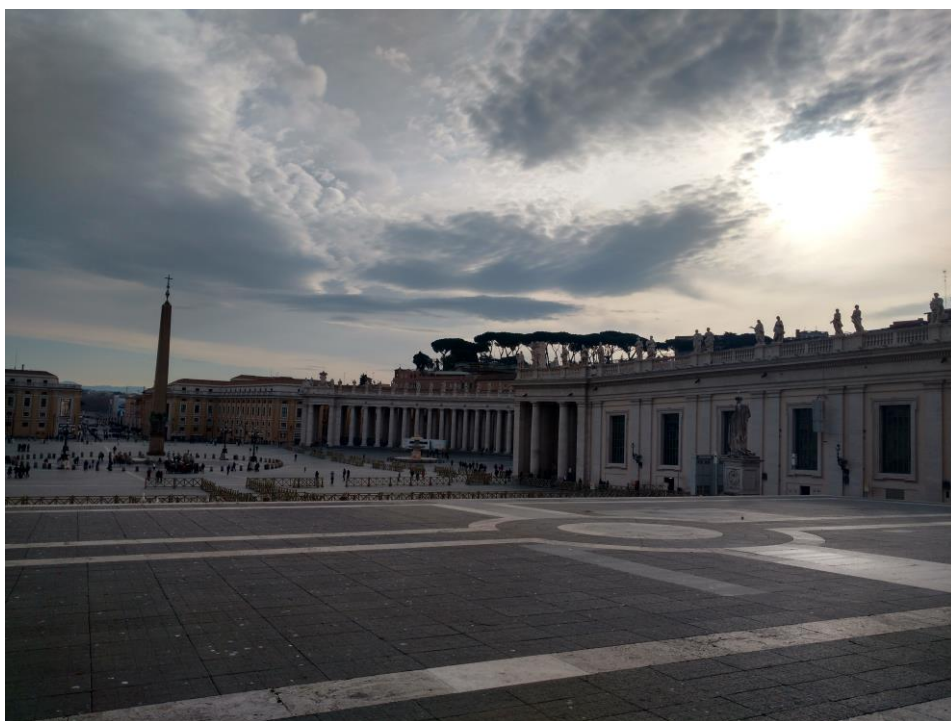


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CONTENTS

A SOCIOLOGICAL ANALYSIS OF POLITICS AND DEMOCRACY

Albert OGIEN..... 7

SENIORS AND GAMBLING: pleasure or addiction?

A FRENCH EXAMPLE

Maryse GAIMARD, Matthieu GATEAU..... 25

THE NEW ISSUES HIGHER EDUCATION AND RESEARCH TERRITORIAL PUBLIC POLICIES

Pascal LAFONT, Marcel PARIAT..... 39

SOCIAL VARIABLES IN THE MORAL EDUCATION FROM THE NATIONAL CURRICULUM PERSPECTIVE

Maria PESCARU..... 63

THE NEED TO ADRESS WORK-FAMILY CONFLICT FROM AN INCLUSIVE LABOR MARKET PERSPECTIVE

Livia POGAN..... 76

WHAT IS SOCIAL INTELLIGENCE?

Gabriela MILITARU..... 85

LAST 15 YEAR OF ROMANIAN EDUCATION.

Costina ȘTEFĂNESCU..... 93

A SOCIOLOGICAL ANALYSIS OF POLITICS AND DEMOCRACY

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ABSTRACT : This paper endorses a pluralist conception of politics, which articulates three proposals : 1) the order of politics is scattered throughout society ; 2) its institutionalization takes place in a multitude of ways which are not confined to those acknowledged by State administrations ; and 3) forms of political action manifest themselves under modes that often go far beyond the usual bounds set by official political. In such a perspective, politics is not conceived of as if it were totally detached from the daily life of the members of a society. It thus contends that in their political dealings citizens make use of an ordinary conception of politics and democracy which endows them with a specific idea of the common good and of the rights a State should guarantee to nationals. This contention is empirically put to test through two case studies of political claim staking: civil disobedience and gatherings (encampments, occupations). The article eventually suggest that democracy should be seen as a method for organizing ordinary social relations on the basis of a principle : respecting the plain autonomy and unconditional equality of any citizen.

Keywords: democracy, ordinary conception of politics, radical pluralism, civil disobedience, gatherings

It is usually taken for granted nowadays that politics only exists within the limits of what has become, in the twentieth century, the major framework allowing for its expression : the Nation-state. This framework leads to conceive of societies as stable entities, defined by established borders bringing together individuals who are supposed to abide by the same legal order and share the same value system. This monolithic view of society goes hand in hand with a

narrow conception of politics reduced to problems concerning the conquest and exercise of power. In an analytical perspective, this monolithic view of society as well as this narrow conception of politics have to be dispensed with and superseded by a reflexive account of the collective practices societies and politics are made of. I would like to substantiate this claim by demonstrating how such an analytical perspective allows to offer a dynamic conception of democracy. The very first stage in such an inquiry consist in looking into the notion of pluralism.

1. Consequences of pluralism

Sociology and social anthropology have taught us that any society is a composite entity, structurally divided and constantly experiencing multiple tensions (between social classes, peer groups, ethnic affiliations, generations, traditions, religions, residential areas, regional disparities, language, etc.). From this pluralistic point of view, the perpetuation of any large society depends on a collective commitment to establish, tacitly or explicitly, a steady state of equilibrium between all these centrifugal forces – even though it is provisional and always threatening to break down. In other words, the State’s monopoly of physical violence (Weber, 1971) is never enough to maintain the unity of a society and ensure that it will not be called into question by separatist manoeuvres. One can assume that the permanence of a nation-state depends on what I call the “political work”¹ (Ogien, 1995) any society has to carry out to preserve its existence. Such a political work is protean, continuous, diffuse and institutionalized at the same time. It is performed on a daily basis in the multitude of “sites of reglementation” (Falk-Moore, 1978) in which collective life is organized and currently unfolds. All societies and all types of political regimes require and feed a political work of this kind. This work which a society performs on itself aims at solving, as satisfactorily as possible, the conflicts that regularly emerge in the process of social change – as well as it helps reproducing the legitimacy bestowed on the temporary holders of power.

1 One can contend that this notion offers a sociological version of what John Rawls (2003) has called the “domain of the political”.

When one admits that a multiplicity of “levels of legality” (Pospisil, 1974) operate simultaneously in a global society (which means that the State is only one of these levels), one is able to contend that each of the members of a society has to comply with the norms of both a general and local normative orders. This pluralist conception of politics (which somehow gives an analytical content to Tocqueville’s notion of “intermediary institution”) can be recapitulated in three propositions :

(1) the organization of societies always predates to the theories which claim to give them one. This proposal helps discarding all tentative descriptions of ideal forms of government and all abstract definitions of the principles on which a political order should be set up to be called democratic.

(2) the mere fact of living in a given State endows an individual with a practical knowledge about the political order in which he finds himself. This is what can be noticed when one observes how ordinary people formulate practical judgments on the ways a government exercises power, on the political affairs they are concerned with and on the competence or reliability of those who are in charge.

(3) a collective action can be called political only when it is defined as such by those who engaged in it. All collective actions are not of political nature. To be acknowledged as such, it must meet three requirements : a) being ostensibly organized around an acceptable political aim ; b) defining a public cause to fight for or an adversary to oppose ; c) assessing the accuracy of the mobilization by scrutinizing the signs of its success.

These three requirements can be summed up in a statement : the public life of each society perpetually and simultaneously develops on two levels, which do not necessarily move on at the same rhythm : the domain of the political on the one hand, and politics on the other hand. Since ancient Greece times (Finley, 1976), the existence of these two levels are duly acknowledged : politics is the sphere of practical activity the aim of which is the establishment and continuous adjustment of the constitutional framework of a state and the functioning of the organs of government, representation and participation; the domain of the political refers to the collective practices all members of a society are involved in the purpose of which is setting up an ongoing order of social relations between citizens of a political entity – be it a group or a society. Somehow, one can assume that the domain of the political is the melting-pot in

which the practices of politics are forged and constantly reshuffled. That is precisely why these practices sometimes are involved in the creation of institutions that guarantee the citizens' rights, freedoms and security and the enforcement of the legal means which warrant that these institutions fulfil the duties assigned to them. Now, to avoid any misunderstanding, a prefatory methodological question has to be cleared up : what is a political phenomenon?

2. The political phenomenon

There are four main ways to answer this question. The first can be called *essentialist* : politics reduces itself to the legitimate struggle to get control of the administration of the State and to the way public policies are decided and implemented. A second way to consider politics may be called *absolutist* : politics encompasses any human affair and the public policies which are devised always reflect the state of the power or domination relationships specific to a given society. Which usually triggers the protests of those who are subjected to such unjust or unequal treatment. This absolutist view is summarized by the motto "everything is political". The third way could be named *institutional* referring to the fact that politics is totally enclosed in this sphere of activity which people engage in when they are busy working in government agencies, State administrations, organs of opinion shaping or in associations and activist groups. Analysts frequently mistake this sphere of activity for politics or hold that it imposes a dominating form of legitimacy which seeks to reproduce its grip on society

These three conceptions of politics bestow an identical primacy upon the State, and reckon that the key element of politics is the takeover of the crucial sites which are said to be the seat of power (government, parliament, justice, the army, the police and other official duties). In this perspective, politics amounts to either working directly within the machinery of government (on the basis of a mandate or an office), or partaking in the process of decision making (as an authority, an expert or an civil society member or association) or working as an opposition to those who momentarily are in charge of the executive. This is typically what is taught in Political Sciences High Schools or Universities. But one can pretend that this is the statuesque face of official politics.

As I have contended earlier, a pluralist conception of politics does exist, which articulates three proposals : 1) the order of politics is scattered throughout society ; 2) its institutionalization takes place in a multitude of ways which are not confined to those acknowledged by State administrations ; and 3) forms of political action manifest themselves under modes that often go far beyond the usual bounds set by official political.

One should go a step further and assume that this pluralistic outlook has to be supplemented by a practical conception of the citizen's role in politics. I claim that citizens master and make use of an ordinary conception of politics to criticize the government and the ruling elites and bring about unexpected social and political changes. The question now is how do these changes which emerge at the grassroots level of political work turn out to be legal regulations ? Which leads us back to a prefatory question : what role should a government play in a pluralist perspective ?

Studies in sociology and social anthropology have made it clear that the creation and the perpetuation of a society are invariably accompanied by the institutionalisation of a governing body to which responsibility for collective matters is delegated (Simmel, 1999 [1898]; Balandier, 1970). This body fulfils two groups of functions : allowing for cooperation between individuals by enforcing a single compelling codification of citizen's rights and duties ; and securing peace and stability to entrench the unity of a human community. The degree to which a government extends its grasp on public life is commensurate with the legitimacy it manages to acquire. In the case of a democratic regime, the charges delegated to a government and its Departments cover large parts of citizen's daily lives (education, health, justice, family, employment, housing, etc.). In advanced democracies, such a delegation occurs in a dynamic process in which a question of private interest eventually obtains the status of a question of general interest, prompting State intervention. Note that the public policies that are handed over to a government never last forever : matters that are subjected to public action one day (may it be sovereignty, security, economy or well-being) may stop to be so on the other. Hence, one dimension of the political work a society performs on itself consists in setting the content

and extent of the scope of State intervention – defining at the same time the criteria by which citizens assess the legitimacy of their government's decisions.

This dynamic conception of government as product of a relentless political work suggests that the power the leaders are endowed with is never absolute : they constantly act under citizen's scrutiny who exercise their control over the way the administration of public affairs should be conducted through all kinds of means. The political means used by citizens to control their government are extensive : they range from voting to indifference, including militancy in political parties, affiliation to unions, abstention in elections, violent protests, antisocial behaviours, riots, opinion polls, rumours, slander, sarcasm and irony.

We know that, in democracy, the electoral procedure appears to be the most symbolic dimension of political work since the vote synthesizes, in a basic way, a given state of the dynamics of politics. But one has to remember that election is not the only arena in which political work is carried out. Multiple sites for the production and testing of new rules for the organization of social relations have gradually emerged with the advances made in advanced democratic regimes: negotiations between unions, employers and government; participatory and deliberative procedures ; initiatives to elicit public concern around specific themes; mobilisation calling for the commitment of a population group. Political work operates in all of these minute and slow evolutions that go unnoticed but do quietly shape citizens' attitudes and customs – and eventually lead to new claims for rights and entitlements (in terms of social welfare, working conditions, environment, women's equality, homosexuality, etc.).

To sum up: though claims for the enhancement of common welfare emerge and are primarily voiced within the domain of the political, they must necessarily be handed over to politics to become general regulations or laws. As Weber wrote, the State is the institution devoted to do this. But this institutional arrangement must not lead to overlook a phenomenon : the forms taken by the practices and the contents of politics are forged within the ceaseless back and forth between the domain of the political and politics.

Authoritarian as well as democratic governments often think they can stop this hidden but relentless political work which vitalizes societies. History shows that however strong and lasting the efforts a ruling power undertakes to hinder social change, it is doomed to fail in the long run. And if this so it is just because the domain of the political ties in with social change. This calls for a further elaboration on the notion of citizenship. To do so I will rely on John Dewey's work.

3. Citizenship as a community of inquirers

In *The Public and its Problems*, Dewey (1984 [1927]) provides a political conception of association. As Durkheim, he contends that "the fact of association does not in itself constitute a society." (Dewey, 1984: 289) But, contrary to Durkheim, he does not resort to the notion of collective representations to account for this constitution. For him it rather requires "the perceived consequences of a joint activity and the distinctive role of each element that produces it. This perception creates a common interest, that is to say a concern on the part of each for joint action and the contribution of each member who engage in it." (*ibid.*)

In other words, the passage from association to society requires the actual involvement of all the citizens in the production and sustainment of common interests. According to Dewey: "the problem of discovering the State [...] is a practical problem for humans living in association with each other. This is a complex problem. It depends on the power to perceive and recognize the consequences of the behaviour of individuals united in groups and to trace these consequences to their source and origin." (*id.*: 113) Dewey claims that this power is exercised in what he calls an inquiry. And he adds : "What is required to direct and conduct a successful social inquiry is a method that develops itself on the basis of reciprocal relations between observable facts and their results. This is the essence of the method that we propose to follow." (*id.*: 118) Dewey gave a name to this method: democracy. It is important to recall that this term does not refer here to a political regime, but to an experimental method of research.

Dewey's analysis is driven by a problem: what he names "the eclipse of the public" – i.e. the "depoliticization" of citizens in the urbanized America of early twentieth century. The problem, as he puts it, is to figure out what are the conditions under which the "Great Society" – a society in which individuals are only concerned with their private affairs – could be converted into a "Great Community" – a society in which individuals feel they share common interests. His claim is that such a conversion should be brought about through promoting inquiry – i.e. getting together to constitute what he calls a "Public" committed to the resolution of common problems. A first problem arises at that point : how could one imagine that a society as a whole would engage collectively in an inquiry on every issue at hand (which can be considered as the condition for the inception of a "Great Community").

Dewey puts an emphasis on the implementation of the method of democracy (i.e. getting involved in inquiry). He is less concerned with the personal qualities that ordinary citizens must possess and display to correctly carry out an inquiry. Dewey's theory rests on what he calls the "collective intelligence" that a *community of inquirers* demonstrates when it engages in an inquiry prompted by the need to solve a common problem. Dewey acknowledges that in contemporary societies, collective decisions that citizens should come to take or ratify are about complex problems which require professional or technical knowledge to identify and propose the most satisfactory solution from a scientific point of view. This work of identification and proposals is, for Dewey, the preserve of experts. But he thinks that democracy is not overstepped as long the data collected by these experts is openly and exhaustively made available to anyone concerned. Dewey claims that ordinary citizens, provided they are duly informed and are given time to deliberate, have the ability to understand this specialized knowledge and to take the right decisions according to rationally expected consequences. Dewey adds an important comment : "As long as secrecy, prejudice, bias, false reports and propaganda will not be replaced by inquiry and publicization, we have no way of knowing how the actual intelligence of the masses could be fit for assessing public policies." (*id.*: 312). The method of democracy works as long as the community of inquirers remains plainly responsible for the decisions it decides to take.

Now I would like to take a larger view on the relationship between citizens and the State. To do so, I will draw some arguments from John Rawls' analysis of the social contract.

4. Democracy as radical pluralism

According to John Rawls (1971), citizens' consent to their political institutions is not based on the fact that they all approve of the same conception of the good, but to the fact that they publicly accept that a political conception of justice should govern the basic structure of the society they live in. For Rawls, the concept of political justice is independent of the concept of good and prior to it. This is why he contends that the function of the social contract is to allow citizens to publicly acknowledge the fact that all their fellow citizens subscribe to the same system of institutionalized constraints. I must recall that for Durkheim (1895), the social contract does not refer to some original foundation of a political community that would warrant a surrender of individual freedom in favour of a Leviathan (in Hobbes' view) or the collective formulation of common rules to which all agree to abide by on behalf of a higher common good (in Locke's and Rousseau's outlooks). Rawls' conception goes a step further by stating that if the contract allows individuals to become members of a society, it is because it sets the principles of justice that should apply to order their current relationships and solve in a peaceful way the conflicts that would arise in their daily intercourses. These principles enable to reach what he calls the "reasonable disagreements" and "overlapping consensus" which actually make up a political society.

Rawls' conception of the social contract as "public acceptance of certain moral principles" reverses the prevailing explanation of it. According to him, what builds social ties and allows for cooperation is the ordinary knowledge of the fact that correct ways of doing and thinking exist and can be taken as collectively shared. In short, the social contract reflects the grassroots consensus established and reproduced by the members of a society in their daily lives rather than being the product of a rational agreement reached through a public debate. Provided that a democratic society has to guarantee the equal value of all forms of instituted morality, pluralism seems to be immanent in the way it organizes social life.

In other words, pluralism should be conceived of as a fact rather than as a program to be implemented to achieve democracy. According to such a conception, another outlook on politics takes shape, which gives a prominent place to the practices that citizens are implementing in order to discover, while acting in common, the relevance and appropriateness of the principles that should govern the organization of their collective life in a mutually acceptable form.

The pluralist conception of politics affords an escape from ruinous distinctions : between policy and politics, between the economic and the social, between political society and civil society, between essence and practice. It recalls that the normative system governing the relationships between members of a society as citizens define at the same time a range of expectations and the principles of reciprocity ordering these relationships. This is the practical foundation upon which politics rests. In such a perspective, politics is not conceived of as if it were totally detached from the daily life of the members of a society. Which reinforces the idea that citizens make use of an ordinary conception of politics which endows them with a specific idea of the common good and of the individual rights and liberties that a State should guarantee. And that is what regularly happens when people take to the streets and stake a claim for democracy which justified by the spurning of unacceptable limitations to citizens' rights. To illustrate this point, let us review two case studies of such claim staking : civil disobedience and gatherings.

5. Civil disobedience as a form of political action

The legitimacy of civil disobedience is highly questionable in democracy. And the rationale for such a suspicion is simple : openly claiming a right not to abide by a legal law or regulation which is allegedly illegitimate is a decision that poses a threat to a principle of democracy, namely majority rule. The strength of this rule is particularly important the stronger a democratic system is entrenched. To sum up, in a living democracy, civil disobedience can be objected to for reasons of justice (evading the law is an unacceptable option), for reasons of legitimacy (the interests of individuals cannot prevail over the interests of the community), for reasons of stability (the State must not yield to

those who openly challenge it) or for reasons of efficiency (refusing to fulfil an obligation is an approach that does not address the roots of domination and inequality) (Ogien and Laugier, 2010).

However, civil disobedience is still resorted to in contemporary democracies. Why does that happen, may one ask, since expressing a disagreement can easily be done by joining political struggle or using one of the numerous legal channels that justice affords in democracy ? A first insight is empirical : if citizens make use of civil disobedience, it is just because the political circumstances prompt them to do so. This answer is compelling since it forces to admit that ordinary people know when and why resorting to civil disobedience to support a legitimate cause it is possible and acceptable. In other words, they master a political know-how and make a proper use of it.

Which raises a puzzling problem : on what grounds can one assert that civil disobedience is a form of political action ? The best way to answer this question is to consider the facts. First, one must clear up a fairly common semantic confusion. Indeed, the verb to disobey can embrace the entire scope of all actions which consists in refusing to comply with a law, a regulation, an order or a standard. As a consequence, one may name disobedience any type of dissent, resistance and rebellion. But one has to recall that civil disobedience is a term which has an historical background and displays unique political features.

