

New Europe College Yearbook 2003-2004



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NEW EUROPE FOUNDATION

NEW EUROPE COLLEGE

Institute for Advanced Study

The *New Europe College (NEC)* is an independent Romanian institute for advanced study in the humanities and social sciences founded in 1994 by Professor Andrei Pleșu (philosopher, art historian, writer, 1990-1991 Romanian Minister of Culture, 1997-1999 Romanian Minister of Foreign Affairs) within the framework of the 1994 established *New Europe Foundation* (a private foundation subject to Romanian law).

Its impetus was the *New Europe Prize for Higher Education and Research*, which was awarded in 1993 to Professor Pleșu by a group of six institutes for advanced study (the Center for Advanced Study in the Behavioral Sciences, Stanford, the Institute for Advanced Study, Princeton, the National Humanities Center, Research Triangle Park, the Netherlands Institute for Advanced Study in Humanities and Social Sciences, Wassenaar, the Swedish Collegium for Advanced Study in the Social Sciences, Uppsala, and the Wissenschaftskolleg zu Berlin).

Since 1994, the *NEC* community of fellows and alumni has enlarged to well over 300 members. In 1998, the *New Europe College* was awarded the prestigious *Hannah Arendt Prize* for its achievements in setting new standards in higher education and research. One year later, the Romanian Ministry of Education officially recognized the *New Europe College* as an institutional structure of continuous education in the humanities and social sciences, at the level of advanced studies.

Aims and Purposes

- To create an institutional framework with strong international links that offers young scholars and academics in the fields of the humanities

and social sciences from Romania and South-Eastern Europe working conditions similar to those in the West, and provides a stimulating environment for transdisciplinary dialogues and critical debates;

- To foster, through its programs and activities, the development and reform of the Romanian higher education;
- To promote contacts between Romanian and regional scholars and their peers worldwide;
- To cultivate the receptivity of academics and researchers in Romania for fields and methods as yet not firmly established here, while preserving what might still be precious in the particular type of scholarly approach that emerged, against all odds, in the local pre-1989 unpropitious intellectual, cultural, and political context;
- To contribute to the development of a core of promising young academics and scholars, who are expected to play a significant role in the renewal of the Romanian academe and intellectual life.

As an institute for advanced study, NEC is not, strictly speaking, an institution of higher education, although it has been consistently contributing to the advancement of higher education through the impact of its programs and of the activities organized under its aegis. In order to further enhance its support for the development of higher education in Romania, *NEC* has initiated as of 2003 the *NEC-LINK Program*, thus establishing its direct presence in the major universities of the country.

Programs

NEC Fellowships (1994 – to present)

Each year, ten NEC Fellowships for outstanding young Romanian scholars in the humanities and social sciences are publicly announced. The Fellows are chosen by the NEC international Academic Advisory Board for the duration of one academic year (October through July). They gather for weekly seminars to discuss the progress of their research projects and participate at all the scientific events organized by NEC. The Fellows receive a monthly stipend for the duration of nine months and are also given the opportunity of a one-month research trip abroad, at a university or research institution of their choice. At the end of the NEC academic year, the Fellows submit papers representing the results

of their research. The papers are published in the “New Europe College Yearbook”.

RELINK Fellowships (1996-2002)

The RELINK Program targeted highly qualified, young Romanian scholars returning from studies abroad to work in one of Romania's universities or research institutes. Ten RELINK Fellows were selected each year through an open competition; in order to facilitate their reintegration in the local scholarly milieu and to improve their working conditions, a support lasting for three years was offered, consisting of: funds in order to acquire scholarly literature, an annual allowance enabling the recipients to make a one-month research trip to a foreign institute of their choice (in order to sustain existing scholarly contacts and forge new ones), and the use of a laptop computer and printer. Beside their individual research projects, the RELINK fellows of the last series were also involved in organizing outreach activities within their universities (for which they received a monthly stipend). NEC also published individual or group works of the RELINK Fellows.

The GE-NEC Program (2000 – to present)

Starting with the 2000-2001 academic year, the *New Europe College* administers a program that is financially supported by the Getty Foundation. Its aim is to strengthen research and education in the fields of visual culture, by inviting leading specialists from all over the world to give lectures and hold seminars for the benefit of Romanian under-graduate and graduate students, as well as young academics and researchers. The program includes 10-months fellowships for Romanian scholars, who undergo the same selection procedures as the NEC Fellows (see above). The GE-NEC Fellows are fully integrated in the life of the College, receive a monthly stipend, and are given the opportunity of spending one-month abroad for a research trip. At the end of the GE-NEC year, the Fellows submit papers representing the results of their research. The papers are published in the “GE-NEC Yearbook”.

NEC Regional Fellowships (2001 – to present)

As of October 2001, the New Europe College has introduced a regional dimension to its programs (that were hitherto dedicated solely to Romanian scholars) by offering fellowships for academics and researchers from South-Eastern Europe (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, The Former Yugoslav Republic of Macedonia, the Republic of Moldova, Serbia and Montenegro, Slovenia, and Turkey). This program aims at integrating into the international academic network scholars from a region, whose scientific resources are as yet insufficiently known, and to stimulate and strengthen the intellectual dialogue at regional level. With the prospect of the European integration, and in complementing the efforts of the European Union to implement the Stability Pact, the New Europe College invites academics and scholars from the Balkans to cooperate towards overcoming the tensions that have won this region an unfortunate fame over the last decade. The Regional Fellows receive a monthly stipend and are given the opportunity of a one-month research trip abroad. At the end of the grant period, the Fellows submit papers representing the results of their research, to be published in the “NEC Regional Program Yearbook”.

The NEC-LINK Program (2002 - to present)

Drawing on the experience of its NEC and RELINK Programs in connecting with the Romanian academic milieu, NEC initiates in 2003 a new program, that aims to directly contribute to the advancement of higher education in four major Romanian academic centers (Bucharest, Cluj-Napoca, Iași, and Timișoara). Teams consisting of a visiting academic and one from the host university offer joint courses for the duration of one semester in the fields of the humanities and social sciences. A precondition for these courses is that they be new ones and that they meet the distinct needs of the host university. The grantees participating in the Program receive monthly stipends, a substantial support for ordering literature relevant to their courses, as well as funding for inviting guest lecturers from abroad and for organizing local scientific events.

The Britannia-NEC Fellowship (2004 – to present)

This fellowship (1 opening per academic year) has been initiated by a private anonymous donor from the U.K. The fellowship is identical to a NEC Fellowship in all respects. NEC contributes the one-month research trip abroad, all other costs being covered by the aforementioned donor.

The *New Europe College* hosts within the framework of its programs ongoing *series of lectures* (an average of 40 per academic year) given by prominent Romanian and foreign scholars foremost for the benefit of specialists and students in the fields of the humanities and social sciences, but also for a wider public. The College also organizes international and national events (seminars, workshops, colloquia, and symposia).

Beside the above-described programs of the College, the New Europe Foundation expanded more recently its activities by administering a research institute and a major translation project:

The Ludwig Boltzmann Institute for Religious Studies towards the EU Integration (2001 - present)

As of 2001, the Austrian *Ludwig Boltzmann Gesellschaft* funds – within the framework of the New Europe Foundation – a newly created institute, that focuses on the extremely sensitive issue of religion related problems in the Balkans (and beyond) from the viewpoint of the EU integration. Through its activities, the institute intends to foster the dialogue between distinctive religious cultures (Christianity, Islam, Judaism), as well as between confessions within the same religion, and aims at investigating the sources of antagonisms and to work towards a common ground of tolerance and cooperation. To this end, the institute hosts international scholarly events, sustains research projects, brings out publications, and strives to set up a topic relevant library in Romania, intended to facilitate informed and up-to-date approaches in this field.

The Septuagint Translation Project (2002 - present)

This project aims at achieving a scientifically solid translation of the Septuagint into Romanian by a group of very gifted, mostly young, Romanian scholars. The financial support is granted by the Romanian foundation *Anonimul* and amounts to 120,000 USD. The translation is scheduled to be ended in 2006, the first three volumes having already been published by the Polirom Publishing House of Iași.

Financial Support

The Swiss Agency for Development and Cooperation

The State Secretariat for Education and Research of Switzerland

The Federal Ministry for Education and Research of Germany

The Federal Ministry for Education, Science, and Culture of Austria

Le Ministère Français des Affaires Etrangères – Ambassade de France en Roumanie

The Romanian State (indirect financial support through tax exemption for fellowships)

Zuger Kulturstiftung Landis & Gyr – Zug, Switzerland

Stifterverband für die Deutsche Wissenschaft (DaimlerChrysler-Fonds, Marga und Kurt Möllgaard-Stiftung, Sal. Oppenheim-Stiftung, and a member firm) – Essen, Germany

Volkswagen-Stiftung – Hanover, Germany

Stiftung Mercator GmbH – Essen, Germany

The Open Society Institute (through the Higher Education Support Program) – Budapest, Hungary

The Getty Foundation – Los Angeles, U.S.A.

Ludwig Boltzmann Gesellschaft – Vienna, Austria

Britannia-NEC Scholarship Founder – U.K.

Forum Auto/Volvo – Bucharest, Romania

Fundația Anonimul – Bucharest, Romania

* * *

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Book:

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ECOLOGY MEETS IDEOLOGY: THE CASE OF CREOLE LANGUAGES

1. Introduction

In this paper I examine various issues in the genesis of creole languages from the perspective of language ecology. The creole varieties considered are the Atlantic and Pacific English pidgins and creoles. For reasons of space, the analysis is restricted to the so-called world-wide features of these varieties of restructured English.

The paper is structured as follows: section 1 – introduction; section 2 provides a summary of the ecological or ecolinguistic framework; section 3 looks at ideological prejudices and stereotypes of creole languages; section 4 outlines the theory of creole genesis adopted in this paper; section 5 gives a brief description of the world-wide features found in English pidgins and creoles, sources and the methodology; section 6 presents the views of Baker and Huber (2001) on the emergence of world-wide features in English pidgins and creoles; section 7 contains an own account; and section 8 presents some conclusions.

2. Ecology of language

Language ecology or ecolinguistics was pioneered by Haugen (1972) and is seen increasingly as an insightful approach to issues such as language change (Mufwene 1998b, 2001a, b, and 2002a, b, Mühlhäusler 1996), language contact (Mufwene 1998b), linguistic diversity (Dixon 1997, Nettle and Romaine 2000), and language death (Crystal 2000, Dixon 1997, Hagège 2003, Harmon 1996 and 1998, Hazaël-Massieux 1999, Nettle and Romaine 2000). The particular framework adopted here is that which is outlined in a number of works by Mufwene (1996a, b,

1998a, b, 2001b, and 2002a). Mufwene's model is rooted in ecology and population genetics.

According to Mufwene, a language is a species with two essential characteristics. On the one hand, it is a Lamarckian species, whose genetic makeup can change several times in its lifetime. On the other hand, a language is a parasitic species, i.e., dependent on its hosts (i.e., speakers, society, culture).

A language is changed by the effects the environment directly exerts on individual members (i.e., speakers), rather than on the species itself (i.e., the language). Selections at the level of the individual (i.e. speaker) become selections at the level of the species (i.e., language) via multiple articulation of selection in a population, i.e. different selections applying at different levels within a population. The selections made by individuals (i.e., speakers) correspond to the genotype. The selections made by the community are conducive to changes in the language. Microevolutionary processes thus lead to macroevolutionary developments, hence speciation. In a competition-and-selection process, individuals (i.e., speakers) contribute features (analogized to genes) to a pool. Selection is similar to genetic recombination in the model blending inheritance. Selection is also polyploidic since there is no limit to the number of individuals that can pass on a feature.

Ecology is the decisive factor both in the competition among individuals within a species (i.e. speakers of a language) and among species (i.e., languages) sharing the same habitat (i.e., area). Ecology favors some individuals (i.e., speakers) or species (i.e., languages), by giving them a selective advantage over others. There are no individuals (i.e., speakers) or species (i.e., languages) in an environment that are more fit than others. Finally, in this view, a distinction is made between species, i.e., language-internal ecology and species, language-external ecology. The former is at the level of individuals (i.e., speakers) whereas the latter is at the level of species (i.e., languages)

3. Ideological prejudices and stereotypes of pidgins and creoles

The examples listed below (from Holm 2000, Mühlhäusler 1997, and Sebba 1997) illustrate some widely held beliefs and misconceptions about pidgins and creoles. As will be shown, the prejudices and stereotypes of

pidgins and creoles are more in number than those of other small languages, as discussed by Dorian (1998).

Consider first some general characterizations: “absurd”; “an amusing speech”; “baby talk”; “barbarous, mixed, imperfect phrase”; “broken”; “a crude macaronic lingo”; “debased mongrel jargon”; “demeaning”; “extremely clumsy”; “far from ideal”; “horrible jargon”; “a perversion” [of English]; “roundabout and wordy”; “a simplified corrupted version of our language” [“our language” being English]; “vile gibberish”. On occasion, quite elaborated condemnations are encountered: “The Sierra Leone patois is a kind of invertebrate omnium gatherum of all sorts, a veritable ola podrida collected from many different languages without regard to harmony or precision: it is largely defective and sadly wanting in many of the essentials and details that make up and dignify a language. It is a standing menace and a disgrace”. Ideologically loaded definitions are also found in dictionaries. For instance, in *The Chambers dictionary* (1993), pidgin is defined as “any combination and distortion of two languages as a means of communication”.

Not surprisingly, overt racism is well documented. Consider the following selection of relevant quotations (arranged in chronological order). According to one writer, “[i]t is clear that people used to expressing themselves with a rather simple language cannot easily elevate their intelligence to the genius of a European language” (1849). Phonological adjustments are explained away: “the Negroes [...] trying to adapt them [English words] to their speech organs” (1856). Speakers are allegedly of “limited intelligence” (1872). The preference for labial sounds “can be explained by the well developed lips of the Negroes” (1887). Blacks “can never give up their Negro way of thinking” (1913). Finally, consider the following entries in a glossary (1951) of Fanakalo (a Zulu-based pidgin spoken in South Africa): “**AS**, adv. ... **sa**. Unbelievable but true. Proves that the native mind works in the opposite direction to ours; **BEAT**, vb. ... **chaiya** [...] “I’ll beat you”; “Mena chaiya wena.” If you are going to get any effect do it first and talk later; **LIE**, vb. ... It is extraordinary that there are so few words to describe this national pastime of the native Africans”

Consider next instances of perpetuation of patent inventions, from one “source” to another. The following lengthy circumlocutions are the alleged Melanesian Pidgin English equivalent of E *piano*. Note that the last citation is quite recent: *big fellow box spouse whiteman fight him he cry too much* (1902); *big fellow bokkes, suppose missus he fight him, he*

cry too much (1911); *big fellow box, stop house, suppose you fight him, him cry* (1915); *bikpela bokis bilong krai taim yu paitim na kikim em* (1969); *wan bigfella bokis inside he got plenty tiit all-same sark, an time missus he hitim an kikim he cry out too much* (1983).

Attempts by authorities or missionaries to use and promote such varieties are frequently pilloried. Authorities, “with the aid of certain missionaries, who should know better, committed a crime against all decent language by fixing it in writing”. The typical arguments adduced run as follows:

[i]t would approach blasphemy were one to put in print the form in which truths of religion appear in “Pidgin” English, as for instance the way in which the Almighty is spoken of, or the relation of our Blessed Lord to the Eternal Father, even though the close connection of the sublime and the ridiculous has elements of humor.

Finally, some consolation is apparently found in the sense of pride that the pidgin or creole in question is at least derived from a superior language (the European lexifier), since even in this “debased” form it remains superior to whatever “primitive” local languages it replaces. Thus, writing about Melanesian Pidgin English, one observer states that “[Pidgin] English is the ‘lingua franca’ of the place, filling up the gaps – and there are many – in the hideous snapping, barking dialect that passes for speech along the coast”. The latter are said to be “scarcely like human speech in sound, and were evidently very poor and restricted in expression”, consisting of “[n]oises like sneezes, snarls, and the preliminary stages of choking”.

4. The creativist account

Baker (1990, 1994 and 1995) states that the widely held beliefs and misconceptions about creoles, illustrated in section 3, as well as many theories about creole genesis, are rooted in a number of basic assumptions that can be summarized as follows. The emergence of creoles is essentially seen as a failure to acquire the lexifier. This presupposes: the existence of a target language, i.e., the lexifier; exposure to the target language, i.e., the lexifier; motivation to acquire the target language, i.e., the lexifier. In other words, creole genesis is seen as a form of imperfect language acquisition.

Baker (1990, 1994 and 1995) argues that pidgins and creoles are in fact successful solutions to the problem of interethnic communication. Given the sociohistorical circumstances in which these varieties emerge, the most immediate priority when faced with a multilingual contact situation is the achievement of intercommunication. Accordingly, pidgins and creoles are a means of interethnic communication. Importantly, creole languages do not consist exclusively of rules derived from pre-existing languages, i.e. the lexifier and the substrate languages.

5. World-wide features in English-based pidgins and creoles

The corpus consists of both unpublished and published sources. It includes diaries, letters, logbooks, travel accounts, memoirs, word lists, phrasebooks, textbooks, dictionaries and grammars. The records consulted meet the requirements of reliability specified by, among others, Avram (2000b), Baker and Huber (2001), Baker and Winer (1999), Hancock (1977), and Rickford (1986 and 1991).

The 99 world-wide features considered consist of the original 75 listed in Baker and Huber (2001: 201–203), 23 reclassified as such in Avram (2004), and 1 reclassified in light of Crowley (1989 and 1990).

Full attestations, in the sense of Baker and Huber (2001: 164), are available for all the 99 world-wide features identified at any time during the recorded history of the English pidgins and creoles considered.

Tables 1 and 2 list Baker's and Huber's (2001) 18 Atlantic and 6 Pacific features reclassified as world-wide features on the basis of the attestations in Avram (2004) and Crowley (1989). Approximate dates are indicated by means of hyphens: e.g., –1765– means 'around 1765', – 1980 reads 'in or before 1980', and 1842– 'in or after 1842'. Features are numbered and labeled as in Baker and Huber (2001: 197–204). The following abbreviations are used: Alu = Aluku (Boni); APE = Australian Pidgin English; AssCamPE = Assimilated Cameroon Pidgin English; Bis = Bislama; Bjn = Bajan; FPPE = Fernando Póo Pidgin English; GEC = Grenada English Creole; Gul = Gullah; Jam = Jamaican; Kri = Krio; Krl = Kriol; Kwi = Kwinti; Mat = Matawai; MPE = Melanesian Pidgin English; MSL = Jamaican Maroon Spirit Possession Language; Ndy = Ndyuka; Par = Paramaccn; PN = Pitcairn and/or Norfolk; QKE = Queensland Kanaka English; Sar = Saramaccan; SIP = Solomon Islands Pidgin; Srn = Sranan;

Sur = Surinam; TEC = Trinidadian English Creole; TP = Tok Pisin;
TSC = Torres Straits Creole; WAPE = West African Pidgin English.

Table 1 Atlantic features reclassified as world-wide

Feature classified as Atlantic in Baker and Huber (2001)	Pacific varieties in which it is attested	1st attestation in a Pacific variety
40. <i>dem</i> (article, demonstrative)	TSC	1979
49. <i>dohti</i> 'earth, dirt'	Bis, TP, TSC	1943
55. <i>eyewater</i> 'tear'	TP	1969
62. <i>fullup</i> 'fill, be full'	Bis, TP, SIP, Krl, TSC	–1929
71. <i>hungry</i> 'hunger, starvation'	TP, TSC	1943
96. <i>look</i> 'see, find'	Bis, TP, Krl, TSC	–1891
100. <i>married</i> 'marry'	TP, TSC	–1899
107. <i>mouth water</i> 'saliva'	TP	1978
110. <i>no more</i> 'merely'	Bis, QKE, SIP	1871
111. <i>nose hole</i> 'nostril'	TSC	1988
129. <i>(make) play</i> '(to have a) party, dance, amusement'	TP, TSC	1943
130. <i>plenty too much</i> 'a lot'	MPE, TP	1880s
137. <i>santapi</i> 'centipede'	TSC	1988
139. <i>say</i> (complementizer)	Bis	–1974
142. <i>small</i> 'little (adv.)'	Bis, TSC	1907
147. <i>sweet</i> 'tasty, nice; be agreeable, please (V)'	TP, TSC	1957
148. <i>sweetmouth</i> 'flattery'	Bislama	1974
167. WH <i>matter</i> 'why'	TP, TSC, APE	1943

Table 2 Pacific features reclassified as world-wide

Feature classified as Pacific in Baker and Huber (2001)	Atlantic varieties in which it is attested	1st attestation in an Atlantic variety
254. <i>bel(ly)</i> ‘seat of emotions’	CamPE, Jam, Kro, WAPE (NPE)	1978
268. <i>first time</i> ‘ahead, formerly’	Jam, Kro, Lib, Sur (Alu, Ndy, Sar, Srn)	–1885–
276. <i>look see</i> ‘inspect, take a look at’	Kro, Sur (Srn)	1783
287. <i>saltwater</i> ‘sea, coastal’	Jam, MSL, Sur (Srn)	–1765–
295. VERB-VN (transitive suffix)	Bjn, TEC, WAPE (AssCamPE, CamPE, FPPE, NPE)	1825
300. <i>yet</i> ‘still’	Sur (Alu, Kwi, Mat, Ndy, Par, Sar, Srn)	–1765–

6. Baker and Huber (2001) on the emergence of world-wide features

In their comprehensive paper, Baker and Huber (2001) make a number of claims, also made in previous works (e.g., Baker 1993 or Huber 1999), which I would like to address. They state that world-wide features are attested earlier than Atlantic or Pacific ones. World-wide features “were used in the early phases of contact situations” and “were ‘invented’ and *transmitted* by anglophones” [my emphasis], whereas Atlantic and Pacific features “were [...] contributed by non-anglophone speakers” (Baker and Huber 2001: 169). The class of world-wide features was “*spread* [my emphasis] by anglophone sailors, traders, missionaries, etc., rather than by non-Europeans” (Baker and Huber 2001: 168). In their view, “some of the anglophone participants in the creation of PPEs [Pacific Pidgin English] could fall back on their knowledge of established contact languages in

the Atlantic and actively used this in their contacts with non-anglophones in the Pacific" (Baker and Huber 2001: 167). With a few exceptions, these items "constitute both a framework and repertoire of features on which anglophones could and did draw in their efforts to communicate with non-anglophones". The occurrence of these features both in the Atlantic and in the Pacific is taken as "evidence that anglophones did not address non-anglophones in [...] English" but rather in the "Foreigner Talk register" (Baker and Huber 2001: 180). This included "words and perhaps phrases they had heard used with or by non-Europeans in places they had previously visited where English pidgins and creoles were already established" (Baker 1993: 7). In time, "[t]his register [...] came to be the stereotypical mode of addressing indigenous people, whether they were Africans or people of the [...] Pacific" (Huber 1999: 130). Baker and Huber (2001: 192) "accept that some of the [world-wide] features identified may have arisen independently in the two regions", i.e., the Atlantic and the Pacific. In conclusion, Baker and Huber (2001) posit an essentially diffusionist scenario to account for the occurrence of world-wide features in the English-based pidgins and creoles.

7. Analysis

In what follows, I will address Baker's and Huber's (2001) claims. The analysis below includes a number of mini case studies exemplifying the 11 types of sources and factors identified that are conducive to the occurrence of world-wide features in the English-based pidgins and creoles. On occasion, I suggest analyses different from the account in Baker and Huber (2001: 175–181).

One source of world-wide features consists of words of (Pidgin) Portuguese origin. Although part of English foreigner talk (see below), they are dealt with here separately.

195. *grande* 'big' (< Portuguese *grande*)

221. *piccaninny* 'small; child' (< Portuguese *pequeninho* 'very small')

225. *sabby* 'know' (< Portuguese *saber*)

Sabby, first attested in 1686, appears to have become part of the foreigner talk register of English quite early. It is one of the "words [anglophones] acquired from Africans" (Baker and Huber 2001: 193). Consequently, the homophony of *no* and *know* in English, which "would

surely make the sequence *no know* problematic in a contact situation" (Baker and Huber 2001: 176) is rather unlikely to have played a part in the selection of *sabby*.

Non-standard English (including dialectal English) is represented by items such as the following:

181. *bruck* 'break'

201. *lick* 'flog'

The exact contribution of non-standard English to the pool of world-wide features in the English pidgins and creoles is yet to be determined. As noted by Hancock (1980: 75), one also has to determine "to what extent [...] non-standard extended English forms have supplied the creole interpretations".

The so-called Ship English (Bailey and Ross 1988) is illustrated by just one lexical item:

183. *capsize* 'spill, pour (out)'

This accords well with Baker's and Huber's (2001: 192) discarding of an alleged Nautical Pidgin English. Notice that the samples of Ship English in Appendix 2 are not exclusively typical of this register.

An important source of world-wide features is the foreigner talk register (Ferguson 1971, 1975 and 1981, Ferguson and DeBose 1977, Thomason 2001: 187, Thomason and Kaufman 1988: 171–198, Winford 2003b: 271 and 290–295). World-wide features are traced back to foreigner talk on the basis of four types of evidence: actual observation of today's foreigner talk; experimental elicitation (Ferguson 1977, Mühlhäusler 1997: 97–98); literary foreigner talk (Ferguson 1977, Mühlhäusler 1997: 98–100); and items that cannot be accounted for in terms of any other plausible source or factor. The first two types of evidence may be seen as instances of what Rickford (1986 and 1991) calls "feedback from current usage". The last type of evidence is based on the assumption that foreigner talk changes diachronically (Ferguson 1981: 11, Baker and Huber 2001: 180), and that "not everything that is characteristic of FT [= foreigner talk] today was necessarily so some centuries ago" (Baker and Huber 2001: 180). A certain unavoidable circularity is therefore involved. On the one hand, world-wide features that cannot be otherwise accounted for are assigned to earlier foreigner talk, and, on the other hand, these items are traced back to earlier foreigner talk precisely because they are world-wide features. World-wide features originating in the foreigner talk register of English include the following items:

208. *me* (1 SG)

The use of the oblique forms of personal pronouns is well-documented, both in actual and in experimental foreigner talk (see Appendixes 3 and 4).

215. *no* (negator)

This feature is widely believed to come from English *no* (see e.g., Clark 1979: 9). However, Baker and Huber (2001: 175) suggest a different explanation. First, they claim that “Philip Baker’s informal experiments with students suggest that *not* rather than *no* would be the natural choice for negator of English speakers in a contact situation”. Second, they suggest that *no* “could actually be [...] from Portuguese” since “Portuguese *não* is not far removed from some British pronunciations of *no*”. However, in Ferguson’s (1977) experiment “the tendency to replace all negative constructions by a ‘no’ [...] is very strong”. The occurrences of *no* significantly outnumber those of *not*: 46 to 7. Similarly, the negator *no* occurs more frequently than *not* in Mühlhäusler’s experiments (see Appendix 4, examples 1–4, 6–9, 11). Finally, *no* is more frequent in literary foreigner talk as well: in C. S. Lewis *Out of the silent planet*, for instance, there are 18 occurrences of *no* vs. only 5 of *not* (Ferguson 1975: 6). I therefore conclude that *no* originates in the foreigner talk register of English.

247. ZERO (equative copula)

248. ZERO (predicative copula)

Both these features are believed to be universals of foreigner talk (Ferguson 1971, 1975, Ferguson and DeBose 1977; for the latter see also Appendix 3).

175. *all same* ‘as, like’

182. *byandby* (adv.) ‘soon’

These are most likely examples of world-wide features characteristic of earlier foreigner talk (Baker and Huber 2001: 181).

295. VERB-VM (transitive suffix)

This transitive suffix is derived etymologically from the English *him*. As shown in Avram (2000a and 2004: 97–98), it is found in a number of Atlantic pidgins and creoles as well (see Table 2), both in earlier stages and in their contemporary varieties. Consequently, it is a world-wide feature, *contra* Baker and Huber (2001: 204) who classify it as a Pacific feature. Baker (1993: 41–42) doubts that this feature was used in earlier foreigner talk. Huber (1999: 131, n. 79) writes that “it seems implausible

that marking transitivity should be a regular strategy in today's foreigner talk English", but that "it may well have been used in the eighteenth and nineteenth centuries". He concludes that the transitive suffix may have been "optionally used in English overseas jargon and was indeed diffused by sailors from West Africa to the Pacific". In fact, this feature is occasionally attested even in current foreigner talk (see Appendix 3, examples 3 and 6). As shown in Avram (2000a), it may plausibly originate in "right dislocation" / "afterthought" constructions of the type *John, I see him* > *I see **him** John*. One argument in favor of this analysis is the occurrence of similar constructions occurring in French-based varieties as well. Consider the following Petit Nègre example: *Je l'allume le feu* (Mühlhäusler 1997: 144, n. 14). The difference between the optional or variable use of this suffix in the Atlantic varieties and its obligatory occurrence in the Pacific ones points to the possibility of substrate reinforcement in the latter. Indeed, Melanesian languages have transitive suffixes. This may explain why the use of the transitive has the status of a categorical rule in the Pacific varieties, but only that of a variable rule in Atlantic ones (Avram 2000a: 129–130).

Consider the next substrate influence.

220. paragogic vowels

Baker and Huber (2001: 179) write that "[t]he addition of a vowel to English verb stems ending in a plosive or fricative might be expected from speakers of languages with a predominantly CVCV structure". They state that "one might [...] expect the paragogic vowel to be a copy of the vowel preceding the final consonant" and not "overwhelmingly [i]". They conclude that the paragogic [i] "was adopted by speakers of English addressing non-English speakers rather than a feature of the latter's pronunciation of English verbs".

I would like to suggest an alternative account. First, note that the paragogic [i] occurs only sporadically in English foreigner talk (Ferguson 1975: 4). Second, the widespread occurrence of [i] is not surprising since it is one of the universally favored default paragogic vowels (Avram submitted). Third, [i] is also the default paragogic vowel in a number of substrate languages of the Atlantic English creoles, such as Akan/Twi, Ewe and Yoruba (Avram submitted). Fourth, the generalized use of a default paragogic vowel is attested in earlier stages of various Atlantic English creoles and is therefore less unexpected (Plag and Uffmann 2000, Avram submitted). Fifth, paragoge *cum* vowel copying is just one possible strategy for the resolution of illicit codas in the English-based pidgins and

creoles (Avram submitted). Finally, it is not necessarily the case that the paragogic vowel should be a copy of the vowel preceding the plosive or fricative in the coda of the etymon. Bilabial plosives or fricatives in coda position frequently trigger labial attraction both in several English-based pidgins and creoles (Avram submitted) and in their substrate languages. It appears then that the paragogic vowels illustrate substrate influence.

139. *say* (complementizer)

The complementizer-like use of *se*, etymologically derived from English *say*, in Bislama (Crowley 1989) means that this item qualifies for the status of world-wide feature, *contra* Baker and Huber (2001: 200) who list it among Atlantic features.

As for the origin of this feature, four main competing hypotheses are found in the literature on Atlantic English pidgins and creoles (see Avram 2000c: 184–198): substrate influence; convergence of substrate and lexifier: Akan/Twi *sɛ* + E *say*; convergence of the West African (Kwa) substrate and of the partial model in nonstandard English: quotative use of *say*; (ordinary) grammaticalization: *verbum dicendi* > ‘that’. A number of arguments can be brought against the last three hypotheses. Thus, the English creoles of Surinam use as complementizers forms etymologically derived from E *talk*. This runs counter to the account in terms of the convergence of Akan/Twi *sɛ* and E *say*. Consider next the issue of a partial model in the lexifier. One of Mufwene’s (1996c: 15) arguments for underscoring the relevance of partial models in the lexifier is that French creoles do not have complementizer-like uses of *dire* or *parler* given the rarity of quotative uses of these verbs in nonstandard French. However, French creoles did in fact have complementizer-like uses of *dire* in earlier stages (see Avram 2000d, and Parkvall 2000: 66). Arabic pidgins/creoles also have complementizers derived from a *verbum dicendi*, although not attested in any form of Arabic (Avram 2003b: 30). It follows that a partial model in the lexifier is not a necessary condition (Avram 2003b: 30). Finally, the grammaticalization account should also be discarded. The existence of a substrate model means that the complementizer *say* is an instance of “apparent grammaticalization”, in the sense of Bruyn (1996 and 2003).

Let me now turn to *say* (complementizer) in the Pacific. It is attested in at least one Pacific variety, Bislama (Crowley 1989 and 1990). Since it occurs rather late, in the second half of the twentieth century (Crowley 1989 and 1990), it cannot have been diffused from the Atlantic to the

Pacific. Grammaticalization is also ruled out since Crowley (1989 and 1990) traces it back to local substrate languages.

