeling”, explained as an alert of the body (physiological) metamorphosed into basal motivation (thirst, hunger, fatigue, fear). A body inner state becoming a central nervous system behavior (drinking, eating, resting, fight or flight), preceded by intention to act as a result of specific imperative physiological signals<sup>2</sup>.

In his latest book “The Primordial Emotions: The Dawning of Consciousness” Denton describes these emotions as being dominated by two features: Imperativity and Satisfaction. Denton makes a distinction between “Primary Emotions” and “Imperativity” excitement seeking “intention to act” in the lower regions of the nervous system (medulla, midbrain, hypothalamus) and “Primary Emotions” mediated by the higher regions of the central nervous system.

Antonio Damasio, professor of neurosciences at the University of Southern California, studying cases of injury of the midbrain and discovers that the destruction of the upper part of its drive to a vegetative state (body lacks aware), while destruction of the lower causing a sort of captivity in his own body in which completely immobilized, the patient is perfectly lucid and conscious and thus deduce the existence of which depends on the conscious self.

Simple organism unicellular or multicellular, can’t perceive but manifests the homeostatic principle as a physiological reflex. Complex organisms equipped with central nervous system, the body made subsequent requests awareness. Thus, a biochemical imbalance is perceived and translated as feeling. Sensations become Intentions and Intentions manifested Behavior, leading to body needs satisfaction.

Thus, the imbalance of salts, cause thirst, drink intention to induce thirst intention leads to action, thus achieving the requested cellular homeostatic balance. This phenomenon is not a complication but a refinement: due sensation and intention, conscious dictates not only making a reflex act but choosing the best solutions in qualitative terms. Acknowledging the imbalance through the thirst, the intention is fulfilled not just by ingestion of any liquid, but mediated by choice, we can “extinguish” the feeling drinking water, juice, beer, milk or eating a slice of watermelon.

In evolutionary competition, winners are not those who satisfy their needs but those who best satisfy them, and this can’t be done without “intervention” of consciousness.

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<sup>1</sup> Consciousness Reconsidered – MIT Press, 1992.

<sup>2</sup> The Primordial Emotions: The Dawning of Consciousness.

## **2. From the Context Homeostasis to Text Homeostasis**

### **2.1. Cybernetic Model of Communication**

Human body cybernetics is extended to the relationships and individual communication and social acts. A major role in this extrapolation played Palo Alto school of psychology.

Revolution in communication approach begins with Theodore Newcomb. It requires in 1953, a triangular model of communication, in which the three components are: Receiver-Transmitter-Context. The elements of this model are interdependent, so they form a system, meaning that if any of the three is changing, the other adapts accordingly to keep the system balance.

### **2.2. Metaphor and Metonymy**

Roman Jakobson (1960) defines context from the perspective of linguistics and semiotics as basically similar Peircean sign that refers to something other than itself.

Equally important is the formulation by it of the six communication functions (Referential, Poetic, Expressive, Conative, Phatic and Metalinguistic)<sup>1</sup>. In the economy of this article, the Poetic function is essential. Poetic function is the relationship with the message itself.

In the poetic space, expressivity already operate with other concepts: the tropes or figures of speech. Two most important figures of speech are: metaphor and metonymy.

Metaphor and Metonymy are fundamentals constituents of language and have a special “destiny” in understanding the history of the human psyche. The poetic metaphor appear anywhere mention human culture as persistent and consistent explanation they occur in nature Avocado number or Fibonacci sequence.

Metaphor, in its easiest definition is a figure of speech defined by express of something thru something else which who has something in common. Is there a replacement whose reasons are not the strictly aesthetic but fundamentally necessary. The need for this replacements was very plastic defined by German playwright Dürrenmatt Friedrich, which states that “the essential things are unspeakable.”

### **2.3. Civilization as a Prerequisite Text**

Failure essences utterance and metaphorical solution is found everywhere, from paradox poetic truths that are expressed in the Holy Scriptures, to the lyrical vocabulary in manifesting art.

This mandatory substitution of something whit something else for successful of communication occurs even at physiological basis of our nature when a chemical imbalance is “translated” by sensations. The sensation is nothing but chemical status that alerts the hypothalamus. This “something else” is the necessary replacement metamorphosis of the body in a state of psychic states.

Similarly, the iconic description is replaced whit symbolic description that communicated both perceptible and imperceptible phenomena. Starting from Saussurian definition of language as a system purely arbitrary, we must admit that icons are nothing but arbitrary metaphors.

There are two types of metaphors: necessary one and arbitrary one. Article follows the thread that leads to understanding necessary metaphors. The metaphor is fundamental paradigmatic, it works categorical.

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<sup>1</sup> Linguistics and Poetics – MIT Press, 1960.

At the other end, metonymy, defined as a figure of speech in which part that represents the whole, extends world in syntagmatic way. Metaphor and metonymy expand and organizes the world.

Sigmund Freud speaks (Verschiebung) “displacement” (dislocation) and (Verdichtung) “condensation” (unification). (Freud, 1933). These terms can be associated with metaphor and metonymy acting at subconscious layers of the human psyche. In 1957, Jacques Lacan says after reading an article by Jakobson: “unconscious has the same structure as the language and the displacement and condensation are equivalent to poetic functions of metaphor and metonymy.” Also in Gestalt psychology appear a conceptual correspondents of metaphor and metonymy in Similarity Law and Proximity law.