The emergence of civil disobedience dates from the decision of Henry David Thoreau, American writer living in the 1850s, to no longer pay taxes to proclaim the withdrawal his membership to the American State which, at his times, still tolerated slavery and was waging an unjust war against Mexico. In 1879, a French feminist activist, Hubertine Auclert, took the same decision publicly expressing her refusal to fund a State that did not recognize women's right to vote. Then Gandhi, an Indian lawyer living in South Africa at the time of the British empire, resorted to civil disobedience in order to claim the Indian minority's rights in the 1910s, before using the same weapon in India in the 1940s, to demand (and eventually get) the country's independence. Gandhi's example was followed by many national liberation movements (the Wafd in Egypt in 1919 for example), by the movement for Afro-Americans civil rights in

the 1960's United States (led by Martin Luther King) or against the Vietnam War as well as against the French war in Algeria. Civil disobedience has also been used in France to get the recognition of abortion rights (in 1971), the end of the penalization of homosexuality or the integration of illegal aliens (in 1997). Thus history has bequeathed to mankind's political patrimony a form of action that has proven its success in changing the destiny of societies.

Enough with history. Let us turn to political features now. To count as civil disobedience, a refusal to fulfil a legal or regulatory obligation must meet a series of requirements : it has to be publicly expressed, in one's own name, in a collective way, specifying how this obligation violates a civil or political right and basing this claim on the invocation of a higher principle (equality, justice, solidarity and dignity). And this is still not enough : one must also and above all make sure that that refusal will be sued in court (civil or administrative) so that the penalty imposed on the offenders would reopen a public debate on the legitimacy of the contested obligation. Why should one turn to such a demanding and dangerous form of action to voice a grievance ?

Two arguments help answering this question. First, let us consider the content of the acts of civil disobedience. In contemporary France, these acts serve two main political causes : the first one is to enhance the rights of alien residents (assisting illegals, opposing arrests and expulsions, refusing to denounce, etc.) ; the second one is to extend the political and social rights of citizens. Observations attest that the latter are motivated by different political aims: resisting the nuclear power, exposing polluting companies, destroying Genetically Modified Organisms, challenging the ban on euthanasia or the obligation for journalists to reveal their sources ; reproofing unacceptable infringements of democratic principles (this is an action led by teachers, academics, judges, doctors, psychiatrists, policemen, job-center agents, social workers, etc. who refuse to follow instructions that reduce equal access of citizens to basic needs (health, education, justice, etc..) or limit their social and political rights or seriously downgrade the quality and universality of public service. All these motives are political in nature but seldom taken into account in institutional political life.

The second argument touches on the nature of the acts of civil disobedience. They are deliberately non-violent and submit the legitimacy of their claim to public judgment the verdict of which - positive or negative - is generally respected peacefully. Moreover, these claims are always motivated by a demand for increased individual rights and liberties. There is nothing here that would threaten or destroy democracy. It is quite the opposite. Since these acts aim at giving these principles their full actuality, one can contend that civil disobedience is essential to democracy and, when resorted to, serve to revitalize it.

This argument is however difficult to accept since history is replete with examples of protests that have used disobedience as a means to destabilize democracy, as was the case in Chile to bring down the Allende government and establish the dictatorship. It should however be remembered that these seditious movements are easily distinguishable from civil disobedience in the strict sense : first, their aim is not the increase of social and political rights but the overthrow of a power that has conceded too much of these to the citizens ; second, in these cases, the rejection of legality is not expressed by a small number of individuals but is a collective action with powerful allies, and the call for disobedience is closely linked to violence. Although these differences are well known, one finds that they are still unconvincing for those who prefer to think that civil disobedience is the instrument of a project that undermines democracy. Let us turn now to my second example.

6. The political nature of gatherings

The “Arab Spring” uprisings have unexpectedly led to a global movement of opposition to government and economic powers, the speed and strength of which have been striking. To the “Get out” that was chanted in Tunisia, Egypt and elsewhere in the Middle East, have echoed the “You are not representing us” in Spain and Greece, “The people demand social justice” in Tel Aviv ; “We are the 99%” in New York and elsewhere in Europe or Asia. And more recently the “We exist” or “Don’t let Putin enter the Kremlin” in Moscow and the “Enough is enough” in Dakar - to name but the most famous among them.

This sudden and unpredictable outbreak of claims for democracy has given birth to a new form of political action, which I call “gatherings” (Ogien and Laugier, 2014). What is a gathering ? Ordinary citizens taking to the streets on their own, outside of parties, unions or associations, with no leader and no program, and non-violently occupying city squares to ask for a complete change of the political order. The international dimension of this movement compares somehow with that of two of its historical predecessors : the student revolts of May 68 in the western world and the occupation of Tiananmen Square in Beijing and the fall of the Berlin Wall in 1989 in the Communist world. Some say that 2011 is the year in which the democratic wave has hit the Arab world (the riots in Tehran in June 2009 being a forerunner). The first feature of these gatherings is the unexpected and circumstantial nature of these eruptions of anger which express a chaotic collection of grievances. They differ in kind from what has happened during the decolonization movements of the 1950s - the purpose of which was the construction of sovereign nation-states - or even from the Iranian revolution of 1979 - which was organized in a secret manner by clandestine political parties.

Gatherings are an innovative political form of action which, like civil disobedience or riots, arises outside traditional ways of expressing political grievances - i.e. through opposition parties, trade unions, Non Governmental Organisations or associations. The first feature of these alternative forms of political action is that they emanate from crowds of outraged citizens. A second of their feature is the absence of a unified theoretical slogan : no specific reference to class struggle, or to the overthrow of imperialism or capitalism, or even to religion are ever made. The only demand is for democracy (though this word covers a infinite list of grievances). The third feature of gatherings is that they are paradoxically based on the rejection of power, as is clearly demonstrated by the fact that they claim no leader, no agenda, no censorship, no hierarchy among people’s statements. Gatherings are scenes where “direct democracy” (general assemblies, open meetings, no majority vote, total equality between participants, shared responsibility on practical matters, etc.) and free information through autonomous news networks are put into practice. A fifth feature of these movements is that they are often called or promoted through modern means of communication, such as Facebook, Tweeter, personal websites, satellite television, etc.

When one considers the common features of gatherings - wherever they took place all around the world - one can contend that they can be regarded as a new form of political action characterized by two attributes : complete independence vis-à-vis the official channels of political representation (parties and unions) ; and absolute respect for the equality of the individuals who participate to the protest. And these two traits are political in nature : they betray the distant relationship citizens have now established to the authorities and the crave for autonomy they publicly expose in their ordinary as well as political behaviours. More generally, it expresses a demand for democracy as form of life rather as institutional regime.

7. Democracy as an unreachable horizon

This article has tried to substantiate a proposition : democracy should not be reduced to a political regime defined by a series of individual rights (vote, opinion, association, strike, religion) and by a specific system of institutions (party pluralism, legislative control over the executive, impartial administration, independent justice, free information). It has to be seen as a method for organizing ordinary social relations on the basis of a principle : respecting the plain autonomy and the absolute equality of any citizen. And it is in line with this principle that people are able to stake political claims to achieve the new rights and freedoms they from time to time come to petition for. The fact that such claims are relentlessly voiced proves that citizens are never deprived of their ordinary capacity to judge the actions of those who provisionally govern and to resist them. Nevertheless, a question has still to be answered : on which grounds could ordinary citizens legitimately press a claim for democracy outside of the official channels designed to this effect (parties, unions, associations) ?

All extra-institutional forms of political action - gatherings, encampments, civil disobedience - express a demanding conception of politics. When they emerge in democratic regimes, they operate as a reminder of democracy's essential principle ; namely that it is an open system, whose nature is to secure an official reckoning of the plural ways of life making up a society and constantly expand the sphere of individual rights and freedoms.

These forms of action therefore possess a kind of intrinsic legitimacy insofar as no one might oppose the motives which are publicly advocated to justify them : injustice, inequality, contempt of citizens, abuse of power, arbitrary decisions, disdain for the common good on the part of the rulers. A second ground of legitimacy is the massive support the population usually give to these activists. The third ground resides in the concept of democracy itself. One has to reckon that it contains in its very definition a series of descriptive categories one can invoke to press a political claim. What are these categories ?

- 1) Democracy is a regime in which power should proceed and derive from the people : one may then assert that it is not the case any longer.
- 2) Democracy is based on a system of delegation to representatives : one may then claim that representation does not work satisfactorily.
- 3) Democracy requires equality between citizens : one may contend that equality is in jeopardy.
- 4) Democracy is based on majority rule : one can then pretend that this rule has noticeably ceased to be valid.
- 5) Democracy should offer public services to allow for an equalization of conditions - health, education, standard of living, etc. : one can then observe that equalization is no longer enforced.
- 6) Democracy must guarantee individual rights and freedoms : as nobody knows where one should set a limit on rights and liberties, one can always pretend that a right or freedom is disregarded.
- 7) Democracy requires impartiality of the State, as a condition of justice : one may then profess that impartiality is grossly violated.
- 8) Democracy requires the separation of executive, legislative, judicial and media powers : one can then proclaim that this separation is no longer effective.

These are descriptive categories that any ordinary citizen can legitimately rely on to press a claim for democracy when one of its constitutive elements is deemed to be absent, ignored or not fully enforced. The use of these categories is part of what can be called a process of democracy production which is constantly at work in a State society. This hidden process is made visible at different points in time – and is particularly blatant when civil disobedience or gatherings are resorted to in order to voice a political claim. And though it is difficult to say what the final results of these actions are in each case, their

sheer existence demonstrates that any State society is irremediably engaged in a process of democracy production. And that this ceaseless process is made possible by the ordinary conception of politics and democracy that any citizen is endowed with and which is currently made use of.

Bibliography:

Balandier, Georges (1970), *Anthropologie du politique*, Paris: PUF.

Dewey, John (1984) [1927], *The Public and its Problems*, in *The Later Works*, 1925-1953, vol.2 (edited by Jo Ann Boydston, Carbondale and Edwardsville: Southern Illinois University Press.

Durkheim, Emile (1966), *Rules of the Sociological Method*, New York: The Free Press.

Falk Moore, Sally (1978), *Law as Process. An Anthropological Approach*, London : Routledge and Kegan Paul.

Finley, Moses I. (1985), *Democracy Ancient and Modern*, Rutgers: Rutgers University Press.

Ogien, Albert (1995), *L'Esprit gestionnaire*, Paris: Éditions de l'EHESS.

Ogien, Albert & Laugier, Sandra (2010), *Pourquoi désobéir en démocratie?*, Paris: La Découverte.

Ogien, Albert & Laugier, Sandra (2014), *Le Principe démocratie*, Paris: La Découverte.

Routledge.

Pospisil, Leopold (1971), *Anthropology of Law*, New York : Harper and Row.

Rawls, John (1971), *A Theory of Justice*, Harvard, Harvard University Press.

Rawls, John (2003), "The domain of the political and overlapping consensus" in Matravers Derek & Pike Jonathan E. (eds.), [*Debates in Contemporary Political Philosophy: An Anthology*](#), London : Simmel, Georg (1999), "Comment les

formes sociales se maintiennent”, in *Sociologie. Etudes sur les formes de socialisation*, Paris: PUF.

Weber, Max (1971), *Economie et société*, Paris, Plon.

SENIORS AND GAMBLING : PLEASURE OR ADDICTION? A FRENCH EXAMPLE

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ABSTRACT : The gambling industry has grown steadily in France, in particular since the new regulation of the online gambling in 2010. Seniors are commonly regarded as a high-risk population. Gaming indeed constitutes one of the most frequent leisure-time activities for seniors, who are an attractive target group for the gaming operators. If they have been much less described and analyzed than those of the younger generations, the seniors' playful practices can be as problematical. A sociological study was carried out in the Burgundy and Franche-Comte region to investigate the seniors' behaviors towards gambling and games of chance, through their representations, misbeliefs and intensity of their practices. The results of the survey demonstrate that if seniors can be regular gamblers, their practice is rather often contained and controlled. The transition from work to retirement and reduced incomes can bring about a change in the behavior of high-spending gamblers and make them restrict their practices.

Keywords: gambling ; games of chance ; senior ; addiction ; play practices

In France, gambling games and games of chance, often analyzed from the perspective of pathology, constitute an important social phenomenon that should be « taken seriously » » (D'Agati, 2015: 3). If the relationship between gambling games, games of chance and addictions is commonplace in quite a number of studies (Grall-Bronnec, 2012; Ladouceur and Sylvain, 2000; Valleur and Buchet, 2006), there are fewer sociological ones regarding social profiles and gamblers' trajectories (D'Agati, 2015; Martignoni, 2000). However, if the initial assumption is that there is indeed a plurality of gamblers' profiles, due to the socio-economical trajectories of the latter, to their life cycle position and to the types of games being played, it also appears that some categories of gamblers, whose particular vulnerability to these practices could be assumed,

haven't been analyzed. Considering this gap remaining in the understanding of that question, we proposed to carry out a study, in 2014 and 2015, targeting the population of gamblers over 55 years old. Whereas those « seniors »' practices of gambling and playing games of chance have progressively become a concern for public authorities and public health (Gaimard et Gateau, 2017), knowledge regarding that matter remain rather limited.

Recognizing that the practice of a play activity can be a way, for elderly people, to adjust themselves to the changes of aging, and that those people would possess special characteristics making them more vulnerable to the development of problems with excessive gambling and addiction (De Bruch and Vital, 2008; Giroux et *al.*, 2008; Salve et *al.*, 2011), our work was devoted to question the behavior of seniors towards gambling and games of chance, from the perspective of their biographical trajectories, their representations, misbeliefs or even the intensity of their practices. The main purpose was to try to understand the social mechanisms determining the practices of that population commonly presented as a high-risk one for constituting a prize "target group" for the accredited operators, since they are supposed to have much free time, sometimes dedicated to leisure activities.

In this article, we propose a synthesis of our results. We will begin with providing the context of gambling and games of chance in France, in order to measure the scale of the phenomenon while explaining the national specificities regarding the playful activities involving money. In the second part, rather concise, we will present the chosen methodology and the empirical survey that has led to this work, to finish in a third part, with presenting a summary of its main results. In particular, it appears that the population of seniors, if indeed particularly confronted to the practice of gambling and games of chance, doesn't necessarily develop a pathological relation to those games and thus doesn't appear more vulnerable than any other type of gamblers; age cannot be a discriminatory factor.

I. Elements of context on gamblers, gambling and games of chance in France

Gambling and games of chances get increasingly popular in France, in particular since the opening of the on line gambling in 2010 (Tovar, Costes & Eroukmanoff, 2013). In 2006 the number of persons having already tried their luck at least once at gambling or at a game of chance was estimated at nearly thirty millions. This number has constantly been increasing and the money spent in gambling by French people has practically doubled within ten years in France. Thus, since 1975, the amount of the wagers has doubled while the

revenues of authorized games increased from 98 millions of euros in 1960 to more than 44 billions in 2013 (35 in 2010). According to the national accounts, the aggregate household spending in gambling has gradually increased, from 0,6 % in 1990 to 0,8 % in 2008 (Rakedjian and Robin, 2014). In 2012, on the basis of a figure stabilized at 0,8 %, it represented an expense of some 9,5 billions of euros. In 2014, nearly three-quarters of French people, aged from 15 to 75 years old, declared having gambled or played a game of chance at least once during their lifetime and a little more than one in two (56,2 %) at least once during past year (Costes et *al.*, 2015). In 2010, this proportion « only » reached 46,4 % : within four years, the very number of French people declaring to gamble and practicing games of chance has also increased significantly.

Quite often, the gamblers are « occasional » ones, since half of them play between one and fifteen times in a year. Nearly one third of them (31 % compared with 22 % in 2010) play at least once a week, and 15 % at least twice a week. Proportionally, casino and slot machines gamblers play mostly occasionally, due in particular to the limited number of gaming premises, whereas the betting public in horse racings is the most regular¹. National data also show a close link between the frequency of play and the invested amounts : the more regular the wagers are, the more money is spent. In addition, if a little more than half of the gamblers devotes less than 100 euros per year to gambling, they are 10 % who spend more than 1 000 euros per year (compared with 3% in 2010) and, in this group, poker players, lottery and slot machines ones waste the most. According to Costes et *al.*, poker players, horseracing and sports bettors constitute the populations of gamblers among which the dispersion of the spending behaviors is the most pronounced (Costes et *al.*, 2015). Overall, a constant and regular rise of the spent sums is to be signaled : the proportion of gamblers spending less than 500 euros within the year decreased, from 90 % in 2010 to 80 % in 2014, while the proportion of people spending more than 1 500 euros increased from 1,8 % to 7,2 %. People referred as « active players », namely those who either claim to play every week or to spend at least 500 euros during the past year (meaning 10 euros per week), represented in 2014 50% of the gamblers. In 2010, they were only a third of them, that is to say 20 % of the population aged from 15 to 75 years old.

Then in terms of socio-demographic characteristics, it appears that there are gamblers in every social environment ; that women are concerned as much as men with gambling, in spite of some nuances, in particular in terms of types of games, age, diplomas or socio-professional categories, on which we won't dwell here (*cf.* Costes et *al.*, 2015). Similarly, among those who claimed to play,

¹ Source : National survey on gambling and games of Chance, ODJ/Inpes 2014.

gamblers are, in a very large majority (85 %) regarded as « risk-free » when 10 % of them are considered as low-risk gamblers. They are 3,9 % to be classified as moderate risk gamblers and 0,9 % as excessive ones. Converted to the national population as a whole, these data indicate a prevalence of 2,2 % moderate risk gamblers (meaning nearly 1 million of persons) and of 0,5 % excessive ones (meaning nearly 200 000 persons). If the prevalence of excessive gambling has remained stable since 2010, there has however been an increase of moderate risk gambling that concerned « only » 0,9 % of the population in 2010.

The socio-demographic characteristics of high-risk gamblers indicate that problem gamblers, including moderate-risk and excessive ones, are more likely to be male, younger, less qualified and of lower social rank than the average of gamblers. They are also more likely to be in vulnerable situations in terms of employment : a problem gambler is, one in three times, a student or unemployed. However, the profile of problem gamblers can change, according to the gaming offer and to the number of gamblers : for instance, the authorization of slot machines in the casinos, in 1987, has modified the customer profile and thus the pathological gamblers with an increase of the representation of women and elderly people. The online practice of gambling and games of chance seems also to be a factor accentuating the risk of excessive gambling since 10,4 % of the persons having gambled or played a game of chance on line can be classified as moderate risk gamblers and 6,6 % as excessive ones (Tovar *et al.*, 2013). Furthermore, the gambling behaviors can vary the associated risks : the earlier someone starts to gamble, the more frequently he or she does ; the more he or she spends money, the more he or she diversifies the play activity. *In fine*, it is the risk of problem gambling that reinforces itself. The same type of relation exists between an excessive gambling practice, and tobacco or alcohol consumption, but also between an excessive gambling practice and suicidal thoughts and attempted suicides, social isolation or psychological distress situations. In the surveys we are referring to, the consequences of problem and excessive gambling the most frequently mentioned are financial difficulties (41 %), family problems (8 %), struggling in meeting some of the familial commitments (5 %), relationships problems (3 %), professional ones (2 %) or offences related to gambling (1 %).

It has previously been stressed that the proportion of gamblers, of all types, was increasing, which can be explained by the evolution regarding the on-line games legislation, with the opening of the gambling games and games of chance' sector to competition, via Internet in June 2010. Since then, it is indeed possible to place horseracing and sports bets on line, but also to play poker. As mentioned by Costes *et al.*, this opening to competition has therefore

renewed part of the public target since « the launch of a legal offer on Internet has been combined with numerous advertising campaigns that may have had a overall effect in recruiting new gamblers in all media » (Costes et *al.*, 2015: 5). With this expanded offering, there are good reasons to think that the gambling revenues will still increase, knowing that the latter represent a significant financial manna for the State with more than 5,7 billions euros of taxes collected in 2012 (ODJ, 2014). Those sums come mainly from the three accredited operators that, until 2010, had an exclusive public monopoly on gambling games and games of chance. Those entities, that share a big part of the legal gambling sector in France, are :

- Casinos, created in 1806, are specialized in table games and slot machines. Beside the slot machines and poker, the casinos manage other games such as roulette, craps, Blackjack and different card games, Baccarat and dice games. In France, slot machines cannot be found anywhere else outside of casinos, because of its historical regulation¹. In 2016, one hundred and ninety-six casinos are spread throughout the French territory with seventeen groups, the main ones being the Partouche groups (44 casinos), Lucien Barrière (35), Joa (22), Tranchant (16) and Emeraude (8). Despite a business decline, their gross gambling revenue (GGR) reached the amount of 2,3 billions euros in 2010, the main part of it (91 %) coming from the 23 000 slot machines for which the casinos have the entire market exclusivity, and that attract a big part of the 37,4 millions visitors (in 2008 ; Lamour, 2009).