In conclusion, *say* (complementizer) is a world-wide feature that must have arisen independently. It is an illustration of the fact that different substrate languages may yield identical outcomes in the English-based pidgins and creoles. Moreover, the account outlined above appears to confirm the hypothesis (see Avram 2003c: 140) that a complementizer derived from a *verbum dicendi* emerges if and only if there is a substrate model.

254. *belly* 'seat of emotions'

This feature is classified as Pacific by Baker and Huber (2001: 203). In fact, it has also been recorded in several Atlantic English pidgins and creoles (Avram 2004: 94–95, and in press a) and should consequently be reclassified as a world-wide feature. This is another world-wide feature that must have arisen independently and which again shows that different substrates may lead to identical outcomes.

Reanalysis is yet another source of world-wide features. Examples of reanalysis include:

110. *no more* 'merely'

185. *comeout* 'go out, detach'

189. *falldown* 'fall'

227. *sitdown* 'sit, reside'

229. *standup* 'stand'

234. *throwaway* 'throw'

Originally polymorphemic items have been reanalyzed as monomorphemic. The absence of reflexes of, for example, the English *fall*, *sit*, *stand*, *throw*, on their own proves that reanalysis has occurred. Further, the adverbial particle in some etyma can also be shown to have been reanalyzed. Consider the following collocations in Torres Strait Creole: *poldaun daun* 'to fall down', *Kam sidaun ya daun!* 'Come and sit down here!' (Avram in press d). Note that *no more* 'merely', listed as an Atlantic feature in Baker and Huber (2001: 199) is shown to occur in the Pacific as well and reclassified as a world-wide feature by Avram (2004: 89–90). Finally, *no more* shows that reanalysis is not restricted to etymologically phrasal verbs, *contra* Baker and Huber (2004: 180).

The following examples illustrate outcomes of grammaticalization:

178. *been* (past/anterior)

As shown by Bybee and Pagliuca (1994: 57), stative auxiliaries are one of the sources for anterior forms. This feature illustrates the effect of what Arends and Bruyn (1995: 119) call “shortcuts”, i.e., a grammatical morpheme is derived from elements which never functioned as a lexical item. In other words, a grammatical item from the lexifier is assigned a new grammatical function. The development of a grammatical item into a more grammatical one is one of the possible grammaticalization routes (see Heine, Claudi and Hünemeyer 1991, Traugott and Heine 1991, Hopper and Traugott 1993). Since this process appears to have taken place rather quickly, it is a case of instantaneous grammaticalization, in the sense of Bruyn (1996 and 2003).

231. *suppose* ‘if’

Baker and Huber (2001: 176) suggest that “*suppose* may have been preferred to *if* because it is less abstract than the latter in that it has more lexical content”. In Avram (1999) I argue that this world-wide feature is best viewed as an outcome of instantaneous grammaticalization. First, it is recorded quite early both in the Atlantic and in the Pacific. Second, words expressing epistemic modality are frequent sources of conditional connectors. Third, ordinary grammaticalization is ruled out since the prior use of *suppose* as a lexical verb is not attested. Finally, note that a partial model in the lexifier, in the sense of Mufwene (1996c), may have contributed to the selection of *suppose*. Sentence-initial *suppose* is used in colloquial British English, although to a limited extent only.

240. *we* (relativizer)

The etymological source of the relativizer *we* is undoubtedly the English *where*. According to Mühlhäusler (1997: 174) it is one of “a very small number of sources” for “[t]he development of relativizers”. Two developmental routes have been suggested in the literature: place > time > subject > direct object (Mühlhäusler 1997: 174); location > [-animate] > [+animate, -human] > [+human] (Smith 2003: 153–154). It is first attested, both in the Atlantic and in the Pacific, only at the end of the nineteenth century. Therefore, this world-wide feature is probably the result of ordinary grammaticalization in the sense of Bruyn (1996 and 2003).

245. VERB *finish* (completive)

The verb ‘to finish’ is the most common lexical source for completive aspect markers (Bybee and Pagliuca 1994: 56). Since it is first recorded in the twentieth century in the Atlantic, and at the end of the nineteenth

century in the Pacific, this feature is another example of ordinary grammaticalization.

Semantic transparency accounts for the occurrence of a number of world-wide features. Consider first bimorphemic interrogatives:

- 167. WH *matter* 'why'
- 241. WH *for* 'why'
- 242. WH *fashion* 'how'
- 243. WH *place* 'where'
- 244. WH *side* 'where'
- 245. WH *thing* 'what'
- 246. WH *time* 'when'

As noted by Baker and Huber (2001: 176), these "bimorphemic interrogatives provide alternatives to all the English monomorphemic WH-words". They further write that "[i]t seems likely that these structures found favor because they are semantically transparent". However, except for instances of reanalysis, Baker and Huber (2001: 180) attribute all other world-wide features to English foreigner talk. This means that, in their view, bimorphemic interrogatives are also typical of this register. Indeed, Ferguson (1975: 10) writes that "[t]he decomposition of a word into a phrase in which semantic features of the word are separated out in an analytic phrase is very common and characteristic of foreigner talk". Moreover, one of his examples is *which place* 'where'. However, I believe that semantic transparency is the decisive factor. First, it is not clear whether bimorphemic interrogatives are a sufficiently established characteristic of current English foreigner talk to warrant feedback from current usage. Second, "[a] number of these bimorphemic constructions may have been taken over from the related superstrate languages": for example, E "'what time = 'when'" (Romaine 1988: 52). Third, as shown by, for example, Muysken and Smith (1990) and Muysken and Veenstra (1995: 124), bimorphemic question words are quite frequent in pidgins and creoles, regardless of their lexifier. Fourth, bimorphemic interrogatives also emerge in experimentally created pidgins (Romaine 1988: 52).

- 55. *eyewater* 'tear'

It is certainly true that this feature is "extremely common both in Atlantic Creoles and in West African languages", as noted by Parkval (2000: 113). Holm (1992: 191), for instance, mentions among others Igbo *aKpa-mmiri*, Twi *ani-suo*, and Yoruba *omi oju*, all literally 'eye water'. It is equally true that "[t]here are many lexemes in Afro-American dialects

which reveal a labeling pattern whereby objects are named in terms of an association between two primary named objects" (Alleyne 1980: 114). Therefore, *eyewater* may be one of the "readily convenient calques from a number of African languages" (Allsopp 1980: 91). However, a number of arguments can be brought against tracing it back to an African substrate language. First, according to Allsopp (1980: 91), "each of those African bases was likely to have its own synonymous form which did not lend itself so readily to calquing". He goes on to say that "Yoruba, in common with many West African languages, has the relevant compound *omi ojú* (< "water" + "eye") ~ *omijé* (= "a tear") but it is rarer than *íkún* (= "sorrowful weeping")" (Allsopp 1980: 91). Second, a structurally identical compound occurs in contact languages with a different substratal input. Consider the Arabic-based pidgin Juba Arabic *móya-ena* (Avram 2003: 35) and the Arabic-based creole Nubi *moy-ééna*, both 'tears', lit. 'water eyes' (Holm 2000: 104). Holm (2000: 104), noting that the Nubi form "happens to correspond to compounds in the Atlantic creoles", concludes that "[s]uch compounds may have resulted from a universal strategy for expanding a pidgin vocabulary to fill lexical gaps". In pidgins, this is typically done by means of lexicalizing semantically transparent compounds (Parkvall 2000: 113). From the diachronic point of view, "[m]uch of what may look African in Creole semantics may therefore well be but an indirect manifestation of former Pidginhood" (Parkvall 2000: 113). Third, it is recorded in the Pacific as well (Avram 2004: 84). Thus, the Tok Pisin form *aiwara* may also reflect this strategy. Thus, in this analysis, the forms in the various Atlantic pidgins and creoles themselves may well be the outcome of an identical strategy. Parkvall (2000: 113), for instance, mentions *eyewater* as a "[word] that could predictably be invented on the spot by anybody not knowing any other word".

Semantic shift is also factor conducive to the occurrence of world-wide features.

49. *dohiti* 'earth, dirt'

Listed among the Atlantic features by Baker and Huber (2001: 198), this item is reclassified as a world-wide feature by Avram (2004: 84), since it is recorded in Pacific varieties as well. For Cassidy (1961: 396), since it "means *dirt*, [it] would seem clearly to come from it, yet its real basis is Twi *dòtɛ*, which means the same". Alleyne (1980: 111) also mentions "Twi *dɔ̃tɛ* 'earth'". He does, however, add that this etymology is doubtful (Alleyne 1980: 229). Striking a more cautious note, Allsopp

(1996: 209) points to “[p]robably” < Akan *dɔte* ‘soil, earth, clay, mud’” but adds “[p]rob[ably] also infl[uenced] by DIRTY”. Finally, Aceto (1999: 73) traces it back to “Twi *dɔte* ‘earth, ground, dirt’” but also mentions “(cf English *dirty*)”. However, since this feature occurs in three Pacific varieties as well (Avram 2004: 84), deriving it etymologically from an African substrate language appears even less safe than hitherto assumed. A Pacific substrate source has yet to be suggested. Therefore, in my opinion, English *dirty* seems a more likely etymon. Note that assuming a Twi/Akan etymon cannot easily account for the vowel [ʌ], instead of [ɔ], which occurs in the form [dʌti], attested in a number of Caribbean English creoles (Allsopp 1996: 209). Nor can such an assumption explain why the final vowel /e/ or /ɛ/ in the alleged Twi / Akan etymon turns into /i/. On the contrary, assuming an English etymon avoids both of these problems. In this view, [ɔ] and [ʌ] would be reflexes in the Atlantic English-based pidgins and creoles of English /ə/ in *dirty*. This parallels rather nicely the situation in the Pacific varieties: the reflex of English /ə/ is [ɔ] in Bislama and Tok Pisin, but [ʌ] in Torres Strait Creole. Next, the final vowel in both the Atlantic and in the Pacific varieties is identical to that of the English etymon. Finally, the new categorial status and the new meaning could plausibly be the result of conversion with semantic shift; positing substratal influence seems therefore unnecessary.

Consider one last factor involved in the occurrence of world-wide features, namely metaphorical extension.

148. *sweetmouth* ‘flattery’.

This is a lexical item which is supposed to illustrate “[t]he relationship between Afro-American dialects and West African languages” by means of “a number of shared metaphors and idiomatic expressions” (Alleyne 1980: 115). The diagnostic feature at issue is included by Alleyne in “a group of lexemes which in English are known as abstract nouns but in Afro-American dialects and West African languages are expressed in concrete terms”. In support of this claim, Alleyne (1980: 116) mentions the following possible sources of *sweetmouth* ‘flattery’: Twi *ano yɛɛ* ‘flattery’, lit. ‘mouth sweet’, Vai *da kiña* ‘flattery’, lit. ‘mouth sweet’, Gã *nã ñõ* ‘flattery’, lit. ‘sweet mouth’, and Yoruba *enĩdidĩ* ‘persuasiveness’, lit. ‘sweet mouth’. Holm (1992: 191) adds Igbo *onua uso* ‘flatter’, lit. ‘mouth sweet’. In his turn, Allsopp (1996: 542) writes: “[a] calque from W Afr languages. Cp Twi *n’amo yɛ de papa* [lit.] (*he mouth be sweet too-much*) ‘He is a flatterer’”. However, the occurrence of *sweetmouth* in a Pacific variety such as Bislama (Avram 2004: 92), raises doubts

about the plausibility of such a connection. Indeed, as put by Cassidy (1971: 215), “some metaphors [...] are so obvious that they may be expected to turn up by coincidence or ‘reinvention’ in unrelated pidgins”.

8. Conclusions

I will attempt to determine correlations between source or factor accounting for a particular world-wide feature, the mechanism of emergence (diffusion vs. independent developments), agentivity (in the sense of Winford 2003a), and the stage in the genesis of English pidgins and creoles. The conclusions are interpreted within the framework of language ecology. Their relevance is examined in light of the ideological prejudices about pidgins and creoles.

Before discussing the results set out in Tables 3, 4 and 5, a few remarks are in order.

Most sources and factors are rather straightforward with the possible exception, of metaphorical extension which is not always distinguishable from semantic transparency.

Both agentivity and the mechanism of emergence can be inferred in most cases from the source or factor accounting for a particular world-wide feature. One exception is metaphorical extension, in which case agentivity is less clear.

Consider next the issue of the mechanism of emergence in light of the date of the first attestation. World-wide features that are, on currently available evidence, first recorded in Pacific English pidgins and creoles cannot have been diffused from the Atlantic. There are 11 such features (see Tables 3 and 4): 183. *capsize* ‘spill, pour out’, 191. VERB *finish* (completive), 194. *got* ‘have’, 216. *nogood* ‘bad’, 217. *number one* ‘best, chief (adj.)’ 226. *-side* (locative suffix), 235. *too much* ADJ/VERB ‘a lot’, 239. *walkabout* ‘wander’, 245. WH *thing* ‘what’, 254. *bel(ly)* ‘seat of emotions’, and 268. *first time* ‘ahead, formerly’.

World-wide features that are, on currently available evidence, first attested in the Pacific in the twentieth century cannot be accounted for in terms of diffusion from Atlantic varieties either. This is in accordance with the rationale formulated by Baker and Huber (2001: 159): looking at “attestations that predate 1900 [...] minimizes the effect of later, non-diffusionist cross-influences between the varieties considered”. I have

identified 21 such features: 40. *dem* (article, demonstrative), 49. *dohti* 'earth, dirt', 55. *eyewater* 'tear', 62. *fullup* 'fill, be full', 71. *hungry* 'hunger, starvation', 107. *mouthwater* 'saliva', 111. *nose hole* 'nostril', 129. *(make) play* '(to have a) party, dance', 137. *santapi* 'centipede', 139. *say* (complementizer), 142. *small* 'little (adv.)', 147. *sweet* 'tasty, nice; be agreeable, please (V)', 148. *sweetmouth* 'flattery', 167. WH *matter* 'why', 180. *born* 'give birth', 185. *comeout* 'go out, detach' (reanalysis), 188. *dem* (3PL), 202. *lili* 'little', 229. *standup* 'stand' (reanalysis), 232. *that time* 'when', and 233. *thatsall* 'just, only, still'.

It is not the case that all world-wide features presumably originating in English foreigner talk have emerged through diffusion from the Atlantic to the Pacific English pidgins and creoles. A clear case for diffusion can only be made for those items which do not appear to have emerged independently, given that no universal process can be plausibly invoked. These include 10 features presumably characteristic of earlier English foreigner talk, 96. *look* 'see, find', 130. *plenty too much* 'a lot', 175. *all same* 'as, like', 182. *byandby* (adv.) 'soon', 190. *fashion* 'manner, way', 235. *too much* ADJ/VERB, 236. ADJ/VERB *too much*, 237. NOUN *too much* 'many, a lot', 238. *too much* NOUN 'many, a lot', and possibly 295. VERB-VN (transitive suffix), as well as 3 features well-established in current English foreigner talk (Ferguson 1975: 9), namely 222. *plenty* NOUN 'a lot of', 223. *plenty* (postverbal) 'a lot', and 224. *plenty* 'very many'. Note that another potential candidate, 217. *number one* 'best, chief (adj.)', has already been shown not to be the result of diffusion since it is first attested in the Pacific. I thus follow Clark (1979: 9) who attempts to rule out "those innovations likely to occur more than once independently as a result of universal processes of simplification, such as the elimination of inflections and most grammatical morphemes, the use of preverbal *no* as negator, etc." The world-wide features at issue are: 213. NP1NP2 (possessive N1's N2), 215. *no* (negator), 247. ZERO (equative copula), 248. ZERO (predicative copula), and the 8 pronominal forms listed in Table 3.

Features 55. *eyewater* and 148. *sweetmouth* have been shown not to be instances of "words showing African substrate influence that came to the Pacific via the Atlantic creoles", in the sense of Holm (1992: 191). On the other hand, it may be that compounds similar to features 55. *eyewater* and 148. *sweetmouth* occur in the substrate languages of Pacific pidgins and creoles. However, Parkvall's (2000) and Cassidy's (1971) remarks about the Atlantic pidgins and creoles apply *mutatis mutandis* to

the Pacific varieties as well. In this analysis, the occurrence of such compounds in the substrate would not be a sufficient condition for positing substratal influence on the Pacific pidgins and creoles.

The wider distribution of a number of such compounds also shows that problems with their origin still arise, even if "[t]wo-morpheme calques are more readily identified", as stated by Holm (2000: 104). This is because "[a] basic lexicon may be increased by combination among expectable lines: some coincidences need not indicate historical relationship" (Cassidy 1971: 215). The points made by Cassidy (1971: 215) and Parkvall (2000: 113) are well taken and may account for the occurrence of other bimorphemic compounds in both Atlantic and Pacific English pidgins and creoles. A similar case could be made for phrases. Likely candidates are features 129. *(make) play* '(to have a) party, dance', 203. *little bit* 'slightly', 219. *onetime* '(at) once', 232. *that time* 'when', 268. *first time* 'ahead, formerly', and 276. *look see* 'inspect, take a look'. Each such case involves a morphologically opaque and statistically less frequent word in the lexifier. Such a word would have been less salient and less likely to be of use in the contact situation. Consequently, it is replaced by a compound of more frequent words, already known to the non-anglophone participants in the contact situation.

The world-wide features in Tables 3 and 4 are listed in decreasing order of the number of varieties in which they are recorded. Indicated within brackets in Table 3 are varieties in which world-wide features listed as unattested in Baker and Huber (2001) do in fact occur (see Avram 2003a and in press b, c and d). Dates in bold characters in Tables 3 and 4 are corrections (see Avram in press c), i.e. earlier attestations than those indicated in Baker and Huber (2001).

The following abbreviations are used in Tables 3, 4 and 5: angl. = anglophones; Atl. = Atlantic; E = English; FT = foreigner talk; inst. gr. = instantaneous grammaticalization; m. ext. = metaphorical extension; non-anglophones; non-st. E = nonstandard English; ord. gr. = ordinary grammaticalization; P = Portuguese; Pac. = Pacific; ph. ad. = phonological adjustment; reanal. = reanalysis; sem. sh. = semantic shift; sem. tr. = semantic transparency; Ship E = Ship English; substr. = substrate

Table 3 World-wide features in Baker and Huber (2001)

Feature	Attested in	Source / Factor	Agentivity	Mechanism of emergence	1 st att. in Atl.	1 st att. in Pac.
178. <i>been</i> (past/anterior)	13	inst. gr.	non-angl.	indep.	1718	1826
182. <i>byandby</i> (adv.) 'soon'	13	FT	angl.	diff.	-1765	-1791
215. <i>no</i> (negator)	13	FT	angl.	indep.	1686	1743
218. <i>one</i> (definite article)	13	inst. gr.	non-angl.	indep.	1761	1807
231. <i>suppose</i> 'if'	13	inst. gr.	non-angl.	indep.	-1785	-1800
247. ZERO (equative copula)	13	FT	angl.	indep.	1686	1743
200. <i>him</i> (3SG)	12	FT	angl.	indep.	1718	1830
208. <i>me</i> (1SG)	12	FT	angl.	indep.	1707	-1795-
225. <i>sabby</i> 'know'	12	Port.	angl.	diff.	1686	1800
241. WH for 'why'	12	sem. tr.	angl.	indep.	1822	1796
192. <i>for</i> (infinitive)	11	non-st. E	angl.	diff.	1735	1831
205. <i>make</i> (causative/imperative)	11	sem. tr.	angl.	indep.	1745	1783
220. paragogic vowels	11 (MPE)	substr.	non-angl.	indep.	1721	1844
248. ZERO (predicative copula)	11	FT	angl.	indep.	1770	1787
184. <i>catch</i> 'get, obtain, reach'	10 (Gul)	sem. sh.	non-angl.	indep.	1762	1799
194. <i>got</i> 'have'	10	non-st. E	angl.	indep.	1806	1783
196. <i>he</i> (resumptive)	10	FT		indep.	-1765-	1824

219. <i>onetime</i> '(at) once'	10 (PN)	sem. tr.	angl.	indep.	1718	1882
221. <i>picaninny</i> 'small;child'	10	Port.	angl.	diff.	1647	1747
222. <i>plenty</i> NOUN 'a lot of'	10 (PN)	FT	angl.	diff.	1795	1824
234. <i>throwaway</i> 'throw' (reanalysis)	10 (Gul)	reanal.	non-angl.	indep.	1779	1800
181. <i>bruck</i> 'break'	9	non-st. E	angl.	diff.	1761	1891
187. <i>dead</i> 'die'	9	sem. sh.	non-angl.	indep.	1759	1863–
190. <i>fashion</i> 'manner, way'	9	FT	angl.	diff.	1718	1743
216. <i>nogood</i> 'bad'	9	sem. tr.	angl.	indep.	–1816	1795
236. ADJ/VERB <i>too much</i> 'a lot'	9	FT	non-angl.	diff.	1718	1830
238. <i>too much</i> NOUN 'many, a lot of'	9	FT	non-angl.	diff.	1726	1769
244. WH <i>side</i> 'where'	9	sem. tr.	angl.	indep.	–1765–	–1836
174. <i>all about</i> 'every-where'	8 (PN)	reanal.	non-angl.	indep.	1785	1825
186. <i>da(t)</i> (definite article)	8	inst. gr.	non-angl.	indep.	–1765–	1826
188. <i>dem</i> (3PL)	8	FT	angl.	indep.	1760	1940–
193. <i>go</i> (future)	8	inst. gr.	non-angl.	indep.	–1765–	1841
207. <i>-man</i> (agentive suffix)	8 (Jam)	inst. gr.	non-angl.	indep.	1762	1831
209. <i>me</i> (1SG POSS)	8	FT	angl.	indep.	1718	1881
213. NP1NP2 (possessive N1's N2)	8	FT	angl.	indep.	1762	1831

230. <i>stop</i> (locative verb)	8	sem. sh.	non-angl.	indep.	1820	1842–
235. <i>too much</i> ADJ/VERB ‘a lot’	8 (Sur)	FT	non-angl.	indep.	1833	1769
175. <i>all same</i> ‘as, like’	7	FT	angl.	diff.	1773	1784
195. <i>grande</i> ‘big’	7	Port.	angl.	diff.	1718	1747
198. <i>he</i> (3SG POSS)	7	FT	angl.	indep.	1782	1831
204. <i>long</i> ‘with’	7	sem. sh.	non-angl.	indep.	1718	1826
206. <i>make haste</i> ‘hurry’	7 (Sur, PN)	non-st. E	angl.	diff.	–1765–	1826
211. <i>more better</i> ‘better’	7 (Gul)	non-st. E	angl.	diff.	–1765–	1826
214. <i>never</i> (negative-completive)	7	ord. gr.	non-angl.	indep.	–1785–	1897
223. <i>plenty</i> (postverbal) ‘alot’	7	FT	angl.	diff.	1818	1826
224. <i>plenty</i> ‘very, many’	7	FT	angl.	diff.	1820	1826
179. <i>before time</i>	6 (Gul)	non-st. E	angl.	diff.	1785	1831
180. <i>born</i> ‘give birth’	6	sem. sh.	non-angl.	indep.	1884	1937
189. <i>falldown</i> ‘fall’ (reanalysis)	6 (Jam, Gul)	reanal.	non-angl.	indep.	1762	1930–
199. <i>him</i> (3SG POSS)	6	FT	angl.	indep.	1745	1881
201. <i>lick</i> ‘flog’	6	non-st. E	angl.	diff.	–1785–	1881
210. <i>moon</i> ‘month’	6	sem. sh.	non-angl.	indep.	–1745	1825
212. <i>most</i> ‘almost’	6 (PN)	sem. sh.	non-angl.	indep.	–1780–	1826
226. <i>-side</i> (locative suffix)	6	reanal.	non-angl.	indep.	1834	1830
228. word derived from <i>something</i> ‘thing’	6	reanal.	non-angl.	indep.	1718	–1880–
229. <i>standup</i> ‘stand’ (reanalysis)	6	reanal.	non-angl.	indep.	1779	1943

232. <i>that time</i> 'when'	6	sem. tr.	angl.	indep.	1762	1904
185. <i>comeout</i> 'go out, de-tach' (reanalysis)	5 (Gul)	reanal.	non-angl.	indep.	1718	-1910
202. <i>lili</i> 'little'	5	substr.	non-angl.	indep.	1775	1904
203. <i>little bit</i> 'slightly'	5	sem. tr.	angl.	indep.	-1796-	1826
217. <i>number one</i> 'best, chief (adj.)'	5	FT	angl.	indep.	-1960	1828
227. <i>sitdown</i> 'sit, re-side' (reanalysis)	5	reanal.	non-angl.	indep.	-1765-	1825
237. NOUN <i>too m much</i> 'many, a lot of'	5	FT	non-angl.	indep.	-1765-	1884
239. <i>walkabout</i> 'wander'	5 (PN)	reanal.	non-angl.	indep.	-1980	1828
242. WH <i>fashion</i> 'why, how'	5	sem. tr.	angl.	indep.	1718	1787
243. WH <i>place</i> 'where'	5	sem. tr.	angl.	indep.	1718	1870
246. WH <i>time</i> 'when'	5	sem. tr.	angl.	indep.	1718	-1860
176. <i>be</i> (equative copula)	4	non-st. E	angl.	diff.	1785	-1861
177. <i>be</i> (predicative copula)	4	non-st. E	angl.	diff.	1788	1834
197. <i>he</i> (3SG OBL)	4	FT	angl.	indep.	1780	1800
240. <i>we</i> (relativizer)	5	ord. gr.	non-angl.	indep.	1882	1900
245. WH <i>thing</i> 'what'	4 (PN)	sem. tr.	angl.	indep.	-1850	1807
183. <i>capsize</i> 'spill, pour out'	3	Ship E.	angl.	indep.	1991	-1883
191. VERB <i>finish</i> (completive)	3	ord. gr.	non-angl.	indep.	1931	-1884-
233. <i>thatsall</i> 'just, only, still'	2	reanal.	non-angl.	indep.	1842	1910

Table 4 Features reclassified as world-wide

Feature	Attested in	Source / Factor	Agentivity	Mechanism of emergence	1 st att. in Atl.	1 st att. in Pac.
49. <i>dothi</i> 'earth, dirt'	9	sem. sh.	non-angl.	indep.	1762	1943
62. <i>fullup</i> 'fill, be full'	9	reanal.	non-angl.	indep.	1820	-1929
147. <i>sweet</i> 'tasty, nice; be agree- able, please (V)'	9	m. ext.	non-angl.	indep.	-1765-	1957
148. <i>sweetmouth</i> 'flattery'	9	m. ext.	angl./ non-angl.	indep.	1833	1974
71. <i>hungry</i> 'hunger, starv-ation'	8	sem. sh.	non-angl.	indep.	-1765-	1943
100. <i>married</i> 'marry'	8	sem. sh.	non-angl.	indep.	-1785-	-1899
110. <i>no more</i> 'merely'	8	reanal.	non-angl.	indep.	1762	1871
295. VERB-VN (transitive suffix)	7	FT	angl.	diff.	1825	1826
55. <i>eyewater</i> 'tear'	6	sem. tr.	angl.	indep.	1783	1969
111. <i>nose hole</i> 'nostril'	6	sem. tr.	angl.	indep.	1856	1988
139. <i>say</i> (complementizer)	6	substr.	non-angl.	indep.	-1785-	1990
167. WH <i>matter</i> 'why'	6	sem. tr.	angl.	indep.	-1808	1943
268. <i>first time</i> 'ahead, for-merly'	6	sem. tr.	angl.	indep.	1885	1839
40. <i>dem</i> (article, demonstrative)	5	non-st. E	angl.	diff.	1735	1979
96. <i>look</i> 'see, find'	5	FT	angl.	diff. 1	825	1891
129. <i>(make) play</i> ' (to have a) party, dance, amusement	5	sem. tr.	angl.	indep.	-1765-	1943
254. <i>bel(ly)</i> 'seat of emotions	5	substr.	non-angl.	indep.	1978	1845

107. <i>mouthwater</i> 'saliva'	4	sem. tr.	angl.	indep.	–1765–	1978
137. <i>santapi</i> 'centipede'	4	substr.	non-angl.	indep.	1952	1988
276. <i>look see</i> 'inspect, take a look'	4	sem. tr.	angl.	indep.	1783	1840
287. <i>saltwater</i> 'sea, coastal'	4	m. ext.	angl.	indep.	–1765–	1839
130. <i>plenty too much</i> 'a lot'	3	FT	angl.	indep.	1817	1880–
142. <i>small</i> 'little (adv)'	3	sem. sh.	non-angl.	indep.	1873	1907
300. <i>yet</i> 'still'	3	sem. sh.	non-angl.	indep.	1762	1892

The breakdown per type of source or factor of the correlations between source or factor, agentivity, mechanism of emergence and stage in the genesis of English-based creoles is set out in Table 5.

Table 5 Correlations

Source/Factor	Number of features	Agentivity	Mechanism of emergence	Stage
Portuguese words	3	angl.	diff.	early
Nonstandard English	10	angl.	diff.	early
Ship English	1	angl.	diff.	early
Foreigner talk	26	angl.	indep. 13 diff. 13	early
Substrate influence	5	non-angl.	indep.	late 1 early 4
Reanalysis	12	non-angl.	indep.	early
Instantaneous grammaticalization	6	non-angl.	indep.	early
Ordinary grammaticalization	3	non-angl.	indep.	late
Semantic transparency	18	angl.	indep.	early
Semantic shift	12	non-angl.	indep.	early
Metaphorical extension	3	angl. / non-angl.	indep.	early 1 late 2

As can be seen, most world-wide features emerge at an early stage in the development of the English creoles, as predicted by Baker and Huber (2001). However, 6 of them emerge at a late stage, *contra* Baker and Huber (2001).

The relative importance of (Pidgin) Portuguese, Ship English and English foreigner talk is significantly smaller than assumed by Baker and Huber (2001). Only 30 world-wide features (30.30%) are attributable to these sources.

To quantify agentivity, I suggest the following scoring system. World-wide features for which the agentivity can be identified are scored 1. Those attributable to metaphorical extension are assigned 0.5, since they may equally be contributed by either anglophones or non-anglophones. The contribution by anglophones thus amounts to only 41.5 (41.19%) of the world-wide features, whereas 58.5 world-wide features (58.81%) are contributed by non-anglophones. The world-wide features contributed by anglophones are thus in the minority, *contra* Baker and Huber (2001).

With the exception of those obtained from reanalysis, all world-wide features contributed by non-anglophones run against the views of Baker and Huber (2001) on the contribution of these participants in the genesis of English creoles.

72 world-wide features (72.72%) appear to be the result of such independent developments. This result runs counter to the Baker and Huber (2001) diffusionist scenario.

As for the stage in the formation of English creoles, it depends on whether the source/factor (necessarily) involves a certain period of time. This is typically the case in ordinary grammaticalization (Bruyn 1996 and 2003, Mufwene 1996c), which accounts for 3 features, but also for 4 features attributable to substrate influence and 2 features obtained from metaphorical extension.

Consider next the world-wide features in English pidgins and creoles in light of the ecological framework outlined in section 2. These varieties can indeed be regarded as a pool of features, contributed by individuals (speakers). The features, drawn from various sources and resulting from different factors, are combined in a process similar to genetic recombination in the model of blending inheritance. Since not all these features still occur, English pidgins and creoles can be analogized to Lamarckian species, whose genetic structure changes with time. They

can also be analogized to parasitic species since they depend on their hosts - individuals (speakers) participating in the contact situation - and on the sociohistorical context of creole formation. Like any other creole, English-based creoles are an excellent example of speciation.

The importance of selective advantages can be shown on several levels, illustrating the selection-and-competition process. Consider the following examples on the level of features: English foreigner talk features have a selective advantage over synonyms in Standard English; items that serve cross-linguistically as sources for grammaticalization (instantaneous or ordinary) have a selective advantage over those which do not; semantically transparent compounds have a selective advantage over semantically opaque words. At the level of individuals (speakers), given the power differential in the sociohistorical context of the formation of English creoles, anglophones have a selective advantage over non-anglophones. This explains why most world-wide features are from English, the lexifier language, and why even items of non-English origin, for example (Pidgin) Portuguese items, are also contributed by anglophones. The specific ecology characteristic of the formation of English creoles thus favors some individuals (speakers), here anglophones, by giving them a selective advantage over others individuals (speakers), here non-anglophones, sharing the same habitat (area). Similarly, on the level of species (languages), one species (language), here English, has a selective advantage over the other species (languages), here the substrate languages, sharing the same habitat (area). This confirms the view that there are no individuals (speakers) or species (languages) that in a given environment are more fit than others.

Finally, since the contribution of anglophones is still significant, the linguistic, cultural and racial prejudices frequently held by them (see section 3) are not justified. Notice, incidentally, that these prejudices necessarily turn, in part, against the very contribution of anglophones. As for the world-wide features contributed by non-anglophones, they are the result of developments attested cross-linguistically. Again, this means ideological prejudices are not justified. In addition, world-wide features may serve as evidence against the so-called "creole exceptionalism" (DeGraff 2001, 2003a and b, Mufwene 1989, *contra* e.g., Bickerton 1981, 1900 and 1995, Jackendoff 1994, McWhorter 1998, 2000, 2001 and 2003, Lightfoot 1999, Pinker 1994).