If subconscious and language have similar structures and if the mind obeys to the laws of homeostasis, probably mind productions are subjected to the same process.

### **3. Homeostatic Text Analysis**

#### **3.1. Justification**

The reason of my journey comes from the urge to discover a necessary cause of Receiver mind movement in situations of impersonal communication.

Any communication where the transmitter is not present, it is a situation of impersonal communication. If in direct communication the Context (according to Newcomb's theory) is decrypted thanks to non-verbal communication that provides interpretation keys (according to Palo Alto school), what take place of these “keys” in impersonal communication?

#### **3.2. Proposal**

My theory is that substitute of nonverbal communication is Cognitive Tension, defined as the position of the Receivers face to Interpretant (meaning sign), Representamen (sign) and Object (reference reality).

In front of any text, the Receiver formulates its expectation horizon tunes which we call Anticipation. Any text “proposal” can be assessed differently by the expectations of each receiver. Thus, a text can be found acceptable when confirm our expectations, interesting when it completes, and challenging when come against the expectation.

My hypothesis is that there is a proportional relationship between Cognitive Tension and impersonal communication success: the bigger is charge on Cognitive Tension, the greater the success is. Classic Hollywood scenario movies in which the hero revenge an injustice is a typical case of compliance under charge between text and expectations.

Interestingly is the scenario where the charge is maximum. Maximum charge (inconsistency) “compel” the Receiver to “translate” the elements of the scenario. The need for this approach is imposed by the cognitive dissonance that receiver feels. He has to find a solution to reduce this charge for preserve his worldview. Thus, Receiver worldview, Representamen text and Interpretant text is a homeostatic system. For the text as Representamen it is a given, it means that the other two parts of the system that must to change: the worldview of the Receiver and the text as Interpretant.

### **3.3. Homeostatic Analysis of Miorita Ballad**

An analysis in homeostatic key of Romanian Miorita ballad will demonstrate how to solve a maximum charge scenario.

#### **The Stage**

“Near a low foothill /At Heaven’s doorsill, /Where the trail’s descending /To the plain and ending, /Here three shepherds keep /Their three flocks of sheep, /One, Moldavian, /One, Transylvanian /And one, Vrancean.”

#### **The Plot**

“Now, the Vrancean /And the Transylvanian /In their thoughts, conniving, /Have laid plans, contriving /At the close of day /To ambush and slay /The Moldavian;”

Now the plot is set. Receiver formulates his Anticipation according to which it will subsequently activates Primordial Emotions.

#### **Destiny Revealed**

“One small ewe-lamb, though, /Dappled gray as tow, /While three full days passed /Bleated loud and fast; /Would not touch the grass., ... Oh my master dear, /The Transylvanian /And the Vrancean /When the daylight’s through /Mean to murder you”

#### **Maximum Charge**

“If I’m doomed to death /On this tract of heath, /Tell the Vrancean /And Transylvanian /To let my bones lie /Somewhere here close by.”

The hero does not react, but this is less “alarming” than the serenity he manifest. This serenity actually trigger tension and the reader realizes that he missing something, that translates text wrong.

Sheep mischievous attitude seems closer to the expectations of the reader. Mioara require one of two primordial reflexes: fight (“Master, master dear, /Call a large hound near, /A fierce one and fearless, Strong, loyal and peerless”) or flight (Oh my master dear, /Drive the flock out near /That field, dark to view, /Where the grass grows new, /Where there’s shade for you.”). The magic sheep represent our primitive nature.

#### **Maximum Charge Solved**

In fact, the shepherd reacts in order to preserve the initial situation that we have to recall: “Near a low foothill /At Heaven’s doorsill,” (meaning the Heaven on Earth). The final situation is actually an improvement of the original: “Let it just be said /I have gone to wed /A princess most noble /There on Heaven’s doorsill.” (meaning the Heaven).

Basically, the tendency to act visceral (sheep view) is the real danger. Shepherd avoid this trap, since it recognizes the situation as the beginning of the Great Passing. He does not act accordingly with the lower instincts and transcends from “Heaven on Earth” to “Heaven”. In the Church's wedding is a mystery, wedding is a metaphor for the Great Passage.

Only this interpretation solves the charge and requires a reconsideration of reader expectations, a re-creation of the worldviews, restoring balance between expectation and significance of the text.

#### **4. Invitation for the Method**

Using homeostatic text analysis is defined basically by identifying points of charge and analyzing their significance. At the end of this process, there will be text analysis who is not a qualitative result of the reader's imagination, but the text itself.

The fundamental idea is that communication of a text success depends on Points of Cognitive Charge, constituted at the necessary decryption codes.

No matter how tempted I was to finish this article in a Romanian culture key, I will conclude by opening ideas in a universal dimension and we will invite you to try homeostatic analysis on any text; Try for example to review the text of Rene Margitte painting “La Trahison des images” in terms of Expectation, Charge and Meaning.

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