- Le Pari Mutuel Urbain (PMU), appeared in 1930, is in charge of the organisation of the horse racing and bets related to this racing, as a mutual scheme. Since 1954 and the creation of Tiercé, a kind of betting offering ranks of different gains, thus integrating the notion of order/any order, the number of racings has continued to increase while the bets diversified (quarté, quinté, quinté +, hipiGo, etc.). In 1985, the PMU has become an EIG (economic interest group) of fifty-seven “sociétés de courses”, all of them non-profit associations, contributing significantly to the development of the equine sector that they finance up to 80 %. Since then, the PMU provides bets on horse races every day throughout the French territory. Through its partnerships with numerous countries, it also provides bets on foreign races and sells its own bets on the

¹ This regulation from 1907 prescribed the installation of casino resorts exclusively in spa and thermal treatment cities. The purpose was to entertain a wealthy clientele while keeping them away from major cities in an era in which public authorities were particularly suspicious, fearing money laundering and mob much more than addiction (Fédération addictions, 2013). In consideration of this exclusivity, the casinos establishments are bound to create three activities around the gaming tables and the slot machines, in order to enliven the cities in question : shows, entertainments and catering. Then, since 1988 and the Chaban-Delmas amendment, the installation of casino resorts in agglomerations of more than 500 000 habitants is allowed under certain conditions.

French horse races to other countries. In 2011, in metropolitan France and overseas departments, there were nearly 11 500 traditional outlets in addition to the possibility to bet online, by telephone or mobile. Since 2010, PMU also provides a variety of other sport bets and poker activity.

- The National Lottery was created in 1933. After many corporate name changes, it became the *Française des Jeux* (FDJ) in 1991. This semi public limited company, placed under the supervision of the Finance Ministry, has a monopoly on draw-based games (Loto, Keno, Euromillion, Amigo...) and scratch-card ones (Cash, Millionnaire, Morpion, Bingo...). It also develops some non-Internet sporting bets activities. In 2013, its revenues of 12,35 billions euros came mainly from its retailers network (35 800 outlets in 2010). In 2010, the FDJ recorded 27,8 millions players whose bets and net expenditures (the amount of the bets minus the gains) have significantly increased over the past few years, like the revenues of the gambling operators (Fédération addictions, 2013). In 2010, with the evolution of the legislation, regarding the regulation of the gambling games and games of chance sector and the opening to competition of three sectors (sporting bets, horse racings and poker), the online games have been placed under the supervision of the Gaming Authority (for the regulation of the online games : ARJEL). At the end of 2011, forty-seven sites were accredited and active ; nearly 4 millions of players accounts were opened for an overall market of 600 millions euros in sporting bets, one billion euros in horse racings bets, 7,6 billions of the poker stakes in cash-game and 1,2 billions euros coming from the entry fees in poker tournaments (ARJEL, 2012).

From this first part, the main idea to emerge is that if big part of the French population plays at least occasionally gambling games and games of chance, only a little minority presents high risks gambling behaviors, in spite of the continuous development of games offer. All the sources that were used so far gives quite a good view of the context and of the practice of gambling games and games of chance in France, but the results mainly provide information on the adult working age population. Seniors, in particular people over 60 years old, have been receiving relatively little attention from researchers up to now, whereas it is well known that society is engaged in an important aging cycle of the population, marked by the increasing number of elderly people. Yet, a part of them play gambling games and games of chance and constitute a population regarded as at risk for this activity. We will then present some elements of our methodology, and focus on the main gambling motivations, activities and consequences of the gambling practice among elderly people.

II. The field survey

The empirical survey on which the following findings are based was conducted in the Burgundy-Franche-Comté region in 2014 and 2015. The qualitative approach has been favored ; most of the provided material comes from semi-directive interviews. The sociological interview is part of a comprehensive research approach, inspired from Max Weber, but is also involved in a descriptive process rather than it tends to an explanation of causes (Blanchet and Gotman, 2003). In other terms, paying attention to the actors and to the meaning they give to their practices, this technique first intends to interpret the words of interviewees and identify changes in their behavior, in order to replace them in their own social, economical or biographical contexts. In this perspective, we focused on the socio-biographical trajectories, on the socialization to playing and on the position of those players in their life cycle, as well. It helped to give a better understanding of the various play activities, to analyze them without ever judging those people's behaviors.

A total of nearly sixty interviews have been conducted, with the highest possible variety of players over 55 years old : men, women (almost twenty of them), people from every socio-professional category, players beginning their playing career, others claiming to have started playing since their early childhood, casinos, scratch-cards and draw-based games players, punters, multiple players, people having no problem with gambling and excessive gamblers, sometimes even treated for their addiction, etc. Those persons were interviewed in different places where they are used to playing : casinos, PMU bars or FDJ outlets. If the majority of the interviews has been individually conducted, some were realized collectively, for instance with a group of players sitting at a table in a PMU bar or with a couple walking out of a casino.

Lastly, in order to supplement the information obtained through interviews, direct observations of the places themselves, of interactions between players, objects and position of players in the sites where they are used to playing, as well as direct observations of their general behavior during playing sessions were systematically conducted. This technic indeed gives « an effective access to some practices » that other methods cannot give, for example when the latter « cannot be brought to the forefront of the actors' consciousness, when they too difficult to verbalize or, on the opposite, are already the subject of pre-made speeches intending to control self-representation, if not, to even dissimulate some practices » (Arborio, 2007: 26).

III. Results: the seniors' gambling practices

First of all, it is important to underline the seniors' place in the landscape of gambling games and games of chance. As a matter of fact, the very few available data indicate that, compared with persons aged from 25 to 45 years old, seniors are a little less involved in activities such as gambling games and games of chance. In 2010, 44 % of the people aged from 55 to 64 years old and 31 % of the 65-74 years old ones (compared with an average of 46 %) claimed they had played during the past year. In 2014, the people aged from 55 to 64 years (who were representing 12,6 % of the French population), constituted 18 % of the gamblers and people from 65 to 74 years old (9,3 % of the population), 9,6 % of the gamblers. Thus, it seems that during the past few years, the gambling practice has somehow grown among the population of the 55-64 years old. The latter represent respectively 15 % and 4 % of people suffering from problem gambling. Among the gamblers, the frequency of practice seems more important for elderly people, in particular for men. In 2010, 39 % of male players aged from 55 to 64 were practicing a play activity at least once a week, and 17 % at least once a month. For female players, these proportions reach respectively 24 % and 19 % and they are identical among the older ones: 40 % of men and 25 % of women aged from 65 to 74 have played each week.

With that piece of information, we first focused on the elderly people' motivations and ways of entering the field of the gambling. This first point of entry in our analytical perspective consisted in trying to understand when and how those people met the gambling world. One would have thought that, due to the increase of their free time, some people just discovered the gambling practice on retirement. Yet, if this specific case indeed exists, for instance with seniors who discovered casinos at the time of their retirement (it is sometimes even a « present » intended to celebrate that new step and the beginning of the off-work life) or during a trip organized by a « senior club », the survey has revealed that in most cases, the gaming practice is deeply rooted, sometimes even for years. The beginning of their gambler « career » (Becker, 1985) that builds itself through diverse articulated sequences, dates right back to their youth, or even to their childhood. Their socialization¹ into gambling games and games of chance often occurs within the family circle (when the parents also gamble), via friends or colleagues at work. Thus, during the interviews, many respondents recalled the « revelation » or the instant they felt the passion for gambling, almost « at first sight » (Valleur and Matysiak, 2006), after which

¹ Socialization is here to be understood as a diachronic process corresponding to the « manner in which society forms and transforms the individuals » (Darmon, 2006: 6).

they started to practice more intensely, those instants being very often related to the sociability, whether familial, professional or among the circle of friends. Regardless of the social background, the role of « initiators » is thus very important in the contact-making with gambling : some have discovered it while accompanying a parent to a racetrack or to a FDJ outlet when others were for instance offered their first scratch-card back in their childhood. Having been raised in a « playful » family circle (and not necessarily interested in gambling games) contributes also to develop, to a taste for games, and usually a long-lasting one. Some others have discovered this practice and have started progressively to gamble, alone or in groups, while following colleagues or friends. It is the case for many gamblers we met who, reticent or not interested in gambling first, started to gamble nevertheless after spending much time with gamblers, for example a group of workers wagering a few euros every day, during lunchtime breaks. For other gamblers, the socialization into gambling occurred and became stronger on retirement, when they started to adopt a kind of routine, taking advantage of a weekly walk to the bakery to scratch some cards or bet on some horse races in the local PMU bar where they meet friends. Again, the sociability, whatever its forms, and inter-knowledge networks seem to be important factors associated to the gambling practices and to their regularity.

Overall, the social forces play a crucial role in the promotion of gambling and in the gambling practices of elderly gamblers since one does not start gambling at sixty or sixty-five years old, but rather continues to practice an activity is an integral part of one's life, although once again, it can be more or less frequent and intensive. Thus, and this is an important first finding in our survey, there isn't any socio-demographic specificity for elderly gamblers : among seniors, every one can gamble.

However, they don't play the same way or with the same hopes. At advanced ages, one plays mainly for entertainment, for fun or for the the pleasure of playing itself (quite often, for many of those reasons simultaneously). This reward-seeking behavior has indeed been emphasized in other surveys and can be found in all types of gamblers (Valeur and Matysiak, 2009), just as many of the interviewees during our survey mentioned some kind of appetite for risk associated with gambling games and games of chance (Adès and Lejoyeux, 2001).

The motivation for profit, inspired by some kind of financial necessity, was more rarely mentioned. The search for financial gain and hope of the « big win » concerns mainly the seniors who are socially, economically and culturally the least endowed and are also the more vulnerable and at risk toward

gambling games. For them, the expectations regarding gain are high and reflect financial perspectives that would improve a rather lackluster daily life. Let's not forget that for many of the elderly people whom we met, the transition from work to retirement was accompanied by a more or less severe loss of income. Some wish to earn money to fulfill a life-long dream (a trip, a purchase...) but also to help a relative such as children at the start of their working lives. All the elderly players whom we met, regardless of their social background, of their motivations or intensity of their practices, told us about the euphoria and the adrenaline rush procured by gambling games and games of chance. This sensation of pleasure is of course to be considered, because for some people, it can lead to dependency : the player is driven to gamble more and more, in order to multiply the occasions of experiencing this kind of « exhilaration » procured by gambling. However, this phenomenon is not specific to the population of seniors ; it can be met in every gambler, whatever the age.

The interviews also show that practicing a play activity allow those elderly people, among whom some of them experience retirement, loneliness and widowhood, to maintain social ties and friendly relationships. Beyond the determination or seeking of sociability, as mentioned above, gambling games, in particular the lottery ones, can simply be a way to go out of the house and walk to some FDJ outlet to meet up with other people. The place itself, and the conviviality of the gambling premises are also very important in the practice and motivation of the players. As a matter of fact, the latter develop habits in a place if they feel good in there, and if they find what they seek : social bonds, tranquility, entertainment and relaxation... Seniors then consider gambling as an efficient way to tie social links, also bringing pleasure and enjoyment, filling time up and combating isolation. This part is not to be overlooked, with regard to the frequency of widowhood at old ages. In other terms, gambling also allows to escape « the reality and earnestness of life » while making time pass pleasantly ; in this respect, gambling is for many elderly people a « source of oblivion » allowing also to « avoid the earnest, and thus the real » (Adès and Lejoyeux, 2001: 153), *a fortiori* among those who are or were confronted to biographical disruptions such as their relatives' or spouse's death.

This sociability sought through gambling does not mean that this practice cannot be individual, a fact that has been observed during our survey. For the majority of gamblers, playing is regarded as a personal matter, and they play alone. Very few of our interviewees play in groups or collectively ; the gambling economical consequences would risk severing the social connections. If the game is collective, the wagers are not substantial ; much more than playing collectively, the fact of going to a gambling premise with other people has been observed, and it is entirely different. In the end, for seniors, gambling allows to

combat some kind of isolation much more than it withdraws from others. Unlike the younger ones who are frequently confronted to this issue¹ (Costes et al., 2011), very few of elderly people withdraw from others to play on Internet, even this new way of gambling is rapidly spreading and if time and hindsight will lead to deeper understanding of the phenomenon.

In general, the lottery games are most favored by elderly people. The survey has also confirmed a gender repartition in the practice of gambling games and games of chance. For instance, men, and the seniors even more, tend to prefer bets on horse races (Costes, 2011: 4). Horse races are not regarded by men as games of chance but rather as strategy ones, reserved to « insiders ». PMU players, usually very attached to their favorite game, then tend to constitute some rather closed communities and describe themselves as « experts », trying thus to distinguish themselves from the other players, more « profanes ». On the opposite, we confirmed the findings of Valleur and Véléa (2002), highlighting as they did that casinos and their slot machines meet the interest of the female public much more. Among it, we also noticed an overrepresentation of widows going to casinos to escape solitude in place still regarded as « magical » and that, by playing with the luxury codes, allow the players, as Mead had previously underlined it, to momentarily break out of their social role and transgress it (Mead, 1963). Those places and the offered practices also provide those elderly people with the occasion to get entertained and with the possibility to escape isolation still associated with a risk of « abandonment » (Caradec, 2008).

Lastly, if elderly players continue to practice a life-long activity, they however adjust it to changes occurring in their lifestyle. Having more free time and leisure does not necessarily mean having a more intensive playing practice. Seniors may play, for some of them, more frequently and more regularly than other populations, but the decrease of their income also leads them to control and regulate their gambling spending. By controlling themselves, quite often out of necessity, we might say that they play in a more responsible manner. Most of elderly players are thus perfectly aware that they entail some danger if they loose control on their playing practice, but they do not consider themselves as particularly vulnerable. Their life history allows them to regard this activity as a non-risk one and more as a « socially accepted and acceptable

¹ According to Costes et al. (2011), the population of online players is in majority composed by men (81,6%) and young adults: 45,1 % of playing cybernauts (poker, lottery or draw-based games) are under 35 years old whereas it is among the population of 25-34, that can be found the highest proportion of surfers with nearly one active player on five concerned (20,3 %).

» hobby (Tirachaimongkol et *al.*, 2010). It may happen that the elderly gamblers occasionally let loose, with their credit card or checkbook. They are not, however, in « the compulsivity of pathological gambling, but in the excessiveness of Dionysian gambling » (Martignoni, 2011: 60).

Conclusion

In total, seniors play as much as other categories of population and retired people constitute a non-negligible contingent of regular players. The transition from work to retirement very rarely changes behaviors toward gambling games and games of chance, and, of some of them have more time to play, others notice that their income has decreased and limit their gambling activity. Aging rises a kind of awareness of the risks due to gambling, especially the financial and familial ones. Such to a point that some big players, or « high rollers », have settled down by considerably limiting their practice and playing only occasionally. Among the rare pathological gamblers we got the chance to meet, some were given medical treatment when others finally « cooled down » and controlled their practice, without necessarily stopping entirely their gambling. The financial constraint due to retirement and awareness of the losses compared with the amounts of gains constitute some of the factors leading to reconsider one's behavior toward gambling. Thus, for seniors, gambling is very rarely a problem, and is not the only form of leisure activity. We haven't found, in our surveyed population, the problematic aspect of gambling as it is often described. Without adopting the strictly positive perspective of Edward Clifton Devereux who wrote in 1980, in *Gambling and the Social Structure*, that gambling behaviors may be regarded as having a positive social function since it allows the players to « evacuate their tensions and frustrations caused by capitalism » by according them « the right to dream, to prosper and control their financial resources » (Kairouz et *al.*, 2013), there is no reason to demonize gamblers. Any gambling practices, even excessive ones, are not necessarily pathological.

Nevertheless, there are people to think that an increased supply and a generational increase of the number of seniors in the population may lead to a development of excessive or even pathological gambling. Among elderly people, gambling problems, like any addiction, are often dissimulated behind misleading clinical presentations in which age is wrongfully regarded as the major determinant (Salve et *al.*, 2011). It is then very important to remain vigilant and develop multidisciplinary researches, in order to give a better understanding of a phenomenon that could become a societal problem.

Bibliography

- Adès, Jean and Lejoyeux, Michel (2001), *Encore plus ! Jeu, sexe, travail, argent*, Paris, Odile Jacob: Fra.
- Arborio, Anne-Marie (2007), « L'observation directe en sociologie : quelques réflexions méthodologiques à propos de travaux de recherches sur le terrain hospitalier », *Recherche en soins infirmiers*, 3, n° 90, p. 26-34.
- ARJEL (2012), *Le marché français des jeux d'argent et de hasard en ligne. Bilan*, Paris : Fra URL : <http://www.arjel.fr/IMG/pdf/bilan-2012.pdf>
- Becker, Howard Saul (1985), *Outsiders. Etudes de sociologie de la déviance*, Paris, Métailié : Fra.
- Blanchet, Alain and Gotman, Annie (2003), *L'enquête et ses méthodes : l'entretien*, Paris, Nathan Université : Fra.
- Caradec, Vincent (2008), *Sociologie de la vieillesse et du vieillissement*, Paris, Armand Colin : Fra.
- Costes, Jean-Michel et al. (2015), « Les jeux d'argent et de hasard en France en 2014 », *Les notes de l'Observatoire des jeux*, n° 6.
- Costes, Jean-Michel et al. (2011), « Les niveaux et pratiques des jeux de hasard et d'argent en 2010 », *Tendances*, n°77, OFDT, septembre, 8 p. URL : <http://www.inpes.sante.fr/30000/pdf/tendances77.pdf>
- D'Agati, Marina (2015), « Jouer, parier, hasarder : profils de joueurs, pratiques ludiques et savoir-jouer », *Sciences du jeu*, 3. URL : <http://sdj.revues.org/389>.
- De Bruch, Hélène and Vital, Isabelle (2008), « Addictions et vieillissement », *Psychol NeuroPsychiatr Vieil*, vol. 6, n°3, p. 177-182.
- Gaimard, Maryse and Gateau, Matthieu (2017), *Seniors et jeux de hasard et d'argent. Loisir ou addiction ?*, Dijon EUD : Fra.
- Giroux, Isabelle et al. (2008), « Le jeu et les aînés : A-t-on raison de s'inquiéter ? », *Psychologie*, Québec, 25(4), 23.
- Grall-Bronnec, Marie (2012), *Le jeu pathologique. Comprendre, prévenir, traiter*, Paris, Elsevier Masson. : Fra.
- Kairouz, Sylvia et al. (2013), « Jeu, enjeux et société », *Drogues, santé et société*, volume 12, n° 2, décembre, p. 2-12.
- Ladouceur, Robert and Sylvain, Caroline (2000), *Le jeu excessif : comprendre et vaincre le gambling*, Montréal, Éditions de l'Homme : Ca.
- Martignoni-Hutin, Jean-Pierre (2011), « Une sociologie du gambling contemporain. », *Pouvoirs*, 4, n° 139, p. 51-64.
- Martignoni-Hutin, Jean-Pierre (2000), *Ethno-sociologie des machines à sous : « que le hasard vous serve, mais préparez-vous à l'accueillir »*, Paris, L'Harmattan : Fra.
- ODJ (2014), *Indicateurs Clefs*. URL : <http://www.economie.gouv.fr/observatoire-des-jeux/indicateurs-2>

- Rakedjian, Éric and Robin, Marina (2014), « Les Jeux d'argent en France », *INSEE Première*, n° 1493.
- Salve, Assia et *al.* (2011) « Conduites addictives du sujet âgé », *Psychiatrie*, EMC, p. 1-13 [Article 37-530-A-30].
- Valleur, Marc and Matysiak, Jean-Claude (2009), « Jeu pathologique et personnes âgées », in Fernandez, Lydia (dir.), *Les addictions du sujet âgé*, Paris, Éditions In press, p. 105-117 : Fra.
- Valleur, Marc et Buchet, Christian (2006), *Le jeu pathologique*, Paris, Armand Colin : Fra.
- Valleur, Marc and Matysiak, Jean-Claude (2006), *Les pathologies de l'excès*, Paris, Jean-Claude Lattès : Fra.
- Valleur, Marc and Véléla, Dan (2002), « Les addictions sans drogue(s) », *Revue Toxibase*, n°2, juin, p. 1-15.
- Tirachaimongkol, Luxiana Connie et *al.* (2010), « Pathways to problem gambling in seniors », *Journal of Gerontological Social Work*, 53(6), p. 531-546.
- Tovar, Marie-Line, Costes, Jean-Michel and Eroukmanoff, Vincent (2013), « Les jeux d'argent et de hasard sur Internet en France en 2012 », *Tendances*, 85, OFDT et ODJ, juin.