The data discussed in this article will hopefully contribute to further research into the genesis of English-based pidgins and creoles.

Appendix 1: working definitions

agentivity: refers to the contributor of a diagnostic feature (adapted from Winford 2003a)

apparent grammaticalization: transfer in a language of the result of a process of (ordinary) grammaticalization that has taken place in another language (Bruyn 1996 and 2003)

Atlantic features: fully attested in at least two English-based pidgins and creoles spoken in the Atlantic (West Africa, the Caribbean, Central America, South America), but not in the Pacific (Baker and Huber 2001)

creoles: a mixed language that is the native language of a speech community; develop in contact situations typically involving more than two languages; typically draw their lexicon from a single language (the lexifier), but not their grammar; creators of creoles are not bilingual in their interlocutors' language (Thomason 2001)

diagnostic features: phonological, grammatical and lexical features found in pidgins and creoles, at any time in its recorded history (Baker and Huber 2001)

full attestation: an item that is well established in a certain English pidgin or creole (Baker and Huber 2001)

foreigner talk: speech register used by native speakers of a language to foreigners who do not speak their language (Ferguson 1971 and 1981, Ferguson and De Bose 1977)

grammaticalization: gradual, slow, language-internal process whereby a lexical item acquires a grammatical function or a new grammatical function is assigned to a grammatical morpheme, which may be accompanied by loss of the original lexical meaning and by phonological reduction (Heine, Claudi and Hünemeyer 1991, Hopper and Traugott 1991, Traugott and Heine 1993); called **ordinary grammaticalization** by Bruyn (1996 and 2003)

instantaneous grammaticalization: grammaticalization proceeding considerably more rapidly than is typically the case (Bruyn 1996 and 2003)

lexifier: the language that provides most or all the vocabulary of a pidgin or creole; also called **superstrate**

marginal attestation: an item that is found only once in all the (currently available) records of a certain variety (Baker and Huber 2001)

Pacific features: fully attested in at least two English-based pidgins and creoles spoken in the Pacific (coast of China, Melanesia, Australia, Hawaii), but not in the Atlantic (Baker and Huber 2001)

pidgins: a mixed language that arises in contact situations typically involving more than two languages; there is no shared language; the lexicon is typically from a single language (the lexifier), but not the grammar (Thomason 2001)

reanalysis: non-recognition of the components of a word, compound or phrase; as a consequence, a complex unit is reanalyzed as simple

ship English: speech register typical of English-speaking sailors (Bailey and Ross 1988)

substrate: the language of the non-prestige language group in a contact situation

world-wide features: must have at least one full attestation in both the Atlantic and in the Pacific English pidgins and creoles (Baker and Huber 2001)

Appendix 2: Ship English in historical records:

Verbal morphology (Bailey and Ross 1988)

unmarked 3rd p. sg.: *cost* (1683), *seem* (1733)

-s on non-3rd p. sg.: *makes* (1682), *does* (1733), *takes* (1733)

pl. of *to be*: *be* (1669), *bee* (1669), *is* (1685), *is* (1710), *is* (1749)

past tense of irregular verbs: *come* (1661), *get* (1669), *bring* (1688), *run* (1692), *see* (1742)

regularized past tense of irregular verbs: *catched* (1669)

hybrid past tense forms of irregular verbs: *tookt* (1692)

past participle instead of past tense of irregular verbs: *seen* (1661), *begun* (1692)

past tense instead of past participle of irregular verbs: *had saw* (1691), *had broke* (1706)

Appendix 3: Actual English foreigner talk

Transcript of conversations between a health visitor (HV) and (M) who are native speakers of Urdu; dots indicate pauses (Sebba 1997: 86–87)

HV **Me** send. Teacher

M All right

HV Teach English

M Yeah

HV Come. Here. Teach you. English

HV Husband. Work

M Yes

HV Factory

M Factory yes

HV All day

M Yes all day so

HV So you. On your own

M Yes

Appendix 4: Experimental English foreigner talk

English foreigner talk versions of the sentence *I haven't seen the man you're talking about* by Australian adults, examples 1–6, and by British adults, examples 7–12 similar to genetic recombination on the model blending inheritance (from Romaine 1988: 77, and Mühlhäusler 1997 : 97)

1. **Me no** see man you talk about.
2. **No** see man. [head shaking]
3. **Me** [point] **no** see [eyes] man you [point] talk about [wild gestures].
4. **No** see **um** man you say.
5. You talk man. I **not** seen.
6. **Me no** look **him** man you say.

7. I **no** see man you say.
8. I **no** see man that man.
9. I **no** see man you speak.
10. That man you talk. I **not** see.
11. I **no** see man you talk about.
12. The man you talk of, I **not** see him.

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CAPITALISM AND TRANSHUMANCE: A COMPARISON OF THREE PASTORAL MARKET TYPES IN EUROPE (1950-2000)

Introduction

This research is about herders and capitalism. It represents an attempt to assess the economic potential of peasant husbandry in terms of pastoral transhumance in contemporary Europe. The ethnography of herders in Central Romania, Northern Greece, and Southern France will be discussed here from the theoretical and methodological perspective of economic anthropology. While it would clearly be difficult to approach peasantry or any other social group in Europe today from outside the general framework of the market economy, it seems equally problematic to speak of capitalism among the herdsmen. As will be seen, this issue has already given birth to some controversial literature in the anthropology of pastoralism. At the same time, however, the debate centered on the emergence of the capitalist esprit and system of production and exchange does reach the peasant economy in general.

Are peasants really interested in making capital? According to Raymond Firth (1964), credit relationships, convertibility, and entrepreneurship can be identified among the peasants, though there is no further development on the capital market. When cultural change is reported in peasant societies, such as from the "paleotechnic" to "neotechnic ecotypes" (Wolf 1966), it is no doubt also thought to occur in technology, economic organization, and mentalities. Similarly, peasants may be involved in "sectional" or "network" markets (Wolf 1966), which link countryside growers to regional or urban clientele (Smith 1985). But as far as is usually accepted, what could generally be called the "capitalistic specialization" is neither consistent with the peasants' cultural change nor synonymous with their market involvement. If capital

implies production, price control, and investment for the market, not for immediate consumption (Firth 1964), how can this be related to peasantry and rural economies? As a rule, the peasant household and the village community are defined as being oriented towards a subsistence economy and autarchy, and rarely towards production and market exchange. As such, peasants are portrayed through “the image of limited goods” (Foster 1965), as if they were interested in domestic needs only, with no or too little strategy for accumulation and investment. Collective traditions, maintained by “ceremonial funds” (Wolf 1966), are expected to ascribe the economic self-reproduction of the peasant group, rather than to encourage competition and differentiation from within. Secondly, the kinship framework of the peasant social organization is not valued as a milieu adequate for capitalistic relationships. Personal arrangements between kinfolk are claimed to work against the contractual nature of any market economy. Evolutionary reconstruction of the economic process clearly argues that “market commerce” is different from “reciprocal exchanges” between kinsmen, neighbors, or friends (Polanyi [1958] 1968). Finally, it is maintained that peasants are poor. Capitalism is difficult to localize in the context of any “community poverty”, characterized by a “high probability of low consumption” (Sandu 2003). Several “traits” of poverty as a “culture” have been identified (Lewis 1980 [1965]), such as the “lack of participation and integration in the major institutions of larger society”, “low level of organization”, “strong predisposition to authoritarianism”, and the “strong feeling of marginality”. They demonstrate that “rural landless workers”, alongside city “slum dwellers” and some discriminated ethnic groups, would probably never meet the criteria of productivity or convertibility demanded by the market.

With respect to pastoralism, the critical point is not so much whether pastoral societies were impregnated by some capitalist mastery after coming into contact with the Western market economy, but rather the extent to which we can speak of certain capitalist developments within the pastoral economies *per se*. In other words, the debate consists of accepting or rejecting the working hypothesis according to which capitalism could arise in social contexts different from factories, banks, and overseas commerce in Europe and North America. In this debate, pastoralism seems equally misplaced since it usually evokes an archaic way of life, backward technology, under-development, and so on. Historical and ethnographic data would establish the strong belief that shepherds and their flocks have for millennia represented a subsistence

economic pattern in which innovation as a rule was lacking.¹ Last but not least, some aspects of nomadism and brigandage² in the life of pastoralists would be of little worth as an argument for economic growth and societal mutation. Pastoral transhumance is normally presented from an ecological perspective in terms of the need for pastures in relation to variation in altitude or climate (Jacobeit 1961) or labor division between pastoralists and agriculturalists (Braudel 1966 [1949]). As such, transhumance implies a seasonal circuit of herdsmen in which there is an alternation of climate and environment according to the requirements of managing ovine livestock. This approach depicts a phenomenon of adaptation to the natural milieu in which framework humans and animals depend on mountain and plain.³ Some descriptive details, however, such as the “specialized population of herders [in the Pyrenees]” (Braudel 1966), the “numerous ovine flocks of the employers [in the Romanian Carpathians]” (Vuia 1964), and “hired shepherds” (Vuia 1964; Rinschede 1977), seem to show more than an ecological framework *stricto sensu* in the definition of transhumance. As will be seen, the persistence of transhumance in the complex societies of Europe in the second half of the twentieth century cannot be explained solely as an “adaptation to ecosystem”; it has also been an adaptation to macro economic systems, such as socialism and the market economy.

A comparison study of pastoral transhumance in Europe

In 1997 and 1999, I carried out ethnographic research in Southern Transylvania among Romanian herders specialized in pastoral transhumance. In practice it was monographic research, focused on the village community of Tilișca. In that case, ethnography of the local mountain sheepfolds was followed by a genealogical inquiry meant to represent the local kinship structures and interpret them in relation to the village property relationships. My research findings have been discussed elsewhere.⁴ Suffice it to say here that Transylvanian highland herdsmen display an advanced form of farm organization that is different in terms of labor management, investments, and productivity from other rural economies (such as lowland agriculture and mountain forestry) in Romania today. Historical data provides evidence of pastoral transhumance in Southern Transylvania since (at least) the eighteenth century.⁵ However, at the time I conducted my fieldwork I was unsure whether the

transhumance in the area was the result of a Medieval heritage or was more related to the contemporary market economy (after several decades of communism).

Except for the neighboring region of Braşov (Southeastern Transylvania), there is no other area of specialized long-distance herding in Romania. Romulus Vuia's pastoral typology in Romania (1964: 21-189) distinguishes between "local agricultural herding", "agricultural herding with highland sheepfold", "herding in the foothill prairies", and "herding in summer highlands and winter lowlands [= transhumance]". When Vuia identifies transhumance in the southeastern areas of the Romanian Carpathians, he is concerned with the so-called "Ungureni" herders, namely those herders that originated in Southern Transylvania, which was under Austro-Hungarian rule until 1918. It thus seemed obvious to me that an understanding of transhumance more in relation to the market than to "tradition" would require more than monographic research on a given village community. Since the field data identified a single zonal specialization in this form of pastoralism in Romania, I then became interested in the use of comparison as a method of approaching transhumance as an *economic*, not only ecological, technique. And, since the only similar phenomenon in Southeastern Europe is that of the herding in the Pindos Mountains, I began to gather information on the Aromanian and Sarakatsan transhumance in Northern Greece.

Transhumance in the Carpathians and transhumance in the Pindos are not entirely isolated from each other. As their ethnic name proves, Romanians and Aromanians share a Latin origin, which is also mirrored in their pastoral lexic.⁶ Ethnographic and historical literature, as well as mass media reports, mention contact and competition between Romanian and Aromanian herders, particularly in Southern Romania.⁷ Despite this, Romanians and Balkan Aromanians have always lived in separate countries. Moreover, Aromanians never succeeded in founding their own state, though they maintained their ethnic and cultural identity under different rulers, e.g. Byzantine, Ottoman, and Greek. Last, though equally significant, Aromanians today enjoy a macro-regional membership, following Greece's acceptance in 1982 into the European Economic Community (EEC). Ethno-linguistic origin and geographic proximity are criteria for use in comparing transhumance among Romanians and Aromanians according to methodological criteria such as "cultural area" with "common historical source" (Boas 1982 [1896]: 277) and "historically determined lines of descent" (Fox 2002: 182). At the same time, however,

while Romanians lived under communism from 1945 to 1989, the EEC membership of Aromanians and Sarakatsans places their pastoral economy beyond the historical and regional roots in Southeastern Europe. As will be seen, European legislation on transhumance also deals with and increasingly modifies the traditional framework of pastoralism in Northern Greece. The implications of such macro-regional legislation in terms of production and market distribution seem to associate Aromanian and Sarakatsan herders more with West European than with Carpathian pastoralism. To understand transhumance in contemporary Europe, then, I needed to look not only beyond a village monograph, but also beyond a comparison between two societies living in the same “cultural area”. As Köben suggests, comparison is no longer about “isolated traits” but with “clusters”, which does not mean “where A, there B”, but rather “where A, there B, there C...” (cf. Köben 1973: 591).

In Western Europe, relations between pastoral transhumance and EEC politics has been reported since the early 1970s (for the Pyrenean herders, see Gilbert 1975: 598). The Pyrennes had a historical background of transhumance in the Middle Ages (Le Roy Ladurie 1992 [1975]: 163-283; Braudel 1966 [1949]: 76-93) and even in Antiquity (Brun 1996: 36-8). Like in the Pindos, however, this tradition is today undergoing a new development on the unifying European market. The EEC involvement in the practice of transhumance is a process common to herders in Northern Greece and Southern France, which allows for comparison of the Aromanian and Sarakatsan herders with French and Basque sheep owners.

Our comparison thus takes into account three pastoral “ecotypes”, representing two particular cases: ethnic origin and micro-regional proximity (Romanians in relation to Aromanians plus the Sarakatsans); and EEC membership (Aromanians and Sarakatsans in relation to Frenchmen and Basques). In Romania, the dissolution of socialist economies and the planned accession to the EEC in 2007 are both processes that may change Carpathian transhumance according to European agricultural directives, similar the changes witnessed in Northern Greece and Southern France.⁸

The social organisation of transhumance

Transmission of inheritance among pastoral communities in the Carpathians, Pindos, and Pyrenees is patrilineal. Sons (the youngest in

the Transylvanian village of Tilișca, and also in Samarina, an Aromanian village in Northern Greece) inherit their paternal household, together with its ovine flock (Constantin 2000: 107; Sivignon 1968: 16). The same practice is reported in Central and Eastern Pyrenees (Rinchede 1977: 399, 401). In the Southern Carpathians (Constantin 2000: 107-8) and in Western Pindos (Campbell 1964: 81), sons keep their household's property marks on the sheep's ears; while the youngest son takes the sign of paternal household, and his elder brothers make their new ear-signs once they found new households. Aromanian gender socialization teaches sons to follow their fathers in sheepfold work and girls to help their mothers with weaving (Fatse 1984: 65). In the Carpathians and Pyrenees, pastoral work similarly begins early at the age of 9 to 12 years old (Constantin 2003 b: 97; Rinschede 1977: 401; Ott 1993 [1981]: 158). In Southern Transylvania, as well as in Northern Greece (Sivignon 1968: 17), schools end their syllabuses early in order to allow pupils to follow their parents to the sheepfold.

Sometimes (in Samarina, Eastern Pindos), a sons' late marriage (after the age of 30) is explained in terms of using free labor instead of hired labor in the family (Sivignon 1968: 35). Among the Sarakatsan herders in Zagori (West Pindos), girls are not expected to marry before they reach around 20 years of age, since a "labor of years" is necessary "to accumulate a worthy dowry" (Campbell 1964: 82). In other cases (in the Pyrenees), the herder's father or brother are the ones to play this auxiliary role in herding (Hourcade 1969: 261). In Southern Transylvania, but also in the village of Samarina, the matrimonial orientation among herding groups is almost exclusively endogamous (Constantin 2000: 108; Sivignon 1968: 34). According to Campbell (1964: 214), "not more than 5 per cent of all Sarakatsan marriages [in Zagori village]" are exogamous. Among the herdsmen from the village of Margariti (West Pindos), only two marriages are reported outside the Aromanian group of 223 people (Kayser 1963: 81). Ott (1993: 157) identifies preferential marriage within the *olha*, the syndicate of Basque herders from the village of Sainte-Engrâce (Western Pyrenees). At Tilișca, marriage and godparenthood are mostly concluded between partners from families and lineages which own many hundreds of sheep (Constantin 2000: 108), while in Samarina, a dowry (together with a sum of money) consists of an average of 45 sheep (Sivignon 1968: 35).⁹ Cattle as a dowry are mentioned in connection with the Aromanians in Margariti (Kayser 1963: 84). Aromanian herders in the Pindos become related through marriage or godparenthood to the inhabitants of the farming

villages from Thessaly Plain (Schein 1975: 85-6). Similarly, Transylvanian herders found their families in the Banat region (West Romania), while some transhumant herders from Vallée d'Ossau (Western Pyrenees) conclude their marriages in the agricultural area of Gironde (Rinchede 1977: 396).

The kinship organization of transhumance is also reflected in the territorial distribution of related households in Tilișca (Constantin 2000: 109), as well as in the Aromanian brothers' pastoral co-operation (Sivignon 1968: 38; Chang 1997: 129). The Sarakatsan brothers manage their sheep in the framework of *stanis*, the local pastoral company (Campbell 1964: 88). Brotherly joint enterprises in herding are also reported in Western Pyrenees (Hourcade 1969: 261) and Eastern Pyrenees (Baticle 1974: 499). In the Carpathians, associations between brothers or affinal relatives may also include some neighbors or other co-villagers who hold a common *ciopor* (a large flock) on the ways of transhumance (Vuia 1964: 152). At present, association among Transylvanian herders has no legal basis (though some initiatives in this respect have recently appeared in Tilișca for the purpose of improving the local distribution of pastoral products). Association among Aromanian herders is displayed in the kinsmen's "partnership" (Chang, Tourtellotte 1993: 255), seen for example in the hiring of the summer pastures (Triantaphyllou 1983: 158). The attempt to organize Sarakatsan herding through an "Association of Nomad Pastoralists" (1950) failed beyond the company of kinsmen (Campbell 1964: 217). Instead, several Pyrenean herding organizations were founded in the 1970s and 1980s, such as the *Coopérative d'Exploitation en Commun* of local pastures in Arles, Eastern Pyrenees (Baticle 1974: 477), the *Coopération Garonne-Pyrénéenne* and the *Unité de Promotion des Races Rustiques*, in Central Pyrenees (Barrué-Pastor 1992: 155). Similarly, Basque herders from Sainte-Engrâce make up their own "syndicate", the *olha*, which has a corporate character and the right to regulate local grazing; *olha* membership is hereditary (Ott 1979: 702).¹⁰

Another phenomenon reported among communities of transhumant herders is social differentiation, which makes poor shepherds graze the flocks of rich herders (for Southern Transylvania, see Vuia 1964: 152). The hiring of flocks by pauper mountaineers is also practiced in the Pyrenees through the "gazailhe" system, in which herders entrust their livestock to families of mountaineers who receive the animal usufruct except for the newborn animals in exchange for their work (Rinchede 1977: 394). In the case of Aromanian and Sarakatsan herders, three distinct groups have

been identified. First are the *tselingas* (rich sheep owners, employers, and negotiators with the plain farmers); the second group are represented by individual owners (as a rule, the kinsmen); whereas the people with no livestock are a subordinated group in the work of transhumance (Fatse 1984: 57). In Zagori, poorer families with less than a hundred animals are "forced" to work as wage shepherds for richer Sarakatsani (Campbell 1964: 88). Like some Transylvanian herders who may be appointed mayor or church counselors, Aromanian *tselingas* enjoying a leading social status as village presidents or counselors etc. (Sivignon 1968: 16). Social differentiation is also correlated with the concentration of livestock in some of Aromanian communities, such as Avdella and Samarina (Sivignon 1968: 20; see also Fatse 1984: 58, 70). Differences in wealth sometimes lead to marriage avoidance between village communities, as in the case of Samarina in relation to the village of Smixi (Sivignon 1968: 20).

The transhumant mode of production

In all three cases, pastoral transhumance implies two grazing regimes, one of which is during the summer (June to September), while the other is in winter (October to beginning of May). Summer grazing takes place on the mountain, at altitudes of 1,000-1,200 meters in the Carpathians (Constantin 2003 b: 95), 1,300-1,500 meters in the Pindos (Sivignon 1968: 5; Chang 1993: 692), and 1,500-2,400 meters in Central and Eastern Pyrenees (Rinschede 1977: 388). Transylvanian winter transhumance crosses territories of 100-300 kilometers in the plains of Western and Southeastern Romania (Vuia 1964: 154-5). Aromanian herders travel between 50-200 kilometers to the plains of Thessaly, Elassona, and Larissa (Chang, Tourtellotte 1993: 250-255). As for herders from Western Pyrenees, their route covers 120 kilometers to the plains of Languedoc or Roussillon, 200 kilometers, to Bordelais (Rinschede 1977: 393-7), and 150 kilometers to the Spanish province of Lérida (Olaizola et al. 1999: 222-8).

In Eastern Europe, transhumance becomes family work during the three or four months of summer grazing. In terms of personnel and organization, the sheepfold in the Carpathians is similar to the village household. Once the domestic herding group carries to mountain its home facilities (the gas stove, for example) and the rest of its domestic animals, the sheepfold takes the form of a livestock farm (Vuia 1964: 143; Constantin 2003 a: 18-19). Summer transhumance in the Pindos is described as the joint

work of the husband, wife, and their children, often with the participation of relatives (Triantaphyllou 1983: 157; Chang, Tourtellotte 1993: 255). According to Campbell (1964: 32), it is the woman's quality of motherhood that is valued in the work around the sheepfold, particularly in the care of children, as well as in tasks like the provision of food, clothes, and shelter for the family. The *katun* – the pastoral assemblage of huts and domestic animals among the Aromanians and Sarakatsans – is described as a seasonal settlement of about 50 families (Nandris 1985: 258). In the Pyrenees, however, herding, as a whole, appears to be a masculine occupation (Rinschede 1977: 401-3), sometimes even excluding the wives and daughters from the sheepfold work (Ott 1979: 702). At Sainte-Engrâce, the grazing of pigs, as sheepfold work, is the only task ascribed to women (Ott 1993: 162).¹¹ Several sources point to the use of trains for the transporting of herds in transhumance, as in Southern Transylvania (Vuia 1964: 178) and Southern France (Hourcade 1969: 259). Cars and pickup trucks have been equally reported in herding activities in the Carpathians (Constantin 2003 b: 97), Pindos (Chang 1993: 687), and Pyrenees (Rinschede: 1977: 398). The use of modern means of transport has not entirely replaced transhumance by foot, which is still seen in the Pindos (Sivignon 1968: 14), as well as in the Pyrenees (Rinschede 1977: 397). After 1990, the increasing cost of railway transportation restored transhumance by foot among Romanian herders (Constantin 2003 b: 97). However, railway and truck transportation is a mark of the new economic rhythm of pastoral transhumance today, which can eventually be correlated with other forms of long term investment among herdsman, such as hiring shepherds and pastures. To winter their sheep in the lowlands as a rule requires that herders form associations. In the Carpathians, an *întovărășire* (company of herders) is explained in terms of the need for reciprocal aid on the long transhumance routes (for instance, while supplying food items or overseeing the hired shepherds at the birth of lambs). The plain pastures are hired from communal authorities. When necessary, supplementary fodder is bought (Vuia 1964: 158-9). Good relationships with the plain farmers allow for return to the same winter pastures for many years. Groups of Aromanian herders hire the plain pastures in Thessaly for the long term, receiving the required fields after paying a tax and ovine products (Schein 1975: 85-6). In describing the credit relationships between the Sarakatsan herders and the local merchants, Campbell emphasizes (1964: 247-56) the role of the "state of indebtedness" and mutual obligation in paying for the summer and winter pastures, on the one hand, and loan

interest, on the other. According to Baticle (1974: 493), 35% of herders in Crau (Eastern Pyrenees) needed to go into debt for their winter locations in 1963-63. In the Western Pyrenees, grazing flocks on the plain pastures or in the vineyards was paid for in cash or with lambs; on transhumant routes or the hired pastures, Pyrenean sheep owners sometimes prefer to hibernate their flocks on their own (Rinschede 1977: 396). Because of the difficulties of winter grazing, some herdsmen settle in the lowland regions. This is the case of South Transylvanian herders who set up their households in Banat (Constantin 2004: 90), Aromanian herders who establish themselves in the plains of Thessaly (Sivignon 1968: 37-9), and herders from Haut-Ossau (Western Pyrenees) who buy lands in the plain locations of Gironde (Hourcade 1969: 260).

In the Carpathians, Pindos, and the Pyrenees transhumant herding is under the control of this type of wealthy herder, whose ovine livestock will be mentioned below. Now I will point out the role of these *stăpâni* (masters, cf. Vuia 1964: 152-3) in managing pastoral production in Southern Transylvania through making their “herding companies” and culling their ovine breeds (Vuia 1964: 156). They are also involved in village auctions for hiring pasture, as well as in negotiation with land or forest owners for winter transhumance (Constantin 2003 b: 97-8). In the autumn, Aromanian herders leave for the lowland plains in order to establish contractual arrangements for winter grazing (Chang 1992: 80). In Haut-Ossau, herders buy lowland fields, stores, and animal shelters, and become a kind of “fermiers temporaires” (Hourcade 1969: 260). Without involving himself in grazing his flock, the herder is regularly present while milking the sheep, both in the Carpathians (Constantin 2003a: 18) and in the Pindos (Campbell 1964: 28; Sivignon 1968: 16; Chang, Tourtellotte 1993: 255). In Central Pyrenees, the herder checks his flock several times while it is hired for winter grazing in the gazailhe system (Rinschede 1977: 402). An important prerogative of the herders is their position as employers. Indeed, in Central Romania, Northern Greece, and Southern France transhumance requires the use of hired labor. In Southern Transylvania, this labor resource is first recruited from among poorer fellow villagers (Vuia 1964: 152), then from diverse regions of Romania, particularly Moldavia (Constantin 2003 b: 97-8). The number of shepherds employed by Transylvanian herders is as a rule three or four, but – depending on livestock – this can rise to ten (in Tilișca) or even seventeen (in Poiana). Similarly, in the Aromanian village of Samarina, the *tselingas* can employ “a dozen shepherding families” (Sivignon 1968: 17). According to a recent

estimate (Chang 1997: 125, 132), “a half to two-thirds” of transhumant herders from Eastern Pindos benefit from the flow of Albanian illegal immigrants since 1990, something which is justified locally in terms of a “moral responsibility” towards Albanian shepherds with low incomes in their native country. In Central and Eastern Pyrenees, the percentage of hired shepherds is 40%, whereas most are of Spanish origin (Rinschede 1977: 398-9).¹²

The resources of the transhumant economy

According to ethnographic and geographic sources for the period studied, the size of pastoral communities in the Carpathians, Pindos, and Pyrenees is that of a village population usually ranging from a few hundred to two thousand people. Estimations for the Transylvanian villages of Poiana and Jina indicate that the number of local inhabitants is as high as 5,000 (Stahl, Constantin 2004: 82). The remaining data, however, mention 1,517 people in Tilișca (Constantin 2000: 105), 376 people in Sainte-Engrâce (Ott 1993 [1981]: 19), 949 people in Auzat (Vallée d’Ariège, Eastern Pyrenees; Rinschede 1977: 407), 1,069 people in Margariti (Kayser 1963: 77), and 384 families in Samarina (Sivignon 1968: 11). In relation to this demographic volume, estimations of ovine livestock show the decrease of local herds during the second half of the twentieth century. Available data show 13,500 heads in Tilișca in 1999, down from 18,000 in 1940; 40,000 heads in Samarina in 1967, down from 81,000 in 1877 (Sivignon 1968: 37); and 3,292 in Auzat in 1971, down from 7,220 in 1952 (Rinschede 1977: 407). The division of winter lands in the Jannina Plain during the 1920s led to the reduction of flocks among the Sarakatsan families in Zagori from 2,000 to 500 sheep by 1955 (Campbell 1964: 15). The higher costs of transportation by truck and winter pastures, together with market demands for crossbred lambs, caused a reduction in livestock numbers between 1956 and 1971 in Languedoc and Crau at rates ranging between 33% and 37% (Baticle 1974: 501-2). Compared to the above population and its ovine livestock, the pasture resources of transhumant villages are small in Southern Transylvania (1,172 hectares in Tilișca) and in Western Pindos (3,960 hectares in Margariti, cf. Kayser 1963: 65). Larger resources, however, exist in Eastern Pindos (17,300 hectares in Avdella and 32,700 hectares in Perivoli, cf. Chang 1993: 694) and in Eastern Pyrenees (94,000 hectares in Auzat, cf. Rinschede 1977: 406).

Access to upland pastures is obtained through public tender, which is organized by the local mayoralty (for Tilișca see Constantin 2003 b: 98) or by the communal syndicate in Central Pyrenees (in Haut-Garonne, for instance, cf. Rinschede 1977: 392). According to Gilbert (1975: 598), the hiring of pastures can contribute 50% to the budget of mountain villages in the Pyrenees. In Sainte-Engrâce, the local herding syndicates - the *olhas* – have the benefit of free grazing rights on their mountain pastures of 589 hectares (Ott 1993: 22). Despite the large amount of mountain grassland, using local pastures is taxed by the communal authorities among the Aromanians of Samarina (Sivignon 1968: 15). In the Pindos, there is a tendency towards private appropriation of communal mountain pastures (Sivignon 1968: 15), while in Ariège, 19% of highland pastures are privately owned (Rinschede 1977: 392).