THE NEW ISSUES OF HIGHER EDUCATION AND RESEARCH TERITORIAL PUBLIC POLICIES

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ABSTRACT : In order to bring our contribution to those issues and to provide some answers, even partial ones, to the most complex question: « What part does French higher education play in present day society? », our argumentation is articulated around such axes as: higher education governance and its environmental constraints, and the autonomy limits of higher education. If the objective as regards public policy is to build a common higher education space, capable of encouraging cooperation and exchanges between institutions and the students' and professors' mobility, by seeking, even experimenting, new modes of harmonization, the universities seek to preserve their autonomy by identifying measures of social innovation and the mobilization of the social partners as well as both the individual and collective actors in the processes of transformation of higher education. However, the results show that some universities are being confronted with budget and financial difficulties and could, in a near future, be placed under tutorship, thus creating a new paradoxical situation, considering the political will to lead the universities towards a greater autonomy for the sake of their modernization and of international competition. The pressing necessity to change modes of governance is once more highlighted here with the incitement to encourage a real process of consultation and democratic mobilization

Keywords: : higher education; governance; autonomy

Introduction

Increasing unemployment and the loss of competitiveness in certain sectors of economic activity have imposed in public debates the need to establish a long-term link between the training system and the production system, or a stronger one when it already exists. In a now globalized context, placing the national educational and training system within the perspective of economic and social development appears as a privileged route towards a long-term improvement of the living conditions and the perpetuation of the social link, though it may present various aspects. This holds as much for low income countries as for high income countries in which the gap between the wealthier and the poorer population is important. Thus, the interrogations as to higher education governance must be apprehended in consideration with its evolution, while considering the regional, national and even international contexts. However, the issue of knowledge - even though it is a major one – “does not appear as the sole objective when analyzing higher education collaborations, as institutional dimensions and action taking also need to be taken into account” (Pestre, 1995:513).

The French higher education’s mission cannot be apprehended without situating it within its historical, social and political contexts. Indeed, since its origin, its actors have regularly been confronted with political injunctions which, depending on the period, proved to be either ideological or resulting from social pressures sometimes linked to the demographic evolution of the younger generations. A more democratic access to higher education must be considered in regard with the process of educational and social selection which leads several young people to enter post-high school two-year courses then competitive-entrance higher education establishments of commerce or engineering. When the Law on the Responsibilization of Universities¹ (LRU) was promulgated in August 2007, the political objective aimed at « arousing the universities that had been doing since 1968 » and at creating a new landscape of modern, dynamic and competitive institutions at international ranking level (Sarkozy, 2007). The debates concerning the higher education reforms then mostly focused on the issue of the autonomy of French Universities during the

¹ Loi sur la Responsabilisation des Universités (LRU).

years 2007 and 2008 and staged harsh confrontations between the opponents and the supporters of the reform.

What emerges from all the debates and studies (Chatelain-Ponroy, Mignot-Gérard, Musselin & Sponem, 2014), some five years was enforced, is a tendency to a hyper-presidencialization which lessens the part played by the scientific and studies advisors and higher education life in general. Moreover, the fact that projects of such government prompted measures as « Excellence Initiatives » were elaborated without a systematic consultation appear to have harmed collegiality and higher education democracy. This was denounced by a great number of the higher education and scientific community members and even by university presidents. These observations call for a renewed interrogation on the real meaning of « higher education governance », not only gauged by the teaching researchers' experiments and research of various regions and countries, but also by local experts' experience - and this, despite a mode of action that seems to ignore territorial specificity. It is this crossing of views which, prepares a heuristic value, prefiguring the strengthening of this governance as much as it imposes it, and motivates its diffusion in a community who expresses their interest for individuals and higher education institutions.

1. Concept of governance

The diversity of the word « governance » somewhat lightens its embedding in a common international heritage, associated as it is to theoretical or/and ideological prejudices likely to appear under the features of a biased meaning, and even of an excessive use of the word. The definition given by the Brandt commission deserves full consideration because it compares global governance to « the sum of the ways and means through which individuals as well as public and private institutions manage their common business ». According to this acceptance, it is a continuous process thanks to which various conflicting interests can be arbitrated and a cooperative action achieved. This includes, the formal institutions and the regimes in charge of implementing decisions, as well as the arrangements that people or institutions have accepted or perceive as being their interest (Theys, 2003). The idea of an interactive process proves to be crucial, even if it echoes a plurality of authors and of institutional and individual actors on sometimes quite distant territorial

areas. For them, this interaction is most often conditioned by a common interest, without the issues of distinct interests appearing at various levels, despite the functions, positions, status and responsibilities that are theirs. They are all confronted with the same issue and they elaborate a representation of a social reality which calls for the implementation of the concept of governance. Thus, the actors fix objectives and act in favor of the development of a collectively shared solution, without anything being predetermined, and they focus on the pragmatic aspect of the application of such an approach.

Concept of governance, such as is generally evoked by the authors, echoes managerial perspectives associated to the management of the human resources of many institutions with regard to the socio-economic and socio-historical contexts in general and to socio-educational environments in particular. These calls for the use and mastership of instruments which are supposed to bring answers to the crisis that the democratic political regimes are going through - regimes whose tradition lies on the authority of the State. Yet, couldn't the specificity of certain circumstances question the universal character of the principles of governance implementation, in the sense of the tools and processes pertaining to a collective action? In other words, is it possible to give thought to governance without wondering how it can be built, applied, made efficient and acceptable, a question pertaining *de facto* less to governance than to governability? Many contributions testify to circumstances that, politically, cannot be managed without considerable hardships and efforts, pertaining to a « chaotic process » to which the actors of education, higher education and vocational training try to contribute more or less successfully. How else could it be, considering this exceptional experience and the pressing incentive for coordination between universities, a pressure coming from governments as well as European authorities? How is the higher education system organized in French higher education institutions? How do these institutions work? How have reforms been introduced in various institutional and political contexts? Finally, how can the State be regarded by higher education and vice versa?

1.1 Governance and methods of feasibility and applicability, effectiveness and acceptability

What are then the expected gains made possible by a decrease of the consequences relative to a low governability provoked by the nature of the issues, even by the anarchical plurality of opponent actors feeding « the reluctancy of certain institutions to have neither the will nor the power to conform to it », just like the incapacity of a major actor to ensure the application of collective resolutions, or the structural weakness of the institutional actors? This echoes a whole complexity of the structural environments and contexts that influence many individual and collective decision makings and that can indeed be decided into a « stabilized world » or into a « controversial world » (Godard,1993).

In a study on French universities, Musselin (2001) demonstrated what, in a state and corporative centralization, results in the « failure » of reforms instituted by the IIIrd Republic. The emergence of a new representation of what French universities and the part played by tutorship seems to come as a result of the four or five-year contracts linking each university and the Ministry representing the State, thus giving greater power to university governance. She proposes a framework for an analysis of higher education systems and their evolutions, leading her to consider contractualization as a « fragile solution », since it carries a contradiction between a « centralizing interventionist mode » and a « differentiating mode » which takes a better account of local diversities. She also considers future challenges, in particular, the possible modes of integration for the directors of Training and Research Units into the governance of universities, along with the positioning of a training offer, the management of personnel and teaching staff and, finally, the presidents of higher education decision-makers which imply, from her point of view, more independent forms of tutorship assessment. The mutations that have taken place over the years tend to show that they can be borne by the same institutional framework, as long as their actors are able to adapt. Beyond these considerations, a typology of the models of higher education management linked to the scientific markets seems to emerge. It must however be noted that they correspond to national logics whose characteristics result from a particular articulation between the logics of the disciplines, institutions and tutorship. This reveals that the German system – even if it is characterized by more asserted institutions than in France

– offers noticeable margins of action for the Ministries or the regions (« Länder »), contrary to the omnipresent French State, yet powerless in university matters. The multiplicity of the sectors, of their projects, their issues and their agendas creates major tensions in the piloting of the public system, and more specifically, in matters of education and higher education. As it is, « the situation is all the more complex when the new educational politics were promulgated under the guise of ideological assertions favoring decentralization / deconcentration in order to simplify the administrative apparatus and, hence, the improvement of the local functioning of academic administration... One must admit that these new politics make it possible to save money and favor greater capacities of piloting and arbitrating that often face local conflicts of a personalized nature » (Lusignan J. & Pelletier G., 2009).

In that sense, Demailly's (2008) interrogation on the territorial scattering of institutional reflexivity - a space through which social life builds itself through self-observation - offers an opportunity to show that « there can be deconnexions between reflexivity and concrete decision-makings », thus justifying the concept of fragmentary reflexivity, since « those decisions concentrate on isolated pockets and co-exist with bureaucratic regulations, the a-reflexive convictions rooted in habits, the a-reflexive skills borne by practical sense ». Therefore, one of the consequences of the obligation of reflexivity so much induced by the implementation of a « good governance » impacts on the govern-ability conditions which cause – in civil society and, more specifically, in higher education actors – expectancies in terms of improvement so that their participation could be taken into account as concerns their propositions on orientation, objectives and the values associated to governance.

In this context, « we would face learning opportunities of a collective reflexivity that can be associated to a meta-governance » (Boyer M., 2000). Isn't the main purpose of the incentives elaborated by the European Commission - be it in the recognition of acquired experience or skills acquired in non-formal and informal learnings (as such was the case in the European governance's official report) – a new legitimization of its action, because of the technocratic representations so far from the social expectancies expressed by a majority of European citizens? If one refers to the typology proposed by Meny and Thoenig (1989), the crisscrossing between the agreement on the governance objectives and the assurance on the concrete means of the governance appears quite decisive;

and the result is four situations ranging from chaotic process to negotiated, pragmatic and programmed process.

Two totally opposed trends of thought emerge : on the one hand, a functionalist perspective through which governance is defined in the context of a series of regulations enabling the political system to adapt to its environment and centrally implementing the capacity to broadcast, exchange and receive information (Deutsch K. in Theys, 2003) ; on the other hand, the historical and ideological vision of « governmentality » supported by Foucault M. (1989) which raises the problem of the justification of a neo-liberal model of government in a modern and globalized context. In any case, while the concepts of governance and regulation can be put to the credit of a political will to change the orientation of the educational practices and systems of higher education, they remain indissociable from an evolution of State organization in a post-modern context, confronted with social expectancies by proposing to implement collectively guaranteed individual rights. But how is equity inherent to « good governance », a substantial element of an economic and social performance, to be considered? Or is it only the reflection of intrinsic values relative to strategies of growth? Therefore, the idea according to which competition between the sphere of the State and the sphere of the market expresses itself at the expense of the social, economic and political interests of the people and the countries they belong to, is an underlying idea. What are then the demands in matters of redistribution and social equity established according to economic growth and the integration into a global market and not according to an analysis of the population's needs or alternative strategies of development that could be proposed in order to meet these scientifically proved necessities?

There is a great risk of an instrumentalization of the world of research and higher education with a view to legitimizing the orientations of political economy under the guise of a closer relationship between science and politics, a relationship already very much denounced in certain circumstances. Yet, what is principally at stake here is perhaps to look for possible modes of articulating individualism and liberalism in order to restore the credibility of public policies, to make individual and institutional actors feel more responsible and to integrate new and more reflexive and procedural forms of rationality, a more

open and participating conception of democracy (Giddens, 1994). The pressing necessity to change modes of governance is once more highlighted here with the incitement to encourage a real process of consultation and democratic mobilization.

By operating a shift from a classical conception of the government centered on the State to a much more open conception of collective action centered on a plurality of actors expressing a multiplicity of interests, the thoughts on governance best correspond to the realities of today's world, to the legitimation crisis of public authority and to the demands of democracy (Theys, 2002). Thus, governance appears as a series of devices, procedures and instruments whose implementation depends on the adequation with the interests the actors can share while benefiting from larger possibilities. And if the conditions of a « good governance » are not all present, it would be a good thing if they could be negotiated with a view to a new balance of power for the benefit of the social groups on the margins of democratic life and society, provided the lines are adequately defined between a « participative governance » and a « representative government » in order to organize and, in a way, promote a new social contract between the higher education world, civil society and the political world.

2. What type of higher education governance in present day society?

Can the low governance of the higher education system in some countries result from its social and political environment or from the inner constraints of the sector itself? Within such a perspective, what part must be attributed to environmental factors and what part to higher education itself, then regarded as an « under-system » with a certain degree of autonomy? Can the present governance modes encourage the emergence of a higher education of quality? Despite the recent and fast expansion of the various mechanisms of an assurance of quality, how can these mechanisms remain relevant and efficient when confronted with such constraints as:

- . the necessity to adopt very broad definitions to account for the diversity of the institutions, the students and the social contexts, while keeping a high level of rigor,

- . the necessity, in the governance modes, to integrate the culture of assessment, an essential condition to maintain an offer of quality despite all the challenges imposed by the massification and diversification of higher education,
- . more and more tensions and conflicts of interest between the public and the private sectors of higher education and the consequently possible impact on the integrity of the accreditation systems,
- . the articulation of the quality assurance mechanisms with such other instruments of public policies as the regulation framework, the financing mechanisms and the institutional support.

Should then the mode of insertion of higher education in international alliances be regarded as a factor weighing, one way or the other, on the governance system of educational institutions? In France, the organization and functioning of higher education systems are heterogeneous. While the ultimate motive is not to make them similar, the objective is to build a common higher education space, capable of encouraging cooperation and exchanges between institutions and the students' and professors' mobility, by seeking, even experimenting, new modes of harmonization.

2.1 What are the effects at territorial level for what efficiency issues?

In France, developing territorial policies of higher education training and research calls for many questions about the great disparity between the twenty-two metropolitan regions concerning the present field of activities. The study of Daniel Filâtre's team (2004) shows that the distribution of the metropolitan regions is based on three combined indicators: the students, the post-graduate students, the researchers and teaching researchers for each region. It is organized around four major groups : 1) the leading region, the Ile-de-France, concentrating 30 % of this wealth ; 2) four very large regions : Rhône-Alpes, PACA (Provence-Alpes-Côte d'Azur), Nord-Pas-de-Calais and Midi-Pyrénées, concentrating about the same amount (28,7 %) ; 3) five more large regions : Aquitaine, Languedoc-Roussillon, Bretagne, Pays de Loire, Alsace-Lorraine with about one fourth of the whole ; 4) finally, the 13 other regions which totalize 17 % of this « higher education and research » capacity. Thus the territorial system appears to be particularly hierarchized and unequal, also

quite close to the typology identified by the DATAR¹ services on the ranking of the European regions. This hierarchized state of the French regional system of higher education and research results from demographic, economic and social data, but it is also a product of history - more specifically political and cultural - the development of a regional system of higher education and research that cannot be considered without integrating these factors².

Independently from those hierarchies, scientific and productive dynamics must be considered on the one hand, and on the other, means to relate them together. The scientific and technological potentials of the French regions show that their relative positioning is strongly correlated to each region's number of researchers and to their research and development expenses. The disparities between the regions' positioning should prevent us from too mechanistic an apprehension of the regions' scientific and technological dynamics. Thus, tripartite project contracts (State + Region + Universities) appear as a new regulating tool of higher education and research public action.

If political action is based on an agreement between the central and regional state, each region and the scientific institutions, the conditions of production and use of research and innovation data and indicators can only result from a collective and reflexive social activity and an organizational work of each territory. The learning and teaching capacity of a region is subjected to several such conditions as a consensus, a network of actors and practices of management and identification of the needs. However, the economic credibility of French universities is being denounced, and more particularly the economists, the spokesmen of an Anglo-Saxon « efficiency culture » praising efficiency and performance in the name of « an economy of the most competitive and dynamic knowledge in the world ».

As it is, economic science happens to be not only a deeply formative discipline, as Emile Durkheim has demonstrated, but also « performative », in the philosopher John Austin's terms. Which means that it partly creates the market it is supposed to describe, and totally transforms the State whose modes of interference it studies.

¹ Délégation interministérielle à l'Aménagement du Territoire rattachée auprès du Premier Ministre.

² When scientific development is taken as indicator, this disparity is even more patent.

In France, as in many other countries, the main reformers of higher education often tend to refer to the declarations of economists, managers or even political decision-makers. Yet, while those points of view are not to be denied, they do not preclude the possibility of getting involved in a process of collective construction in which each actor will can make propositions of change considering not only the economic and political environment, but also the social and cultural environment at various levels – local, regional, national and international – the real essential finality of all cooperation and support for a social change.

As a conclusion, the conception of the educational system, as well as that of the higher education system, depends on the political choices - or lack of choices – on the part of the States concerning education, higher educational, professional and techno- logical training, as well as research. Yet, whatever the political orientations regarding higher education and research, the desire to offer a performing and quality system to individuals and collectivities, to society in general in a globalized perspective, is asserted as much as social expectancies, whatever the countries' economic, social and cultural context.

2.2 What form of autonomy for higher education?

The question of the autonomy of universities is particularly acute as the political choices regarding higher education governance could very well lead to the implementation, even the increase, of a hierarchy between higher education institutions (Lafont & Pariat, 2011). While, at first sight, two conceptions may be identified, highlighting a national higher education public policy on the one hand, and a liberal policy on the other, a closer look reveals many more subtler subdivisions.

Historically, education is public in France; however, for the past decade, it has become somewhat partly more liberal, at least at higher education level. New political choices have caused an autonomization of higher education governing, even if, owing to political tradition, a strong national orientation remains concerning education and higher education.

Yet, it cannot be compared with the asserted objectives of other countries where planning is a solid rampart against all desire to create new branches of teaching that would not have been approved by the State. As for more liberal systems, several sub-categories can be identified since, in certain countries, there are public as well as private universities. So, do higher education institutions seek their autonomy toward the State or toward the private sector? What is the issue of autonomy in a country where the State has a low rate of legitimacy? And how does autonomy seeking affect the financing of higher education?

3. Higher education between autonomy and dependence

3.1 The context of the autonomy of universities

The autonomy of universities is linked to a whole series of changes implemented within the context of the creation of the LMD grades, of the RPL (Recognition of Prior Learning) and the LOLF (the Organic Law relative to the financial laws) which deeply modify the State's analytical budgets. On the whole, these reforms are set in a European context which asserts the necessity of a raise of the accreditation and qualification level impulsed by the Lisbon 2000 strategy. This stresses the need to meet the challenges of a French higher education which does not appear very satisfying in such aspects as : public financing which is inferior to the needs, thus creating dependence ; the drastic number of students failing in the first year ; the persistent inadequation of many diplomas on the labour market ; the more or less admitted incapacity to attract students and professors in the context of globalization ; the relative inefficiency of research in terms of licences and publications.

The debates on the « inter-institutional regroupings or coordinations between universities are taking place in several European countries » (Benninghoff, Joyce-Cagnard, Leresche, Ramuz, 2012: 9). And the links between the « European spaces » of research and higher education were initiated by the Bologna follow-up conference in Berlin in 2003, and even more so by the one in Bergen in 2005 (Beerkens, 2008). These incentives to a closer relationship and

cooperation between higher education institutions were in fact impulsed at European level, notably on the basis of three reforms, relative to:

- the implementation of the Bologna Process (1999) with the perspective of the comparability of accreditations, of the structuration of Bachelor's Degree, Master's Degree and Doctorate curricula (LMD), and of Europe-wide mobility and quality assessment,
- the formulation of the Lisbon strategy (2000) aiming at making the European Union « the most dynamic and competitive knowledge economy in the world »
- the construction of the European space of research, so as to go into a synergy with the European space of higher education.

So « higher education governance » must be apprehended by considering the higher education accreditation and assessment system as a strategy of governance improvement in various contexts, more particularly in reference to the issues, but also to the subsequent constraints inherent to territorial public policies concerning higher education and research. The purpose is to lay the stress on measures aiming at getting better results and performances, while reducing inequalities and increasing the schooling rate. This must be done by identifying measures of social innovation and the mobilization of the social partners as well as both the individual and collective actors in the processes of transformation of higher education. Indeed, the autonomy of higher education needs to be analyzed in regard with political choices concerning higher education governance; this perspective encourages the focusing on a dichotomy which tends to appear between institutions and the regions, even though nuances can be detected. Thus, reflexion can be built around possible and relevant modes of the governance of higher education institutions and, more particularly, of universities. Indeed « thinking the State, thinking the University » (Lafont & Pariat, 2011) implies identifying not only higher education objectives but those resulting from the responsabilization of institutional and higher education actors, a likely source for a space of negotiation between State representatives and those in charge of higher education governance.

The autonomy of universities could very well establish a hierarchy between higher education institutions, even increase it when it already exists, which is perhaps an understated objective of the reforms. In various political

declarations, public authorities say they wish to see some universities of a worldwide importance emerge, with a high research potential, whereas other institutions would serve to adapt to a local labour market while keeping in tune with environmental planning. The ultimate finality could very well be that of an academic elitism – denounced by some and approved by others (certain university presidents), without really asserting that this is an innovating strategy, since our « best » pupils have always had institutional paths ready for them (two-year post-high school courses, then competitive entrance higher education establishments).

But the law could also encourage a new balance that would benefit universities. The Poles of Research and Teaching (PRES/University Community of establishments: 2013) were created after the enforcement of the 2006 law as well as the incitation to participate in the Poles of Competitiveness may prove paradoxical in so far as those universities will from now on collaborate while several faculties of those very institutions are still often in competition. In a more achieved form, while the perspective of a possible fusion between institutions is likely to make a new powerful actor appear, doesn't it support the competition with other PRES? Yet, is it imaginable that the State could totally abandon all control on the teaching contents within the framework of the autonomy of universities?

So the objective is to « liberate » local initiatives in public service, in terms of human resources management. But this does not imply that the State is backing out, since universities still receive public funds; the financing and use of public money are now closely surveyed, thanks to the analytical method of the LOLF. As for estimating State financing, it goes on according to the usual modes of distribution: a fixed amount (the Functioning Global Dotation) and a contractual part (a University-State-Region four/five-year project).

3.2 The governing modes of French universities

On the basis of the results of a qualitative study on the governing modes of four French universities (Mignot-Gérard & Musselin, 2000), authors have highlighted the pluralist dimension of university leadership. They have noted that even before the implementation of the LRU and beyond the homogeneous

status originated in the 1984 law, each university had developed a very personal governing style, each being specific according to the relationship of powers established in each institution. Adding to the political state dimension, « a university government » appears as « the product of this complex relational combination: the relationship of cooperation between the various leaders, the relationship between the leaders and public authorities, and the interdependence between the various authorities » (Mignot-Gérard, 2003b:38). In the last two decades there have appeared new forms of organization and decision-making structures inside the universities, in which leadership and decision making no longer really belong to independent collegial structures controlled by the academic bodies, but where the republic of « *scholars* » gives place to what can be called « *stakeholder organizations* » in which powerful managerial infrastructures tend to counterbalance - or even replace - the academic structures traditionally controlled by the deans, heads of departments and professors. This goes along with a certain form of the professionalization of management, where the relations that were traditionally based on trust have given place to new forms of relationship based on criteria of transparency, quality-assurance processes, mechanisms of peer-appreciation, external assessments and drills of performance indicators, in order to assess research, training and vocational teaching.

Little by little, the model of the democratic representation of various groups of actors (students, professors, administrative staff) tends to fade away before new « *corporate* » organization models based on more vertical decisional processes. The resort to orientation or administration councils mobilizes new types of actors (the business sector, representatives of the political world or of civil society). This changes our vision of our traditional university, of the way it fits into society, replaced by the image of an enterprising and « *corporate* » university which cannot remain neutral before the issues of the society it belongs to. Therefore, through new forms of social commitment with the State, the university must mobilize its scientific expertise as well as its technological and management know-how so as to participate in solving some of the country's strategic issues and thus take part in the construction of a prosperous and supportive society, respectful of the environment.

For such is the essential mission of the political world: clarifying the part it intends to have and see the University play in French society, since the enforcement of the LRU appears partly homogeneous and partly heterogeneous. Indeed, the contexts inherent to the people in charge of the implementation of higher education authorities very much influence the modes in which institutions are governed as well as the action of both the institutional and the environmental actors and are situated in a by-essence highly complex game of internal and external inter-dependences and interactions.

To that purpose, they wish that the University Presidents' Conference could be recognized as an actor with real propositions in order to encourage a democratic functioning ; they also ask for a break with the logics founding the research pact, more specifically, with the Research and Higher Education Assessment Agency, so as to renew the links with the principles of a well-understood assessment ; they also assert that an adequate balance for a national regulation of higher education and research needs a more democratic functioning than the one instituted by the LRU. Finally, they deem that the national status plays a major part and that it is necessary to maintain such a status in so far as it preserves independence towards economic or political pressures. Far from rejecting the principles of assessment, they refuse any of its aspects whose finality could lead to hierarchize the institutions, one in relationship with the others, and could place them in a competitive position; such is the reason why, most likely, they agree on the pressing necessity to restore the true meaning and value of public service in higher education and research. Concerning the evaluation, Pons (2010) questions the motives of the implementation of a real assessment policy as well as the logics which are supposed to guide it. He draws our attention on the uncertainties characterizing the expectancies of the educational system's decision-makers and actors, as well as on the official « fuzziness » pertaining to the concept of assessment. It therefore necessarily follows an interrogation on the motives behind the implementation of the accreditation and assessment systems of higher education. Is the purpose a strategic improvement of university governance? The issue of the autonomy of higher education is then considered in the light of various experiments highlighting the distinction between autonomy and dependence towards the form of a more favored state governance.

The orientations defined by the newly elected President of the Republic (2012) did not contemplate abrogating the LRU. The President's recent declarations rather consider re-arranging the national text. It therefore seems that, at higher education and research level, all the actors concerned are unanimous on the necessity to restore the meaning and value of public service in higher education and research, and to give new life to democratic collegial cooperation. However, there are diverging points of view on the means to reach these objectives, mainly on the principle of whether or not abrogating the LRU. From that point of view, the above-mentioned newly elected presidents confirm the diagnosis that had been made by Musselin (2001) long before the promulgation of the LRU, the law being for them « more democratic and less egalitarian than a contract or an arrangement »¹.

In the light of this atypical example, Musselin proposes a study of the functioning modes of the most important institutional changes in French higher education in the past recent years. This makes it possible to anticipate the way - considering the new political context in France - the coming years should provide new elements of analysis and reflection on the evolution of the higher education and research system.

Furthermore, at the completion of a report on the governance of French universities, its authors (Chatelain-Ponroy S., Mignot-Gérard S., Musselin C., Sponem S., 2014) highlight the fact that the managing teams of the universities work in a cohesive manner and in agreement with the central services, whereas the « component » directors are seldom associated to the decision-making and bring very little support to the institution's policies. In parallel, the authors note a certain centralization of the decisions, as the influence of the managing teams (and sometimes of the central services) is deemed important in all the considered fields of decision. However, the universities' ability to make decisions to re-deal out the resources remains more limited than their ability to identify the priority fields. Finally, the decision criteria seem more often linked to research priorities than to teaching priorities. As for the measure devices, a frequent division can be noted between the members of the managing teams, ever more laudatory and less critical on the use of tools and

¹ Mensuel d'information du SNESUP, n° 606, juin 2012, p. 14.

the availability of information than the other people interviewed. And in relationship with the use of the gathered data, those on teaching and budgets are seen as a means of giving the tutors an account of them, whereas the data relative to research are more often presented as tools of performance assessment. However, in spite of the numerous measure devices, the professors and / or researchers who were interviewed say they feel more autonomous in their field of work. Finally, on analyzing all the answers, it seems that the professors and / or researchers, the administrative staff and the members of the managing teams are strongly attached to their institution, as well as to their unit and their discipline, even if they feel most attached to the latter. Even if their conceptions of the university vary according to the categories of those who were interviewed, and yet without the same groups always being opposed to the other groups, these conceptions on the whole remain more scientific than managerial, and more favorable to public than to private management. The people interviewed agree to a differentiated treatment of the professors and / or researchers (or of the administrative staff), or between the institutions; and they also adhere to forms of collective management rather than of individualized management. The recent reforms and evolutions often provoke rather split opinions, which, in the end, reveals a somewhat divided higher education community. Indeed the professors and / or researchers' answers are often distinct from those of the other categories : the administration and managing teams.

Thus, another report on « the freedom, responsibility... and centralization of universities » (Musselin, Barrier, Boubal & Soubiron, 2012) conclude to numerous transformations. The study is based on an approach of a monographic type led in three institutions. In these three institutions, it appears that the transformations that were observed do not seem linked only to the LRU, but seem to result from a combination of constraints and factors due to the new « Enlarged Responsibilities and Competences » (RCE : Responsabilités et Compétences Elargies), to the HCERES (Higher Comity for Assessment Research and Higher teaching) assessments and, beyond that, to the stress laid on performance and « excellence », in recent policies. However, in order to qualify the authors' point of view, it must be said that those constraints and factors are inherent to the LRU. Moreover, according to the authors, strong convergences appear between the three institutions under

study, though their characteristics may appear very different at first sight (in their localizations, their sizes, their scientific orientations, and so on). Thus, while nuances must be taken into account, what can be noticed is a very distinct evolution towards a centralization of the decisions and processes inducing a stronger « institution » level, a governing style where political and administrative authorities cooperate in order to pilot from the top and to normalize the practices and procedures, finally, a special attention to the results and, more specifically, to scientific production.

Quite radical changes can be noticed. The « administrative » style, that had prevailed in the past, dominated by the head secretary and his/her administration, has been replaced by a more political model associating the « component » directors to the implementation of managerial logics carried by the administration and the presidential team. As for the « presidential, faculty » style, it has evolved towards a « presidential, centralized » model. Indeed, though there is no questioning the possible impact of the recent reforms on these evolutions, a « president effect » cannot be denied, since, in the three universities under study, the conceptions they carry appear as being highly significant. In the 1990s, the most obvious differences between the institutions under study were the relational variations, i.e. the more or less conflictual or cooperative nature of the relationship linking the president and the « component » directors, the president and the central administration, the members of the presidential team one with the other, but also the part played by the authorities, as had been shown by S. Mignot-Gérard (2003a). In 2011, these various relations are globally identical in all the institutions. What makes the universities differ are the presidential orientations: a negotiated « managerialization » in one case, a new structuration of the university around research in another, and the re-strengthening of the university through rationalization in yet another case.

3.3 Accreditation and assessment system in higher education

Consequently, a new questioning arises here on the accreditation and assessment issues, the somehow corollaries of governance, at the level of the institutions themselves as well as that of society as a whole, forcing the State to play the part of a quality coach. Nevertheless, it is feared that the State could little by little disengage itself from universities whose teaching or research are

not considered as priorities, with the apparition of universities who, public moral entities though they are, could, one day, become largely dependent on private financing and registration fees. Yet, such an evolution could not be achieved without the agreement - spoken or not - of public authorities, although it is a reform of the governance of French universities. Anyway, such a reform of the higher education system could not possibly associate the transmission of universal knowledge with the necessary autonomy of institutions and their students, and that of the construction of social integration to the dependence on the labour market.

Alternating between training path and vocational route makes it necessary, on the one hand, to reconsider access to university in order to register in a professionalizing or general training at any time of a life cycle and, on the other hand, to assimilate training to a right and to a process meeting numerous requirements - knowing all the while that the French system sometimes makes individuals undergo a lifelong orientation, a failure or a « wrong » choice and that that system is socially selective and can generate strong tensions and dissatisfactions. All these elements are likely to impulse a policy of continuous training which partakes in doing away with the partitions of higher education routes. The vocational path is thus progressively given more value through the creation of new L- and M-level diplomas. But won't the creation of new ways of access to certification encourage the creation of bridges between the labor world and higher education, through clearer rules relative to competence referentials¹?

The evolution of the labor market itself is heading in that direction, with ever more changing jobs and constantly evolving techniques, showing new paths of orientation as the vector of change and innovation in a country that has great difficulty in recognizing the diversity of forms of excellence and where the weight of academic ranking is often very decisive on a professional and social future. The university implements measures of a « social promotion » type in so far as it makes it possible for certain people to register in training

¹ It is the lowest degrees in the educational ladder which can be converted into competitive referentials; as soon as the degrees are of a higher level, they are better defined as knowledge programmes. These competence and knowledge referentials, whose use is unknown, serve as revealing indicators of effective competences, modeled by practice.

with a view to getting degrees outside the traditional recruiting procedures based on files linked to tests of knowledge passed in the previous years. This can reach the very core of the French social system, founded on republican elitism, in other words, on a hierarchy of social functions according to academic merit, i.e. diplomas (Maurin, 2004). But it is also presented as a device aiming at fluidifying the labor market by recognizing the skills of people who already have certain functions without having the required degrees, and by allowing the promotion of those among them who could have access to higher functions (vertical mobility) or other functions altogether (horizontal mobility). However, the fact that it is a measure of affirmative action¹ which counters the traditions of French society cultivating republican elitism under the cover of formal equality is not really brought to light. And yet the RPL device marks a breaking-off with the traditional mode of degree delivering by encouraging new strategies that it can induce in individuals who are - or are likely to be - concerned, as well as in the administrations, the firms or the organizations employing them - or likely to do so. Therefore, the accreditation and assessment systems of higher education appear to us as capable of revealing the improvement strategies of higher education governance, of higher education and of the constraints relative to its environment and to the limits to its autonomy.

Conclusion

In a context of globalization being accelerated by the mechanisms of homogeneization and contamination, the reforms in education and higher education that are being applied in several countries present strong similitudes, despite sometimes very contrasted contexts and levels of development. Thus, in a society which is today characterized by an « advanced modernity » (Giddens, 1994), following an organization based on processes of bureaucracy and rationalization (Weber, 1971), isn't governance, in its turn, becoming the stimulant of a societal evolution, the vector of a transformation of knowledge? Therefore, isn't the challenge to be up to a joint construction that must be freed from the contradictions inherent to the mode of decision-making

¹ It is supposed to aim at correcting the most discriminating dysfunctions of a society who has not managed to adapt in a more reactive and supple way to the ups and downs of its evolution and has been incapable of tackling the problems undermining it.

represented by the governance associated to a democratic political regime? While the foundations of democracy rest on the people's sovereign expression, governance refers to such entities as the State, the Universities, the networks... Sovereignty is then defined by an equal power of each individual, though governance favors those groups which generally benefit from attributes that the others do not possess. The stress laid on the issues of territorial spaces and long-term international cooperation makes it possible to question the processes of individual and collective interactions in infra-territorial and extra-territorial contexts. Thus, in time, the regions' involvement associated to the universities' responsabilization - sometimes called « the third act of decentralization in France » - appears more and more as a complementary element of public policies and national and international strategies, making a public management model emerge with a view to strategically planning regional development and to giving a global approach to the issues. In the same line, the development of international cooperations in a perspective of long-term development emerges as a vector likely to make counter-balances possible in a globalized environment.

Bibliography

Beerens, Eric (2008), The Emergence and Institutionalisation of European Higher Education and Research Area, *European Journal of Education*, Vol. 43, n°4, 407-425.

Boyer, Michel (2000), Nouvelle territorialité, nouvelle gouvernance, nouvel arbitrage : défis et enjeux pour la direction d'un réseau scolaire québécois, in Guy Pelletier (sous la direction de), *La gouvernance en éducation* (pp.147-159), De Boeck, Bruxelles.

Chatelain-Ponroy, Stéphanie, Mignot-Gérard, Stéphanie, Musselin, Christine, Sponem, Samuel (2014), The impact of recent reforms on the institutional governance of french universities, in Michael Shattock (ed.), *International Trends in University Governance: Autonomy, Self-Governance and the Distribution of Authority*, Routledge, United Kingdom.

Demaiily, Lise (2008), L'obligation de réflexivité, in Guy Pelletier (sous la direction de), *La gouvernance en éducation* (pp.33-52), De Boeck. Bruxelles.

Deutsch, Karl (1963), *The Nerves of Government*, Free Press, New York.

Filâtre, Daniel (2004), Politiques publiques de recherche et gouvernance régionale, *Revue française d'administration publique*, Vol. 4, n°112, 719-730.

Foucault, Michel (1989), *De la gouvernabilité ; cours donné au Collège de France en 1978 et 1979*, éditions du Seuil, Paris.

Giddens, Anthony (1994), *Les conséquences de la modernité*, L'Harmattan, Paris.

Musselin, Christine (2001), *La longue marche des universités françaises*, PUF, Paris.

Lafont P. et Pariat M. (2011), *Penser l'Etat, penser l'Université*, Publibook, Paris.

Benninghoff, Martin, Fassa, Farinaz, Goastellec, Gaële & Leresche, Jean-Philippe (2012), *Inégalités sociales et enseignement supérieur*, De Boeck, Bruxelles.

Lusignan, Jacques & Pelletier, Guy (2009), Gouvernance, pilotage et régulation intermédiaire dans les systèmes éducatifs, in Pelletier Guy (sous la direction), *La gouvernance en éducation* (pp. 11-31), De Boeck, Bruxelles.

Maurin, Eric (2004), *Le ghetto français. Enquête sur le séparatisme social*, éditions du Seuil, Paris.

Meny, Yves & Thoenig, Jean-Claude (1990), Politiques publiques, *Revue française de science politique*, volume 4, n° 3, 394-397.

Mignot-Gérard, Stéphanie & Musselin, Christine (2000), *Les modes de gouvernement de 37 universités françaises*, Rapport d'enquête Cafi-Amue, Paris.

Mignot-Gérard, Stéphanie (2003a), L'appropriation des politiques nationales par les établissements : le cas des politiques de recherche , in Felouzis Georges (ed), *Les mutations actuelles de l'université*, PUF, Paris.

Mignot-Gérard, Stéphanie (2003b), Le 'leadership' et le 'gouvernement' dans l'analyse des organisations universitaires : deux notions à déconstruire », *Politiques et Gestion de l'enseignement supérieur*, 15.2, OCDE.

Musselin C., Barrier J., Boubal C. et Soubiron A., *Rapport sur la liberté, la responsabilité... et la centralisation des universités*, pdf, Août 2012.

Pestre, Dominique (1995), Pour une histoire sociale et culturelle des sciences, nouvelles définitions, nouveaux objets, nouvelles pratiques, *Annales HSS*, n° 3, 487-522.

Pons, Xavier (2010), *Evaluer l'action éducative-des professionnels en concurrence*, PUF, Paris.

Theys, Jacques (2003), La Gouvernance, entre innovation et impuissance », *Développement durable et territoires* [En ligne], Dossier 2 | 2002, mis en ligne le 01 novembre 2003. URL : <http://developpementdurable.revues.org/1523> ;

Theys, Jacques (2002), La gouvernance, un concept utile ou futile ? , *Economie & Humanisme*, n°360, 4-6.

Weber M. (1971), *Economie et société*, Tome 2, *L'organisation et les puissances de la société dans leur rapport avec l'économie*, Plon, Paris.

SOCIAL VARIABLES IN THE MORAL EDUCATION FROM THE NATIONAL CURRICULUM PERSPECTIVE

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ABSTRACT: The moral-civic conduct represents the externalization, the objectifying of the moral-civic consciousness in acts and actions of various concrete situations in which the child is. One plan covers “the interior” plan, the other one “the exterior” plan of the moral personality. Morality can be sketched, provisionally defined as a *real*, collective and individual phenomenon, comprising both *rules* (principles) that govern the human *relations* and human types of *activities* and all the (subjective and objective) *manifestations* which are made in various degrees and ways into these rules, which assess the collective and individual *appreciations*. (Cățineanu, T., 1982: 60-62)

Specifying the social, extrinsic tasks related to a social order, makes it possible to sighting the location and the status that ethics plays in the social disciplines. Ethics has a dual status, being a theoretical discipline of a philosophical and scientific nature.

Keywords: moral education, curriculum perspective, psychological variables, moral norms

1. The moral subject and the moral conscience

The human being is not born as a moral human being, but he becomes in time, and the manner in which he does it, it essentially depends on education receives it. Moral education aims the internalization of norms, rules, morals and involves not only a cognitive dimension, but also an emotional and practical size, operates in the context of which will occupies he an important role.

First, morality is a social phenomenon, by its genesis, structure and by its historical functions and operation. It appeared when mankind and people appeared and it will last as humanity and people last. Secondly, as a social

phenomenon, moral is driven by the society infrastructure, but it also has a relative autonomy and a specific consistency, as it possesses a structure, components, its own functions and levels. Third, morality is a form of social consciousness. The forms of social consciousness are distinguished according to what they reflect from the existence and how they reflect. Morality exclusively reflects the human relationships and they mainly reflect them through norms and imperatives. Fourth, morality is a practical-spiritual assimilation form of the existence. (Cucoş, C., 2009: 113-114)

The moral subject is the manifestation *agent* with a moral significance of the event, so of the manifestation which has a definite report with norms and it is the subject of the evaluation or the assessment of good -bad criteria. According to the moral subject model, the subject is not in the “center” of the morality, but it is one of its moments. (Pleşu, A., 2010: 14). Like other moments, the subject as a no real agent is not an entity, but a crystallization and a “hub” in a complex network of moral and infra moral relationships. The premature obsession of the “abstract interaction” should be avoided and the “moments” of the interaction or its terms must be bounded. In its abstract use, the “interaction” tells us everything, and it also tells us nothing. But the result of this analysis is not to directly indicate the subject’s position in its moral fact, but to distinguish between individual and collective subject. The moral subject is part of the moral fact as a conscious, distillate subject and also as an agent of action and of relationships that bind them.

The moral conscience is a structured and oriented ideas, representations, feelings, moods, inner attitudes assembly, with respect to what is right or wrong in the human relationships, a whole goal in the moral manifestation. This simple and simplistic definition is just a starting point and a landmark in investigating the phenomenon of such an extraordinary complexity: the general consciousness and the moral conscience in particular. A necessary step in the investigation of the problem is an overview of some models of moral conscience, developed in the history of thought of this theme. The most relevant models which can serve to us both on their positive side, with a reflector value and on their negative, critical side are:

In the collective moral conscience there are the *moral norms* and the *moral assessment*. The support of this consciousness is the collective or anonymous subject, the collectivity being a creative subject and a targeted object by his own creation, or, in other words, it is an agent and a *referent*. In other words, *the moral norms* and *the moral appreciation* are two fundamental levels of the collective moral conscience, which must be analyzed in their mutual correlation, in their correlation with *expression* and other related spheres related to practice or social normativity.