On a household level in the three cases, transhumant ovine herds are still important. An individual *ciopor* can obtain 1,500 heads in Tilișca and 1,300 in Poiana. In winter, livestock sizes increase through the joining together of flocks from four or five transhumant herders, each of whom usually owns several hundred sheep. The agricultural register of Tilișca for 1996 mentions 55 owners with a minimum 100 sheep. In Western Pindos, among the Sarakatsan herders of Zagori, a *stanis* of 80 owners is mentioned with 2,000 sheep (Campbell 1964: 89). At Samarina, the number of sheep owned individually averages 180 heads, while at Smixi it is 150 (Sivignon 1968: 20). For these Aromanian villages, including the communities of Avdella and Perivoli, more recent data indicate herds of 200 to over 1,000 heads (Chang 1992: 80; Chang, Tourtellotte 1993: 255). A number of 19 herders, with flocks of 100-600 heads, own the ovine livestock at Auzat (Rinschede 1977: 407). According to Baticle (1974: 492), the flocks of “mérinos” sheep in Crau (Eastern Pyrenees) usually comprise between 1,000 and 3,000 heads. In Central Pyrenees, the largest flock (at the end of the 1960s) included 1,500 heads, while in Western Pyrenees (Vallée d’Ossau) the average is 150 heads (Rinschede 1977: 405). As for the Spanish Pyrenees (the valleys of Benasque, Broto, and Baliera-Barraves), the size of transhumant herds averages 702 sheep (Olaizola et al. 1999: 228). According to market fluctuations or political system, livestock management is oriented towards the production of cheese, wool, and meat. On the mountain pastures of Tilișca, one ewe produces 10-12 kilograms of *burduf* cheese (hard cheese matured in a lambskin, cf. Ryder 1994: 7) and, on the plain pastures, 6-8 kilograms of *telemea* (soft cheese). Sometimes, summer transhumance starts in June,

not in May, because it favors the breeding of lambs. At present, the value of the cheese and wool in Southern Transylvania is less than before 1990, unlike the higher prices for meat, which is sold abroad. According to Kayser (1963: 74), in Margariti each ewe produces about 80 kilograms of milk (50 of which during winter), while the number of lambs is about half that of livestock. At Samarina, the price of a kilogram of meat is seven times higher than a liter of milk; lambs are sold before the summer, while ewes are kept; the wool production of local sheep is one kilogram per capita (Sivignon 1968: 14, 17-18). In Western Pyrenees (Vallée d'Ossau), one herder's flock of 400 ewes produces about 200 liters of milk from one milking, while lambs of 12-15 kilograms are sold in order to open the milk production (Rinschede 1977: 402-4). In the same area, one herd of 180 heads gives birth to 10-12 lambs one week, between December and March (Hourcade 1969: 261).¹³

The market and clientele of transhumance

The trading of the products of transhumant herding mainly takes place in the cities at fairs from the lowland regions where the flocks go to hibernate. Besides this, herders engage in some exchange relationships within the framework of local social networks and artisanship branches, subordinated to resources of transhumance. According to local herdsmen, there is a Greek entrepreneur and farm owner who collects the lambs in Southern Transylvania. In Samarina, the Aromanian herders sell their ovine meat to local butchers (Sivignon 1968: 26) or to butchers from the town of Grevena (Chang, Tourtellotte 1993: 255). In the Pindos, the sale of lambs is maximized during important religious holidays, such as St. Elias's Day and the Holy Virgin Day (Sivignon 1968: 28), or at Christmas and Easter (Chang 1993: 694). Due to the cost of labor, herders in Eastern Pyrenees prefer to sell lambs of 25 kilograms for 100 Francs, rather than lambs of 32 kilograms for 125 Francs (Baticle 1974: 494). After specializing in meat production, the herders from Central and Eastern Pyrenees sell their lambs at fairs during the spring and in the fall in towns like Tarascon and Mont Louis (Rinschede 1977: 404-5) or in Lannemezan for the Maghrebian clients (Barrué-Pastor 1992: 153). In Haut-Ossau, the sale of lambs comes under the control of local merchants (Hourcade 1969: 262). On the market in Mauléon (Western Pyrenees), the Basque herders of Sainte-Engrâce sell their 11-15 kilogram lambs for 12-15 Francs per

kilogram; the local clientele is also Basque and the peak market period is before Christmas (Ott 1993: 188). In the case of Romanian transhumance, cheese is sold at marketplaces in Bucharest (for example, Obor marketplace), as well as in towns like Ploiești, Galați, Reșița, and Timișoara. Transylvanian herders prefer to sell their cheese on their own, fighting over the market position with local traders. Among the Tilișcans, those who stay on the market are the herders' wives – the *băcîțe* – while their husbands and sons deal with the winter transhumance. In Eastern Pindos, cheese distribution flows through networks of relatives or friends to the market of Grevena (Chang 1997: 128, 136). As a rule, the local merchants follow the herds to highland summer pastures and then distribute the milk for the making of *feta*, the so-called “fromage grec par excellence” (Sivignon 1968: 14; Schein 1975: 85). Cases of “Aromanian monopoly” in the trading of cheese have been reported in Epirus (Schein 1975: 92). While the merchants' cheese-making stations in Western Pindos collect the milk of 1,000-2,500 ewes, there is report of a merchant who controls 45 stations and can draw on the milk production of 50,000 ewes (Campbell 1964: 249). Another specialization in milk production occurs in the Western Pyrenees, where Roquefort cheese is one of the products of local transhumance. In other cases, wholesalers are the ones to conduct the local cheese trade, such as at the fairs of Bedous or Béost (Rinschede 1977: 404; Hourcade 1969: 261). While between 1933 and 1976, Basque herders engaged in commercial exchanges with the Roquefort Society, in 1976 they were to redirect their milk to a cheese-making factory in Béarn (Ott 1993: 188). The cheese made in Sainte-Engrâce and sold in the marketplace of Tardets costs 40 Francs per kilogram (Ott 1993: 191).¹⁴

Some auxiliary or secondary occupations within the pastoral communities follow as a rule the “dominant” economy of transhumance. Thus, in Transylvanian villages of Tilișca, Poiana, and Jina, a peasant textile artisanship is still at work, using the wool of transhumant sheep. The folk artifacts – such as *straițe* and *desagi* (wallets), as well as woolen carpets and sheepskin coats – are sometimes sold to tourists with the mediation of the Museum of Peasant Technology in Sibiu or even still transmitted as a dowry (Constantin 2004: 104-20). Among the Sarakatsan herders in Zagori, the shearing of sheep is experienced as a community festival; the local woolen blankets are offered as a dowry (Campbell 1964: 30, 85). In Samarina, a co-operative society for the folk artisanship was founded in 1957; its specialization was to be weaving and the commercialization of the *flocati*, woolen rugs, sold at fairs in the fall in

Jannina and Larissa (Sivignon 1968: 22-3). In Central and Eastern Pyrenees, the wool – collected by the local syndicates of herders – is sold to spinning factories (Rinschede 1977: 404). In terms of herders' local clientele, the practice of some modern professions also appears to be convergent with transhumant production. Thus the agriculture register of Tilișca mayoralty mentions professions such as “veterinary surgeon”, “tailor”, “furrier”, and “leather dresser”. Tailoring as a second occupation is also reported among the Aromanian herders (Schein 1975: 87). In Samarina, a butcher is said to own a herd of 100 sheep (Sivignon 1968: 27). As butchers, the herders from Central Pyrenees avoid the fluctuations of the meat market (Rinschede 1977: 400). Above all, such “subsidiary professions” to the economy of transhumance (Chang 1993: 697) prove the herders' “generalized adaptation” (Schein 1975: 87-8) and, in any case, outline their “pluri-activity” (Olaizola et al. 1999: 230).¹⁵

An ethnographic debate on pastoral capitalism

In an article written in 1971, Robert Paine examines the role animals play as “capital”. Paine (whose assertions are based on his ethnography of the Lapps and their reindeer culture) begins by defining capital as “a resource in respect of which one controls its reproductive value”. In this regard, capital management is seen as “an aspect of herd management”. Herders appear preoccupied with keeping “certain balances” between their “herds, pastures, and personnel”. Unlike hunters, pastoral people exercise their control over “the herd reproduction” and “the herd's seasonal movements”, as well as practicing – as “rudimentary capitalists” - some “conversions from this [pastoral] capital form to another”. As “livestock, production, capital, and aggrandizement” are their core values,

[...] it is only the size of the herd, not the size of the meal that really demonstrates merit among pastoralists. [...] As producers, not consumers, pastoralists have a more severe ethic than hunters regarding work contributions of each individual (for example, in herding which is undertaken collectively); for the same reason, inheritance of wealth is a matter of greater significance among pastoralists. (Paine 1971: 169)¹⁶

Walter Goldschmidt (1972) provides another argumentation for capitalism among the herdsmen. This author describes the “entrepreneurial competence” of a cattle owner from the Sebei, a Nilo-hamitic population in Uganda. Kambuya, the Sebei herdsman, keep data on “31 separate lines of animals, involving over 700 animals”, which allows him to do 188 economic transactions and 105 ritual payments. According to Goldschmidt (1972: 191),

A capitalist enterprise involves two interrelated functions: it must enable the entrepreneur to draw off a profit, and it must be self-maintaining. The latter function is generally achieved by actions designed to insure a continuing capital growth. The transactions engaged in by Kambuya clearly demonstrate both functions.

Over some 50 years, as Goldschmidt notes, Kambuya’s profit was nearly 4,500 Shillings, namely “180 Shillings per annum”. As a rule, Kambuya bought, rather than sold, reproductive animals. Monopoly was restricted, however, by Kambuya’s ritual payments, like the bride wealth. Above all, in Goldschmidt’s view, the “profit motive” would thus have been “demonstrated” as “characterizing the social behavior of tribal peoples”.¹⁷

Like Paine, Tim Ingold carried out fieldwork on the Lapp reindeer economy. Again, Ingold’s perspective on pastoralism is built up (1980) in relation to hunting – similar to what Paine also did. However, Ingold is also concerned with another reference economy, that of ranching. This further reference is perhaps an explanation of Ingold’s quite different discoveries in the field. After noticing that

[...] the cumulative growth of pastoral herds [...] *is a process going on in nature*. The task of the herdsman is to establish the conditions for, and to appropriate, this increase [...]

Ingold claims that the pastoral “self-production” is not a capital, since

[...] one cannot define ‘capital’ as a class of objects possessing the property of increase, irrespective of the social context in which they can be found. (Ingold 1980: 222, 229)

Even if he attends the market, the herdsman aims at “domestic consumption”, not at “investing in factors of production”. As the animals represent the herder’s “wealth, resource, and workforce”, there would be “no need to exchange a product”. While it does contrast with hunting by “accumulation” (as a pastoral attribute), pastoralism is equally different from ranching by “production”. Ranching is, according to Ingold, “a particular manifestation of capitalism”, taking into account factors such as existence of market, stock raising, territorial control and compartmentalization, qualitative selection of animals, and hired labour.¹⁸ The critique that Robert M. Boonzayer Flaes brings (1981) to interpretations of pastoral capitalism hinges on the issue of surplus, understood as “that part of total production in a society, which remains after the basic needs are fulfilled”; capitalism occurs where such a part “is produced and reinvested”. Is the increase of the herd seen as income or capital? According to Boonzayer Flaes (1981: 89),

Due to the unpredictability of pastoral production (in the sense of fast gains and fast losses), a part of the greater than minimal herds are neither surplus nor capital, but an insurance against harder times.

As accumulation does not lead to any “externalization” of surplus, “no market is needed” among the pastoralists. Investment is minimal here and surplus is not redistributed “for communal ends”, such as the roads or storage buildings. At the social level, surplus is “centralized”, which degenerates into “stratification”. Boonzayer Flaes also remarks that, as a technique, pastoralism is more “adaptation” than “structural [for extensive production] transformation of terrain”.¹⁹ Paul Spencer makes use (1984) of Paine’s formula of “rudimentary capitalism” in analyzing some “supply and demand” transactions among the pastoral societies in Kenya. Spencer’s focus is on the bride wealth transactions – as expressed in cattle - in what particularly concerns the credit relationships. Among the Maasai population, for instance, exchange of women and cattle is seen as a local “devotion to the growth of the family and its herd”. Spencer depicts (1984: 70) this system in terms referring to some market “ethic”:

To the extent that one can envisage credits, debts and marriage transactions, individual families have to be very credit-worthy and marriageable. [...] This is rudimentary capitalism with a stern ethic [...].²⁰

The merit of pastoral capitalism theory is that of regarding pastoralism as more than a pattern of subsistence – it can clearly generate accumulation, which may or may not be equated with “the profit orientation”. According to Paine, Goldschmidt, and Spencer, in Finland, Uganda, and Kenya, herdsman prove to be capable of “herd-management”, “reproductive value control”, “conversions”, “entrepreneurship”, and “credit relationships”. How precise are these labels and what degree of ethnographic reality do they really cover? Clearly, this is a Western-inspired economic terminology, which again carries with it the risk of transplanting institutions and practices of Euro-American capitalism into different cultural areas – it is what the theory of pastoral capitalism fails to make clear.²¹ Criticism of Ingold and Boonzayer Flaes is here quite pertinent. They are right to question the extent to which pastoral accumulation might accurately be called “capital”. If pastoral production is a fact, how does it relate to the market? The bridge between pastoral husbandry, as a “consumption” unit, and the “communal” investments in infrastructure and connection to the macro-regional and international economy, appears hard to sustain. At the same time, this criticism remains too rigid in its Western categorization and perspectives. In doing so, it tries to frame the hypothetical capitalist relationships among the herdsman in “other cultures” through the same criteria of Western development – with little concern for the possibility of inter-connections and acculturation.²²

To conclude, it can be expected from theorizing pastoral capitalism and also from its counter-arguments, either to approach pastoralism within Western economic macro-regions, institutions, and practices, or to link it to them on ethnographic and geographic grounds. Like Western commodities, Western market practices are mobile and “reproducible” in a de-localized market economy. On the other hand, pastoral groups are no longer autarchic enclaves, but participate in further and complementary social and economic networks.²³

Historical reconstructions of pastoral transhumance

Historians have for a long time outlined the particularity of transhumance as a system of pastoral production in Europe. Their reconstruction makes use of modern categories such as “market demand” and “investments for profit”. This, of course, might be problematic as the

epochs under question are the Middle Age and even Antiquity. What for anthropologists was an issue of cultural relativism in space is among historians a matter of social development in time.²⁴ Jean-Pierre Brun analyses (1996) the upsurge of transhumance in Roman times as regards the high demand for wool on urban markets in Italy. Brun specifies (1996: 33) that

La transhumance à longue distance, qui suppose une organisation complexe, ne peut se développer que pour des grands troupeaux appartenant à des propriétaires puissants et dont l'exploitation est essentiellement tournée vers la production de laine de grande qualité.

Documentation for transhumance in Greece, Spain, and North Africa under Roman rule is generally scarce. However, Brun finds several sources for this pastoral pattern in the Apennines Mountains (between Apulia and Abruzzes) and in Eastern Pyrenees (in Arles and Crau) from the second century BC to the fifth century AD. Data are provided for the imposition of Roman State in regulating transhumance through taxes, pasture locations, and free circulation of herds. It is the Roman aristocracy, not peasantry that manages this “mutation économique”, in order to draw off a “profit élevé et régulier” from a “demande constante” for the wool and meat. Demographic growth, monetary circulation, and political unification particularly favored this transhumant development, which was to cease once the Roman Empire collapsed.

A well-known chapter of Fernand Braudel's book on the Mediterranean world in the fourteenth century (1966 [1949]) is dedicated to pastoral transhumance in Southern France, Spain, and Italy. On Pyrrean transhumance, for example, Braudel writes (1966: 77) the following:

Arles, au XVI^e siècle, depuis quatre ou cinq cents ans peut-être, est la capitale d'une large transhumance d'été, qui commande aux troupeaux de la Camargue et surtout de la Crau et les expédie chaque année, par les route du bassin de la Durance, vers les pâturages de l'Oisans, du Dévoluy, du Vercours, jusqu'au voisinage de la Maurienne et de la Tarantaise. Une vraie « capitale paysanne » : là demeurent les « capitalistes », ainsi appelait-on, hier encore, les maîtres de cet élevage moutonnier; là instrumentent les notaires devant qui s'enregistrent les contrats.²⁵

In the same period, the “gros propriétaires” in Italy owned herds of “10, 15, 20 ou 30.000 brebis”, which was quite profitable for the customs authorities of the vice-kingdom of Napoli, as well as for the local wool and meat merchants. As for “la grande transhumance castillane”, the antecedents of local pastoral “syndicate” of Mesta are attested since 1273. According to Braudel, Castilian transhumance (practiced by “bergers spécialisés”) will “gagner les [wool] marchés” in cities like Genoa or Florence. Braudel also mentions the increasing taxes Spanish herdsmen had to pay at the end of the sixteenth century. Another historical description of transhumance in the Middle Age is given by David Prodan (1944). He deals with the transhumance of eighteenth century Romanians from Southern Transylvania across the Carpathian Mountains, towards Wallachia and Moldavia. According to Prodan (1944: 143, 148-9),

Almost never [the Transylvanian transhumance] was done with one's own herds, but with those of others, such as some particular owner, the feudal landowner, or the state. [...] A series of small industries developed in such pastoral villages, on the basis of ovine products, [with] a specific trade extended over other items too. Thus villages like Rășinari, Poiana, Săliște, and Săcele became market towns with a great power of diffusion and veritable nurseries of merchants and manufacturers who spread to the entire country.

Under the Austrian Empire, the Transylvanian herdsmen had their flocks registered by customs officers (who in 1769 registered a number of 350,574 sheep in transhumance). In Wallachia they were also requested to redeem the local rent in animals. Similar to the anthropological relativism of pastoral capitalism beyond the confines of Western societies, the historical reconstruction of transhumance is an interpretation of ancient pastoralism from the perspective of modern economics. This time, however, the pastoral economic specialization is no longer outside or peripheral to Europe. The Roman and Castillian types of transhumance, and to some extent Transylvanian transhumance as well, are integrated in West European commerce. It is the Roman aristocracy, the Castillian syndicate of herdsmen, and the Transylvanian sheep owners, not the poor peasants, who perform the management of transhumance. Does this mean that, as a result, transhumance is a “modern” phenomenon? This is probably not the case – historical transhumance, even in its spectacular forms, seems not to exceed the general framework of ancient and medieval economies.

Roman, Spanish, and Austrian authorities intervened by regulating or exploiting transhumance, which, as such, does not make it an autarchic or “revolutionary” mode of production. According to Brun, Braudel, and Prodan, historical transhumance has flourished in relation to the demographic and economic growth of cities, which is an important correlation.²⁶ This time, pastoralism is not seen merely from within its own *modus operandi* (as in the ethnographic instances above), but also in a larger socio-economic context.

Pastoral entrepreneurship

As seen before, Goldschmidt identifies (1972: 190) “entrepreneurial competence” through the “set of transactions” fulfilled by a Sebei herdsman. These transactions (economic and ritual) may be related to the “balances” kept between the Lapp pastoral resources (Paine 1971: 161), as well as the “ethic of credits and debts” among the pastoralists in Kenya (Spencer 1984: 70). The “gros [sheep] propriétaires” (Braudel 1966: 81) from the historical accounts seem to be associated with such an economic authority and competence. Can the economic specialization of herders in Europe be taken as evidence of pastoral entrepreneurship? First of all, it can be said that rich herdsman do not represent a “mass” category within peasant communities in Europe today. Prosperity and entrepreneurial esprit (to the extent to which such traits can be verified and correlated with pastoral transhumance) can be associated, as seen before, with a local or regional tradition in large scale herding. However, this can not be equated with any collective “heritage” of entrepreneurship as a social behavior, but rather with an individual and competitive orientation to the market.²⁷ Critics of pastoral capitalism seem to minimize this personal element in the practice of transhumance. Boonzayer Flaes prefers to speak of “pastoral groups” even when dealing with the social “stratification” within these groups. When Ingold admits of the making of an “entrepreneurial class” in the “ownership of livestock”, he associates it with ranching only. But what can be said about the East European cases (Romanian, Aromanian, and Sarakatsan herders) of transhumant “ranching”? Ethnographic information on transhumant sheep owners in contemporary Europe does not outline any homogenous “class” or privileged group. These owners may equally be partners or competitors; their common or divergent interests have not so much originated from

the “pastoral tradition” (although they incorporate it), as from social relationships of market. Authors like Kopczyńska-Jaworska (1963), Vuia (1964), and Constantin (2003 a, b) evoke the “leading” pastoral role of *baci* as an “entrepreneur” in the practice of Romanian transhumance, particularly in connection with his prerogatives in managing sheepfold labor and assuming the associated “risks and profits”.

[In the village of Tilisca, Southern Transylvania] The head herder S. G. (age 63) is the *baci* (cheese-maker) of his sheepfold. He works together with his son and two other partners. S. G. establishes the grazing tasks and also cooks and takes part in milking the herd. Another head herder, N. Z. (age 60) is said to be a ‘patron’ by his four employed shepherds. In other instances, the head herder co-ordinates his family when working at the sheepfold. On the other hand, he returns daily to his residence village for supplies, and from time to time will go to the marketplace. It is the herd owner that represents his household’s interests during the village auction for summer pastures in the Romanian Carpathians as well performs, on his own or together with other partners or shareholders, the task of hiring winter pastures in Banat or Dobroudja. (Constantin 2003 a: 18-20)

There are several sources (Campbell 1964; Schein 1975; Chang 1997 etc.) for the Aromanian and Sarakatsan “tselingat” status in Northern Greece, which means the control of summer or winter grazing by a “tselingas”, the head of an extended family and later of a “stanis” (pastoral company of local families).

In 1954 the [plain] land used [during the winter] by the stani became village common land and without village citizenship the Sarakatsani no longer had any grazing rights [...]. The stani commissioned two patrons who are influential lawyers in Jannina to present their case to the Governor-General of the Epirus. [...] By late October the sheep were already on the road. The tselingas now appealed to his cheese merchant who suggested a present of fifty pounds to be passed by himself to his friend the Nomarch’s [local prefect’s] Chief of Staff. It is impossible to say how this money was used, or if indeed it ever left the pocket of the merchant. But early in November, when the sheep had almost reached the village, an order was sent by the Nomarch to the President of the village that he must again receive the sheep of the Sarakatsani into the pastures. (Campbell 1964: 89-90)

In Eastern Pyrenees, transhumant herdsmen own some double holdings - on the mountain and in the plain - according to which they organize their seasonal work.

Il s'agit d'un élevage transhumant des Pyrénées orientales qui dispose de deux points d'attache complets, à la montagne et dans le bas pays, chacun comportant bergerie et maison d'habitation, pâturages et terres cultivable. Le propriétaire du troupeau a 45 ans [...]. Au printemps il monte s'installer avec ses parents et son troupeau à Porté, à 1600 m d'altitude [où il possède 19 hectares de pâturages] et revient à l'automne à Lézignan [...] où il possède une maison dans un jardin de 800 m², avec un hectare de pâturage et une grande bergerie neuve de 600 m². [...] De 1964 à 1967, il partageait son troupeau qui comptait 720 bêtes en six groupes dont cinq confiés à des bergers à gages; [...]. Depuis de nombreuses années, son troupeau se déplace par chemin de fer de Porté à Lézignan via Toulouse. (Rinschede 1977: 403)

As such, “pastoral entrepreneurship” in Europe seems to reflect a social and economic vantage point. It refers to expertise, resources, and mobility in performing pastoralism as a specialized and large-scale enterprise. As a “patron”, the herdsman represents the interests of his farm (rather than of a subsistence household) in contexts specific to the market economy, such as at village auctions for pastures and urban marketplaces. He knows what occurs in the area of his branch (levels of input and output in the private management of pastoral resources like pastures, means of transport, and hired shepherds) and in the marketplace (flow of goods and fluctuation of prices). The sheep owner may take part in the daily tasks of his sheepfold, but he is mostly expected to calculate his sheepfold's long-term ventures and direct them accordingly. Equally important, he will intercede (as with the Sarakatsan *tselingas*) in different layers of the social and administrative hierarchy of the state, becoming engaged in clientelistic relationships, not only with merchants, but also with village presidents and lawyers (cf. Campbell 1964: 224-46). Thus, the roles herders assume through the practice of transhumance are (to different degrees) those of farmer, manager, employer, accountant, supplier, and negotiator. In theory, the herdsman cumulates these roles. In practice, they may be shared or delegated in family labor division, association with other herders, or hired labor. While the roles of “farmer” and “manager” are better suited to the summer mountain grazing and family involvement in the sheepfold, winter transhumance develops the roles of “employer” and

“negotiator”; and, as will be seen, the role of “accountant” is a more permanent one.

We could now ask if, above all, by his status, accumulation, knowledge, and dynamism, the herdsman as entrepreneur is, or could become, a kind of “homo oeconomicus”, in the sense discussed, for example, by Isachsen, Hamilton, and Gylfason (1992: 40):

[Homo oeconomicus] is a rational decision-maker who tries to achieve as much as possible with as little effort as possible. Moreover, he prefers to avoid taking risks, but is not unwilling to do so if the expected reward is great enough. ‘Economic Man’ is fully informed as to prices and technology. Furthermore, he knows what he likes and does not like. This means that he is perfectly capable of making all the choices that his economic adjustment requires. [...] If we look at the way people as a whole behave, we will find that they often on average approach the behavior of ‘Economic Man’, even though it may be difficult to find specific individuals who do so.

Herdsmen in the Carpathians, Pindos, and Pyrenees are not, of course, entirely “rational decision-makers”. Their transhumance is also regulated by religious events such as the feast-days of St. George in Romania (Ryder 1994: 4), St. John in Northern Greece (Chang 1993: 692), and St. Madelaine in Western Pyrenees (Ott 1993: 168).²⁸ The ritual payments among the herdsmen have indeed been opposed to the ethic of “homo oeconomicus” (cf. Goldschmidt 1972: 200). On the other hand, however, the transhumant entrepreneurs share a series of important traits ascribed to this (perceived ideal) economic type, namely abilities in trading and “public relations”, coping with competition risks, socio-economic “adjustments” (where necessary), and so on.

Supply and demand, competition, and price-making

The law of supply and demand claims that “things cost more the scarcer they are and the more people want them” (Kottak 1991: 266). As already seen, Spencer discovers (1984: 62) some “supply-and-demand” logic in the transactions around the bridewealth among the herdsmen in Kenya, to the degree in which credits and debts are enacted “to grow the family and its herd”. On another level of analysis, Brun points out (1996: 41) “l’offre et la demande de laine et de viande” on the urban markets of

Roman Empire, while Prodan correlates (1944: 149) the diffusion of the “ovine products” in Transylvania with the development of local “market towns”. The question arises here as to whether supply and demand could also work in the case of transhumance in Europe today and on the territory of the market economy in general.²⁹ When contrasting pastoralism with ranching in terms of the law of supply and demand, Ingold argues (1980: 231-2) that pastoralists would behave on the market “quite contrary to the principles of maximization”:

Since pastoralists sell to realize a target income, defined by domestic needs, it is to be expected that they would bring more stock to market if prices are low, and less if prices are high. [...] [The rancher] will sell fewer animals when prices are low, attempting to hold stock off the market until prices are high again, when he will sell more.

In other words, are the European herdsmen only “consumers” of some autarchic rural production? Conversely, could they be regarded as market-involved producers, either on their own, or as shareholders in joint enterprises? The ethnographic literature examined above provides us with data on the pastoral resources and clientele in the Carpathians, Pindos, and Pyrenees. Among these resources, we have identified the mountain and plain pastures hired during the summer and winter grazing for herds of several hundred sheep or more. Depending on the degree of demand, pastoral products – cheese, meat, and wool – are sold preferably on the urban markets in Southern Romania, Northern Greece, and Southern France; the selling is done by herdsmen or specialized traders.

M.B. (a woman-herder from the village of Tilisca, Southern Transylvania) sells the cheese from her household livestock, whose number is 1,500. During the summer transhumance (on the mountain pastures rented from the home village mayoralty), M. B.’s ewes produce 6-7 kilograms cheese per capita. In winter, M.B.’s husband and two sons graze the household herds in Dobroudja (Southeastern Romania) on plain pastures rented from local village authorities. M.B. sells the cheese for 100,000 lei per kilogram. She remains on the market (together with her sister) from Monday to Friday every week in winter. M.B. sells only in the Bucharest marketplaces of Amzei, Matache, and Obor, where she claims to have made “her own clients”. (Constantin, field information, 2004)

[In the village of Margariti, Western Epirus] Chaque brebis [of the 8,700 transhumant sheep] donne environ 80 kilograms de lait (dont 50 l'hiver], et le produit d'agneaux représente à peu près la moitié du nombre de têtes du troupeau, chaque année. Les agneaux sont vendus, à Noël et à Pâques surtout, aux négociants des villes qui font silloner les routes du pays par leur camions. La plus grande partie du lait est ramassée par les employés d'une puissante famille marchande d'Igoumenitsa, d'origine valaque et tenant pour cela bien en mains le plus important groupe de bergers. Ces marchands ne se bornent pas à collecter le lait et fabriquer du fromage; ils exploitent aussi des milliers d'hectares de pâturage en basse Épire et dans les montagnes de Macédoine [...]. En face d'eux, la coopérative laitière de Margariti [...] ne reçoit que 20.000 kilogrammes de lait chaque année, tandis que les marchands en collectent plus de dix fois plus. (Kayser 1963: 74-5)

M.I., président du Syndicat des Eleveurs des Cerdagne [Eastern Pyrenees], possède une très belle bergerie à Estavar et une autre à Caillastre, 100 m plus haut et située au milieu d'excellentes prairies. Il a 300 brebis, en deux troupeaux: l'un, croisé avec des béliers Berrichons du Cher, pour le croisement industriel, l'autre croisé avec les Lacaunes pour implanter cette dernière race. [...] La plus part des brebis donnent trois agneaux, certaines, deux par an, les deux agnelages étant celui de printemps, le plus prolifique en jumeaux, le second, celui d'automne. Les principales périodes de vente sont Août et Décembre, celle-ci étant une date traditionnelle dans toute Méditerranée, celle-là due à l'affluence des touristes sur la Côte Vermeille. Comme beaucoup d'autres éleveurs, M.I. s'entend avec un boucher de Perpignan pour la vente [...]; quelque soit le cours de la viande, les deux parties s'entendent pour traiter sur la base de 5 F/kg, garantie en cas de baisse exagérée des prix. (Baticle 1974: 499-500)

As distribution of their products takes place on competitive territory, in particular on the urban market, these herders (above) must either find and keep their own clientele (such as in Romania) or escape price fluctuation by resorting to wholesale (such as in Northern Greece and Southern France). Such market strategies are sometimes intermingled (see the Aromanian double specialization in herding and trading, in Schein 1975). Retail and wholesale trading, then, are to be seen as requisites of competition among herders and meant to maintain the external flow of the market on a regular basis. To infer the "maximization of pastoral production" with regard to transhumance in the Carpathians, Pindos, and Pyrenees, it must be materialized as trading at certain periods and places on which wholesale and retail depend. The seasonal adaptation of herders

to their ecosystem is this time followed by the market calculation of pastoral resources. From the herders' perspective, however, "market" and "supply and demand" are not merely institutions of the city. The Margariti case is relevant to the local competition over such pastoral resources, including the pastures and also milk collecting. We may still wonder about the character of economic transactions among the pastoralists and if they really can fit the modern exchange patterns of the market economy. In a classic study, Karl Polanyi conceptualizes (1968 [1958]) three "patterns of [economic] integration", each of them related to specific social organization and "form of trade". "Reciprocity" is equated with the social "symmetry" and "gift trade"; "redistribution" with a [political] "center"; and "administrated trade" and "exchange" with the "price-making markets" and "market trade". According to Polanyi (1968: 140-1),

[...] Market and exchange are co-extensive. [...] Market institutions shall be defined as institutions comprising a supply crowd or a demand crowd or both. Supply crowds and demand crowds, again, shall be defined as a multiplicity of hands desirous to acquire, or alternatively, to dispose of, goods in exchange. [...] Competition is another characteristic of some market institutions, such as price-making markets and auctions, but in contrast to equivalencies, economic competition is restricted to markets. [...] 'Price' is the designation of quantitative ratios between goods of different kinds, effected through barter or higgling-haggling. It is that form of equivalency which is characteristic of economies that are integrated through exchange.

In contemporary Europe, pastoral transhumance seems to be best related to the "market trade" pattern, since it makes use of supply-and-demand "multiplicity of hands", as well as of competition and price making on the market. The question which arises, however, relates to what happens when the elements of Polanyi's logical "process" interrelate with one another and when his clearly evolutionist model is subverted into new successive or concomitant degrees. For instance, the important role that kinship network plays in the trade of transhumant herders from Central Romania and Northern Greece is equally consistent with the "reciprocity" pattern of exchange. Similarly, the legislation on transhumance in the European Economic Community also clearly places the pastoralists in the framework of "administrated trade" (see *infra*, "The EEC legislation on transhumance..."). While it is not easy to frame into

one or another pattern of exchange, the transhumance in the Carpathians, Pindos, and Pyrenees appears to be a form of mobilizing the pastoral resources for the market, and not for domestic consumption only. As seen above, rather than becoming a subsistence practice, transhumance in fact sustains diverse small-village economies like folk artisanship or modern animal medicine (in the Carpathians). Partnership with merchants is similarly an annex to transhumant production (equally in Romania, Northern Greece, and Southern France) within a market network allowing the management of time as another pastoral “resource”.³⁰ Price is regulated here through direct negotiation, whereas unifying pastoral entrepreneurship with trading specialization simply builds up a local monopoly (in the Pindos) in the distribution of sheepfold products. As for the selective crossbreeding of sheep races (in the Pyrenees), it is of course a practice imposed by the market, not by the consumption needs of the pastoral household.³¹

Profitability, conversions, and investments

According to Paine (1971: 169), [the Lapp] pastoralists can “undertake minimal conversions” from the “incomes” they get to another “capital form”. Goldschmidt (1972: 192) similarly uses the term “profit” for the revenues of a Sebei herdsman. Likewise, Spencer resorts (1984: 67) to the notion of “productive investment” in relation to “stock, labor, and skills” among the pastoralists in Kenya. From a historical point of view, Brun discusses (1996: 40) the “profit élevé et régulier” that Roman aristocracy extracted from transhumance. While it seems evident that pastoralists produce, there is no consensus on how to consider this accumulation. Speaking about what “exceeds the minimum [herd] size necessary [to a household]”, Ingold (1980: 219) calls it “surplus”. However, Boonzayer Flaes (1981: 89) does not agree with this, claiming that pastoral accumulation is not “externalized through the market” but is politically “centralized”.³² As seen earlier, one of the main critiques that Boonzayer Flaes and Ingold bring to the idea of market orientation among herders is that of low (if not absent) investment in production. In an attempt to approach the issue of pastoral wealth increase according to ethnography of transhumance in Europe, we need to relate it to market techniques of conversions (or equivalencies) and investments. Diverse field reports from the 1960s still pointed out the “fortune” or “prosperity” of pastoral

communities in the Carpathians (Kopczyńska-Jaworska 1963: 87), Pindos (Sivignon 1968: 21), and Pyrenees (Hourcade 1969: 263). In the following, we will consider three instances representing each of our case studies concerning some monetary aspects of pastoralism. The purpose is to establish whether transhumance implies any operations or strategies for grounding profitability.