2. Ontological determination of the moral education

The specifics of moral education is determined, on the one hand, by the morality particularities, as a social phenomenon, which gives it content, on the other hand, by the socio-psychological conditions that are involved in its realization. Reporting to the society and to the topic - these are the two indispensable frames of reference of the pedagogical and moral education (Jinga, I., Istrate, E., 2008: 150-151).

Morality, as a social phenomenon, reflects the relationships established between people, in their depiction of real subjects they interact with, in a social context delimited in space and time. From this perspective, it appears as a form of social consciousness, differing from other forms by the reflected subject, by the way in which the reflection and its effect on the object reflected realises. Regarding the object, it is about certain social relations between people appearing in their interaction process. Obviously, not everything related to the extension of social relations and their depth is an object of morals. It is only those relationships that were previously acquired by social consciousness and refers to the interaction between people, as real subjects.

Reflection is not simply capturing events or features, fit to these ratios, it also includes an appreciative note with a regulatory function of human coexistence, stimulating and guiding human behavior consistent with social requirements. Hence the moral normative character of what is required in the form of ideal models of behavior acting externally on humans for the adoption and implementation relations that fall within the moral ideal perimeter promulgated by the society. Moral reflects both concrete manifestations of relations between people as they express in their behavior and their ideal sense, how these relations should be achieved. For an adequate circumscribing of the moral education, we start from the methodological distinction between moral and morality, social (the society moral conscience) and individual (the society individual conscience) moral. The first includes the moral system of the society seen as a whole, while the other - individual morals or morality - is not merely a reflection of the conscience of the individual content that the social moral incurs. (Mărginean, N., 1973: p. 84)

From this point of view, we believe that social morality has an objective and an ontological basis of moral education. Every educational action undertaken in this regard is reported continuously to this "given" which is both the starting point, giving the content it needs and the arrival point through the criteria for which the assessment purpose and its yield is done. Who provides

the moral education content and on what basis we appreciate its return? The answer to these questions implies a permanent social morality.

Its content is focused on moral ideals, values, norms and moral rules. Taken together, all these components form the moral system. *The moral ideal* is at the heart of any moral system. It reflects what is characteristic and defining for the trend of the behavioral choices of members of a community or society as a whole. It is the axis around which all other elements of the moral system revolve. It is regarded as an image of perfection from a moral point of view, comprising a pattern, a moral quintessence of human personality. By its contents, it appears to us as a prospective model, surpassing the existing reality, without being totally detached by it, offering a field of possibilities and options that employ the human personality into a continuous process of self-improvement. It is, in other words, a foreshadowing of the general sense of behavior depending on social imperatives. (Stoica, S., 1974: 81-84)

Saying that the moral ideal has a prospective nature and involves a field of possibilities, this means that it will not ever achieve in its entirety, and thus the real people behavior will not be able to exhaust its content. This relative distance between real and ideal represents the source and the driving force of the ideal human behavior modeling. It is understood that when the distance is too high, the ideal is turning into a chimera or illusion, which on a behavioral plan manifests by renouncing, but when it approaches a state of passivity installs. Significantly for the moral ideal it is the power of attraction it exerts on the human behavior.

The essence of the moral ideal is manifested in values, norms and moral rules. *The moral values* reflect certain general requirements that are imposed under the moral ideal of the human behavior. Among the most significant moral values are those of patriotism, attitudes to democracy, work, freedom, honesty, honor, responsibility, courage, cooperation, modesty, etc. They have a polar character, each value corresponding an anti-value (dishonesty, selfishness, individualism, dishonesty, misconduct, etc.). Moral values do not refer to a specific situation, they prescribe certain requirements covering a wider field of situations and behavioral manifestations. Moreover, no concrete moral act, however generous it may be, as no amount of moral acts, however many they may be, will exhaust the content of the moral values, since the postulate requirements are inexhaustible. "However great the number of documents that will satisfy the moral value is, it always remains an infinite amount of unrealized demands and situations. The value action area always remains intact, indefinitely, and therefore invincible". (Stoica, S., 1974: 81-84). Because of these features, all moral values to which the individual motives adhere, become a powerhouse with strong domestic human behavior in the most diverse circumstances of life. "Values are not only pressure but also

callings". (Mărgineanu, N., 1973: 84). At the same time, moral values have not only a general-human character, but a historical and concrete one.

The norms, precepts and moral rules are regarded as models of moral behavior or prototypes developed by the company or a smaller community and applicable to a given situation. By expressing the requirements of one or more values through their individual moral attitude, their deeds and actions externalize. They are the ones that give substance to the ideal, generating direct behavioral requirements in the form of "action models". The norms of the professional ethics, morals schools are leading examples in this regard. Their spheres intersect and are mutually interdependent. After their form of expression, these norms, precepts and rules may be expressed by a set of sentences in the form of bans (obligations) and permissions (imperative). The first is characterized by prohibiting or placing some restrictions for people's behavior, while the others guide and direct this behavior. They have a normative force that ensures by means of special mechanisms such as public pressure, customs, traditions, censure, disapproval, etc. The origin of this normative force is in reality, namely in the coexistence of people in "their general belief" about the validity and usefulness of respecting them, join them contributing to the achievement of social and individual interests and aspirations at the same time. As long as certain rules are not materializing in people's behavior, the majority of them, or, in other words, as long as it does not manifest itself effectively as a statistical average of the social behavior, will not have this normative force of targeting the individual behavior of people.(Stoica, S., 1974: 88-89)

At the social level, these norms were crystallized through a long process of filtering and assessment of specific actions of individual moral facts, using the moral judgment. The moral norm and the ethical judgment are closely linked. First precedes the action or the moral act, prescribing how it should be, while the second one succeeds the behavior, assessing its finality by comparing it to its standard ideal and its recognized and accepted moral values.

3.The importance of moral and moral education concepts

It is not possible the formation of personality without taking into account the issues that should dominate our entire spiritual life: the moral aspect. Until recently, the share of the moral education in human life in the Romanian school was understated, the intellectual dimension of the human being lying in the foreground. The gap between the technical-scientific and moral process was one of the causes of disharmony in the educational plan between intellectual and moral component. It requires a general effort in the human moral recovery process, to ensure the liberty of each individual's dignity and capacity for creating and self-creating, for rehabilitation of the moral education in school.

Among the ways to rehabilitate the moral education in society and in the Romanian school we must talk about:

- The personal, conscious and systematic effort of moral self-improvement; the role of self-education. It is necessary to understand that each should work with himself from a morally point of view. The understanding must lead to a lasting moral exercise.
- Increase of school responsibility in moral education of the young generation. Education should reconsider its content, methodology, relationship educator-educated and primarily educational goals, among which the moral should be in the foreground.
- The contribution of other educational factors to the achievement of the moral education. Family must increase its efforts to form the moral profile of the young generation, because the foundations of moral character shall be made in the first seven years of life. A new table of values; reexamination is required to values table; the moral value has a privileged role. (Piaget, J., 1980: 187-192)

The specifics of the moral education is determined, on the one hand, by the morality specificities as a social phenomenon, which gives content, and on the other hand, the socio-psychological conditions that are involved in their implementation.

Morality is a form of social consciousness, reflecting all concepts, ideas and principles (rules) that guide and conduct people's behavior in their personal relationships, family, workplace and society in general.

The moral content includes a whole ideal of moral values, moral norms and rules that regulate human relationships with others, with society. *Moral ideal* is regarded as an image of perfection from a moral point of view, comprising a pattern, moral quintessence of the human personality. *Moral values* reflect certain general requirements and exigencies that require human behavior under the human ideal.

The norms and the moral rules refer to a specific situation; they are expressed by a set of prescriptive sentences as obligations, prohibitions and permissions relating to the moral action.

Morality designates what the human or the human group is from a moral point of view. Herbart understood by morality or virtue the consent with the moral ideas, in Kantian terms, the agreement between the will and the moral law.

Education is defined as a process of achieving morality, as a factor of transition from ethics to morality. *Moral education* is an education component through which the formation and the development of consciousness and moral behavior, moral formation of personality profile, developing social-moral behavior realises.

The essence of the moral education is to create an appropriate internalizing framework for the social moral components in the moral personality structure of the child development and stabilization, on the basis of his moral profile, consistent with the imperatives of our society.

4. The essence and the purpose of the moral education

The social morality components have a decisive character towards people's individual moral knowledge. The acceptance and the assimilation of the former is always done in a psychosocial context by each individual, everything is filtered through the prism of its subjectivity (experience, insight, interests, needs, aspirations, emotional states etc.).

The transition from moral to morality, from the individual to the social moral conscience is not direct, it is mediated by a series of social and psychological variables. The social ones imposed by the social context in which the moral education is realized, that it always takes place on the background of "moral relations practice" which put their imprint on the process of introspection, the psychological ones being imposed by the uptake and adherence to the social morality which is always done by a concrete subject, emotionally involved and engaged against the social moral.

Thus, the moral development of human personality is the result of dialectical interdependence of social determination, reflected in the demands of social morality and personal empowerment, represented by domestic factors, subjectively involved in this process. The essence of the moral education is to create an appropriate framework component internalizing the social morals of the moral personality structure of child development and stabilization on this basis of the moral profile with its moral imperatives of our society.

In this respect, the fundamental purpose of education is to form the moral individual as a moral issue or as a subject who thinks and acts in the spirit of social morality needs and requirements, the ideals, values, norms and rules on which it rests. Synthetically expressed, it is the moral profile of the individual. In a pedagogical sense, the profile appears as a reality in a continuous transformation as a construction which consummates indefinitely and whose project or goal is to achieve it in the educational action frame.

5. Social and psychological variables in moral education

Social morals act outside the individual moral conscience, representing, in this aspect, the moral climate in which man lives and acts. However, the social

morality is not a self-reliant entity, it exists with the help of the individual knowledge of its society members. This means that, from the earliest age, man as a social being, is engaged in a series of practical moral relations and thus, becoming their topic.

Hence, we can say that, from a pedagogical point of view, the individual is and remains permanently the subject to moral relations, whether he is or not the scope of the educational action. As a member of a community, he is the subject of what the moral relations at that level constitute. Moral education will not independently be achieved by the social practice that occurs in the community, by the whole activity taking place here.

Thus, one of the peculiarities of the moral education is that it extends not only on individuals but also on the relationships between them. The organization and the management of these relations will have repercussions on their carriers. The formation of the moral subject, objective of the moral education, appears as a full and practical moral subsumed relation that is established within that community. Against this background, the individual presents a double aspect, the subject of these relationships and his actions exerted on his education. Everything he accumulates in the position of subject of practical-moral relations is the educative action support being exploited by it, and everything is achieved by education will manifest itself in the attitude and conduct of the individual as the subject of the practical-moral relations.

Moral education is not possible outside the social relationships established between people's relations that always have a moral coloring or relationships which are eminently moral. The social variables result from how these relations work, based on the internal organization of the social framework in which they are established. Knowing such variables, we can discover the origin of contradictions that arise between the two planes, social and moral, on this basis, deterring educative action occurs, organizing these relations in another in a different way. The pedagogical frame of the moral education is co reporting them to the society and the individual. (Nicola, I., 1996: 206-213)

Looking at the psychological peculiarities of the moral subject formation, we start from the proposition that individual's moral conscience is not simply a reflection of the social morality, but the result of ongoing elaboration of what the social moral offers. The development means that the coverage is conditioned by our subjectivity that reflects the individual moral conscience or morality thus differing from one individual to another. What are the internal factors involved which give to the individual morality a unique character? We distinguish, on the one hand, factors related to the individual experience accumulated up to that moment, and on the other hand, factors arising from the particular ontogenetic development of the individual. The first category includes the worldview and the moral conscience the respective

person touched. The conception of the world leaves its mark on the whole personality, it determines a certain way of understanding the social commandments, purpose and meaning of life, a certain way of interpreting the relationship between the individual and society, all requiring a personal touch for all values, principles and moral rules.

The worldview concept will have a specific effect of different moral values. Because the individual is the subject of the practical-moral relations from the earliest age, it means that at any moment his moral consciousness has reached a certain level, thus becoming a filter for all the influences exerted from the outside, including the educational order. The level of the moral individual consciousness relates to knowledge and beliefs they possess, the traits of will and character which were formed, the ability to assess the facts of moral and moral judgments on emotional states and feelings they live and make it vibrate against manifestations of moral sensitivity and moral sense, the internal motives that make him act in one way or another.

All these do nothing but to differentiate and qualify the process of social moral internalization, they enrich moral life of the society due to its inverse connection. Exaggerating this individualization and the individual creative attitude adopted against social morality commands can lead to its nakedness its objective content he possess and thus to annihilate its normative character. Sliding on the subjectivism and voluntarism glide slope becomes, in this case, imminent. The interpretation and the creative assimilation of the social morality is not objective sacrificing its content. All the above components of subjectivity, which circumscribe the moral conscience of the individual, will amplify the effect of educational action as it relates to the social morals, being themselves in advance determined by this.

Regarding the factors related to the child's ontogenetic development training, it is presumed that morality is conditioned by some psychosomatic features corresponding to various stages of development. Dealing with this problem, J. Piaget distinguishes the moral realism stage and the stage of cooperation during childhood. Their delimitation based on the interpretation which are regarded as "inter-most characteristic sense of moral life," he expressing the value attributed to a person, distinguished from others, and considered as a whole. When this value is assigned by someone inferior, or considered superior, we are dealing with unilateral respect and recognize the value of each other when we are dealing with mutual respect. (Piaget, J.,1980:187-192)

The stage of the mutual realism corresponds to children up to the age of 7-8 years. The relationship between adult and child is unilateral, meaning that the adult is the source of all black lists and obligations are imposed, due to its presence, the child is obeying its virtue and a value which recognizes. The so-called moral obedience is fueled by the inequality feeling of a child to an adult.

The rules of conduct are regarded by the child as a given, as the outcome of an external authority and his superior, without any connection with the actual situation. They are not assimilated and transformed into an interior cell. What lead them to obey is the unilateral respect, based on affection and fear. The disease appears as an expression of identifying and recognizing an adult person who embodies the command (parents or others), knowing that usually the child is not subject to anyone, and fear is a reaction against the adult authority. Its moral conduct guiding and directing the child, is dictated and imposed from the outside and to a lesser extent it is the result of his internal necessities. The child's tendency is to consider the values and the moral norms as existing in themselves, imposing, independent of his conscience. They appear as something external and not as a result of the personal interpretation.

The cooperation status (or the moral autonomy) corresponds, in genetic terms, to the age of 7 to 12 years. Characteristic is that now the respect is no longer unilateral but reciprocal (or mutual). Therefore, rules and moral norms will internalize and become internal conduct motives as related to the natural consequence of a coordination process in which both poles are trained, each with a relative freedom and acting under internal trends that were formed as a result of the interpretation and filtering the external commands.

Coercion through external rules and regulations cease to be a force in itself, putting its mark on conduct only if it manages to trigger and stimulate domestic resorts of individual moral conscience. If in the first stage, a rule imposes an appropriate conduct under obligations emanating from the person, in this stage, the same rule will have an effect in terms of conduct only if it becomes an expression of consciousness, acting, therefore, not only by external force, but also by internal one. Normally that as the child grows, the role of the "conscience" as the internal, mediator factor amplifies freedom of action being increasingly higher.(Nicola, I., 1996: 229-230)

Autonomy is not possible outside of cooperation, mutual relationships outside of eventually facilitating internalization of external moral commands, they now act on the inside individual behavior. "Autonomy appears only as reciprocity, mutual respect when it is so strong that individual interior feels the need to treat another as he would like to be treated by someone else". (Piaget, J., 1980: 164-168)

Adolescence (which also includes pre-adolescence) is further placed between 12-18 years. In terms of moral autonomy the mechanism is enriched with new issues as a result of socialization and integration into adult society. What is significant is the finding that adolescence is the "age of the great ideals", incorporated in the mechanism of autonomy, individual independence which amplifies these ideals, it acts not only on the present reality, but also anticipate future requirements. However, the subject has the ability to operate morally on various moral values posed by the moral ideal. Their constitution is

possible due to the development of formal thought. Once shaped, they become internal motives and will have an impact on all the facts and practical-moral relations in which the individual is involved. Henceforth, he acts on behalf of the ideal that inspires, interpreting the social imperatives and in terms of its headquarters.

The above only circumscribe essentially, from an ontogenetic perspective, what the psychological support of moral education consists of. In fact, all these peculiarities, the child's evolution, manifest differently from one another, because of the individual features, specific to each student.

It follows therefore that the moral education is one of the most complex educational branches as it always takes place amid unity of the social and psychological weight of their relationship modifying both on the context in which it occurs and in depending on the ontogenetic development of the child. As such, any oriented education action for this purpose can not be effective unless it is based on knowledge of social and psychological variables involved in its development.

6. Curricular goals and perspectives of moral- civic education

The term *curriculum* is of Latin origin and means "short informational and action election (selection) for education needs". The concept of curriculum in contemporary pedagogy has various meanings: the whole program of educational activities, scientific content selection for development (organization) objects (subjects), education system components of the educational process: objectives, content, strategies, etc.

Conținutul învățământului (curriculum-ul) reprezintă ansamblul de valori ideatice și de abilități practice sau ansamblul de cunoștințe, priceperi și deprinderi selectat din tezaurul cunoașterii și practicii umane, care se transmit și se dobândesc pentru dezvoltarea personalității și formarea profesionalității tinerelor generații, în vederea integrării lor socio-profesionale.

The content of education is expressed by the subjects, which is an information system selection and practical skills in a particular field of knowledge and human practice: art, science, culture, art, etc. The information and practical skills can be expressed in the singular - plural or content of education - education content when it comes to the variety of educational disciplines. The curriculum content represents the essential fundamental component of the instructive - educational process.

The content of education has two important characteristics: quantity and quality.

The amount represents one side of education highlighting the number, the crowd, the size and the expansion of information and practical skills, in other words highlight the volume of theoretical and practical knowledge that is

selected for a subject depending on the degree, profile and instructive-educative objectives thereof. By quantity, the education content answers the question how much education should be transmitted and learned at an educational discipline and education assembly, causing the informative character content.

Quality is the educational content that highlights the value side, essentiality, the depth, the functionality, performance, durability, reliability and effectiveness of formative knowledge and training in personality development professionalism, intellectual and professional skills development of the youth. Quality answers the question what is transmitted and taught, causing formative content (Bontaș, I., 2006: 67-68)

Between the two sides there is interaction, in the sense that it is necessary to send a certain amount of information volume to be selected as essential notes of quality, applying the Latin saying: "Non multa sed multum" (not many, but much). So, not loading the content with much knowledge, but with the knowledge that says much in terms of meaning, value, sustainability, efficiency, and that are of quality.

Education responds to training needs in various fields of human personality: intellectual, physical, behavioral, socio-moral, aesthetic, etc. Consequently, the components or the fundamental fields of education, training corresponding to the essential dimensions of the human being are: *intellectual education, moral education, religious, aesthetic education, vocational and technological education and physical education*.

Moral education is an aspect of education that has as an ideal the formation of the moral profile of the personality and social behavior - moral man. In terms of contemporary society, democratic society, the roles of the social relations and the individual's responsibility to himself grow, towards others and towards society, defending the new issues of ethics and behavior (conduct) of the individual and of society members. In this context, the importance of moral education lies, as education for democracy in schools and beyond.

In the Romanian pedagogy, G.G. Antonescu showed a keen interest in moral education of pre-adolescents and adolescents. The Romanian teacher believes that the fundamental problem in moral education, as in religion, can be formulated as follows (1972): *How can we create the moral discipline to a student? How can we strengthen the power of resistance to temptations?* G.G. Antonescu says that there is a superior trait of the human soul that we find in any normal man, more or less: *the moral heroism* or the power that each of us have to overcome ourselves. The moral heroism thus refers not to huge facts, but to the petty things of everyday life. This heroism must be identified and cultivated by the educator, but before you cultivate, you have to have lived

himself as “a man who has nothing holy, who has just fought for an ideal, the educator may not cultivate this heroism into the children.”

Conclusions

We can say that the educational, moral finality takes place amid the extrinsic and contextual factors. They could be systematized into two categories: social morals and micro-collective morality in which the child is included. In the category of the contextual factors we can include the group morality too. The child is not an isolated human being. From the earliest age he is involved in a system of human relationships that are formed on the groups to which he belongs to (family, circle of friends, class collective). Operation of any group inevitably generates a certain degree of morality, the result of filtering, adaptation and acceptance by its members of norms and rules of the great “spring” of social morality. The group morality exercises the same influence on the child interacts with continuous education actions initiated and organized by the teacher.