I. B. [a herder from the village of Tilisca, in the Romanian Carpathians] bought his ARO (Romanian all-terrain vehicle) in 1980 with money from the sale of 1,000 kilograms of wool. In 1997, he paid the summer grazing in Carpathians foothills with 2 million lei and winter pastures in the district of Vâlcea with 800,000 lei. Such rental contracts with the local authorities stipulate that the respective terrain not be under-rented. In 1999, I.B. will pay 25 million lei for the upland grazing of his 300 sheep herd, and will also employ three Moldavian shepherds, paying each a wage of 300,000 lei per month. (Constantin 2003 b: 97-8)

[...] Traditionnellement, chaque famille [in Samarina, Eastern Pindos] a ses pâturages habituels et y revient d'année en année. La seule obligation est le versement d'une redevance perçue par la commune et qui à Samarina est de 6 Drachmes par tête de petit bétail et de 12 Drachmes pour le gros bétail. (Sivignon 1968: 15)

Transhumant herders [in the Pindos] tend to have large flocks, ranging from 250 to 600 [...]. Today, many herders own small pickup trucks, while others continue to rely on donkeys, mules and horses for milk delivery. (Chang, Tourtellotte 1993: 255)

In 1993 at one upland farming and herding village [...] six of the 10 [Aromanian] herders had hired illegal Albanian immigrants during the year. During the summer of 1993 wages ranged from 1,000 to 2,000 Drachmes per day for the hired shepherds. (Chang 1997: 132)

[...] M. P. exploite 450 ha appartenant à la Société des Fermes Françaises [...]; situés dans la Crau [Eastern Pyrenees], 75 ha sont en prairies naturelles, 30 en luzerne, 30 en herbes de printemps, 120 en coussouls; [...] M. P. est un privilégié car il loue cette place régulièrement depuis 25 ans mais, m'a-t-il dit, il n'est jamais sûr de la retrouver l'année suivante. Le prix de location est 45 000 F, 80 tonnes de foin comprises; les coussouls sont payés en laine, à raison de 15 kg/ha. M. P. fait paître ici 1600 brebis, dont 1100 adultes et 500 antenaises, ce qui nécessite l'emploi de 40 personnes salariées toute l'année. Pour la transhumance, ce troupeau est transporté

par d'énormes camions à 4 étages, capables d'emporter 600 moutons; ils appartiennent à 5 ou 6 entreprises [...]. (Baticle 1974: 496)

Pastoral surplus, or profitability, then, is to be assessed as a function of (at least) three variables related to the herd management: (1) hired pastures; (2) means of transport; and (3) hired labor. Each of these must be paid for and each is therefore a form of investment. Accordingly, all the variables examined are supposed to expand the herding enterprise beyond the limits and constraints of any autarchic village economy.³³ Of equal importance, "pastures", "transportation", and "labor" are not isolated from each other, but become inter-related elements in the productive system of transhumant husbandry. To work, such inter-relation calls for balance and fluidity of pastoral resources, in other words: conversion. That is, payment for pasture should not to exceed the salary fund for employing shepherds, as each is adjusted according to the necessity for transportation. Similarly, the benefits resulting from the sale of pastoral goods (milk, cheese, wool, and meat) must exceed the mentioned costs, so that the herders create profitability from their work. Altogether, the capital calculation in the practice of transhumance is suggested by the costs and benefits. Max Weber (1993 [1904]: 12-3) argues that the "rational calculation" is, together with "the commodity market" and "the enterprise detachment from the household", a key element of the Western capitalist development. As mentioned, the herders of the Carpathians, Pindos, and Pyrenees, consider their transactions in the value of their own national currencies; when this currency turns out to be unstable (as in post-socialist Romania), herders make use of their sheepfold products as an alternative "unit of account". Is this the sign of insufficient "detachment from the household"? As Weber (1993: 9) points out,

To us, a 'capitalist' economic fact must first be based on the expectation of a gain by using the *exchange* chances and thus *peaceful* chances of (formal) gain. [...] Where there is a rational aspiration for the capitalist gain, the respective actions are guided after the capital *calculation*. In other words, [...] the periodically calculated value on a *balance sheet* of the wealth with financial value of a continuously practiced entrepreneurial activity [...] would *exceed*, at the end of the calculation, the 'capital': that is, it would exceed the estimated value – on a balance sheet – of the material means used for a gain through the exchange [...].

Weber's correlation of calculation and exchange is relevant to our understanding of the herders' hired pastures, means of transport, and hired labor in terms of "commodities". To be mutually convertible, as well as to favor further conversions on the urban market, these pastoral commodities must fulfill an exchange property. What process makes this possible? Our theoretical interest consists of explaining why and how the market orientation promotes some pastoral resources to the rank of commodities, in lieu of using them simply in the self-reproduction of the village household. This is, we believe, the point where the Weberian criterion of the (patrimonial) opposition between the capitalist enterprise and the rural household does not explain the trading potential of peasant husbandry. To accurately define this process we could resort to the classic distinction between the use-value and the exchange-value of commodities. Indeed, there is an economic difference between the village plots of pastoralists (used as a rule, for small farming activities to produce for domestic consumption) and the pastures they hire in the mountains or on the plain, which are primarily meant to sustain the pastoral production and exchange. Similarly, the use of domestic animals for traction is not the same as the use of pickup trucks or trains, which is an investment for easier access to plain pastures and to urban marketplaces. Last, the labor done by family members and their kinsmen in the framework of the village household is opposed to the hired labor of employed shepherds, which is a commodity due to being bought and utilized as such.³⁴ By doing so, does this make transhumance less a pattern of subsistence and more a process for the conversion of the pastoral "means of production" and items into market benefits? Probably. The physical distance from the native village (which is counted, as seen, in several hundred kilometers, and usually explained in the ecological definition of transhumance) is also used as a strategy among herdsmen and their partners to create demand and "scarcity" for their goods on remote urban marketplaces. This is the case in Bucharest (for Transylvanian herders), Athens (for the traders of Sarakatsan cheese, see Campbell 1964: 248), and Marseilles (for the meat market of the Pyrenean herders, see Baticle 1974: 492).³⁵ Scarcity is (according to Gregory 1995: 916) that which enhances the "marketability" of goods, through their transformation from a use value, to an exchange one.

Labor and property relationships

We have seen how Paine discusses “herd management” (1971: 158) in relation to “the control” that herdsmen exercise over “the reproductive value” of their livestock. According to Braudel (1966: 77, 83), it was “capitalists” and “specialized shepherds” who managed the transhumant economy in sixteenth century Southern France, Spain, and Italy. On the other hand, criticism of this view sustains that what in fact pastoralists are doing is “self-production” in nature (Ingold 1980: 224), as they are only engaged in a “family enterprise”, with no redistribution for community needs (Boonzayer Flaes 1981: 91). Similarly, that what Goldschmidt (1972: 198) found to be “differential cattle ownership”, since not all the Sebei herdsmen had a “capitalistic orientation”, is seen by Boonzayer Flaes (1981: 92) as a “centralization of [pastoral] surplus” and “beginning of stratification”. Such assertions about (the existence of) pastoral production and social differentiation raises the issue of the work-and-property relationships among the transhumant herders of Europe. Does this method of herding serve simply to graze the sheep? And, if so, are the pastoralists only “gathering” what “nature” offers them? If so, ownership would be equally “natural” to achieve. However, to conclude that stratification is consequently a “natural” process is to obliterate both the complexity of transhumance as a productive (as seen) system on a competitive ground, and the role that specialization plays in wealth and status differentiation. The ethnographic data of contemporary transhumance in Europe illustrate how the pastoral production we have described above is particularly dependent on the social organization of herding as well the economic practices of making and keeping ownership among the herdsmen.

According to transhumant herders from the village of Tilisca (Southern Transylvania), they do the winter transhumance in Dobroudja [Southeastern Romania] in associations of 4 or 5 shareholders. Hired shepherds graze the common livestock of 1,500-1,600 sheep. However, never do the associate herd owners leave their livestock under the shepherds’ control only, but oversee it by alternating two by two, especially during the birth of the lambs. Nowadays, some of the Transylvanian herders breed the lambs up to June, rather than milking the ewes in May, as the lambs are in highest demand today. Other herders, however, prefer to begin the milking of their ewes in May. From the revenues from his herd of 300 sheep, herder I. B. and his father own three villas in Tilisca built from bricks and tiles for a family group with six members. (Constantin, field information, 2004)

[Among Aromanian herders in the Pindos] Milking [herds of 250-600 ewes] may be done by husband and wife, or by partners. (Chang, Tourtellotte 1993: 255)

We observed [...] that those herders who hired Albanians with no livestock experience did not allow the hired herders to milk the animals; instead, they relied upon household labor for milking to ensure the quality of milk production. Individual herders prefer to monitor the daily production of each lactating animal as a direct indication of daily grazing conditions and the physical well-being of individual livestock [...]. The profits made from the products of shepherding can be used to purchase a wide range of goods which make a herder's life more 'modern' and convenient. [...] The transhumant shepherd woman who no longer has to milk her flock twice a day, but can entertain foreign visitors and other guests during the leisurely afternoons in her husband's (home) village, has risen in the social standing in the eyes of the community. Her husband, who has become a *tselingas*, is now an employer and has moved up the class ladder. (Chang 1997: 132-5)

Il s'agit d'un éleveur de [...] Ariège [Eastern Pyrenees]; il a 43 ans et possède 180 bêtes. [...] A partir de 1952, il transporta son troupeau à l'aide d'un petit camion et il utilise aujourd'hui un camion à double plate-forme capable de porter une soixantaine d'animaux à chaque voyage. [...] Depuis 1967, [...] il est devenu propriétaire d'un hôtel à Saint-Lary qu'il a acheté 50 000 francs en vendant 70 brebis mères, en mobilisant son épargne et en empruntant à la banque, grâce à garantie que représentait le reste de son troupeau. [...] Pour les 120 bêtes qui hivernent en bas, l'éleveur doit trouver plusieurs fermes [...]; il descend visiter quatre ou cinq fois son troupeau pendant l'hivernage, car le propriétaire des bêtes [...] n'est jamais sûr qu'elles seront bien entretenues et il tient à faire le compte de ses effectifs et s'assurer de leur bonne santé. (Rinschede 1977: 402)

For all the herdsmen we have mentioned here, labor is a "resource" *per se*, as it cannot be limited to grazing, but does imply many tasks and roles which one has to manage in the framework of sheepfold husbandry. Making the productive choice for lambs, and not for milk, private labor rather than hired labor when milking, the risk of guaranteeing a bank loan with one's livestock – all of these are parts of the economic pattern of transhumance, not of another type of rural enterprise. It is especially significant that pastoralists concerned appear to be very careful with the direct supervision of their production of lambs, milk, and whatever else. This is the source of their property, where there is nothing to concede or entrust. Hired labor begins with what is to exchange, namely with what

is assumed as commodity from property. However the extent to which pastoral property will become marketable or will remain domestic patrimony is the transhumant herder's private strategy.³⁶ This is the sense of distinction between labor division and hired labor in the practice of transhumance in Europe today. Labor division, as an "allocation of responsibilities and tasks" (Ortiz 1995: 899), takes places within the pastoral household and (as seen before) usually occurs during the summer transhumance, along with the hired labor. Instead, it is the hired labor that is mainly used in doing the winter transhumance. The only "Natural" part (perhaps) in this case is the kinship framework of summer transhumance, while the hired labor is entirely a cultural-made device. According to Ortiz (1995: 905-6),

De-skilling has to be considered as part of the rationalization process employed by capitalists to reduce the costs of production. [...] They had to rely on a supply of workers who were socially rejected by the core industries: above all [...] members of ethnic minorities. This process of differentiation differs from the division of labor in that it does not categorize prestige, quality of work and payment by the type of the task, but by the type of firm and the social type of laborer it prefers to recruit. It has been given a new label: the segmentation of labor markets.

The transhumance of Southern Transylvania, Northern Greece, and Southern France, relies heavily on shepherds coming from other regions or from abroad, such as the Moldavians (in the Carpathians), the Albanians (in the Pindos), and the Spaniards (in the Pyrenees). This is, as a rule, cheap labor; to the extent in which the employed shepherds have no or too little experience, the herder's supervision is needed. At the same time, the herd owners make use of some of their co-villagers in the work of pastoral transhumance. The result is that, despite some types of pastoral associations or "syndicates", transhumance does not build up a common welfare of the herding communities concerned. Ethnographic literature also refers to the distinction between "rich" and "poor" villagers for all our case studies. Rather than "stratification", however, this wealth inequality provides grounds for contractual arrangements not to equate with simply foreign cheap labor. Such arrangements are, first of all, based on the low-income villagers' technical knowledge and skills in performing pastoralism.³⁷ Thus the poor villagers in the Carpathians work for the herdsman in exchange for money but also for livestock (Vuia 1964: 152), while in Central Pyrenees, payment of the winter grazing (through the

“gazailhe” system) is made in shares of lamb and wool for the poorer mountaineers (Rinschede 1977: 394). Similarly, in the Pindos, the poor Sarakatsan shepherds were given the opportunity to make their own small flocks once the *tselingas*, for whom they had worked in exchange for a wage, needed to reduce his livestock due to the lack of winter pastures (Campbell 1964: 17-8). Although also hired labor, poor co-villagers’ work is obviously another “segmentation” of the pastoral “labor market”: through the social mobility it enables, this work encourages competition and new local configurations of property.

Transhumance in the Carpathians: from socialism to the market economy

In a study concerning pastoral life in the Romanian Carpathians after World War II, B. Kopczyńska-Jaworska describes two “types” of association among herders and land owners, as well as the sheepfold management by a shepherd chosen from among the rest of the livestock owners. The associated herders were provided with a labor supply according to individual contribution to the common flock. It was their leader (the *gazda de turmă*, the “host of the herd”, or the *baci*) that employed the shepherds, coordinated the herding work, supervised the cheese distribution etc. The sheepfold leader (the *baci*) is seen as a “professional administrator” and even as an “entrepreneur”, given his prerogatives in employing and paying the shepherds, weighing the milk etc. (cf. Kopczyńska-Jaworska 1963: 85-6). These forms of herding association are traditional in Romanian pastoralism (see Herseni 1941: 76-80; 132-42). Even though some of them will survive in the post-war period (cf. Geană 1970; Pandrea 1993), new types of sheepfold were created once the communist regime was established in Romania. Between March 3 and 5, 1949, the Resolution of Romanian Workers’ Party Plenary Meeting established the legislative framework for reorganizing pastoralism in Romania on socialist principles in terms of “the co-operative sheepfolds”, “village herding companies and associations”, “collective farms”, and “State farms” (Vuia 1964: 222).

The co-operative sheepfolds were associations of the herders, led by a committee chosen in their villages. Such associations were intended, among other things, “to exclude the possibilities of exploiting the sheep owners by professional *baci* or by the sheepfold holders”. The people’

council provided the required pastures and a “commodity fund” was made for common expenses through collecting the sheepfold products. The village herding companies and associations (similarly led by committees chosen by the herders’ general meeting) would foresee the possibility of common herding during both the summer and winter grazing seasons. The livestock sector of the collective farms would benefit from governmental credits for building animal shelters, concrete stables and silos, and milk centers near the stables. The state farms would provide “specialists in animal farming”, as well as “pastures rationally exploited” (pastures with a given fodder concentration).

In 1958, the secretary of Romanian Workers’ Party considered that

Ovine herding is the most developed animal branch in the [Romanian] socialist sector. The collective farms own 829,700 sheep, of which there are 50 sheep per 100 hectares of farming land. More than 75% of the sheep in communal ownership of the collective farms have their wool refined and half-refined, while wool production in 1957 was over 2 kilograms on average per each sheep. (*apud* Vuia 1964: 224) ³⁸

During the ethnographic research I conducted in Tilișca village in 1997 and 1999, I got to know herders who had worked for the *Cooperativa Agricolă de Producție* (CAP, the socialist Co-operative for Agriculture Production), as well as herders who had succeeded in performing private herding before 1989. The CAP herders worked mostly for socialist co-operatives in the Banat region, where the state provided them with pastures and flocks up to the size of 2,000 heads. It was local herding. The Transylvanian herdsmen were allowed to include their own animals (small livestock of 50-150 heads) in the communal flock. They were also free to employ (at their own expense) shepherds in order to help them with the sheepfold work. From the CAP the Tilișcan herders received money and corn; and their seniority was officially recognized as a basis for pension retirement. The private herdsmen were to continue (with larger flocks) the practice of transhumance. They resorted to the transportation of sheep by railway, paying 3,000 lei for one wagon. The contracts for winter grazing were concluded with local CAP presidents or with state farm engineers. Given the Romanian food shortage in the 1980s, the cheese made in Southern Transylvania was in great demand. Similarly, the transhumant herders concluded highly advantageous contracts with the state, according to which they would sell their wool for 120 lei per

kilogram. With money from the sale of wool, some of them claim to have been able to buy personal cars which they used for their sheepfold needs or to buy fodder to winter their sheep at home.

After 1989 this type of contract with the state ceased. Wool lost much of its value, although it is now in demand among Turkish merchants. Exporting pastoral products is particularly profitable in the case of *berbecuți* (lamb), bought, as seen before, by a Greek farmer. Transhumance is still practiced, but now faces new problems caused by the land and forest appropriation or restitution. Transportation of herds by railway has been abandoned today since the National Railway Transport Company (SNCFR) charges an inflated price of 10 million l per wagon. The price of *telemea* cheese is now of 80,000-100,000 lei per kilogram, but the herders are now coping with difficulties in terms of finding or maintaining a market position. Transylvanian herders are in particular need of a private association to represent their interests (for instance, in the direct sale of lamb or wool to foreign clients). Sometimes aid from the state is still expected (such as the building of winter shelters for the sheep, but also in regulating the market commerce against specialized traders). Romanian transhumance is currently regulated within the legislative framework of the Ministry for Agriculture and Public Administration (order no. 235/2003). It is stipulated that “specialists from the General Direction for Agriculture and Food Industry, as well as local councils, should organize ovine transhumance in terms of transporting and receiving sheep in transhumance and establishing the number of animals to be accepted for grazing”. Other articles refer to issues like the transhumant route, health certificates for animals, “anti-parasitical treatments”, delimitation of grazing areas, protection of land cultures, and (where necessary) compensation for damage incurred by farmers.

According to the Romanian Minister of Agriculture, transhumance is

[...] An extensive system of production, economically efficient, and practiced by herders who own livestock of 500-2000 heads. In the past, some herders owned over 20,000 heads. Transhumance is the movement of ovine herds, followed by a few mules, goats, horses, and cows, which travel in summer to highland pastures, and in winter to lowland regions, meadows, and pastures, placed often hundreds of kilometers away. It appeared and developed as an economic necessity for those herders who lack sufficient fodder resources in their native regions in order to breed and exploit the ovine livestock.

(cf. site <http://www.avocatnet.ro/legislatie/comentata/article172.html>)³⁹

EEC legislation on transhumance in the Pindos and Pyrenees

Greece's entry into the European Economic Community (EEC) in 1982 had important implications for Aromanian transhumance in the Pindos Mountains. EEC Directive no. 1672/1985 deals with "les modalités d'application de l'aide pour la transhumance d'ovines, de caprines et de bovins en Grèce". According to this document, a minimum of eight "unités de gros bétail" are required in order to apply for EEC assistance; and a distance of at least 50 kilometers is established to cover by truck or train transportation of flocks. Herders are expected to declare their livestock and type of pastoralism; and funding is granted for a single transportation "à partir des pâturages d'hiver jusqu'au pâturages d'été ou vice versa" (cf. site http://admi.net/eur/loi/leg_euro/fr-_385R1672.html). In the framework of ethnoarchaeological research in the Grevena region (1988-1992), Claudia Chang assessed the economic results of EEC assistance in terms of social insurance, subsidies, and credits for the Aromanian communities of herders. The local herders were given the opportunity to buy small trucks, which they used for the daily transportation to and from their sheepfolds. Investments in local infrastructure substantially modified the material culture of transhumance by building paved roads, concrete watering troughs and springs, concrete animal shelters and folds, sorting and loading platforms for transporting the animals etc. (cf. Chang 1993: 688; Chang and Tourtellotte 1993: 255). Price supports will be added for the marketing of products, as well as incentives for improved veterinary care (Chang 1997: 127). At the same time, Chang believes that the European Community will never succeed in controlling the kinship and patronage ties that the Aromanian mountain herders develop with the plain farmers in order to hire pasture for their winter transhumance.

For example, if a herder were to give a product such as cheese to a landowner in exchange for pasture, he could undercut the price value of the cheese on the market and bypass the market altogether; [...]. yet for the local player, his astuteness at being able to benefit from the state subsidies of the European Community while using his own personal patronage relations to function outside the formal market allows him to live in the best of all possible worlds. (Chang 1997: 136)

The same situation in Central Pyrenees, on the other hand, is not quite the same. In this case, transhumant herders have to cope with European

meat policy (1980), which proves to be disadvantageous to them while competing with English products (with lower prices by 25%), and also Spanish and Italian ones (cf. Barrué-Pastor 1992: 150-4). As a result, imports of ovine meat increased by up to 33%. Coping with such a “dictat de la grande distribution”, the Pyrenean herders look to diverse solutions (the genetic improvement of the “Tarasconese” sheep race; the promotion of an “intercommunal syndicate” in Vallée d’Oueil in order to unify the local herding management) without building up a “real marketing policy”, however. As concerns the sheep bonuses offered through the Politique Agricole Commune, they do indeed promote the increasing of local livestock (700 sheep), but not the quality of the ovine products (Barrué-Pastor 1992: 154-6, 162-3). According to Barrué-Pastor,

Miser sur une augmentation des effectifs de quelques gros éleveurs, alors que les autres disparaîtront, va se traduire par un hivernage systématique en plaine et par la regression de l’entretien de l’espace montagnard. C’est aussi la fin d’une certaine pratique du métier d’éleveur, basée sur une grande maîtrise de la gestion de son troupeau et de son territoire [...]. Comment produire dans ces conditions les agneaux de qualité préconisés par la Réforme de la PAC [Politique Agricole Commune]? Le plan ovin se termine en 1993. Après? C’est le grand inconnu. (Barrué-Pastor 1992: 162)⁴⁰

While the programs of financial assistance are meant to unify European market, the EEC legislation recognizes and stipulates (Directive no. 2081/1992) the origin and denomination of a farming or food product, which is to include it in “the register of protected marks and geographic indications”. In January 1994, the Greek authorities applied to register *feta* cheese as an “appellation d’origine protégée”. For many years, some countries (Great Britain, Denmark and Germany) were to reject this demand, claiming that *feta* is a “terme générique” since they had produced this type of cheese for several decades in the past. In June 2002, the European Commission in Bruxelles agreed to register *feta* as a mark of Greek origin. The European document mentions that

Le pâturage extensif et la transhumance, pierres angulaire de l’élevage des brebis et des chèvres appelées à fournir la matière première du fromage « Feta », sont le fruit d’une tradition ancestrale permettant de s’adapter aux variations climatiques et à leurs conséquences sur la végétation disponible. (Règlement du Conseil de la Commission des Communautés Européennes, 14 Juin 2002, 314)

This decision modified the annex to EEC directive no. 1107/1996, which also deals with some registered marks of Pyrenean cheese: *Ossau-Iraty-Brebis Pyrénées*, *Roquefort*, and *Tomme de Pyrénées*.

Conclusion

To reiterate here the debate on capital formation in pastoral societies, one might conclude that transhumance is a form of peasant market economy. It is not a subsistence orientation since the transhumant herders in the Carpathians, Pindos, and Pyrenees conceive their husbandry as a farm organization and a market enterprise. Kinship structures and relationships appear not to be particularly incompatible with the market development of transhumance since they usually participate in labor division and social networks of pastoral production and distribution. Transhumant peasants are not poor, even though they face hardships and uncertainties in the course of their work. To be more precise, a herdsman's social status and fortune in Central Romania, Northern Greece, and Southern France seems to be consistent with their trading involvement, which is high in each of the three cases. However, as Raymond Firth notices (1964), in order to identify any capitalist specialization, such as entrepreneurship, at the level of peasant economy, one needs to approach it "in a wider cultural and institutional framework". If "market orientation" can be inferred for pastoral transhumance in the Carpathians, Pindos, and Pyrenees during the second half of the twentieth century, then it is equally certain that differences of macro-economic context occur between the three cases. Given that Romanian transhumance was performed within the socialist economy and in Northern Greece on the fringes of European Economic Community (EEC), can we speak any more of "pastoral capitalism" in such instances? The period examined – 1950 to 2000 – is essentially that of the making and enlarging of the EEC, practically a "new world-economy" when compared with concept of "économie-monde" proposed by Fernand Braudel (1989 [1979]) for the Mediterranean world of the sixteenth century.⁴¹ European legislation and funds are currently engaged in building a new framework for transhumant herders and their livestock. As seen before, starting with the 1970s in France, the 1980s in Greece, and probably with 2007 in Romania, transhumance is increasingly becoming less traditional and more "top-down" administrated, mainly in terms of production and distribution.

This fact – transhumance as a “registered mark”, not as “tradition to preserve” – is particularly significant when interpreting it from the perspective of the contemporary market economy. In view of this historical process, which perspectives can we envisage for pastoralism in Europe today? In other words, what is the future of the ethnographic peculiarities such as the Pyrenean “syndicates”, the Aromanian “patronage”, and the Romanian *întovărășiri* (herding companies) among herdsmen? And, to return to Eric Wolf’s notion of “peasant ecotype”, to what extent can we identify the pastoral economies with localized, “eco-systematized”, or self-contained countryside?⁴² After the fall of communism in Eastern Europe and the launch of “Politique Agricole Commune”, authorship is probably the major concern of “European” pastoralism. In so far as a herding product becomes a subject of government policy and debate in international trade, it is expected that transhumance be adjusted accordingly. In fact, in the Carpathians, Pindos, and Pyrenees, pastoral ecotypes are being replaced by “pastoral market types”, under the new regime of competition patronized by the EEC. According to current ethnographic data, a market type in the practice of transhumance depends not only on local resources and variations in climate, but also on particular niches of distribution in Southern and Western Romania, Northern Greece, and Southern France respectively. However, while external competition for Pyrenean herding is high (from Spanish, Italian, and English pastoral products), it is decreasingly weak in Northern Greece and Romania. In these conditions, while EEC legislation and financial assistance is looking to foster a unified market for herding products, the battle for “protected geographical denomination” reflects the interests of the pastoral market types in defending their regional niches and trading networks.

NOTES

- ¹ In his play *King Oedipus*, represented in Athens between 430-420 BC, Sophocles mentions two shepherds who spend six months (from mid March to mid September) at the pastures of the Cytheron Mountain. During the winter, the two shepherds graze their sheep either in the lowlands of Corinth or in the plain of Theba (*apud* Brun 1996: 34). One millenium and half later, in the second half of the eleventh century, Kekaumenos describes in his *Strategikon* (1075-1076) the "Vlachoi" (the Aromanians) from "Megale-Vlahia" (in Thessaly). According to Kekaumenos, "From April to September, their [the Aromanians'] habit is to live with their beasts and families in the high mountains and in very cold places." (*apud* Elian, Tanaşoca 1975: 31-3).
- ² According to the English traveler Henry Holland, in 1812-1813 the herdsmen in the Pindos were followed on the mountain by their families; horses, tools, and huts were also carried to the highlands, which is interpreted in terms of "nomadism" by Fernand Braudel (1966: 91). In analyzing the "reciprocal animal theft" among the herdsmen in Crete, Michael Herzfeld discovers that "in order to succeed as a shepherd [...] one must necessarily also be a successful animal thief", to be eventually associated with values like "bravery" and "friendship". The resolution of such a series of reciprocal theft is to conclude a spiritual kinship, the *sindeknia*. The thief is ideologically associated in Crete with the *klefts*, the Greek rebels against Turkish rule at the beginning of the nineteenth century (cf. Herzfeld 1983: 47-50).
- ³ According to Ryder (1994: 3), the seasonal movement of livestock between summer and winter pastures is a means of controlling the "variations in climate". Several Romanian authors (Veress 1927: 4; Ghelasse 1944: 30; Prodan 1944: 126-7) claim that orientation of Transylvanian transhumance to Wallachia and Moldavia would also depend on the sunlit mountainsides of South and East Carpathians.
- ⁴ For the kinship structures and relationships in Tilişca village, see Constantin (2000). Some issues on the village history of Tilişca are discussed in Constantin (2002). See also Constantin (2003a) for a comparative approach to pastoralism in the village communities of Tilişca and Montailou, as well as Constantin (2003b) with regard to ecology and economy of Tilişcan pastoralism. Vasile Caramelia provides (1961) demographic data on the village of Tilişca, while Boris Zderciuc deals (1963) with Tilişcan folk artisanship.
- ⁵ Ion Donat (1966: 293) supplies the number of about 80 new villages that Transylvanian herders founded in Southeastern Carpathians during the seventeenth and eighteenth centuries; such villages were usually called "Ungureni", namely "people coming from the former kingdom of Hungary [including Transylvania up to 1541]". A "Company" of herdsmen from the Bârsa County (Southeastern Transylvania) was founded in 1803 (cf. Veress

- 1927: 9). The registers of custom-houses in Wallachia indicate a number of 1,317,106 transhumant sheep of Transylvanian herders in 1836 (cf. Constantinescu-Mircești 1976: 67).
- ⁶ Of the pastoral terms with general circulation in Southeastern Europe, *stâna* (sheepfold) is equally attested in Romania, Hungary, Poland, Serbia, and Bulgaria (Vuia 1964: 60), as well as in Aromanian and Sarakatsan pastoralism (Campbell 1964: 17; Nandris 1985: 258). Another example is that of *strunga* (milking pen), which is in use among herdsmen in Romania, Hungary, Slovakia, Ukraine, Serbia, and Bulgaria (Vuia 1964: 60), but also among the Sarakatsans (Campbell 1964: 22) and Aromanians (Sivignon 1968: 16; Chang 1992: 76).
- ⁷ Campbell (1964: 12) mentions the business travels of some Sarakatsani from Zagori to the “prosperous towns of [...] Romania”, during the eighteenth and the nineteenth centuries. For the Aromanian herders and merchants’ penetration to Southern Romania in the nineteenth century, see Capidan (1942: 96, 119). Today, some mass-media reports point out the market competition between Transylvanian and Aromanian herders in Bucharest (see the newspaper *Evenimentul Zilei*, July 3, 2004).
- ⁸ The geographer Emmanuel de Martonne identified (1912: 125) a certain analogy between the contractual arrangements of winter transhumance in the Carpathians and the Pyrenees. For a comparative approach of Carpathian and Pyrenean transhumance, see Constantin (2003a).
- ⁹ The available field data reflect the presence of homogamy among the transhumant communities in Southeastern Europe. Homogamy, defined as “the tendency to marry someone socially similar (of comparable socioeconomic and educational status)” (Kottak 1991: 435), was also reported among the peasant *neamuri* (in this case, *neam* is a high-status lineage) in the region of Maramureș (Northern Transylvania). For ethnographic data on the marriage and homogamy in an agro-pastoral village of Maramureș, see Kligman (1998 [1988]: 30-2).
- ¹⁰ The main difference between the forms of pastoral associations in Eastern and Western Europe consists of the persistence of kinship networks in herding among Romanians, Aromanians, and Sarakatsans, on the one hand, and the development of juridical structures among French herders, on the other. However, it also notices the changes that took place within peasant social organization in Eastern Europe. Among Romanian transhumant herders, the traditional *obște* as a close village group, with shared land ownership (cf. H. H. Stahl 1959: 9), has disappeared today despite local pastoral *obști* still being reported in socialist Romania as in Șirnea-Brașov (Geană 1970) and Boișoara-Vâlcea (Pandrea 1993). Similarly, the current ethnography of Aromanian or Sarakatsan herders makes no mention whatsoever of the *fălcare*-, namely the traditional reunion of 50 to 200 families under the leadership of the *tselingas* (for the *fălcare* organization, see Capidan 1926).

Communism and the market economy specifically modified village social structuring in Romania and Greece respectively. In Romania, socialist herding farms were created in the 1950s (Vuia 1964: 220-2), while the Greek government decided in 1938 that Sarakatsan herders should choose a single village citizenship, either in the highlands, or in the plain, to benefit from grazing rights (Campbell 1964: 16). As to the Pyrenean pastoral associations and their technical structures, they seem to fit the theoretical model of "singlestranded [single interest] peasant coalitions" (Wolf 1966: 82-4), aimed at linking the local community to wider structures of power and interest. Thus, the Centre Régional d'Insemination [Artificielle] Ovine des Pyrénées Centrales (1985) connects local sheep owners and their interests to the governmental politics of regional development in France (Barrué-Pastor 1992: 155).

¹¹ Taking into account the involvement of kinfolk in the summer herding, the pastoral household is not everywhere the same as a "nuclear family". While generally speaking of peasant households in Romania, Paul Henri Stahl prefers to speak of the "domestic group", or *gospodărie*, which includes the married couple and its offspring together with grandparents. The members of a domestic group live together, have and pass on common property, and form a spiritual unit (cf. P. H. Stahl 1986: 9, 168). Particularities as regards elder brothers' separation once married, as well as the transmission of property, lead to important differences between *gospodărie* and other domestic groups in Southeastern Europe, such as *kuća zadružna* among the Southern Slavs, *shtepi* in Albania, *famelia* in Greece etc. (see Stahl 1986: 51-165). According to Emmanuel Le Roy Ladurie (1992 [1975]: 87-97), the *ostal*, that is the domestic group in the pastoral village of Montailhou (Eastern Pyrenees) from 1294 to 1324, similarly refers to nuclear family and unmarried children, as well as to rights of use in respect of communal pastures and forests.