Bibliography:

1. Căţineanu, Tudor, (1982), *Elements of Ethics, vol I*, Cluj-Napoca: Dacia
2. Cucoş, Constantin, (2009), *Psychology*, Third Edition, Iaşi: Polirom
3. Jinga Ioan, Istrate, Elena, (2008), *Manual Pedagogy*, Bucharest: All
4. Mărgineanu, N., (1973), *The human condition*, Bucharest: Scientific
5. Nicola, Ioan, (1996), *Treaty school pedagogue*, Bucharest: Teaching and Pedagogical
6. Piaget, J., (1980), *The moral judgment in children*, Bucharest: Teaching and Pedagogical
7. Pleşu, A., (2010), *Low moralia*, Bucharest: Romanian Paper
8. Stoica, S., (1974), *Lectures on Ethics*, Bucharest: Teaching and Pedagogical

THE NEED TO ADDRESS WORK-FAMILY CONFLICT FROM AN INCLUSIVE LABOR MARKET PERSPECTIVE

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ABSTRACT : We intend to emphasize in this paper the importance of studying ways of harmonizing the relationship between work and private life when labor market inclusion is desired.

The Lisbon Strategy, The Treaty on the Functioning of the EU or the development strategy Europe 2020, promote as major priorities for sustainable economic development, research, innovation and education, developing an inclusive labor market (such as the inactive, in social risk situations, hard engageable to find jobs).

These recommendations come as a result of current demographic context that characterizes the continent with growing imbalance between the working population and social assisted (aging populations, falling birth rate, migration, introduction of new technologies that replace human resource, etc.), which determines the necessity of allocating significant proportion of national budgets to social support systems, an expense which is becoming increasingly difficult to sustain.

Before mentioned factors led the European Union to consider creating an inclusive labor market as an objective of its policies, noting frequently as barriers in achieving this established goal: access to employment for certain categories, return to work after an interruption caused by pregnancy, maternity, caring for a family member, cases of disease, and others.

From this follows the need to address work-family conflict, in order to harmonize the two major spheres of our existence when we intend to realize the wish of an inclusive labor market.

Keywords: inclusive labor market, work-family relationship, social economy

Introduction

Throughout history there have always been interests in helping the vulnerable people, sometimes by the most potent members of the community, sometimes by the care of social institutions, for example the church, besides which even appeared the first public institution of this type, as part of social policy, at the end of the nineteenth century.

In France, for the first time the problem of exclusion certain categories of the population such as the elderly, orphans and the homeless was issued. France is the pioneer state in building a welfare system that actively seeks integration of disadvantaged people. Active inclusion of disadvantaged people involves their participation in the labor market, which is often difficult, because of their particularities or their family members.

Although it brings a multitude of benefits, both social and psychological, for many people work is the only way of procuring material resources for daily living for themselves and all their family members. How professional requirements have increased over time by changing labor content, the working environment or requests from employers, researchers have bowed out imbalances between work and private life. This trade-off was also emphasised by the participation in the growing number of women in the labor market, especially after 1980, or by replacing human resources with new working technologies.

Conceptual Framework

That "form of conflict between roles where requests from work roles and from the family are incompatible to that extent that participation either in roles related to work or in the family is more difficult because of their participation in the other role" was conceptualized as representing work-family conflict (Beutell and Greenhaus, 1985)¹. These are based on the definition given by Kahn to role conflict „simultaneous occurrence of two (or more) sets of

¹ Jeffrey H. Greenhaus , Nicholas J. Beutell, *Sources of Conflict between Work and Family Roles*, The Academy of Management Review, Vol. 10, No. 1, 1985, pp. 76-88

pressures such that compliance with one would make more difficult compliance with the other” (Kahn et. al., 1964, p.19)¹.

Empirical studies have identified several generating sources of imbalance between work and personal life, coming both from the working environment and the private sector. Thus, the labor may adversely affect this balance (the hours spent at work, rigid work schedule, role ambiguity or load the job). Sources of conflict can also come from family, by the need to care for children or other family members who need help, household duties, family conflicts or low support from their partner.

The imbalance between work and private life can be manifested at three levels: time (the time to fulfill a role makes it difficult to achieve the requirements of the other role), tension (stress caused by one of the roles make it difficult to fulfill the other) and behavior (occurs when behavior necessary to achieve one of the roles becomes an impediment to fulfilling the requests of the other role).

If this imbalance between personal and private life is not adressed, some people are really pushed to exclusion. Social policies have had this in mind so that we can note their progress in financial assistance to vulnerable persons to active involvement of these members of society, so that they can support themselves. This view is apparent in EU documents, which until the 2000s were promoting fighting social exclusion and, following this period, gradually, the focus is shifted to social inclusion, as it otherwise clearly emerges from the Lisbon Strategy.

The phrase " inclusive labor market " is based on the assumption that all society members can be employed, differentiated by their own specific features, so that all the member states of the European Union can benefit from the capacity that human resources existing on the continent can provide . It is often increasingly discussed about transferable, complex, skills and employment policies and standards are similar in multinational corporations, for example, regardless of the country of residence of the employee, as well as other labor law stipulations.

The desire to include the disadvantaged in the labor market was born we could say because of two main categories of reasons. On one hand the financial ones, because in developed countries the number of assisted people is

¹ Kahn, R. L., Wolfe, D. M., Quinn, R., Snoek, J. D., & Rosenthal, R. A. Organizational stress. New York: Wiley, 1964.

greater than the supporters, about 60% of residents being helped by the contribution of the other 40% in countries such as France, Denmark, Spain, Germany, the Netherlands and others . On the other hand, there are reasons that we call psycho-social. Thus, research in these areas has shown that the state of activity is specific and necessary for human beings, bringing economic benefits besides many other psychological gains (continuing school, treating addiction to alcohol or other substances, changing self-perception, learning and personal development or education in the spirit of work. In order to meet these psycho-social needs we may say, are avoided certain costs arising from the treatment or care of such persons, which leads again to a financial argument.

It is noted from those expressed earlier that inclusion is a goal with many advantages, that favors state budgets, work environment and relationships within families, but achieving this goal is often difficult when it comes to really put it into practice, precisely because those who belong to such vulnerable categories have some family or personal peculiarities that make their employment difficult. For example, some of these people did not finish school, or they even have no education, are living in isolated areas, so they can hardly get to work or their children to school, have family members with disabilities who require urgent help, or are single-parent, so it is difficult to split between childcare and employment obligations. These and many others are specific situations that make difficult work inclusion of certain categories of people.

The Lisbon Strategy and the EU 2020

Issues arising from international migration have imposed both at European level and for each Member State the need to adopt uniform policies, all contributing to the effective management of people and resources considerably¹.

Inclusion in the European Union of the new member countries in Central and Eastern Europe has brought new challenges, favorable conditions for labor mobility created by the Lisbon strategy even for pre-accessing

¹ Alexandra Porumbescu, *Migration Policies in the European Union: Espoused Perspectives and Practices-In-Use*, în *Revista de Științe Politice/Revue des Sciences Politiques*, nr. 46/2015, p. 166

countries contributed to an infusion of manpower especially for jobs with minimal qualifications, which threatens their occupants.

Also, personal challenges specific to these categories of people have led to thinking and implementation of new legislation, born from the need to adapt employers to employees' peculiarities. Therefore, employment models have been diversified, with part-time contract, fixed-term, seasonal work, the schedule is sometimes very flexible and can take various forms, enabling work from home or by using modern means of communication from almost anywhere.

Another area of intervention was that of building centers to facilitate care for dependents, such as children, disabled or elderly. In addition, actively pursued training and retraining of human resources, with the possibility of qualification or specialization not necessarily through the formal education system, also by awarding a grant for students.

These are several attempts to facilitate access to labor market for several categories of persons, with encouraging the creation of new jobs through small and medium enterprises, arts and crafts workshops or other entrepreneurial initiatives both in urban and rural areas .

Several European countries have acted effectively to achieve this goal, some of the measures taken having an effect on the balance between private and professional life. Thus, in France since 2002 was decided the decrease of maximum permitted number of hours worked per week, because, as it also happens in our country, employees often worked 10-12 hours a day. This measure was not regarded favorably by employers, but statistical data obtained after applying this change showed that the unemployment rate fell because new jobs were created, full or part time, and for workers the work-family balance had won.

In Italy also the working week was reduced with 4 hours and in the Nordic countries the problem of reducing the number of days worked per week was issued. Through various funding opportunities youth entrepreneurship and social economy or associative economy manifestation forms were also promoted.

All these measures aimed to achieve concrete aspirations of EU2020 Strategy, which proposes that the main pillars of the development of a united Europe were inclusive economic growth, increased participation in the labor market, acquiring new skills and poverty reduction.

The economic crisis has confirmed that the solution is to create an inclusive labor market combined with a strong social economy, through which to provide jobs for various categories of people, based on their own specific needs, because the protective position, of just assisting vulnerable people proved to be less effective.

The particularities of the labor market in Romania

The labor market in Romania has certain characteristics unavoidable given by economic and social transformations affecting the country, manifested in the context of global change and bolstered by some unfortunate public policy which encouraged negative trends¹.

It is well known that sectors such as agriculture and industry were most affected, and development of services sector, for example, it was not yet able to take over this influx of people unemployed, who often turned to agriculture or work in other European countries, often undeclared and lower than their preparation.

The employment rate in Romania is below the EU27 average, although the CE reports places our country at an average level in Europe in terms of unemployment².

For Romanians fresh out of a long totalitarian regime, open borders and access to information in areas such vast represented great opportunities³.

Another feature of Romania is the major differences between rural and urban areas, the first characterized by subsistence farming, like in pre-industrial societies, while in the latter case similarities with Western European societies are the most common. Thus, in cities predominate employees, over 90%, about 5% are self-employed, entrepreneurs holding a share of only 2%, unlike other European countries where entrepreneurship is better represented.

Although is projected a growth of the urban population, among those who have moved, over 50% have moved to rural areas, where over 60% of the

¹ Societatea Academică Română, *Criza pe piața muncii*, 2011

² Comisia Europeană, *UE Employment and Social Situation Quarterly Review – 10 Key Facts and Figures*, 2013

³ Alexandra Porumbescu, *The cultural impact of the emigration of German ethnics from Romania*, în *Globalization and Intercultural Dialogue. Multidisciplinary Perspectives. Section: Psychology and Sociology*, Târgu-Mureș, Editura Arhipelag XXI, 2014, p. 234.

employed population is confined to subsistence agriculture. In addition, 19% of rural occupied population is working illegally, compared to 7% of city dwellers (INS, 2011)¹.

Although such interventions financed by the European Social Fund and other structural programs are well-intentioned and necessary, they often go on a rigid model, generalized, which is not adapted to a particular area of intervention.

Analyzing the role of social actors in developing an inclusive labor market in Romania, several experts from the Economic and Social Council noted that "the development of agricultural production and related effective manufacturing, which can support more jobs is hindered in Romania because of several major factors - fragmentation of ownership, the level of labor training, the existence of outlets fair for primary and processed products, the negative impact of social model of "business success", based on corruption and theft, and other factors, at general, regional or local level "(CES 2013, p.11)².

Turning to the Lisbon strategy, and following the path of EU funding, we can note the positive impact of the social economy to reactivate the productive sectors in rural areas mainly because there are very suitable for this type of interventions, but also because it seems that is the area that is most in need for a push.

But unfortunately, field studies, show that for both the disadvantaged, but even for the leaders of local communities, the concept of social economy does not yet have much resonance, is even unknown in many cases (IRES study, 2012) . In rural areas still prevails unrealistic expectations of individuals about central players, responsible to create jobs and other facilities of social protection, combined with suspicions on volunteering or other informal ways of collaboration, such as pairing, social enterprises or personal initiative .

Another feature of the romanian labor market is the situation of young people. In this category stands high unemployment proportion (20.9%) and informal work. In addition, employers complain because of poor training of young people for professions where there is a shortage of skilled labor.

Moreover, such differences between educational training and labor market demands are also a cause of the difficulty of finding work places in

¹ Institutul Național de Statistică, Balanța forței de muncă la 1 ianuarie 2011, 2011

² CES România, Studiul Rolul Actorilor Sociali în Dezvoltarea Unei Piețe a Muncii Inclusive în România, 2013

certain professions, and the shortage of skilled labor in other fields. It follows that the real needs of professional skills created at european level have not been yet transposed in educational policies.

Conclusion

We previously mentioned the benefits that hiring more people in work brings, beyond the obvious financial pluses. These goals are sometimes difficult to put into practice exactly for those people who may have the most need: the uneducated, disabled, single parents sustaining families with children, young people who still do not have a home, experience, and are set in a position to choose between having a family and building a career.

These issues have reached the attention of European stake-holders, given the importance of addressing those situations, especially in the current demographic context . Fixing attempts were materialized first through the establishment of guidelines such as Lisbon Strategy, then doubled by specific intervention measures aimed at inclusion, some of them publicly financed from comunitary money. This interest comes to confirm the necessity of shifting from protecting the underprivileged, also necessary, but not sufficient, to the active involvement of various categories excluded from work. The inclusion way may cost more for the beginning, but is part of the broader concept of sustainable development.

Bibliography:

1. CES România, *Studiul Rolul Actorilor Sociali în Dezvoltarea Unei Piețe a Muncii Inclusive în România*, 2013
2. Comisia Europeană, *UE Employment and Social Situation Quarterly Review – 10 Key Facts and Figures*, 2013
3. Comisia Europeană, *Employment and Social Developments in Europe 2012*, 2012
4. Jeffrey H. Greenhaus , Nicholas J. Beutell, Sources of Conflict between Work and Family Roles, *The Academy of Management Review*, Vol. 10, No. 1, 1985, pp. 76-88

5. Guvernul României, *Strategia de Ocupare a forței de muncă*, 2011
6. Institutul de Cercetare a Calității Vieții, *Politici de incluziune socială*, 2007
7. Institutul de Cercetare a Calității Vieții, *Alt fel de ocupare: cererea de economie socială în regiunile de dezvoltare București-Ilfov și Sud-Est*, 2011
8. Institutul Național de Statistică, *Balanța forței de muncă la 1 ianuarie 2011*, 2011
9. IRES, *Diagnoza situației actuale privind dezvoltarea economiei sociale în spațiul rural*, 2012
10. Kahn, R. L., Wolfe, D. M., Quinn, R., Snoek, J. D., & Rosenthal, R. A. *Organizational stress*. New York: Wiley, 1964.
11. Alexandra Porumbescu, *Migration Policies in the European Union: Espoused Perspectives and Practices-In-Use*, în *Revista de Științe Politice/Revue des Sciences Politiques*, nr. 46/2015, p. 166
12. Alexandra Porumbescu, *The cultural impact of the emigration of German ethnics from Romania*, în *Globalization and Intercultural Dialogue. Multidisciplinary Perspectives. Section: Psychology and Sociology*, Târgu-Mureș, Editura Arhipelag XXI, 2014, p. 234.
13. Societatea Academică Română, *Criza pe piața muncii*, 2011

WHAT IS SOCIAL INTELLIGENCE ?

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ABSTRACT: This paper presents a summary and aims to define social intelligence. The original definition of social intelligence concept belongs to Edward Thorndike, who defined it in terms of ability to understand people and to act wisely in human relations.

Despite its usefulness and freshness, the term social intelligence was initially criticized by some researchers who rejected the concept considering it as a simple ability to manage social situations. Furthermore, the main argument the opponents of the theory of social intelligence had against it was related to the inability to measure social intelligence of a person. However, the psychology researchers have found a way to give social intelligence a quantitative note by using the hypothesis of effective behavior which can be measured by multiple ratings. Therefore, today we can say that social intelligence is defined as an individual's background knowledge about the social world.

Keywords: abstract intelligence; social intelligence; social consciousness; social ease; social behavior.

In simple words, general intelligence is an operations system that conditions the way we approach and solve various tasks. It is closely linked to the process of adapting¹ to new situations and to inference, generalization, correlation or integration of parts into a whole. Social intelligence determines the individuals' ability to quickly compare several options when they are faced with a choice and decide in favor of optimal version, in this case having the ability to anticipate the results of actions even before they are undertaken. Seen in these parameters, General Intelligence has a few basic features: the

¹ (Piaget, 2012: 53)

ability to solve new situations, speed, mobility, flexibility, and lastly, adequate and effective adaptability to circumstances.

When these characteristics apply to social interaction in one individual's, we are talking about a new kind of intelligence that is *social intelligence*. Given that this is a concept closely related to other social concepts, currently it is quite difficult to give a fixed definition to this concept. In addition, other concepts such as emotional intelligence and interpersonal intelligence partially overlap the social intelligence. Therefore, one of the main difficulties in the studying of social intelligence is that the researchers have defined this construct in various ways.

What is however clear about social intelligence is that it has three different components, namely the component of perception, the analysis and the cognitive-behavioral component. This way, we could say that people with a high level of Social Intelligence are those who have the capacity to produce appropriate behavior in order to achieve their social targets.

According to psychologist Nicholas Humphrey, Social Intelligence (rather than "quantitative" intelligence) is what defines man as a social entity¹.

The original definition of social intelligence concept belongs to Edward Thorndike, who, by the 20s, defined the term as "the ability to understand and manage men and women, boys and girls, to act wisely in human relations"².

Despite research on the social intelligence initiated by Edward Thorndike, this concept was long identified with sensitivity to stimulus and social cues, with an insight into available to others, or a circuit of temperaments and personalities of individuals. In 1950, for example, David Welchsler (who created one of the most common measures of IQ) continued to reject social intelligence, considering it as "an intelligence applied to social situations"³.

Today, though, we can say that social intelligence is defined as "an individual's background knowledge about the social world"⁴.

Other researchers, such as S. Greenspan and P.F. Love, defined social intelligence as "an individual's ability to understand situations and interpersonal transactions and to use that understanding to help a person to achieve an interpersonal goal. Social intelligence can be considered as cognitive an anchor for the social competence and it is an important factor contributing to the success of social activities such as work and interpersonal relationships"⁵. In other words, social intelligence is understanding what a person needs in

¹ (Humphrey, 1983: 142)

² (Thorndike, 1920: 87)

³ (Welchsler, 1958: 75)

⁴ (Kihlstrom, & Cantor, 2000 a: 359)

⁵ (Greenspan & Love, 1997: 311)

order to make that person work efficiently and comfortably for himself and others in social life.

Regarding the social intelligence (as well as the emotional intelligence) one thing is sure: it is not a purely cognitive aspect of personality. On the contrary, the concept bends more to the emotional side, but is not to be limited neither to this one. After the success of the promotion famous theory of emotional intelligence, Daniel Goleman has developed an almost equally avid interest for the social intelligence. In 2006, he published a volume entitled "Social Intelligence" where (influenced by the idea promoted by Edward Thorndike) he writes that Social Intelligence is the ability to act wisely in human relations. In addition, he proposed that Social Intelligence was defined in terms of social knowledge and social facilitation¹. Goleman thought that, the social intelligence's elements (which differ from those of Emotional Intelligence) can be organized in two categories: **social consciousness** (what we notice about others) and **social ease** (what we do with that consciousness)².

Social consciousness covers a wide spectrum, ranging from instant notification of the other's inside status to understanding the other's feelings and thoughts or understanding complicated social situations.

- Primary empathy implies the feelings being shared with others the notice of nonverbal emotional signals.
- Emotional resonance: understanding the others' thoughts, feelings and intentions.
- Social cognition: knowing how the social world works.

Social ease. The simple apprehend of someone's feelings or the fact that we know what someone thinks or intends does not guarantee fruitful interaction. The social ease builds on social consciousness in order to rise effective and harmless interaction. Social ease's spectrum includes:

- Synchrony: nonverbal fruitful interaction.
- Self-image: effective presentation of himself.
- Influence: shaping the outcome of social interaction.
- Concern: taking into account the needs of others and acting accordingly.

In order to study social intelligence there have been used several different empiric approaches. Thus, we have psychometric approaches, ideographic and implicit theories. Within the psychometric approaches, proponents believe that a person's psychological traits can be identified, measured and compared. In this approach the study of intelligence believes that social intelligence is a configuration of traits and skills that people own. The proponents of this approach also believe that one individual's performances in what social intelligence matters can be measured, evaluated

¹ (Goleman, 2007 a: 84)

² (Goleman, 2007 b: 102)

and compared. For example, how the person reasons in certain social situations or how he can recognize one interlocutor's mental state.

The psychometric vision of social intelligence is rooted in Edward Thorndike's theories. He believed that abstract intelligence is the ability to understand and work with ideas, mechanics intelligence is the ability to understand and work with concrete objects, and social intelligence is the ability to understand and work with people, to act wisely in human relations. When the issue of measuring the social intelligence has arisen, Thorndike noted that "it is difficult to test. Social intelligence is manifested fully in kindergarten, playground, barracks, factories and commercial salons, but escapes the formal conditions of a standardized test laboratory"¹.

However, the psychometric side of social intelligence was later translated through standardized laboratory instruments which measured the difference that socially occurs among people².

The second empirical approach, the ideographic one, was introduced in sociology by Nancy Cantor and John F. Kihlstrom, as well as E. H. Taylor. This approach did not envisage measuring social intelligence of the individual based on the norms and standards, but by trying to understand one individual's cognitive processes and what the basis of human personality's composition is. How this appears and how the specific structures operate in people's lives³.

A third approach to the empirical study of social intelligence was a **theoretical vision**. The method was promoted by R.J. Sternberg and C. Smith and was meant to observe what people understand by social intelligence, by investigating their implicit and tacit understanding of the concept⁴.

Of these three approaches, the psychometric vision is the most relevant for social intelligence, succeeding in some way to put it on the same level with the abstract intelligence and the instrumental intelligence.

The main argument the opponents of the theory of social intelligence had against it was that of the inability to measure social intelligence of a person. However, the psychology researchers M.E. Ford and M.S. Tisak have validated the success in establishing the separation between the academic and social intelligence by using the hypothesis of effective behavior which can be measured by multiple ratings⁵. In a study conducted on a sample of 600 high school students, they used four methods for evaluating the teenagers'

¹ (Thorndike, 1920: 231)

² (Taylor, 1989: 423)

³ (Kihlstrom & Cantor, 2000 b: 362)

⁴ (Sternberg & Smith, 1985: 168)

⁵ (Ford & Tisak, 1983: 196)

mathematical and verbal skills using standardized scores in order to measure the academic intelligence of the subjects. The researchers have subsequently tested the social intelligence by using combined methods based on self-assessment or peer information between teammates. They have also used a quantification offered by the students' teachers. The quantification was made possible when the teachers were asked to use any sample of empathy, self-reports of social competence and a semi-structured interview among their students. This is how the researchers have found evidence for the separation between the effectiveness of human behavior and academic intelligence.

These investigations were the summit of the social intelligence discovery. By proving its quantifiable ability, social intelligence has gained itself a well deserved place alongside abstract intelligence.

But more than being measurable, social intelligence and the researches about it make possible the understanding of the constructs we make discovering the cognitive-affective processes that participate in perception and interpretation of social situations. This includes the study of how interpersonal dynamics, cultural norms and other representative factors models and influence the constructive processes. Social knowledge, including the knowledge of cultural norms and how to apply them in different situations, is part of the fund of knowledge that social intelligence encompasses as material for study and investigation.

Social cognition has an ambivalent character, being conceptual and procedural, in other words it includes both social norms knowledge and how individuals tend to act in social situations. In addition, social knowledge affects the way people act in social situations.

Delimitation of different types of approaches of social intelligence shows the interest that putting social intelligence and abstract intelligence in their own places has prompted among psychologists. In clarifying this dilemma, some researchers in psychology focused on the cognitive component's ability to understand others. Others focused on the behavioral side, such as the ability to interact effectively with others. Still, others were based on psychometric approach, defining social intelligence as the ability to successfully solve tests related to social skills.

It is believed that social intelligence is distinct from cognitive intelligence and this difference can be seen easily in the lives of everyday people. Some people who are successful in solving academic issues may have difficulties in solving social situations. They also may face difficulties in understanding others, while others who do not excel in terms of academic intelligence can relate effectively and respond appropriately in social contexts. Social intelligence obviously includes social cognition and social interaction.

The research conducted by specialists have outlined six cognitive abilities related to social behavior of individuals, and presented by N. Cantor and J. Kihlstrom¹:

1. The ability to identify one individual's mental states;
2. The ability of grouping the others' identified mental states based on similarity;
3. The ability to interpret meaningful connections among behavioral acts;
4. The ability to analyze the succession of social behavior;
5. The ability to be flexible in interpreting changes in social behavior;
6. The ability to predict what can happen in a personal situation.

Specialized studies show that social intelligence is equivalent to interpersonal intelligence (a type of intelligence identified by the Multiple Intelligences Theory²) and it can be defined as the intelligence that is behind the interaction group and the individuals' behavior.

On one hand, social intelligence is meant to improve the field of artificial intelligence in some contexts (robots, etc.). On the other hand, social intelligence argues that the art of leadership (according to T. Hatch and H. Gardner) is a form of social intelligence which consists in recognizing the feelings of others and the ability to make quick connections with them. In T. Hatch and H. Gardner's vision, the components of social intelligence are³:

- Group organization - necessary skill for any leader who initiates and coordinates the efforts of the group's members. This feature is usually found in executives or military officers etc. They must lead and organize units of any kind. In children, such a talent translates into taking the leadership and decision in relation to the roles every child will fulfill within the game.
- Negotiation - talent to mediate that prevents conflicts and helps resolve them using flair. The person who has such talent excels in arbitrating and mediating disputes, making careers in diplomacy, arbitration. In children, it is about mediating disputes on the playground.
- Personal connections - to recognize and provide feedback for personal feelings, empathize with others, therefore to relate to them. People who have such qualities prove to be friends and good partners. Children who know how to read facial expressions are much more pleasant than those who fail to do so.
- Social analysis - ability to detect what lies behind the feelings, reasons and personal worries. This quality makes the person become a good therapist, counselor or a writer.

¹ (Kihlstrom & Cantor, 2000 c: 160)

² (Gardner, 1993: 231)

³ (Gardner & Hatch, 1989: 9)

All these abilities are related to interpersonal skills and they are the needed ingredients to achieve social success. These skills are usually owned by leaders, those people expressing the unspoken feelings of the group.

Over the years, numerous studies have debated the issue of social intelligence. This is how the researchers have developed a bigger interest in issues implying social factors which influence human personality. Part of the human condition refers to a person's ability to know himself and others, to understand and work with those around him and to engage in positive social interactions. Social intelligence includes situational awareness and social dynamics that govern them, but also includes the knowledge of interaction styles and strategies that can help a person achieve their social relationships. Particularly, social intelligence involves the awareness of inner states and types of reaction depending on the social context.

Bibliography

- Albrecht, Karl (2006), *Social Intelligence*, Bucharest: Curtea Veche
- Chelcea, Septimiu (2008), *Psychosociology*, Iași: Polirom
- Cosmovici, Andrei., Iacob, Luminița (2005), *School Psychology*, Iași: Polirom
- Cosnier, Jaques (2007), *Introduction to the psychology of emotions and feelings*, Iași: Polirom
- Dudău, Monica Valentina Maria (2008), *Prosocial behavior and emotional intelligence* (undergraduate work - unpublished)
- Doise, W., Deschamp, J.C., Mugny, G. (1996), *Experimental Social Psychology*, Iași: Polirom
- Ford, M.E.; Tisak, M.S. (1983), *A further search for social intelligence*, New York: Journal of Educational Psychology by American Psychological Association.
- Gardner, Howard (1993), *Frames of Mind: The Theory of Multiple Intelligences*, New York: Basic Books
- Goleman Daniel (2008), *Emotional Intelligence*, Bucharest: Curtea Veche
- Goleman Daniel (2007), *Social Intelligence*, Bucharest: Curtea Veche
- Golu Pantelimon (1973), *Social Psychology*, Bucharest: Didactic and Pedagogical Publishing
- Greenspan, S. & Love, P. F. (1997), *Social intelligence and developmental disorder: Mental retardation, learning disabilities and autism* in Handbook of mental deficiency, 3rd ed. Mahwah, NJ: Erlbaum
- Kihlstrom, J.F., & Cantor, N. (2000), *Social intelligence*, Handbook of intelligence, 2nd ed Cambridge University Press
- Neculau, Adrian (2004), *Handbook of Social Psychology*, Iași: Polirom

Piaget, Jean (2012), *Intelligence Theory*, Bucharest: Cartier
Sternberg, R.J.; Smith, C. (1985) *Social intelligence and decoding skills in nonverbal communication*, New York: Social Cognition
Thorndike, Edward (January 1920), *Intelligence and Its Use*, The Harpers Monthly Magazine
Thorndike, E., Stern, S. (1937), *An evaluation of attempts to measure social intelligence*, Psychological Bulletin, 34

LAST 15 YEARS OF ROMANIAN EDUCATION

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ABSTRACT : The last 15 years have brought further study year effective discussion on the notice of competence an performance of movements and many heritage education institution. On this occasion, territorial administrative units received an important role in the education, but this role as we practice, was often played in interest people. Violations infringement too in this area were brought to justice.

Keywords: EDUCATION, OPINIONS, INTEREST , PROHIBITION, JUSTICE

The problem of education in contemporary Romania becomes more acute when the dropout rate increases, the illiteracy rate has the same trend, the quality of education declines, the school does not value the social, curricular area is correlated with the real needs of organizations etc. and job market, and the list goes on.

Heterogeneity level of education and training, heterogeneity motivation, thinking, heterogeneity of age and learning methods didactic teaching staff in this sector, are all issues on which governments have not bowed out or have been too easy, despite that the formation of values and attitudes behavioral tracing is possible only by a teacher trained and oriented in the field.

No new education law that is in force, although it does not clarify educational issues speaks with fervor of competence and performance, despite the fact that, in essence, represents a fusion of the old education law No.

84/1995, with the status of teachers and other normative acts issued prior art.¹

We are seeing basically a reprint of the 1995 education law, with a renumbering of articles, completing or eliminating some of them. It should however be noted that this law introduces new elements, but many problems are discussed need or treated superficially.

We stop little attention to reviews the main changes brought by this act and consequences of the new education law.

Liability for the content and consequences of the Education Law no. 1/2011, published in the Official Gazette of Romania, Part I, on January 10, 2011, was assumed by Prime Minister Emil Boc², jointly with the Government at the time (scripted speaking, since practically not been held accountable one of "those who led the" for what happened to Romanian education).

¹ OMEN 3178 / 20.1.1998 - on relaunched the study of classical languages, Latin and Greek, OMEN. 3279 / 17.02.1998, the new policy manuals, OMEN 3351 / 04.05.1998 regarding the development and implementation of the National Curriculum's university education, OMEN 3458 / 03.23.1998 regarding the design and implementation of credit transfer system in education OMEN 3178 / 20.01 .1998 - on relaunched the study of classical languages, Latin and Greek, OMEN. 3279 / 17.02.1998, the new policy manuals, OMEN 3351 / 04.05.1998 regarding the development and implementation of the National Curriculum's university education, OMEN 3458 / 23.03.1998 regarding the design and implementation of credit transfer system in higher education, OMEN 3570 / 14.4.1998 the study of foreign languages in schools, OMEN 3231 / 01.02.1999 on technological education in schools and universities, OMEN 3420 / 12.03.1999 of the MNE on studying disciplines of information technology, data processing and computer-assisted technology, in application of new Education framework- plan , OMEN 3044 / 13.01.2000 curriculum reform in universities, OMEN. 3621 / 13.04.2000 on the introduction of European studies in schools and universities, etc, OMEN 3570 / 04.14.1998 on the study of foreign languages in schools, OMEN 3231 / 02.01.1999 on technological education in schools and universities, OMEN 3420 / 12.03.1999 of the MNE the chosen subjects information technology, computer and computer-assisted technology, in application of the education framework-plan, OMEN 3044 / 01.13.2000 curriculum reform in universities, OMEN. 3621 / 13.04.2000 on the introduction of European studies in schools and universities, etc.

² Have the capacity of Associate Professor at the Faculty of Political Sciences of the University "Babes Bolyai" University, Cluj Napoca. Had they performed a check on the work of former Prime Minister at the university during his mandala, we certainly have surprises, as some teleportation was not invented by this time

It was produced by the entry into force of this law classification and ranking of universities curricula, removing age criteria in professional ascent, additional funding to performance. Education becomes compulsory from grade 9 to 10 grades and attendance compulsory courses until the age of 18. It lays open nature of university education and the role of local government in ensuring conditions for conducting pre-university education in their areas of competence.¹

A novelty is the primary structure and passing the 5 classes by introducing class 0 - preparatory group of kindergarten classes I-IV passes. So primary schools, who will take the high school class IX and will become a 5-year educational cycle, which complicates things. There will be no compulsory secondary school, which will increase illiteracy and accelerating the process of closing the "vocational schools", the "school of fine arts and crafts." It has great implication in the economy of the country and especially on ensuring qualified personnel reference areas - turners, mechanics, electricians, tailors, watchmakers, etc.

0-6 years on early childhood education, which consists of the ante, it is conducted in nurseries, kindergartens and day care centers that are re-included, after 18 years, under the authority of the ministry and the pre-school level.

According to education law, as a novelty, "university education system is composed of all state educational establishments, licensed and accredited private confessional", but were overlooked interdependencies.

Art. 96, paragraph 1 states that "education and Confessional particular, the composition of the Board shall include representatives of the founders. The management board is provided by a person appointed by the founders. In

¹ Adrian Gorun, *Sociological study on Law no. 1/2011. Education and community*, Ed. Didactic and pedagogical, Bucharest, 2013, p. 140

compulsory education, the Board includes a representative of the local council.
"

Unfortunately experience has shown that many board members do not have the ability to understand the meaning of a decision on the educational system. The school, whether it be state, private or confessional is at least morally responsible, to the society, for the simple fact that education is a public good.¹ But always in a state degradation, morality has no value to those who pull the levers in the most important sectors of public and private life. Gains for them are more important than the good of society. They overlook a very important -communication on the one hand, and interaction and cooperation between / among public / private institutions, services and civil society on the other hand, are the necessary and sufficient to keep them on their positions and also to achieve a framework for the development of society in all its aspects.

I wonder if our leaders in the past 27 years they all wore blinders, or we are in a permanent state of numbness? Who is it so crazy to cut the branch on which sits under your feet?

Art. 112 paragraph 1 of Law no. 1/2011 shows that "schools can hold public assets under management, the private education, have the fundamental right to private property and the Confessional education, foundations, depending on the entity that has established one of the two forms of ownership. "

Basically this article omits scientist who is the owner of these goods, making confusion between ownership and its dismemberments, which are subject to the provisions of civil law.

Law 1/2011 so fails to determine the legal regime of the material - buildings, land, movable laboratories, equipment, experimental farms,

¹ Ibid, p.142

workshops, that is the area which belong - public or private - and who is the rightholder property and how to manage the material basis. It only sets administrator land and buildings as the Ministry of Education, Research, Youth and Sport, through county school inspectorates, county councils, local councils.

Art. 112, paragraph 5, states that "no part of the public buildings and lands held under lease agreements, concession and bailment" and para next set out the that the "change of use of the material base of educational institutions without the assent of MECS is a crime and acts are void. " We note here that unlike previous regulations, the law no. 1 no offense taken as base materials without the MECS disposals. I'm wondering why? It says indirectly art. 113 of the same law.

An abnormality in our opinion is also the art. 113 showing that registration of ownership of immovable property belonging MECS institutions / establishments of public education, county councils, local authorities in which the activities of teaching, school units State is exempt from tax provided by law, Real estate advertising books. This allowed that the "negligence masked" or "intention" of the authorities, these patrimonial goods to reach some natural or legal persons, invoking certain provisions of the Civil Code.

There are many practical issues that had broken down, but what empowered to do something for the welfare of society are busy with their own sake. For example, in the old school of commune Schela, county Gorj, working for 13 years, a branch of a pharmacy that has no document operating in that building, which is registered with the territorial administrative unit, under which to operate lawfully; not to mention the favorable opinion of the Minister of Education, Research, Youth and Sport to change the use of the building which had previously obtained. Even in these conditions, mayors commune in place to raise money from the local budget through collection administrator for the company reward, not derisory, pay them and the costs of site with public

money - (consideration, electricity, supplying point working pharmacy is paid by representatives of the respective administrative authority) - they forgot to charge every month for years vreo13 a rate that increases every month.

Among all levels of education, most affected by the law no. 1/2011 remains higher education, whether it's public or private higher education.

This environment has been contaminated by those universities type trade, which were established by judgments and that although working "outside the law", resist and persist in the system, issuing diplomas issued by the Ministry of wound coils. And so it continued degradation of education and the educational process, which subsequently pull down and other important sectors of the Romanian space.

To build what we have previously stated, refer to art. 26 of Law no. 51/1995, which states that the profession without law is a crime - and we mean those lawyers engaged in so-called "constitutional bars" that have emerged under a court ruling. It should be noted that those who undertake these activities "constitutional Bars" are graduates, in general, law schools emerged overnight that do not pass exams organized for entry into the National Union of Bars of Romania.

Through the changes brought in 2004 legislator expressly he said that the work of attorney shall cease to be taking place under conditions other than those established by law. Yet the law does not clarify is how to establish the bars, and the bars operate as traditional and established by court decisions. This legal vacuum is not meant to be regulated as a scandal would come monstrous that would attract whirlpool big names and whose image would be seriously affected, given how they have been authorized and accredited institutions to higher education .

An even greater anomaly is the fact that those working as "lawyer" in the constitutional bars are expelled from the courtroom by panels of judges

who are in the courtroom, and yet nobody does anything. No judges are not held accountable for possible abuse of office, nor those who are expelled from the courtroom that "exercise a profession without right" are not held accountable. We are, to some extent, in a legal vacuum, but governors have other problems instead turn these things that have negative effects on civil society. Often these individuals recruits in front of the courts, elderly people over whom I promise that help them in solving their legal problems because they have the necessary knowledge and experience, and what happens to them is abuse. The latter losing processes, land and homes they have definitively violated their right to a fair trial ... and yet move forward out of inertia.

Who should take the attitude of hardened? Our education we can afford to keep all under control? Their slaves until we silence? It's time for change!

They speak of education as a *national priority*, but education law forgot to define this concept, to say that is its place in the top national priorities, where there is such a thing, and what are the mechanisms, levers, the effective transposition, in society, the concept.

Art. 1 of the Education Act states: "This law provides the framework for the exercise of authority under Romanian state has the fundamental right to lifelong learning. The law regulates the structure, functions, organization and functioning of the national state, private and denominational. "Who says Ion Luca Caragiale -" to review everything, but do not change anything. "I would ask that 'framework' provides state of iron, legal, virtual space ... and that "lifelong"? the individual, the community, the state itself? This article requires legal norms and rules on which non-legal can not control, which can not cover - empathy, volitional processes can not be covered, nor ever learned.

It should be noted that an important role in the implementation of framework plans for education have had school inspectorates, where CEOs,

specialized inspectors, principals used and uses the curriculum and school personal interests in order to obtain material benefits for themselves or others through the establishment of rules even for substitute teachers and substitute teachers even unqualified. Providing teaching norms of staff-standard prescribed by law, or moving staff and auxiliary whim in violation of the methodology of staff mobility. Political interference in the appointment of staff in management positions within the schools, most often had negative effects. These issues persisted to the present, where a post of substitute "to buy" 30,000 lei in 2015.

It bit with each passing moment, this system of education, given the superficiality of the maturity exam is organized and especially the fact that in these conditions, however, there are many students who do not pass this exam. If some time ago baccalaureate exam was prepared with utmost importance, seriousness and rigor currently this type of exam is disappointing and raises many questions about the Romanian education system today.

Instead of finding levers to achieve a sustainable education, great leaders are considering allowing access to university education system, those who fail to obtain baccalaureate note 6. The universities will again be full of students, but where can we speak of powers and performance when they do not have the necessary basis. Do you build a house, if the foundation lacks?

Although minuses presented, including those not shown, the Romanian education has given numerous specialists and the exodus of professionals in recent years, is due to the education system, but low standard of living, which was supposed to be a decent, as provided Constitution, and the fault belongs to the State in this regard.

Freedom gained after the events of 1989 was misunderstood.

Although we are tired of daily responsibilities, sometimes feel that life should mean something other than fidgetiness around. Therefore, I think that it makes you ready to look for a path in life and perfect meaningful.

Bibliography:

- National Education Law. 1/2011;
- National Education Law. 85/1995;
- Law no. 51/1995 on the organization and exercising the lawyer profession;
- OMEN 3351 / 04.05.1998 on developing and implementing National Curriculum in the university's
- OMEN 3458 / 03.23.1998 regarding the design and implementation of credit transfer system in higher education,
- OMEN 3044 / 01.13.2000 curriculum reform in universities,
- OMEN. 3621 / 13.04.2000 on the introduction of European studies in schools and universities, etciversitar,
- OMEN 3044 / 01.13.2000 curriculum reform in universities,
- OMEN. 3621 / 13.04.2000 on the introduction of European studies in schools and universities, etc.
- Adrian Gorun, *Sociological study on Law no. 1/2011. Education and community*, Ed. Didactic and pedagogical, Bucharest, 2013