¹² As seasonal management of animal resources, transhumance in Southern Transylvania could be related to Lipovenian fishing in Dobroudja (Southeastern Romania), which takes place in the Black Sea from April to July and in the lakes of Razelm and Sinoe from September to December (see Stahl, Constantin 2004: 91). Although both transhumance and fishing are traditional patterns of the peasant economy in Romania, they substantially differ in terms of private husbandry among most of the Transylvanian herders and state ownership of the fishing resources in Dobroudja. In terms of the labor market of Moldavian shepherds in Southern Transylvania, this seems to reflect the "complex of lowland poverty" in Romania, especially associated with factors of "agriculture as a low-revenue activity" and "reduced educational stock" in rural Moldavia (Sandu (2003: 154-6).

¹³ To the extent to which meat, cheese, and wool become market items beyond the consumption needs of the pastoral household, they represent a

specialized production of transhumance as a local dominant economy. In other words, the herding resources in the Carpathians, Pindos, and Pyrenees are invested in a “monocrop production”, namely a “system of production based on the cultivation of a single cash crop” (Kottak 1991: 239). With regard to “non-literate” or “non-machine” societies different from Euro-American economic organization, Melville Herskovitz remarks (1952 [1940]: 34, 152) that specialization in a given industry (e.g. pottery or hunting) is consistent with “personal identification with the finished product” and with “personal initiative”. In discussing the peasant “neotechnic ecotypes” in Europe, Eric Wolf refers (1966: 37) to the “balanced livestock and crop raising”, in which livestock is bred for the market, dairy products are “occasionally sold”, and crops are raised both for consumption and sale. While “balanced” by the market, monocrop productivity and specialization in European transhumance remains a peasant industry in the framework of which local private initiatives and resources are negotiated with national and macro-regional politics, and are not entirely shaped by them.

- ¹⁴ Commercialization of pastoral products is not a local or simply regional exchange of commodities, but a type of “vertical” trade (see Sidney Mintz 1959 *apud* Gregory 1995: 932) through which rural commodities are sold (usually by wholesalers) on the urban market. According to another theoretical model, the transhumant herders in Southern Transylvania, Northern Greece, and Southern France are not so much involved in “sectional”, as in “network” markets (see Wolf 1966: 40-8). The sectional markets gather peasant communities of diverse crafts or crop specialization in a closed regional system, with some price fluctuations but also freedom of choice. Instead, the characteristics of network markets are the individual, not traditional, decision; external price fluctuation and supply and demand; proliferation of services; and trading middlemen (Wolf 1966: 42-3, 46).

- ¹⁵ In relation to local resources, but also to network trade, transhumance is the dominant economy among the mountain villagers in the Carpathians, Pindos, and Pyrenees. As such, it incorporates “secondary” traditional economies like agriculture and artisanship, or modern professions, like the veterinary surgery. Another example of a modern but also “secondary” industry is ecological tourism, equally reported for Southern Transylvania (Constantin 2003 b: 95), Northern Greece (Sivignon 1968: 28-9), and Southern France (Rinschede 1977: 402-3). It is to be noted that dominant economy of transhumance is not dependent on “traditional” or “modern” criteria, but on productive rotation of intensive and extensive work (i.e. the employment of shepherds and the renting of winter pastures).

- ¹⁶ From the point of view of social organization, a quite particular system of inheritance among the transhumant herders in Europe is given by that of Sarakatsani, the group of Greek-speaking pastoralists in Western Pindos. According to Champbell (1964), the extended family of Sarakatsan unmarried

brothers is a framework of herding cooperation, which implies common residence and joint flock; this domestic unit lasts after the brothers' marriage and even a few years after the birth of children. Division of the common livestock follows the separation of brothers as heads of distinct but virtually new extended families, but in theory it does not occur before the sisters' marriage and their endowment (Campbell 1964: 71-83). The Sarakatsan brotherly domestic group seems not to have similar ethnographic references in Europe today. To some extent, it presents some analogy with the organization of the "house of brothers" among the Jie transhumant herders in Uganda in terms of joint livestock and brothers' marriage and inheritance according to seniority (see Gulliver 1972 [1955]: 49-60). Differences, however, appear at the level of the Jie polygyny and common use of pastures (Gulliver 1972: 29).

¹⁷ Walter Goldschmidt includes (1972: 190) the "Pax Britannica" in Uganda (the British administration after the Great War) among the factors favorable to the local development of Sebei livestock husbandry. Nonetheless, it is also reported that while in the pre-British period transhumance involved the entire Jie population in Uganda, the British authorities were to restrict this in order to stabilize and control the local tribes (see Gulliver 1972: 18).

¹⁸ Tim Ingold summarizes his evolutionary perspective with the sentence: "Pastoralism could no more readily co-exist in the same environment with ranching as could hunting with pastoralism" (cf. Ingold 1980: 254). Economic anthropology of tribal people has, however, provided data on the coexistence of hunting with herding and even with agriculture, such as that for instance among the Bantu population in South and East Africa (see Isaac Schapera 1930 *apud* Herskovitz 1952: 344). Pastoral transhumance in Europe can also coexist with local forms of herding. Thus in the southern parts of the Romanian Carpathians, the transhumance of the "Ungureni" (pastoralists originated in Southern Transylvania) differs from the agro-pastoralism of the "Pământeni" (the local population)(cf. Vuia 1964: 179-83). Similarly, among the Kapatshari (Hellenised Aromanians) in the Lower Eastern Pindos, there exists "transhumant pastoralism and settled village pastoralism" with "mixed agricultural and pastoral production" (cf. Chang 1992: 82). This is another argument not to look only to ecological adaptation in explaining transhumance as an economic specialization.

¹⁹ According to R. Boonzayer Flaes there is no "technical" difference between transhumance and nomadism. Moreover, the development of livestock husbandry, even as a "modern booming sector", is seen as "the end of pastoral nomadism" (Boonzayer Flaes 1981: 88, 95). Pastoral mobility is sometimes described as contrasting with state politics in both socialist (cf. Nandris 1985: 266-7 in Romania) and capitalist contexts (cf. Baticle 1974: 501-2 in the French governmental directive against transhumance on foot). The Aromanian ethnic status of (unrecognized) minority in Greece is

associated with transhumance as a “mobility strategy” and an “‘ideological homeland’ in the mountains” (Chang 1993: 691, 697). On the other hand, however, the state authorities in Europe do support their transhumant communities through diverse programs of “modernization” or “development” (see below, note 38). To return to Boonzayer Flaes’s homology that “transhumance = nomadism”, it obviously ignores both the differences in residence patterns between the transhumant and nomad herders, and the farm organization of transhumance in times of market economy.

²⁰ In contrast to the Protestant ascetic morality, which Max Weber observed (1993 [1904]: 181) as an evolutionary phasis of Western capitalistic development, Paul Spencer believes (1984: 71) the Kenyan pastoral ethic of “rudimentary capitalism” would “probably persist for an indefinite period”. According to other viewpoints (Bonte et al. 1987), pastoral societies in Europe, Asia, and Africa, would increasingly undergo a process of “périphérisation” as they become part of new national structures. Despite the rapid development of “rapports marchands” among herdsmen, their production is “trop directement” exposed to modern types of pastoralism, such as ranching (cf. Bonte et al. 1987: 8). Perspectives of transhumance in Europe are sometimes described in similar skeptical terms (for the “decline” of transhumance in the Pyrenees, see Hourcade 1969: 257). Prediction of the herding evolution in Europe and beyond can, however, be altered by certain political and economic transformations, such as the enlargement of European Economic Community (for the EEC contribution to “revitalization” of transhumance in Northern Greece after 1982, see Chang 1993: 688-9).

²¹ According to Jean Hannoyer and Jean-Pierre Thieck (1984), the pastoralists of the Raqqa region in Syria developed a series of “capitalistic” institutions in the field of local or nomadic sheep herding whereby market arrangements were concluded between sponsors, entrepreneurs, cheese-makers, and shepherds, for the urban sale of cheese. Similarly, “Associations of profit” invested funds in herding in order to breed lambs for the market. A governmental system of credit was built up to support farm herding. However, the Islamic moral, as well as some tribal traditions, restricted the local herders’ market economy, particularly affecting loans for interest (cf. Hannoyer, Thieck 1984: 47-65). The question, then, is to what extent does Western capitalism really work in societies whose traditions are explicitly prohibitive to it? Or, perhaps, are “alternative types of capitalism”, such as “Islamic” ones, to be culturally recognized and theoretically defined?

²² In studying the open-air markets in Central and Eastern Europe before and after 1989, Endre Sik and Claire Wallace identified (1999: 707) a “continuum of informality” among the small-scale traders in the area. This means that Western market institutions, such as supply and demand, entrepreneurship, and negotiated price-making, had or still have to coexist with phenomena

like the lack of trade licenses (Sik and Wallace 1999), trading tourism (Thuen 1999), and ethnic and kinship networks on the market (Wallace, Shmulyar, and Bedizir 1999). *Mutatis mutandis*, we could infer that archaism and tradition in some forms of pastoralism do not exclude interference with external economic systems even though such exchanges or acculturation would reproduce neither that tradition's process, nor those economic systems' development.

23 Even in those situations in which some geographic and ecological isolation still allows for pastoral autarchy to a certain extent, the local herdsmen are not entirely autonomous and self-contained. According to Anne-Marie Brougère (1984), the owners of alpaca and llama herds in Sibayo (the Andes Mountains, 3,900 meters altitude) inhabit two ecological layers in the area, according to the seasons. They have familial rights of pasture ownership and they also mark their animals. Among the Sibayo natives, the animals they graze are believed to be mediators between the humans and gods. The Sibayo herders engage in barter relationships with agricultural communities from lower mountain levels by offering wool and meat in exchange for potatoes and fruits. Local barter is outside the market transactions. However, the Sibayo herders also participate in external market relationships by conceding the wool and meat to middlemen who impose their own prices on the herdsmen. Due to price increase and the difficulties of obtaining the necessary goods, Sibayo herders are preoccupied with forming their own trading association or restoring their traditional barter system (cf. Brougère 1984: 65-77).

24 Claudia Chang and Perry A. Tourtellotte cite (1993) several archaeologists (P. Halstead 1981, J. Lewthwaite 1981; A. G. Sherratt 1981, H. J. Greenfield 1988) who deal with the origin of pastoral transhumance in Europe during Neolithic and Medieval periods. While Sherratt associates transhumance of sheep, goats, and cattle with "the secondary products revolution" in Neolithic times, Greenfield correlates it to the conditions of markets and to climate differences between semi-arid and temperate areas during the post-Neolithic periods in the Balkan Peninsula. Halstead and Lewthwaite claim that transhumance probably has a Medieval origin, related to large-scale deforestation and then to the creation of grasslands in the Eastern and Western Mediterranean Sea (*apud* Chang and Tourtellotte 1993: 252).

25 In his monograph on the Occitan village of Montailou from 1294 to 1324, the historian Emmanuel Le Roy Ladurie provides (1992 [1975]) information on the transhumance in Eastern Pyrenees which is particularly relevant to local pastoral husbandry in Medieval times. As "patrons" (*domini*), local herders owned flocks of several hundred sheep and private pastures. They worked in association or by using the hired labor of employed shepherds. Among local shepherds, pastoral apprenticeship was usually began at the age of 12-14. Herding on the mountain required the teamwork of eight local

shepherds. Montañolones transhumance took place in the lowlands of Aude and Catalonia. Wool was sold at prices ranging to a third of one herd's value. The local economy of transhumance is not subsistence, but a market economy (cf. Le Roy Ladurie 1992: 163-283).

²⁶ According to Romanian historical and ethnographic literature, Medieval transhumance in the Carpathian Mountains would have appeared as a commercial necessity of fourteenth century herders in Southeastern Transylvania. Thus herders from the Braşov area would sell their products in towns such as Brăila (a harbor on the River Danube, Eastern Wallachia), Chilia-Licostomo, and Cetatea Albă-Maurocastron (seaports on the Black Sea, Southern Moldavia)(cf. Panaitescu 1936). On the other hand, the herders from the Sibiu area developed their transhumance in connection with the textile industries in the towns of Sibiu and Braşov, also in the fourteenth century (cf. Bucur 1978). From this perspective, the Wallachian region between the Carpathian Mountains and the Black Sea would have hosted the market economy of Transylvanian herders in Medieval times. Through the Genoese and Venetian competitive trade on the Black Sea during the fourteenth century (Brătianu [1969] 1999: 369-70), Transylvanian transhumance could have been related to the West European economy (on the Genoese commerce at the fourteenth century Black Sea, see also Le Goff 1994 [1956]: 17-8).

²⁷ As already seen, Emmanuel Le Roy Ladurie (1992: 242) evokes the herding "patrons" of Montañolou at the end of the thirteenth century. Romulus Vuia similarly evokes (1964: 156) the "scutar" role in seventeenth century herding in the Carpathians, namely "a kind of entrepreneur" who owned livestock but also gathered under his leadership other herders' flocks to graze them together with "his [employed] people". According to Theodor Capidan (1942: 73) the leading (pastoral but also military and juridical) role of the *teslingas* among the Aromanians in the Pindos has been reported in historical sources since the eleventh and twelfth centuries. However, none of these historical antecedents can account for the direct continuity of such economic roles with the market economy of individual transhumant herders in Europe today. Thus while the decline of *teslingat* as a traditional status is identified in Northern Greece for the postwar period (Campbell 1964: 17-19; Sivignon 1968: 18-19), *teslingas* as rich sheep owners and employers continue to be reported (see, for instance, Chang 1997: 135).

²⁸ As regards the individual but also social implications that the ethic of *Homo economicus* entails, Melville Herskovits writes (1952: 8) the following: "[...] we must not reject Economic Man only to substitute Society as an exclusive formula for understanding economic behavior [...]. The economic unit [...] is the individual operating as a member of his society in terms of the culture of his group". The herdsman as an entrepreneur, then, undertakes his *economic* specialization on behalf of his family's resources and interests,

but also according to the culture of his professional group, which in Central Romania, Northern Greece, and Southern France, is equally a culture of pastoral husbandry. Religion is part of such culture, to be eventually understood as a “total social phenomenon”. In the terms of Marcel Mauss (1969 [1924]: 1), “In these *total* social phenomena [...], all kinds of institutions find simultaneous expression: religious, legal, moral, and economic.”

29 Against the existence of the supply and demand mechanism among herders, we can draw on the European Community policy to subsidize pastoral transhumance. Several kinds of bonuses are granted to herdsmen from the EEC, such as the bonus for sheep ownership (21 euros per capita), the bonus for commercializing ovine products (16.8 euros), and the bonus for performing transhumance (7 euros) (cf. http://www.avocatnet.ro/legislatie/comentata/article_172.html). European funds are, however, targeted at building up a single market economy also for pastoral products – with one of reaction against this being that of “registered authorship” of local or national brands (see *supra*, the chapter on “The EEC legislation on the Transhumance in the Pindos and Pyrenees”). For the recent controversy over the national origins of *brânza* cheese (claimed by Slovakia as the “Slovak Bryndza”, but also made in Austria, Poland, and Romania), see *Rompress* news from May 17, 2004.

30 Management of time as a pastoral resource is not limited to the seasonal cycle of summer and winter transhumance. As different temporal frames shape the practice of transhumance, one could interpret it in terms of “time”, “timing”, “temporality”, and “tempo” according to a scale of time perception proposed by Adam (1995: 508-12). Thus “time” is what is strictly measured by clock and calendar, such as the weekly schedule of Transylvanian woman who sell in the marketplace. “Timing”, instead, refers to the “right time” when pastoral tasks should, or should not, be performed, or when they are expected to be better accomplished. By way of example we have the Pyrenean herder who relies on a “prolific [spring] season of several lambs at a birth” or on the selling season in the fall due to tourists. “Temporality” designates the life cycles or rhythms, for instance the winter and summer amounts of milk production in Margariti village. With regard to “tempo”, as it deals with “time intensity and speed”, it could be related to moments like milking the sheep or bad weather when grazing, which are reported equally in the three cases above (Constantin 2003b: 96; Sivignon 1968: 16; Hourcade 1969: 261-2).

31 Pastoralists are sometimes claimed to live in “symbiosis” with their herds; symbiosis is even seen as an “obligatory interaction between humans and animals” (cf. Kottak 1991: 174). Through selective crossbreeding, however, herders seem to abandon their symbiotic relationships with animals, in favor of their client’s demands. It is generally inferred that “domestication entails control of an animal’s reproductive capacity” (Ellen 1995: 211), while

herding “suppose [...] une transformation plus ou moins accentuée des caractères génétiques et des comportements sociaux de l’animal” (Bonte et al. 1987: 4). As seen before, qualitative crossbreeding is not associated with any type of pastoralism, but with ranching only (Ingold 1980: 239).

32 Status inequality based on livestock and pastures is reported among the pastoralists in Mongolia and Iran (Bonte et al. 1987: 7). However, the political centralization seems not to be a generalized process within the pastoral groups. According to Philip Burnham (1979: 353), except for the Nilo-Hamitic Maasai tribesmen, there is no evidence of any “autonomous tendency toward political centralization and class stratification” in African pastoralist literature. More precisely, “[...] the political fluidity characterizing mobile pastoral societies is a dominant and conservative structural feature which militates against autonomous tendencies toward centralization and class stratification” (Burnham 1979: 355). South Transylvanian transhumants in the seventeenth century lived like a “little republic” (cf. Nicholas Bethlen, 1662, *apud* Veress 1927: 18). Similarly, Aromanians in Northern Greece benefited from 1905 to 1912 of the *millet* status of ethnic and religious autonomy in the framework of the Ottoman Empire (Sivignon 1968: 30; Schein 1974: 91). Despite such ephemeral rights of autonomy, none of the above pastoral groups ever succeeded in founding its own political entity. Based on their social organization, the rich herdsmen in Europe did not build any hereditary class structure despite Capidan’s claims (1942: 72) that *tselingat* was hereditary “in the past”, whereas Ott (1993: 156) speaks of the inheritance of the pastoral rights within the syndicate of *olha*.

33 Clearly, such “autarchic”, meaning self-containing, villages are hard to find in post-socialist Romania. The rural problematic among the Romanian peasants today is centered around issues like agricultural decline, the delay of land restitution, and the unemployment of former urban workers (see Mihăilescu 1996: 3-24; Sandu 2003: 247-58; Verdery 2002: 5-33). Field research is thus preoccupied with identifying local “peasant types of strategies in the economic transition” (Mihăilescu, in Ialomița county, South Romania), “rebuilding sociability in depopulated village communities” (Sandu, in Sibiu-Brașov area, Transylvania), and “official obstructionism in the land restitution” (Verdery, Hunedoara county, Transylvania). “Autarchy”, then, if it is possible to identify, is here a euphemism for the relative socio-economic isolation of many peasant communities in contemporary Romania, which is not the case of transhumant villages in Southern Transylvania.

34 In analyzing the question of capitalization of resources in nonliterate societies, Melville Herskovitz focuses (1952: 299, 302) on the triad of “land, labor, and capital” to specify that “it should be evident that no society exists where all of the three – labor, land, and capital – are not found [...]”. In relation to concepts of land, labor, and capital, Herskovitz adds the “corresponding” triad of “rent, wages, and interest”. Could such a theoretic

scheme have any heuristic value with regard to pastoral transhumance in Europe? The three pastoral resources of above – pastures, transport, and labor – are first of all empirical field data on transhumance in the Carpathians, Pindos, and Pyrenees. And, while “pastures” and “labor” seem to conform to Herskovits’s scheme, equivalency between “capital” and “means of transport” depends on the degree of pastoral investment. Correlation between “capital” and “interest” is equally relevant for “pastures”, “hired labor”, and “means of transport” since each asks for financial advance and expects profitability.

35 The herders’ market choice of urban clients suggests that the point of distribution is not simply “to sell” but also to allow for some “consumption” peculiarities. According to Susana Narotzky (1997: 103-38), consumption must be seen not only as “the termination of the economic process”, but also as “social consumption”, to be approached in terms of “consumption networks” (in lieu of “consumption units”). While engaged in “network trading” (see note 14 above), herders address not so much “target buyers” (as their market involvement is seasonal only), as a “client network”, which includes merchants, butchers, tourists, and so on.

36 Making and development of pastoral ownership in Central Romania, Northern Greece, and Southern France is a process of herding husbandry and market involvement as well. Breeding choices for some ovine races, such as *turcana* in Southern Transylvania (Vuia 1964: 156) or *merinos* in Eastern Pyrenees (Baticle 1974: 492-3), are thought of in terms of animal adaptation to transhumance. Similarly, the sheep division between milking ewes (*mânzări*, in Romania, *zaguria* in Greece) and the sterile ewes (*sterpe*, in Romania, *sterfa* in Greece) is undertaken as a productive strategy (cf. Vuia 1964: 153; Campbell 1964: 19). The tendency of private appropriation of communal pastures in the Pindos (Sivignon 1968: 15) and Pyrenees (Rinschede 1977: 392) is nevertheless counter-balanced by local auctions for hiring the communal lands (see *supra*, “The Resources of Transhumant Economy”). Among the Romanian and Aromanian, and Sarakatsan transhumants in Southeastern Europe, circulation of pastoral ownership is still regulated by endogamy and patrilineal inheritance (see *supra*, “The Social Organization of Transhumance”). Beyond the kinship control or supervision of property, however, herders in the Carpathians, Pindos, and Pyrenees do capitalize a part of their ownership, given the “marketability” of pastoral resources and products. With respect to the making of an entrepreneurial class within peasant societies, Raymond Firth speaks (1964: 28) of “[...] the ability of these entrepreneurs to utilize and aggregate the savings of their kinsfolk for profitable investment”.

37 As it is known, the contribution of Karl Marx to the theory of commodity is that of understanding labor also as a use and exchange value. He claims (1948 [1867]: 193) that “As the commodity itself is the unity of use and

exchange value, its production process must be the unity of the process of labor and of value formation". The worker, continues Marx, adds a new value to the object of his labor. Unlike the "constant capital" of "means of production", the labor power changes its value through the production process into the "variable capital" of the "surplus value", namely the labor surplus, which is appropriated or "alienated" by the "seller of labor power" (cf. Marx 1948: 199, 203, 211). As described above, the poor co-villagers of transhumant herders are wageworkers as are the foreign hired shepherds. However, while the shepherds' [seasonal, rather than permanent] labor can be seen in terms of "surplus value formation", this is not the case of co-villagers too. The labor "trade" is indeed at work in both situations, but the poor villagers' pastoral knowledge and mastery may be seen as another "capital", to be converted eventually into new labor and ownership arrangements, which cannot necessarily lead to "class" differentiation between "labor buyers" and "labor sellers".

³⁸ The state involvement in modernizing pastoralism in Communist Romania may be compared with state investments in countries that now belong to the European Economic Community: in 1957 the Greek government supported the foundation of the wool artisanship factory in Samarina (Sivignon 1968: 22-3), while the French Ministry of Agriculture subsidized the building of pastoral facilities (such as stables) at below market prices from 1976 to 1982 in Central Pyrenees (Barrué-Pastor 1986: 109). However, such "top-down" national politics in herding assistance are quite rare as concerns the transhumance in the Carpathians, Pindos, and Pyrenees, unlike the basic development program of the "national parks" for Lapp herders in Finland (Aikio 1983: 72) and the protected grazing areas in Siria (Hannoyer, Thieck 1984: 58).

³⁹ According to another authority of the Romanian Ministry of Agriculture, starting in 2007 (the year of Romania's scheduled accession to European Economic Community [EEC]), transhumant herders in Romania will benefit from the same subsidies as in EEC countries (see *supra*, note 29). While reported today in the areas of Sibiu, Braşov, Hunedoara (in Transylvania), and Gorj (in Wallachia), Romanian transhumance would be supported depending on minimum livestock owned, which ranges from 10 to 20 sheep (see the *Gardianul* newspaper on November 11 2003).

⁴⁰ The increasing need for summer grazing pastures seems to be a major concern among the herders of the Pyrenees in the 1990s. A recent document (1998) entitled "Le contrat pastoral pyrénéen" aims at "tenir et entretenir un domaine pastoral collectif de haute altitude de 500.000 ha d'estive" and at "consolider ou créer 250 emplois salariés de bergers/vachers qualifiés". After the reforms of the Politique Agricole Commune in the 1990s, "[...] le pastoralisme montagnard de haut altitude se voit confronter à partager l'espace avec d'autres activités, par exemple de conservation (parcs naturels,

zone à ours, ...) ou récréatives (randonnées, chasse...)"'. As a result, the document emphasizes the Pyrenean herders' development program of preserving or restoring "l'eau, l'air, l'espace, le patrimoine génétique et culturel, les produits de qualité, le travail et l'emploi" (see *Magazine Transhumance*, site http://www.apem.asso.fr/magazin/D1_30_98.htm).

41 Fernand Braudel conceptualizes (1989 [1979]: 14) the "économie-monde" as a "[...] a fragment of the world, a part of Earth, economically autonomous and essentially able to satisfy itself, whose links and internal changes provides it with some stability". Braudel's concept seems, in our viewpoint, to fit the EEC policy of building a single market in Europe today. According to Ceccini Report (1988, *apud* Isachsen, Hamilton, and Gylfason 1992: 60): "The European Community is making rapid progress toward its goal of establishing a single market by the end of 1992. By that time, goods, services, capital, and labor will flow freely within the twelve countries of the Community. Their national borders will thus be effectively abolished. [...] First, each Community member will have access to less expansive goods, services, labor, and capital in a single European market than would be the case if each country were confined to its own domestic market. [...] Second, for some goods and services, production can be organized more efficiently, and less expansively, on a large scale in the Community as a whole than is possible in individual member countries."

42 In Eric Wolf's view, "The ecological adaptation of peasantry [...] consists of a set of food transfers and a set of devices used to harness inorganic sources of energy [wood, water, wind] to the productive process. Together, these two sets make up a system of energy transfers from the environment to man. Such a system of energy transfers we call an ecotype". From an ecological point of view, Wolf's definition of peasant ecotype is *mutatis mutandis* similar to the definition of pastoral transhumance according to European Economic Community (see *supra*, the chapter "EEC legislation on the Transhumance in the Pindos and Pyrenees").

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LES LIBÉRAUX, L'ETAT ET LA NATION : LE DÉBAT PARLEMENTAIRE DE 1866 SUR LE BICAMÉRALISME

Dans la séance de l'Assemblée Constituante de 25 juin 1866, le député libéral Nicolae Ionescu rejette catégoriquement le législatif bicaméral :

Au nom des constitutions modernes nous ne pouvons pas admettre aujourd'hui le système bicaméral, qui chez nous ne se retrouve ni sur le terrain du droit national, ni sur le terrain de la stricte légalité. Si vous souhaitez que l'autonomie soit une réalité, que l'union soit le piédestal de notre nation, si vous souhaitez répondre aux souhaits unanimes du peuple, n'admettez pas cette institution blâmable chez nous, condamnée par le bon sens du peuple entier¹.

Nous y trouvons les thèmes principaux que les libéraux de la Constituante avancent afin d'empêcher l'institution d'une seconde chambre législative, le Sénat.

Cette étude se propose d'examiner les positions des députés libéraux dans ce débat sur la composition du législatif, tout en essayant de voir la manière dont s'est constitué un certain libéralisme roumain, exprimé à travers les débats sur l'aménagement institutionnel et la construction de l'Etat-nation². A travers l'identification de quelques thèmes majeurs qui préoccupent les représentants de la nation, cette étude entend analyser la manière dont ils ont projeté, et à la fois justifié, l'aménagement de l'Etat et de son dispositif institutionnel et constitutionnel. Les arguments des députés libéraux seront privilégiés. On démontrera que l'aménagement du législatif contribue avant tout, dans la vision des parlementaires roumains, à la stabilité de l'Etat et à la consolidation de l'union de 1859³, mais également de la « fraternité » à travers le processus législatif. Par cela même l'analyse essaiera de mettre en évidence quelques caractéristiques importantes de la modernité politique roumaine, en

s'appuyant sur un terrain documentaire – les débats parlementaires – soit négligé et insuffisamment exploité, soit encastré dans les grilles idéologiques de l'historiographie national-communiste.

Cet article se limitera donc à esquisser quelques directions de réflexion pour reconsidérer les lignes fortes du discours des parlementaires libéraux roumains. Il essaiera de traiter le Parlement comme un objet d'étude en soi, en tant qu'espace politique privilégié de production de l'Etat-nation.

La perspective d'ensemble s'inscrit, par sa dimension sociopolitique, dans une approche selon laquelle le politique englobe le social, parce que les actions historiques seraient orientées par les pensées et les discours politiques, le politique étant un endroit privilégié d'action de la société sur elle-même⁴. C'est une approche qui se propose de restituer des problèmes plus que de décrire des modèles, persuadée que « les délibérations rationnelles et les réflexions philosophiques élevées ne sont pas dissociables des passions et des intérêts », des contingences donc⁵.

L'étude des prises de position des membres individuels de la mouvance libérale (« praticiens de la politique⁶ ») a une justification d'ordre historique. La première moitié du XIX^e siècle roumain est caractérisée par une intense confrontation d'idées et de positions adverses, mais il ne s'agit pas encore de formations politiques structurées. Pendant les premières années de la monarchie constitutionnelle, les orientations libérales et conservatrices se croisent dans l'espace public, mais la constitution des partis politiques et de leurs programmes cohérents a lieu plus tard (le Parti National Libéral en juin 1875, le Parti Conservateur en février 1880⁷). Même s'il est encore trop tôt à cette époque pour parler de discipline partisane ou de doctrines cohérentes, éventuellement unitaires, et même si la vie politique est caractérisée par une assez forte mobilité parlementaire, il est indéniable que les élus de la nation se définissent (et se perçoivent réciproquement) soit comme libéraux, soit comme conservateurs, et se regroupent dans des factions d'orientation doctrinaire assez claire (ou du moins perçue comme telle à l'époque).

De nombreux ouvrages ont été dédiés à l'étude des mouvances libérales et conservatrices de la vie politique des premières années de la monarchie constitutionnelle. La grille idéologique domine les études publiées pendant la période communiste : le groupe conservateur, « rétrograde », défenseur des intérêts féodaux, y est âprement critiqué, tandis que la préférence des historiens se dirige vers la famille libérale, surtout vers les libéraux radicaux, de telle manière que l'époque est uniquement présentée sous

l'angle de la confrontation entre ces groupes politiques et de leurs formules proposées en vue de la modernisation⁸.

Il existe quelques monographies récentes des partis politiques, publiées pendant la dernière décennie⁹. Mais une synthèse tant soit peu exhaustive du mouvement libéral depuis ses débuts, surtout pour le XIX^e siècle, attend encore son auteur (les difficultés les plus importantes étant liées à l'accès aux archives et à leur précarité¹⁰).

Les études (surtout historiques) dédiées aux premières années de la monarchie constitutionnelle sont trop souvent prisonnières (par cela même réductives) de la grille du déterminisme national. L'étude historique placée sous l'idéal de l'unité nationale a négligé les divergences qui ont parsemé la consolidation pratique de la monarchie constitutionnelle. Néanmoins, de nombreux ouvrages de la dernière décennie ont appliqué à cette période une grille de lecture beaucoup plus diversifiée (histoires politiques¹¹, reconstitutions des modèles de développement et de modernisation¹², synthèses d'histoire politique et encyclopédies politiques¹³, histoires constitutionnelles¹⁴, monographies des partis politiques). Cette étude essaiera d'y apporter sa modeste contribution.

Qui sont les libéraux ?

Les recherches entreprises pendant les dernières décennies, notamment les recherches historiques, communément admettent de classer les parlementaires roumains du XIX^e siècle selon les « étiquettes » de « libéral », « conservateur » ou « libéral radical ». D'autres adjectifs sont parfois ajoutés à ces appellatifs de base. Ce sont, certes, des classifications opératoires qui facilitent les études ultérieures. Néanmoins, cet étiquetage reste le plus souvent assez opaque : ses raisons ne sont pas claires, comme s'il s'agissait d'un *a priori* de la recherche (tout le monde sait que Mihail Kogălniceanu était un libéral !), ou bien il relègue au second plan – lorsqu'il ne les ignore pas délibérément – les nuances, les contradictions, les couleurs moins fortes des députés communément admis comme « libéraux ». Une certaine tendance à travailler avec des évidences peut y être décelée.

C'est une perspective d'analyse inaugurée par A.D. Xenopol dans son *Istoria partidelor politice în România [Histoire des partis politiques en Roumanie]*¹⁵, source d'inspiration qui fait autorité depuis. L'historien considère que le « parti national » – c'est-à-dire les défenseurs de la

cause nationale, de la libération de sous l'occupation étrangère – a été à l'origine de la vie partisane roumaine. Par la suite, le groupe libéral (« c'est-à-dire l'esprit libéral ») s'est coagulé pendant la révolution de 1848 et il est devenu, « afin de réaliser plénièrement son programme », « le défenseur et de la liberté et de la nationalité », tandis que le groupement conservateur « a reculé sur la voix nationale afin de défendre sa position privilégiée »¹⁶.

Les écrits, le plus souvent partisans, des témoins de l'époque, ou les interprétations ultérieures datant de la fin du XIX^e siècle et du début du XX^e siècle suivent la même perspective d'analyse¹⁷.

Les histoires du Parti National Libéral et du Parti Conservateur jusqu'à la date de leur constitution étudient en fait le parcours politique des « groupes » d'orientation libérale et elles admettent que le proto-groupement partisan se constituait autour de certaines personnalités¹⁸. Le résultat en est que seules ces personnalités-leaders sont étudiées, les autres représentants de la mouvance libérale étant relégués à l'arrière plan ou même ignorés. En sachant que par la suite les groupes d'orientation libérale se sont unifiés dans un seul parti, ces mêmes études historiques finissent par chercher (et retrouver) la même cohérence idéologique pendant la période d'avant 1875.

A travers l'examen des arguments des constituants autour de la nécessité d'un législatif bicaméral, cette étude ne se propose pas de rejeter les « étiquettes » déjà établies et les appartenances partisans acceptées par la littérature scientifique et historique, mais de mettre en évidence les nuances du discours libéral, son contenu, ses termes majeurs de références, et surtout l'auto-définition des députés selon la grille idéologique¹⁹. L'étude s'interroge sur la réalité libérale comprise avant tout comme discours et comme ensemble de prises de position sur des enjeux spécifiés, à travers une expérience historique bien précise²⁰, la construction de l'Etat-nation, et à travers les débats politiques et institutionnels. En d'autres termes, par une telle approche on tentera de découvrir quelques spécificités du libéralisme roumain en tant que discours libéral justificateur de pratiques, de perceptions, de prises de position au cœur de la controverse sur les institutions. Cette grille de lecture vise à déterminer des enjeux et des thèmes de débats, tout en prêtant une grande attention aux auto-définitions des libéraux et aux références du discours parlementaire qui renvoient à des thèmes ou à des points forts du libéralisme.

L'étude du discours libéral et de la pratique libérale dans l'aménagement de l'Etat-nation se justifie d'autant plus que la politique est devenue en Europe, au XIX^e siècle, une affaire d'opinion, dans le sens où « le pouvoir se faisait bavard, par la force même de la civilisation ». Le pouvoir se doit désormais de proposer, d'opiner et de débattre avant d'exiger, afin de convaincre, d'où l'importance du discours politique comme moyen de gouvernement²¹.

Les libéraux et la nation au XIX^e siècle

L'étude des débats parlementaires pendant les premières années de la monarchie constitutionnelle a au moins une double justification. Tout d'abord, le moment 1866 signifie l'institution de la monarchie constitutionnelle en Roumanie et il est perçu par les contemporains comme l'aboutissement des idéaux politiques poursuivis depuis 1848 : élections pour une Assemblée Constituante en avril 1866 ; le 1^{er} mai 1866 proclamation de Charles Louis de Hohenzollern comme prince héritier de la Roumanie sous le nom de Charles I^{er} ; le 11 mai 1866 constitution du nouveau Conseil des Ministres, le premier gouvernement de la monarchie constitutionnelle ; le 1^{er} juillet 1866 entrée en vigueur de la Constitution débattue dans l'Assemblée Constituante entre le 28 avril et le 6 juillet 1866²².

Et ensuite, la période comprise entre novembre 1866 et le 11 mars 1871 est dominée par les libéraux : ils détiennent en général la majorité au Sénat et à la Chambre des députés et la présidence du Conseil des Ministres²³. Les cinq premières années de la monarchie constitutionnelle ont été caractérisées par une forte instabilité gouvernementale et parlementaire et par un certain manque de rigueur de la vie politique. En cinq années, jusqu'au 11 mars 1871, lorsque le gouvernement conservateur de Lascăr Catargiu a mis fin à cette instabilité, 10 gouvernements se sont succédés au pouvoir et ont eu lieu plus de 30 modifications ministérielles, tandis que la durée moyenne du maintien au pouvoir des gouvernements n'a pas dépassé six mois²⁴. Pendant la même période, le législatif a été dissous à six reprises – autant de faits à partir desquels on a pu affirmer que l'effervescence politique était encouragée par la nouveauté du système parlementaire introduit par la Constitution de 1866 ; pour une brève période, « le Parlement a été son propre maître et il a constitué le plus important facteur dans la vie politique du pays »²⁵.

L'argument conjectural ne saurait pas à lui seul justifier l'analyse des débats parlementaires des premières années de la monarchie constitutionnelle. L'attention particulière prêtée aux députés libéraux – sans les couper de l'ensemble du débat – dans la construction de l'Etat-nation s'explique par le fait que les libéraux du XIX^e siècle assument une ambition modernisatrice²⁶, tout en revendiquant la filiation avec les idées quarante-huitardes : progrès, liberté, égalité, indépendance. Le caractère inédit de la nouvelle situation n'échappe pas aux parlementaires roumains, conscients qu'ils étaient de la nécessité de consolider le très jeune Etat-nation. Néanmoins, il est communément admis que dans l'Europe du Sud-Est, le passage du traditionalisme (impérial ou autre) au libéralisme moderne et au parlementarisme a été abrupte : le libéralisme de la classe politique n'a pas été un pont entre la tradition et la modernité, mais un mur de séparation, avec des implications profondes sur la culture politique²⁷.

L'ambition modernisatrice se retrouve également dans la fusion du libéralisme avec les idéaux nationaux et avec le nationalisme tout au long du XIX^e siècle, plus précisément jusqu'aux dernières décennies du siècle. Cette première phase du nationalisme, la phase libérale, serait la caractéristique des années 1789-1870, selon certains auteurs. Le libéralisme et le nationalisme de cet époque ont nécessairement fusionné car les Etats anti-libéraux étaient anti-nationaux aussi. De surcroît, à cette même époque, le nationalisme a été associé au libéralisme car les deux idéologies se sont identifiées à l'idée de progrès, au réformisme et aux valeurs de la classe moyenne : individualisme, progrès économique, représentation politique, liberté de la presse, bureaucratie étatique efficace, gouvernement limité, unité politique. A ceux-ci s'ajoutent à l'Est du continent une sensibilité accrue pour l'affirmation politique et culturelle des « nations sans histoire »²⁸.

Comment « lire » le libéralisme des parlementaires roumains ?

Cet article se propose donc d'étudier les nuances du discours des libéraux roumains sur des enjeux spécifiés, ses thèmes majeurs de référence au cœur de la controverse sur les institutions. Il s'agit donc de distinguer entre les élaborations théoriques du libéralisme *et* sa pratique

effective, les enjeux politiques concrets auxquels les parlementaires doivent donner des réponses.

Une telle démarche doit prendre en considération, tout d'abord, une grille ou des critères d'évaluation (d'interprétation) pour reconnaître la spécificité du discours des libéraux roumains et surtout pour définir ce que l'on comprend par le libéralisme (ses élaborations théoriques, sa doctrine). C'est l'analyse critique par rapport à « l'histoire intellectuelle du libéralisme »²⁹ qui intervient ici. C'est ce qui permet la référence à des *topoi* majeurs (en quelque sorte « permanents ») de la pensée libérale et leur identification³⁰.

Ensuite, l'analyse critique des libéraux et des spécificités du libéralisme roumain des premières années de la monarchie constitutionnelle doit se rapporter également aux grandes figures libérales de l'époque (« des praticiens de la politique », pour reprendre l'expression de Claude Nicolet) des aïrs de contact des hommes politiques roumains. Certes, les contacts avec la France et avec Paris, les éventuelles influences doivent être prises en considération. Quoique parfois les données exactes manquent, il est indéniable que la majorité de la classe politique roumaine, celle libérale comme celle conservatrice, au pouvoir pendant la période étudiée est de formation intellectuelle française. Les docteurs en droit formés à Paris prédominent³¹. Le parcours intellectuel et les contacts politiques avec l'espace français permettent, peut-être, de dégager l'influence des libéraux français sur la mouvance libérale roumaine.

Finalement, cette étude essaie avant tout de recenser la manière dont les parlementaires roumains eux-mêmes s'engagent dans la comparaison ou dans la tentative d'emprunt. Une pareille démarche se garde de comparer les influences ou les éléments communs du libéralisme français ou autre sur les libéraux roumains, même si, il faut de nouveau le souligner, il est possible de déceler une assez forte orientation française au sein de la classe politique roumaine.

Par conséquent, la comparaison est l'objet de cette étude, et non sa méthode. Car le but de cette étude est d'examiner les aspects qui définissent et expliquent la nation dans ses résonances pratiques (politiques, économiques, sociaux), dans le contexte de la modernisation afin d'accentuer la production historique et contextuelle de l'Etat-nation et d'un certain libéralisme. Il faut essayer de saisir la « réalité » des parlementaires roumains, leurs projets et leurs divergences dans la construction de l'Etat-nation. Une grille de lecture pareille se doit de

tenir compte du contexte³² historique local (et international) qui détermine le caractère et le contenu des concepts-clés, de même que leur sélection (ce que l'on « prend » du modèle occidental), et la manière dont ils sont utilisés dans les débats parlementaires. L'étude des arguments des parlementaires permet de mettre en évidence la résonance locale des concepts et des réalités imposées par la nécessité de la (ré)intégration dans le contexte européen. Dans l'analyse, il s'agit de suivre les nécessités locales, ouvertes vers l'extérieur, auxquelles les parlementaires cherchent des réponses et des solutions. Il est vrai, certes, que la classe politique roumaine se trouvait à l'époque sous le signe de l'émulation occidentale et que l'Occident « civilisé » représentait pour ces élites « occidentalises » le centre-étalon pour leurs jugements: un centre de symboles, de valeurs et de croyances, et non pas simplement un centre spatial. Il s'agit d'un « modèle »³³ européen qui s'auto-privilégie grâce à sa force historique, économique, politique.

D'où la nécessité de ne jamais oublier le contexte social et historique dans lequel les idées et les concepts ont surgis et ont été introduits dans l'espace roumain³⁴. Car il n'y a pas d'« importation pure », tout processus d'importation implique une adaptation. Les modifications apportées dans le processus d'importation sont l'objet privilégié de l'histoire des idées. Ainsi, on peut identifier un danger majeur de la comparaison comme méthode. Depuis le début du XIX^e siècle, l'Occident et sa pensée politique, de même que la politique et les pratiques occidentales ont constitué la référence et la source d'inspiration pour les auteurs et les hommes politiques roumains. C'est ce qui explique le fait que l'utilisation des références de la pensée politique occidentale intervient afin de marquer les repères généraux de l'évolution, mais elle n'intervient pas moins pour déchiffrer le sens de certains concepts³⁵. Un autre élément qui complique l'analyse, c'est que le profil idéologique des libéraux roumains doit être établi en fonction de la tradition intellectuelle du libéralisme, une tradition de pensée qui est née et qui s'est développée dans l'Europe occidentale³⁶.

Dans une enquête pareille, qui essaie de retrouver l'affiliation d'une idée et son contexte et qui tente de se reporter à une histoire intellectuelle, une autre précaution s'impose. Il faut distinguer avec minutie les convergences (qui ne présument pas toujours une influence) des influences proprement-dites. Il faut éviter « de s'écarter du contexte socio-historique duquel les idées ont surgi, sauf à les dissoudre dans des continuités purement formelles reposant *in fine* sur l'analogie »³⁷. Il est également

vrai que, si la réflexion peut être égarée par des analogies trompeuses, elle gagne aussi en se confrontant à la distance d'expériences singulières.

Il y a d'autres raisons encore pour rejeter la comparaison comme méthode dans une étude comme celle-ci. Il est très difficile de saisir ce que les hommes politiques apprennent vraiment dans leurs contacts avec les pays occidentaux et leurs systèmes politiques. Il peut y avoir une différence entre ce qu'ils apprennent vraiment et ce qu'ils prétendent apprendre, sans éliminer l'éventualité de la perception erronée de l'expérience française ou toute autre, et sans éliminer de même la possibilité de la perception erronée volontaire afin de justifier des stratégies et des actions politiques autochtones. A ceci s'ajoute la difficulté de mesurer les influences réciproques : les continuités et les discontinuités des histoires partagées et imbriquées (« shared and entangled histories ») entre les sociétés occidentales et non-occidentales imposent la précaution³⁸. D'autant plus que le concept d'« influence » est reconsidéré aujourd'hui par la perspective des « cultural studies » ou des études sur le post-colonialisme (pour ne mentionner que deux directions de recherche majeures), ou même évité afin d'éloigner toute suspicion ou accusation d'excès hégémoniques. Il en subsiste la notion de « transfert culturel » afin de répondre à la nécessité d'expliquer les contacts entre les cultures³⁹.

Il faut également mentionner à cet égard deux risques majeurs de la comparaison comme méthode. D'abord le risque de perdre la trace complète des références qui ont été réellement utilisées par les libéraux et les parlementaires roumains. Et puis, il y a le risque pour le chercheur d'inventer des relations de différenciations compliquées, au-delà de l'intention des acteurs.

Les débats de la Constituante de 1866 : la tradition et le principe de l'unité

Les députés de la Constituante travaillent sous la pression du temps. L'Assemblée, issue des élections d'avril 1866, démarre ses travaux le 28 avril 1866. Elle débat et approuve le projet de constitution élaboré par le Conseil d'Etat (en février 1866) et accepté par le Conseil des Ministres⁴⁰, ce dernier étant présidé depuis le 11 mai 1866 par Lascăr Catargiu, le premier gouvernement de la monarchie constitutionnelle⁴¹. Le projet de constitution est déposé à l'Assemblée Constituante dans la séance du 1^{er}

mai 1866, il est débattu dans les sections et la discussion générale est ouverte dans la séance du 16 juin.

L'article 27 du projet de constitution que le Conseil des Ministres soumet aux débats de la Constituante prévoit un parlement monocaméral (« Les pouvoirs de l'Etat appartiennent au Prince régnant et à l'Assemblée générale »). Le Titre III de ce projet, les articles 60-84, décrivent les attributions, la fonction et la composition de l'Assemblée⁴². Le Comité des délégués des sections de la Constituante a modifié ces articles en introduisant un législatif bicaméral⁴³. Au cours des débats, les arguments en faveur ou contre une seconde chambre, le Sénat, sont tout aussi vifs que lors des discussions sur d'autres thèmes majeurs. Les défenseurs du Sénat l'emportent. Charles Ier a eu une influence importante sur ce résultat : le Sénat est en fin de compte maintenu, ayant les mêmes attributions que l'Assemblée et sans avoir droit d'intervention dans le vote du budget⁴⁴. Le texte final de la Constitution, l'article 32(2), prévoit : « La représentation nationale se divise en deux Assemblées : le Sénat et l'Assemblée des députés »⁴⁵.

L'intervention de Nicolae Ionescu, une des plus longues et des plus élaborées, pendant la séance du 25 juin 1866, exprime de la manière la plus claire les arguments des députés libéraux qui défendent le législatif monocaméral. Les interventions des députés dans ce débat permettent d'établir la position des orientations libérales et conservatrices par rapport à la formule législative⁴⁶. D'après le contenu argumentatif des interventions, les porte-parole des deux « camps » sont Nicolae Ionescu, pour les députés d'orientation libérale, Aristide Pascal et Nicolae Blaremborg, pour les conservateurs⁴⁷. On se limitera ici à analyser leurs articulations principales dont les éléments clés sont : l'invocation de la tradition et de l'expérience constitutionnelle roumaine ; l'impératif de l'unité ; le modèle des Etats occidentaux.

Les défenseurs du législatif monocaméral font avant tout référence à la *tradition* du pays et à son expérience constitutionnelle, à l'« esprit public » autochtone. Pour eux, le Sénat n'a pas de justification historique car l'espace roumain n'a connu ni la féodalité, ni la chambre territoriale. Selon la tradition, une seule Assemblée a toujours pris les grandes décisions : le prince, les nobles, le clergé et même les paysans, le « pays entier », « toutes les classes » s'y réunissaient pour prendre les décisions⁴⁸. Cet argument est clairement résumé par le député libéral Petre Cernătescu :

Le pouvoir féodal n'a jamais existé chez nous ; le prince [*Domnul*] a toujours été un souverain absolu. Lorsqu'il devait prendre une décision dans une circonstance difficile, il s'adressait au pays entier, à la justice [*dreptate*], et non pas à une seule classe. Chez nous, nous le savons très bien, il n'y a jamais eu de noblesse héréditaire, seulement personnelle⁴⁹.

Les adversaires du Sénat font légitimement référence à l'histoire constitutionnelle autochtone, courte, il est vrai, mais dominée par l'option pour un législatif monocaméral censé représenter les classes et les intérêts différents. Par exemple, le prince moldave Grigore Vodă Ghica, dans un mémoire envoyé à Constantinople en 1857, se prononçait pour une seule assemblée législative. Le projet de 1857 du prince Barbu Știrbei prévoyait une seule assemblée, accompagnée d'un conseil d'Etat. D'autres mémoires et projets de constitution de ces années défendaient le législatif monocaméral⁵⁰.

Le député libéral Nicolae Ionescu fait référence à la « légalité stricte » pour défendre le législatif monocaméral, en précisant la différence entre le droit (*drept*) et la légalité (*legalitate*) :

Le droit est éternel ; la légalité change selon les degrés de culture du peuple. C'est la raison pour laquelle la légalité impose plus de respect aux vrais conservateurs et en général à tous ceux qui chérissent l'ordre. Les conservateurs les plus éclairés admettent toute modification ou institution, même des plus progressistes, mais seulement si elle procède de la légalité⁵¹.

Dans le cas de l'introduction du Sénat, la légalité signifie pour ce député « la grande légalité », celle à laquelle « le peuple entier, toutes les classes unies ont contribué ». Il s'agit de la légalité des divans ad-hoc de 1857⁵² qui ont demandé une seule Assemblée⁵³. Etant donné que le prince héréditaire, l'autonomie des Principautés, et même leur union ont été prévus lors des divans ad-hoc, Nicolae Ionescu encourage les députés, en vertu du principe de conséquence, à respecter les souhaits des divans en ce qui concerne le législatif monocaméral également⁵⁴. A ses yeux, la légitimité du législatif tient exclusivement du fait qu'il est élu par le peuple (*plebe*), la « volonté de la nation » étant ainsi exprimée et « nos traditions » respectées. En conséquence, il faut rejeter le Sénat car il ne se trouve ni sur le « terrain du droit national », ni sur celui de « la stricte légalité »⁵⁵. Il s'agit pour les libéraux de rejeter le Sénat en vertu du principe de la continuité institutionnelle. La question du Sénat constitue

également un des terrains sur lesquels se manifeste la définition de la représentation : les libéraux entendent être les interprètes fidèles de la volonté populaire.

Le même argument – la conformité à la tradition institutionnelle roumaine – est utilisé par les conservateurs. Pour eux, les conseils ou les divans des boyards de l'Ancien Régime sont les précurseurs du Sénat, et la noblesse a toujours œuvré dans l'intérêt de la nation. Nicolae Blaremburg apporte des preuves livresques et historiques à ce sujet : il lit des fragments de *Histoire de la Valachie* de M. Kogălniceanu, de *Istoria Daciei* [*Histoire de la Dacie*] de Fotino, il fait référence à d'autres documents historiques (le Code Basarab, des manuscrits publiés dans *Magazin istoric pentru Dacia* (Prospect) [*Magazine historique pour la Dacie* (Prospectus)] par N. Bălcescu, la correspondance commerciale de la France avec l'Orient, le rapport d'un missionnaire italien sur la Valachie dans les années 1679-1688) – le tout pour démontrer que le Sénat a existé dans les Principautés roumaines, sous la forme du conseil ou divan des boyards, depuis leur fondation⁵⁶. Blaremburg va jusqu'à contester la légitimité du vote des divans ad-hoc concernant le législatif monocaméral, puisque

les idées d'organisation acceptées [par les divans] [...] ne sont ni fondées sur un argument sérieux, ni investies de cette autorité irrécusable que seules la science ou une longue expérience peuvent donner. [...] A part cela, depuis quand une génération peut lier les autres générations⁵⁷ ?

Certains historiens roumains considèrent que, en ce qui concerne les institutions, le groupe conservateur a été en faveur du Sénat « dès le début de notre vie parlementaire ». Par exemple, en 1861, D. Ghica écrivait à A. Arsachi à Focșani que sa proposition pour un législatif bicaméral – que la Commission centrale devait discuter – lui semblait naturelle, car la création du Sénat garantissait de la meilleure manière l'équilibre des pouvoirs. Par contre, tous les libéraux ont soutenu le système monocaméral dès l'époque des divans ad-hoc. Alors que les conservateurs, fidèles à leur option, souhaitaient la constitution d'un Comité législatif (au lendemain de l'intégration administrative des Principautés, dont la responsabilité revenait à la Commission centrale de Focșani), lors des débats parlementaires de 1862, M. Kogălniceanu et I.C. Brătianu, au nom des libéraux, ont rejeté le projet de constitution d'un tel Comité (ce Comité a été finalement créé en 1862, à la suite du

vote d'une Assemblée dominée par les conservateurs). En dépit de son opposition envers ce Comité, Kogălniceanu a reconsidéré sa position en février 1864 lorsque, en tant que chef du gouvernement, il a soutenu la nécessité de la création d'une institution capable d'assurer l'équilibre entre les puissances exécutive et législative, c'est-à-dire le Sénat⁵⁸.

Ce furent les Règlements organiques, votés en 1831, qui ont séparé pour la première fois dans les Principautés roumaines le pouvoir législatif des pouvoirs exécutifs et judiciaires et qui leur ont donné la première assemblée électorale. La question de la représentation nationale dans les Principautés a été par la suite débattue dans les conférences de Constantinople en janvier 1856. C'est alors qu'on a proposé pour la première fois l'introduction dans les Principautés du système bicaméral. En dépit de cette proposition, les divans ad-hoc se sont prononcés pour une seule assemblée (comme le rappelle Nicolae Ionescu dans son intervention), une option qui est maintenue dans la constitution qui résulte de la Convention de Paris de 1858. En janvier 1862, lorsque la Commission centrale de Focșani a été dissoute, le prince Alexandru Ioan Cuza a voulu la remplacer par un conseil d'Etat et un Sénat. La nouvelle Constitution de 1864 (ou le « Statut » appelé à développer la Convention de Paris) prévoyait, pour la première fois, l'existence d'un Sénat, gardien des dispositions constitutionnelles, tout comme dans le système constitutionnel français de 1852⁵⁹.

Certes, la cohérence des options institutionnelles des deux groupes a été souvent dépendante du jeu politique et de la majorité détenue. Néanmoins, lors des débats de la Constituante sur le législatif, les arguments mis en jeu permettent d'identifier assez clairement les deux camps même si il sont doctrinairement encore peu cohérents. Ainsi, les libéraux P. Cernătescu, N. Voinov, N. Ionescu, A. Sihleanu, A.C. Goleșcu sont tous contre le Sénat, de même que les signataires de l'amendement, rejeté au vote final, qui propose une seule Assemblée des députés pour le pouvoir législatif – le même P. Cernătescu, Scarlat Turnavitu, T. Lateș, Măldărescu, Negulescu, A. Teohari⁶⁰ (les cinq derniers assez peu présents dans le débat). Avant même l'ouverture des débats de la Constituante, le journal libéral *Românul* [*Le Roumain*] a essayé, dans sa campagne pour discréditer le Sénat, de démontrer l'inutilité de cette institution et son caractère aristocratique et parasitaire⁶¹.

Tous ces libéraux, N. Ionescu étant le plus explicite d'entre eux, font référence au « pays constitutionnel » (*țara*), en fait aux états constitutionnels traditionnels de l'Ancien Régime roumain⁶². La distinction

entre le droit (*drept*) ou la justice (*dreptate*) et la légalité (*legalitate*) (ou la loi) renvoie elle aussi à un héritage de l'Ancien Régime. Il s'agit de la distinction entre le droit écrit ou « *pravilă* », et justice (*dreptate*) ou coutume, c'est-à-dire le droit coutumier (*legea țării*)⁶³. Ce sont des notions utilisées simultanément dans les documents officiels du XVI^e siècle, et même avant. Mais lorsque une société a recours à deux systèmes de droit, à deux types de normes, on peut dire qu'elle privilégie les fonctions du droit par rapport à la forme du droit. Dans une perspective historique, la conformité à la *dreptate* a dominé dans la sphère du gouvernement, au détriment de la conformité à la loi, dans les conditions où le prince « disait » la loi, et administrait la justice (le droit coutumier), mais *țara* et la société « posaient » la loi, c'est-à-dire que *țara* et la société étaient la source du droit (et de *dreptatea*)⁶⁴. C'est ainsi que l'on peut interpréter l'affirmation de Petre Cernătescu lorsqu'il dit que dans le passé, le prince, en s'adressant à l'Assemblée (le divan ou *Sfatul țării*), faisait référence au « pays entier, à la *dreptate*, et non pas à une classe »⁶⁵. Il est possible d'identifier ici une autre forme du principe de l'unité, dans l'administration de la justice.

Cet *impératif de l'unité* – le deuxième élément clef des arguments mis en jeu – est compris par le libéraux sous deux aspects : l'unité du pays, des classes et des intérêts, et l'unité partisane (quoique l'adjectif « partisan » ne soit pas utilisé).

C'est en vertu du principe de l'unité que les députés qui défendent la légitimité historique d'une seule chambre législative considèrent que dans l'organisation politique de l'espace roumain il n'y a jamais eu de classes opposées, avec des intérêts divergents. Dans ces conditions, le bicaméralisme pourrait introduire « la division », « la dés-union », la discorde, il créerait deux camps hostiles, une « aristocratie », ce qui contredit la tradition politique autochtone. Par contre, une assemblée unique contribue à « satisfaire les besoins du pays », elle renforce la « fraternité » (*înfrățirea*) et l'union entre les classes. Et surtout, le système monocaméral devrait être introduit car les « grands accomplissements » – l'unification des Principautés, la monarchie constitutionnelle et le prince étranger (événements grâce auxquels la nation roumaine fait partie « des peuples civilisés d'Europe ») – ont été l'œuvre de l'Assemblée des députés, et non pas du Sénat. Bien plus que l'union des classes, le sentiment patriotique et la fraternité partisane sont en jeu. Le libéral Ionescu est très clair à cet égard : le Sénat n'arriverait jamais à produire « cette harmonie des classes, cette fraternité (*înfrățire*) des divers éléments

de la société roumaine », il ne ferait que semer la discorde, de telle manière qu'une des chambres serait « le nid du progrès », tandis que l'autre serait « la forteresse du conservatisme » – dans les conditions où « les conservateurs et les progressistes, dit-il, n'ont pas de raison d'être en désunion chez nous », étant des « éléments » qui « par leurs nobles sentiments patriotiques veulent s'unir, veulent fraterniser »⁶⁶.

La référence des libéraux à la tradition constitutionnelle n'est ainsi qu'un paradoxe apparent. Par cela, ils ne se désistent nullement de leur souci réformiste. L'appréhension à l'égard du Sénat implique en revanche le refus systématique de toute division dans l'ordre politique, qui renvoie automatiquement, aux yeux des libéraux, à la division dans l'ordre social et à la constitution des ordres privilégiés. Et comme les libéraux entendent être les interprètes de la volonté nationale, une et indivisible, le pluralisme des ordres et des intérêts mettrait en péril le principe de la représentation même.

Nicolae Ionescu n'est pas le seul dans ce débat à fournir une auto-définition des libéraux. Le libéral A.C. Golescu affirme que « ceux que l'on appelle les libéraux [...] ont toujours été de tout leur cœur contre le Sénat » et ce sont eux qui, prenant comme référence « la longue expérience de notre peuple », ont rejeté le Sénat car « ces dernières années »,

tous les événements les plus remarquables qui se sont produits dans le pays et qui ont fait que de notre peuple fasse partie des peuples civilisés de l'Europe, ont été accomplis par cette chambre [la chambre basse] composée de grands et de petits boyards⁶⁷.

Et même s'il y a toujours eu des divisions et des « partis » (*partite*) au sein de cette Assemblée, « lorsqu'il s'agissait de questions importantes, tous se serraient la main et travaillaient ensemble » :

Je n'ai jamais vu un tableau plus grandiose que l'Assemblée ad-hoc. J'y ai vu des Princes régnants assis à côté des paysans, et vous demandez aujourd'hui un Sénat pour que les boyards ne soient pas à côté du peuple ? C'est ainsi que nous nous sommes présentés devant l'Europe et avons gagné son estime⁶⁸ ?

Les conservateurs aussi admettent l'existence de « l'élément conservateur » et de « l'élément progressiste » dans le débat. Aristide Pascal, le

rapporteur du Comité des délégués des sections de la Constituante, affirme que l'existence des deux chambres ne signifie pas nécessairement une « division » entre ces deux « éléments », car le Sénat peut très bien être progressiste, étant donné que « la capacité, l'instruction, l'expérience, les connaissances sur les affaires de l'Etat » qu'on exige de la part des sénateurs ne sont aucunement des conditions opposées au progrès⁶⁹.

L'adjectif « libéral » est utilisé autour de 1848 pour désigner les personnes ou les institutions qui étaient partisans de l'innovation, du renouveau. Mais le terme « parti libéral » (au sens de groupe libéral) n'apparaît pas avant 1866. Les termes utilisés par les libéraux avant cette date pour se définir étaient « démocrates », « parti démocrate », « parti des patriotes », « parti national ». La première référence à la notion « libéral » dans les débats parlementaires remonte à la séance du 21 mars 1862 lorsque le député Cernătescu affirme : « L'autre partie du pays est composée de libéraux et conservateurs ». Par contre, les journaux utilisaient cet appellatif partisan bien avant, dès 1860⁷⁰.

Avant tout, le législatif bicaméral est « impopulaire » pour les libéraux puisqu'il est en désaccord avec « la volonté populaire » et avec le degré de culture de la nation, puisque « l'opinion publique » ne comprend pas la raison d'être du Sénat. L'intervention de N. Ionescu constitue un remarquable résumé de cette méfiance à l'égard du peuple, en des formules que l'on retrouve chez les autres libéraux qui interviennent dans le débat :

Une institution pareille [le Sénat] est impopulaire car le peuple ne peut pas comprendre que, dans un moment de fraternité et de régénération comme celui-ci, il puisse y avoir de la méfiance envers lui. Elle est impopulaire car [...] elle s'appuierait sur le territoire, sans que la plus grande partie du territoire puisse en être la partie significative⁷¹.

Puisque « le paysan est propriétaire le plus nombreux par la quantité de terre qu'il occupe », dit Ionescu, c'est lui que devrait se retrouver dans une chambre territoriale, mais celle-ci serait

impopulaire dans le sens où, l'opinion du peuple, l'opinion publique ne sont pas assez développées à cet égard, et les institutions qui ne s'appuient pas avec maturité sur l'opinion publique n'ont pas de raison d'être, par contre, elles ont toutes les chances de ne pas durer suffisamment⁷².

Là où les libéraux ne voient que danger pour l'unité de l'action législative et pour l'harmonie des classes et des intérêts, les conservateurs voient un équilibre entre les intérêts généraux et les intérêts particuliers, ces derniers étant pour eux bien légitimes : pour les défenseurs du législatif bicaméral, le Sénat assure la stabilité politique dans un espace caractérisé dans le passé par l'instabilité et il doit assumer un rôle de juge impartial. Bien plus, le Sénat est une garantie de l'ordre, de l'équilibre, de la maturité et du sérieux des délibérations législatives (au contraire, les adversaires du bicaméralisme considère que le Sénat conduirait à une certaine « langueur » (*lincezire*) dans l'élaboration des lois).

Dans le dispositif argumentatif des constituants roumains, le modèle des « pays civilisés et libéraux » de *l'Europe* est omniprésent. Les solutions institutionnelles occidentales sont invoquées maintenant plus que dans tout autre débat de la Constituante. L'Occident-« centre » est invoqué comme modèle digne à suivre dans l'aménagement institutionnel, conséquence de l'appropriation du discours hégémonique du « « centre » – la référence, le standard idéatique et de comportement considéré comme étant la norme du monde civilisé. Les pays de l'espace occidental constituent un centre-étalon non pas seulement pour la modernisation institutionnelle et le rattachement aux réalités occidentales, mais également pour l'évaluation des différences.

La volonté de consécration européenne est clairement exprimée par le libéral A.C. Golescu. Il affirme que les libéraux voteront en fin de compte pour l'institution du Sénat puisque l'Europe exerce un « pression morale » à cet égard. Les députés libéraux sont disposés à accorder cette concession à l'Europe afin que l'unification du pays puisse devenir « un fait accompli » aux yeux de l'Occident aussi. En suivant ce raisonnement, il est possible d'y identifier un précédent qui aura une longue histoire : la modernisation institutionnelle (et non pas seulement institutionnelle) se trouve sous le signe de la « pression » extérieure. La pression de l'Occident est encore aujourd'hui un élément majeur par rapport auquel les projets politiques et les positions internes sont définies.

Les arguments de Golescu valent la peine d'être reproduits. « Il nous faut suivre la volonté et les idées de l'Europe », dit-il, puisque nous n'avons pas « deux cent mille baïonnettes » pour que l'unification sous un prince étranger devienne « un fait accompli en Europe aussi »,

alors que notre expérience et l'histoire de notre nation nous enseignent qu'il ne nous faut qu'une seule chambre, eux, les étrangers, ils viennent

avec leur expérience, avec l'histoire de leurs Etats féodaux et ils nous disent : la rédemption se trouve dans les deux chambres⁷³.

Mais tandis que l'Occident « est conséquent avec lui-même, avec sa raison, avec sa science en ayant deux chambres », « chez nous », le Sénat « n'a jamais existé, il n'a jamais existé dans tout l'Orient ». Golescu admet que la conjoncture exige un vote différent. « Pour que l'unification, le prince étranger puisse devenir un fait européen »,

nous avons besoin de l'Occident et l'Occident nous dit : il n'y a pas de stabilité et de l'ordre avec une seule chambre, car une seule chambre signifie révolution, désordre ; et parce que l'Europe exerce aujourd'hui une pression morale sur nous, je voterai pour le Sénat (applaudissements nombreux)⁷⁴.

A ce point de l'argumentation du vote circonstanciel, on retrouve le principe de l'unité et l'appel à la fraternité partisane entre « nous, qui sommes Roumains » et « eux⁷⁵ (en désignant un point vers la droite) qui ont fait des études en Occident où ils se sont formés des convictions tout aussi sacrées que les nôtres » :

Ici, Messieurs, nous sommes deux partis, deux êtres moraux qui poursuivent la liberté. Insistons moins sur la perfection de nos idées, que la Constitution soit moins parfaite, mais sauvons une patrie qui nous échappe si nous ne restons pas unis. La partie gauche vient aujourd'hui sacrifier non pas sa fortune, ceci n'est rien, non pas la vie, ceci est également rien, mais ses convictions, des convictions qui ne datent pas d'aujourd'hui, mais [...] depuis trois, quatre siècles. [...] Donc, nous allons voter pour le Sénat parce que nous voulons avoir une Roumanie⁷⁶.

Dans l'économie du débat, la référence à l'histoire constitutionnelle européenne est de loin beaucoup plus substantielle au sein des conservateurs. C'est à l'expérience occidentale qu'ils se réfèrent lorsqu'ils justifient le Sénat par sa composition – une « institution honorifique » où « la partie éclairée de la nation », « les supériorités sociales » doivent se retrouver, « la seconde manifestation » de la nation – et par son rôle – gardien des libertés publiques et de la monarchie constitutionnelle, de même que de l'équilibre et de la séparation des pouvoirs. Le conservateur Blaremborg est le plus clair sur ce dernier point, John Stuart Mill et « monsieur Tocqueville » à l'appui⁷⁷.

Le plaidoyer en faveur de l'équilibre des pouvoirs dévoile la peur des constituants devant le risque de la concentration du pouvoir dans une seule institution (l'exécutif ou une seule assemblée) et la possibilité du conflit qui pourrait surgir entre l'exécutif et une chambre unique. La peur du despotisme s'accompagne de la peur devant l'instabilité et le manque d'efficacité législative. En effet, la raison à la base de la théorie de la séparation des pouvoirs est justement la garantie et le respect des droits et des libertés individuelles dans les conditions où, dans la modernité politique, le gouvernement ne peut être que représentatif. Autrement dit, l'aménagement institutionnel doit avoir comme but primordial la liberté. Ce sont des aspects très timidement mentionnés, l'individu ou le citoyen et les libertés individuelles sont des références absentes dans le discours des constituants lorsqu'ils discutent la composition du législatif. Leur préoccupation paraît se diriger plutôt vers les « libertés publiques », mentionnées très timidement d'ailleurs.

Sans aucune équivoque, les libéraux sont les défenseurs du régime constitutionnel, selon l'expression de Nicolae Ionescu, ou du « gouvernement mixte » ou « système constitutionnel », selon les expressions de Petre Cernătescu. La référence indiscutable pour ces libéraux est l'Angleterre. « Les Anglais sont nos maîtres dans le régime constitutionnel », dit Ionescu⁷⁸. Au milieu du XIX^e siècle, l'admiration pour le parlementarisme britannique est un lieu commun dans le discours libéral continental. Les deux députés expriment toute leur admiration pour le régime constitutionnel anglais, issu de la lutte contre le pouvoir absolu des rois. Dans une telle configuration politique, le Sénat était justifié, affirment-ils, car il avait la tâche d'éviter les abus et de coaliser les nobles et les bourgeois contre le roi⁷⁹. Mais Ionescu précise le fait que l'expérience historique de l'Angleterre est fort différente de « l'état actuel de notre société » et il déconseille de l'imiter : le villageois tout comme le noble doivent se retrouver représentés dans le législatif roumain, et non pas uniquement les intérêts territoriaux, dans un contexte où « nous devons nous présenter comme un seul individu devant les ennemis du dehors »⁸⁰.

En effet, pendant la moitié du XIX^e siècle, les libéraux étaient les promoteurs et les défenseurs les plus convaincus du gouvernement représentatif (ou de la monarchie constitutionnelle, des expressions synonymes à l'époque)⁸¹, le régime parlementaire représentant la forme institutionnelle que de nombreux Etats de l'Europe de l'est ont adoptée par des considérations de statut et de prestige, une preuve de leur degré

de civilisation et de solidité institutionnelle⁸². Les libéraux s'appuient sur la spécificité de la situation roumaine pour rejeter le modèle bicaméral très en vogue à l'époque, sans pour autant repousser les principes du gouvernement représentatif. Le rejet du bicaméralisme au nom de la différence des situations n'explique pas tout : il s'agit bien plus, comme on vient de le voir, d'une appréhension devant la division dans l'ordre politique et social.

La justification de la référence au modèle occidental trouve son expression la plus illustrative dans un fragment de l'intervention du conservateur Aristide Pascal, lors de la lecture du rapport du Comité des délégués des sections de la Constituante :

Dans un pays comme le nôtre, où les questions sociales les plus urgentes et les plus difficiles furent à peine tranchées comme le nœud gordien ; dans une nation qui se trouve dans un état de transition, la lutte entre la demi-ignorance et la science, entre la richesse et la pauvreté, entre la moralité et la corruption, entre la routine et le progrès est beaucoup plus acharnée que dans les autres Etats de l'Europe qui ont depuis longtemps quitté l'état de transition,

le remède se trouve dans « la sagesse et l'expérience des nations civilisées et libérales », c'est-à-dire dans un législatif organisé de telle manière que ses décisions « puissent toujours être le produit d'un mûr jugement »⁸³.

Les conservateurs, bénéficiant de l'appui de Charles Ier et ayant la majorité dans la Constituante, ont emporté le débat. Les libéraux ont accepté le compromis – A.C. Golescu en a clairement exprimé les raisons – et ils ont finalement voté pour le Sénat étant donné la pression des conservateurs également qui, pour obtenir le Sénat, ont menacé à un certain moment de quitter l'Assemblée⁸⁴.

Les députés libéraux s'érigent en dépositaires respectueux de la volonté du peuple (« la légalité » est pour eux la volonté populaire), tout en démontrant une forte sensibilité envers les précédents constitutionnels nationaux, envers la tradition politique locale. Les libéraux expriment ainsi une idée-clé de la modernité politique : la source du pouvoir et le fondement de l'obligation politique se trouvent dans le consentement ou la volonté des gouvernés⁸⁵. La fidélité envers le passé de la part des libéraux, identifiés à l'époque à tout ce qui tient à la réforme et à l'innovation, n'est qu'un paradoxe apparent, tout à fait compréhensible

dans la logique libérale de la des années 1850. Car les libéraux roumains s'érigent en porte-parole indiscutables de « l'agenda national », prioritaire avant tout autre programme politique, qui passe par le peuple et sa volonté *et son passé*. C'est cet agenda prioritaire qui exige à leurs yeux l'harmonie des classes et des intérêts, et surtout l'unité étatique. Par ceci, ils participent plénièrement à l'idéologie libérale de la moitié du XIX^e siècle. Celle-ci considérait que « le principe des nationalités » s'appliquait seulement aux nationalités d'une certaine dimension sur la base du « principe de la limite » : l'autodétermination était considéré un droit des nations viables du point de vue culturel, économique ou politique⁸⁶.

En même temps, la méfiance à l'égard du peuple traduit la conviction des libéraux que le peuple n'est pas prêt pour la démocratie représentative, c'est-à-dire pour la démocratie fonctionnelle – une méfiance largement partagée par les libéraux de tout le continent. Cette conviction liée au fonctionnement du régime n'est pas en contradiction pour ces libéraux avec le principe qu'ils défendent en toute honnêteté dans le débat de la Constituante, à savoir l'union des classes : ils prêchent l'harmonie et l'entente entre le Prince et le paysan, entre le noble et le villageois. Les libéraux montrent également une forte sensibilité stratégique par leur appel à l'unité partisane que le contexte – l'unification politique fragile encore – exige.

L'aménagement du législatif se trouve, donc, sous le signe de l'émulation occidentale, étant en même temps soumis à l'impératif de la consolidation de l'unification étatique. Cet impératif est l'une des raisons de base qui a finalement poussé les libéraux, les adversaires du Sénat, à voter⁸⁷ pour un législatif bicaméral. Dans son ensemble, la Constitution de 1866 limite les pouvoirs du chef de l'Etat et renforce le rôle du parlement, tout en renforçant ainsi le régime parlementaire (surtout par rapport aux précédents constitutionnels dont notamment le Constitution de 1864)⁸⁸.

Définir un objet d'étude

En guise de conclusion, on se limitera ici à esquisser quelques éléments qui justifient l'étude du Parlement comme lieu privilégié de production de l'Etat-nation, lieu à la fois symbolique et bien réel, historique et conjoncturel. Ces éléments pourraient participer à un questionnement

intellectuel beaucoup plus large et plus provocateur, à savoir la construction de l'espace politique roumain au XIX^e siècle.

Lieu symbolique d'abord. Le Parlement consacre le principe fondamental de la modernité politique : la représentation de la nation. La modernité politique triomphe au moment où les gens acceptent de se donner une loi commune, artificielle, qu'un individu ou une assemblée doivent élaborer⁸⁹, tandis que la souveraineté est progressivement localisée dans le peuple. Grâce aux interprétations de Rousseau et de Sieyès, la nation devient *constituante*, elle est à l'origine de toute constitution et, comme telle, elle est une réalité substantielle⁹⁰. Le pouvoir appartient à la nation, sa volonté s'appelle dorénavant souveraineté. La souveraineté de la nation ne peut s'exprimer qu'à travers ses représentants. Par cet artifice de la représentation, la volonté exprimée par les représentants est la volonté nationale même⁹¹. Les parlementaires roumains, et surtout les membres de la Constituante, sont pleinement conscients de la signification de leur action législative. Un membre de la Constituante résume très clairement cette haute mission législative :

[...] Cette Assemblée nationale, constituante, travaille aujourd'hui au nom du peuple roumain et donne cette Constitution au peuple roumain, à la nation roumaine [...] Il nous faut, Messieurs, nous imprégner de la signification de cette Constitution [...] elle ne peut procéder que de l'initiative de la souveraineté de la nation, et le chef de l'Etat est seulement appelé à l'accepter ou à la rejeter ; car cette Assemblée ne débat pas cette Constitution au nom du Prince, mais au nom du peuple roumain⁹².

Lieu historique et conjoncturel ensuite. Le Parlement, comme institution de base de la démocratie représentative, n'est pas une institution neutre, il a une efficacité propre et des effets bien précis sur la décision politique au sens large et sur l'existence collective⁹³.

Le discours parlementaire et les débats des assemblées législatives tendent à être relégués au second plan, sinon déconsidérés par les études historiques roumaines. On peut y déceler une certaine méfiance à l'égard de la rhétorique parlementaire, suspectée de cacher la « réalité » qui se trouverait « ailleurs ». Tout au contraire, cette étude a essayé de souligner que « c'est toujours dans les conditions de sa *mise à l'épreuve* que peut se déchiffrer le politique »⁹⁴, le politique n'étant certainement pas considéré comme un épiphénomène⁹⁵. Le Parlement est à cet égard un lieu de prédilection, où les réflexions et les délibérations rationnelles

sont entremêlées aux contingences. Il ne faut pas oublier que ce ne sont pas des philosophes qui siègent au Parlement, mais des législateurs qui ont recours à des idées systématiques, parfois même extrêmes, et qui ont comme préoccupation primordiale de les transformer en réalité, de les mettre en pratique (les discussions étant le siège de la tension entre l'idée et la réalité)⁹⁶.

En conséquence, les débats parlementaires peuvent être considérés comme « les produits des déterminations politiques du temps, des intérêts des acteurs et des rapports de force qui organisent leur jeu », qui mobilisent « des systèmes de justification, des argumentaires puisant aux principes du politique »⁹⁷. A ce titre, les débats permettent de comprendre les logiques théoriques mises en oeuvre au moment de l'instauration de la monarchie constitutionnelle, au temps des premiers grands débats sur la configuration institutionnelle de l'Etat-nation. A côté de la circonstance « réelle » (contingente, factuelle, événementielle), il y a aussi la circonstance « pensée » (idées, opinions, représentations que les acteurs ont de la réalité) : « les circonstances ont donc en elles-mêmes une dimension doctrinale », idéatique et elles interviennent dans les systèmes de justification des acteurs. D'où l'intérêt d'écouter le législateur au moment où, informé de l'événement, il l'analyse, il le discute : « la décision qu'il prend concernant un fait particulier dépend du modèle d'ordre politique qui préside à son jugement ». Alors que l'analyse du discours du législateur et du raisonnement qui motive ses décisions a le mérite d'éclairer un événement dans sa dimension théorique⁹⁸.

Au-delà de la logique des parlementaires et de leurs intentions, de leurs motivations, il y a également la logique contraignante d'une situation qui met en marche une certaine dynamique discursive justificatrice⁹⁹. Les contraintes des événements justifient en grande mesure le contenu idéatique des débats qui devient intelligible dans le contexte¹⁰⁰.

Il convient de mentionner en dernier lieu que l'étude des débats parlementaires pourrait contribuer, modestement, à reconstituer la culture politique des premières années de la monarchie constitutionnelle, c'est-à-dire qu'elle permettrait de mieux saisir et de mieux comprendre les motivations des actes des hommes à un moment donné de leur histoire en fonction de leurs normes et croyances, leurs représentations, de leur lecture du passé et de leur référence au futur¹⁰¹.

NOTES

- ¹ *Dezbaterile Adunării Constituante din anul 1866 asupra constituțiunei și legei electorale din România* [*Les débats de l'Assemblée Constituante de l'année 1866 sur la constitution et la loi électorale de Roumanie*] (par la suite *D.A.C.*), publicate din nou în edițiune oficială de Alexandru PENCOVICI, Tipografia statului, Curtea Șerban-Vodă, 1883, p. 193.
- ² L'Etat-nation (spécifique à l'Europe Centrale et Orientale, où la conception ethnique de la nation est à la base de la revendication étatique et territoriale), et non pas l'Etat national (développé en Occident, où les rapports politiques à un territoire et à un souverain ont prévalu dans la cristallisation du sentiment d'appartenance de la population), selon une distinction établie et expliquée par Anthony D. SMITH, *The Ethnic Origins of Nations*, Blackwell, Oxford, 1999, pp. 139-142.
- ³ Après l'union de la Moldavie et de la Valachie en 1859, les documents officiels internes et étrangers utilisent en général l'appellation « Principautés Unies » afin de désigner la nouvelle communauté politique. Lorsque Alexandru Ioan Cuza convoqua la première session réunie du législatif de Moldavie et de Valachie en janvier 1862, celui-ci, par la loi du 21 février 1862, a consacré le terme « Roumanie » comme le nom commun, officiel des Principautés Unies. C'est ce nom qui sera utilisé dorénavant dans les documents officiels du pays (Keith HITCHINS, *Români. 1774-1866* [*Les Roumains. 1774-1866*], Humanitas, Bucarest, 1998, p. 363).
- ⁴ Yves DELOYE, Bernard VOUTAT (sous la dir.), *Faire de la science politique. Pour une analyse socio-historique du politique*, Belin, Paris, 2002, p. 22 ; Pierre ROSANVALLON, *Le sacre du citoyen. Histoire du suffrage universel en France*, Gallimard, Paris, p. 23.
- ⁵ C'est l'approche d'une « histoire conceptuelle du politique » défendue par Pierre ROSANVALLON, *Pour une histoire conceptuelle du politique*, Leçon inaugurale au Collège de France, Seuil, Paris, 2003, pp. 19-20.
- ⁶ L'expression « praticiens de la politique » est utilisée par Claude NICOLET pour désigner les publicistes, les députés, ou les ministres, autant de rôles souvent réunis dans une même personne. V. Claude NICOLET, *L'idée républicaine en France. Essai d'histoire critique*, Gallimard, Paris, 1982, p. 32.
- ⁷ Ion MAMINA, *Monarhia constituțională în România. Enciclopedie politică. 1866-1938* [*La Monarchie constitutionnelle en Roumanie. Encyclopédie politique. 1866-1938*], éd. Enciclopedică, Bucarest, 2000, pp. 363-364; Dan BERINDEI, *Societatea românească în vremea lui Carol I (1866-1876)* [*La société roumaine au temps de Charles Ier (1866-1876)*], éd. Militară, Bucarest, 1992, p. 175.
- ⁸ Notamment Ion M. POPESCU, „Originile politice și juridice ale liberalismului la români” [« Les origines politiques et juridiques du libéralisme chez les Roumains »], in *Analele Universității din București*, Sociologie, XXI, 1972,

- pp. 59-81; V. RUSSU, „Cauzele luptelor politice dintre grupările liberale și conservatoare în anii instabilității guvernamentale și parlamentare (1866-1871)” [« Les causes des luttes politiques entre les groupes libéraux et conservateurs pendant les années de l’instabilité gouvernementale et parlementaire (1866-1871) »], dans *Cercetări istorice*, vol. IX-X, 1978-1979; IDEM, *Viața politică în România (1866-1871)*, vol. I, *De la domnia pământească la prințul străin* [La vie politique en Roumanie (1866-1871), vol. I, *Depuis le règne autochtone au prince étranger*], Ed. Universității „Al. Ioan Cuza”, Iași, 2001; Apostol STAN, *Grupări și curente politice în România între Unire și Independență (1859-1877)* [Groupes et courants politiques en Roumanie entre l’Unification et l’Indépendance (1859-1877)], éd. Științifică și Enciclopedică, Bucurest, 1979; Anastasie IORDACHE, *Originile conservatorismului politic din România și rezistența sa contra procesului de democratizare, 1821-1882* [Les origines du conservatisme politique en Roumanie et sa résistance contre le processus de démocratisation, 1821-1882], éd. Politică, Bucurest, 1987, ouvrage republié en 1999 sous le titre original, censuré auparavant, *Originile și constituirea Partidului Conservator din România* [Les origines et la constitution du Parti Conservateur en Roumanie], Paideia, Bucurest.
- 9 Dan A. LĂZĂRESCU, *Introducere în istoria liberalismului european și în istoria Partidului Național Liberal din România* [Introduction à l’histoire du libéralisme européen et à l’histoire du Parti National Libéral de Roumanie], éd. Viitorul Românesc, Bucurest, 1996; Gheorghe CLIVETI, Gheorghe ONIȘORU, Șerban RĂDULESCU-ZONER (coord.), Apostol STAN, Dumitru ȘANDRU, *Istoria Partidului Național Liberal* [Histoire du Parti National Libéral], ALL, Bucurest, 2000; Ion BULEI, *Conservatori și conservatorism în România* [Conservateurs et conservatisme en Roumanie], éd. Enciclopedică, Bucurest, 2000 (une première édition de l’ouvrage est parue en 1987, sous le titre *Sistemul politic al României Moderne. Partidul Conservator* [Le système politique de la Roumanie Moderne. Le Parti Conservateur], éd. Politică, Bucurest; *A fi conservator*. Antologie, comentarii și bibliografie de [Etre conservateur. Anthologie, commentaires et bibliographie par] Ioan STANOMIR, Laurențiu VLAD, Institutul de Cercetări Politice & Meridiane, Bucurest, 2002.
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- 12 Dont Ioan SCURTU, Ion BULEI, *Democrația la români. 1866-1938 [La démocratie chez les Roumains. 1866-1938]*, Humanitas, Bucurest, 1990; Gh. PLATON, V. RUSSU, Gh. IACOB, V. CRISTIAN, I. AGRIGOROAIEI, *Cum s-a înfăptuit România modernă – o perspectivă asupra strategiei dezvoltării [Comment s'est constituée la Roumanie moderne – une perspective sur la stratégie du développement]*, éd. Universității „Al. I. Cuza”, Iași, 1993, pp. 101-132; Gh. IACOB, *Modernizare-europenism*, vol. I, *Ritmul și strategia modernizării [Modernisation-europénisme, tome Ier, Le rythme et la stratégie de la modernisation]*, éd. Universității „Al. I. Cuza”, Iași, 1995; Apostol STAN, *Putere politică și democrație în România. 1859-1918 [Pouvoir politique et démocratie en Roumanie. 1859-1918]*, Albatros, Bucurest, 1995, pp. 40-89.
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- 14 Tudor DRĂGAN, *Începuturile și dezvoltarea regimului parlamentar în România până în 1916 [Les débuts et le développement du régime parlementaire en Roumanie jusqu'en 1916]*, Dacia, Cluj, 1991, pp. 184-214; Eleodor FOCSENEANU, *Istoria constituțională a României (1859-1991) [Histoire constitutionnelle de la Roumanie (1859-1991)]*, 2e éd. revue, Humanitas, Bucurest, 1998, pp. 26-46; Cristian PREDA, *Modernitatea politică și românismul [La modernité politique et le roumanisme]*, Nemira, Bucurest, 1998, pp. 166-175; Ioan STANOMIR, „The Temptation of the West: the Romanian Constitutional Tradition”, dans Mihaela CZOBOR-LUPP, J. Stefan LUPP (eds.), *Moral, Legal and Political Values in Romanian Culture*, Romanian Philosophical Studies, IV, The Council for Research in Values and Philosophy, 2002, pp. 75-97; Radu CARP, Ioan STANOMIR, Laurențiu VLAD, *De la „pravilă” la „constituție”. O istorie a începuturilor constituționale românești [De la « pravilă » à la « constitution ». Une histoire des origines constitutionnelles roumaines]*, Nemira, Bucurest, 2002.
- 15 A.D. XENOPOL, *Istoria partidelor politice în România [Histoire des partis politiques en Roumanie]*, vol. I, partea I, *Dela origini până la 1848 [Depuis*

- les origines jusqu'en 1848*], vol. I, partea II, *Dela 1848 până la 1866 [Depuis 1848 jusqu'en 1866]*, Albert Baer, s.l., 1910.
- 16 A.D. XENOPOL, *Istoria partidelor politice în România [Histoire des partis politiques en Roumanie]*, vol. I, partea I, *Dela origini până la 1848 [Des origines jusqu'en 1848]*, Albert Baer, s.l., 1910, pp. 295-297.
- 17 V. notamment N. N. HARJEU, *Istoria Partidului Național Liberal. De la origini până în zilele noastre [Histoire du Parti National Libéral. Des origines à nos jours]*, vol. I, Bucarest, 1915.
- 18 Cette perspective d'analyse a été en quelque sorte inaugurée par le même historien A.D. XENOPOL, *Istoria partidelor politice în România [Histoire des partis politiques en Roumanie]*, vol. I, partea II, *Dela 1848 până la 1866 [Depuis 1848 jusqu'en 1866]*, Albert Baer, s.l., 1910.
- 19 Même si les listes des parlementaires sont publiées dans le *Moniteur Officiel*, l'orientation politique des députés et des sénateurs n'y est pas toujours précisée. Aussi cette recherche se basera-t-elle sur la liste de ministres et parlementaires libéraux identifiée par Mihai Sorin RĂDULESCU, dans l'annexe de sa prosopographie, *Elita liberală românească (1866-1900) [L'Elite libérale roumaine (1866-1900)]*, ALL, Bucarest, 1998, pp. 155-300.
- 20 C'est la méthode d'analyse du libéralisme français du XIXe siècle par Lucien JAUME, *L'individu effacé ou le paradoxe du libéralisme français*, Fayard, Paris, 1997, pp. 11-12, 16, qui y souligne également la nécessité de distinguer entre les diverses réalisations nationales du libéralisme, de même qu'entre les élaborations théoriques du libéralisme et ce que fut sa pratique effective, les problèmes complexes, spécifiques qu'il a dû résoudre tant dans l'aménagement des institutions modernes que dans les alliances politiques.
- 21 Claude NICOLET, *op. cit.*, pp. 32-33, dans sa démarche d'histoire critique de l'idéologie républicaine en France au XIXe siècle.
- 22 Eleodor FOCȘENIANU, *op. cit.*, pp. 27-29 ; Ion MAMINA, Ion BULEI, *Guverne și guvernanți...cit.*, p. 11.
- 23 Ion MAMINA, *Monarhia constituțională...cit.*, pp. 191-203, 298-302.
- 24 George D. NICOLESCU, 1866-1901. *Parlamentul român. Biografii și portrete [1866-1901. Le Parlement roumain. Biographies et portraits]*, éd. I. V. Socec, Bucarest, 1903, p. IX ; *Istoria parlamentului și a vieții parlamentare din România până la 1918 [Histoire du parlement et de la vie parlementaire de Roumanie jusqu'en 1918]*, éd. de l'Académie R. S. R., Bucarest, 1983, p. 172.
- 25 Keith HITCHINS, *România. 1866-1947...cit.*, p. 44.
- 26 Le long de cette étude le terme de « modernisation » fait référence aux transformations économiques, institutionnelles, sociales, mais aussi aux « couches denses » de comportements, d'attitudes et de pratiques, définition reprise de Daniel BARBU, *Bizanț contra Bizanț. Explorări în cultura politică românească [Byzance contre Byzance. Explorations dans la culture politique*

- roumaine], Nemira, Bucarest, 2001, pp. 259-260. Pour une définition plus réductive de cette notion – la modernisation représente les changements politiques et sociaux qui ont accompagné le développement économique et technique des sociétés occidentales –, mais consacrée, Reinhard BENDIX, *Nation-building & Citizenship. Studies of Our Changing Social Order*, éd. revue, Transaction Publishers, New Brunswick et Londres, 1996, pp. 6-7.
- ²⁷ Se reporter surtout à ce que constitue désormais une référence : Andrew C. JANOS, *East Central Europe in the Modern World. The Politics of the Borderlands from Pre- to Postcommunism*, Stanford University Press, 2000, p. 119.
- ²⁸ Se reporter à l'ouvrage de référence de John GRAY, *Liberalismul [Le Libéralisme]*, trad. de Anca Gheauș, DU Style, Bucarest, 1998, voir surtout p. 62. Voir également Stuart WOOLF (ed.), *Nationalism in Europe, 1815 to the Present. A Reader*, Routledge, London and New York, 1996, voir notamment pp. 8-25; John A. HALL, "Nationalisms, Classified and Explained", in Sukumar PERIWAL (ed.), *Notions of Nationalism*, CEU Press, Budapest, 1995, pp. 16-18.
- ²⁹ La référence ici est le livre de Pierre MANENT, *Histoire intellectuelle du libéralisme. Dix leçons*, Calmann-Lévy, Paris, 1987.
- ³⁰ Les références sont : Pierre MANENT, *Histoire intellectuelle...cit.* ; IDEM, *Les libéraux* (textes choisis et présentés par), 2 vol., Hachette/Pluriel, Paris, 1986 ; John GRAY, *Liberalismul [Le Libéralisme]*, trad. de Anca Gheauș, DU Style, Bucarest, 1998; Cristian PREDA (éd.), *Liberalismul. Antologie comentată de filozofie politică [Le Libéralisme. Anthologie commentée de philosophie politique]*, Humanitas, Bucarest, 2003.
- ³¹ Mihai Sorin RĂDULESCU, *op. cit.*, pp. 113, 129.
- ³² Dans l'acception donné au terme par François FURET, « Concepts juridiques et conjoncture révolutionnaire », *Annales ESC*, no. 6, 1992, p. 1186 : « Par contexte, j'entends le mouvement des idées, la situation politique et sociale, le rapport des forces et des partis, la présence ou l'absence de grands leaders d'opinion [...] En d'autres termes, l'historien ne saurait [...] se dérober à la question : qu'ont-ils voulu ? ».
- ³³ Pour Alexandru DUȚU, l'Europe avait toutes les caractéristiques d'un « modèle » culturel : un idéal normatif, une « idée-force », qui propose des modèles à assimiler, des exemples à imiter, des voies à suivre; un système idéologique ; un schéma théorique, abstrait, autonome, qui fonctionne selon sa logique intérieure, même si l'image ne tient pas compte de toutes les données de la réalité occidentale (IDEM, *Cultura română în civilizația europeană modernă [La culture roumaine dans la civilisation européenne moderne]*, Minerva, Bucarest, 1978, p. 186).
- ³⁴ Pour une solide analyse de la réception de certains ouvrages occidentaux et pour l'utilisation du terme « démocratie » au début du XIXe siècle roumain, voir Raluca ALEXANDRESCU, „ « Le convenable et le possible »: despre «

- democrație » la început de secol XIX românesc” [« ‘Le convenable et le possible’ : sur la ‘démocratie’ au début du XIXe siècle roumain »], in *Studia Politica. Romanian Political Science Review*, vol. III, no. 2, 2003, pp. 323-335; IDEM, „ « Democrația » înainte de partid” [« La ‘démocratie’ avant les partis »], in *Studia Politica. Romanian Political Science Review*, vol. IV, no. 1, 2004, pp. 19-38. Pour un exemple récent d’analyse en terme d’influence – l’influence de la Révolution française et des guerres napoléoniennes sur la naissance du libéralisme politique dans l’espace roumain au début du XIXe siècle –, dans la ligne d’analyse d’A.D. Xenopol, voir Apostol STAN, „Originile liberalismului politic în România” [« Les origines du libéralisme politique en Roumanie »], in *Revista istorică*, vol. I, nr. 4, avril 1990, pp. 321-333.
- 35 cf. Cristian PREDA, *Contribuții la istoria intelectuală a politicii românești* [*Contributions à l’histoire intellectuelle de la politique roumaine*], Meridiane, Bucarest, 2003, p. 7.
- 36 *Ibidem*, p. 128.
- 37 Cette mise en garde particulièrement utile est faite par Dominique CHAGNOLLAUD, Jean-Louis QUERMONNE, *Le gouvernement de la France sous la Ve République*, Fayard, Paris, 1996, p. 43.
- 38 Voir en ce sens le programme de recherche dont l’aboutissement est l’ouvrage *Unraveling Ties. From Social Cohesion to New Practices of Connectedness*, sous la direction de Yehuda ELKANA, Ivan KRASTEV, Elisio MACAMO, Shalini RANDERIA, Campus Verlag, Frankfurt/New York, 2002. Voir surtout le chapitre introductif de Elisio S. MACAMO, Ivan KRASTEV, Shalini RANDERIA, “Unraveling Ties: Disciplinary Legacies and Changing Cartographies”, pp. 11-21.
- 39 Se reporter surtout à ce qui constitue désormais la référence : Michel ESPAGNE, *Les transferts culturels franco-allemands*, PUF, Paris, 1999.
- 40 Sorin Liviu DAMEAN, *op. cit.*, p. 61. Le long de cette étude, les dates suivent le style ancien.
- 41 Ion MAMINA, Ion BULEI, *Guverne și guvernanți...cit.*, p. 11.
- 42 *D.A.C.*, pp. 4, 7-9.
- 43 Projet de constitution modifié par le Comité, art. 28, *D.A.C.*, p. 37.
- 44 Ioan C. FILITTI, *Izvoarele Constituției dela 1866* [*Les sources de la Constitution de 1866*], Tipografia ziarului „Universul”, Bucarest, 1934, p. 21.
- 45 Le texte de la Constitution de 1866 est reproduit dans Ioan MURARU, Gheorghe IANCU, *Constituțiile române. Texte, note, prezentare comparativă* [*Les Constitutions roumaines. Textes, notes, présentation comparative*], ed. a III-a, Regia Autonomă „Monitorul Oficial”, Bucarest, 1995, pp. 31-59, et dans Ion MAMINA, *Monarhia constituțională în România. Enciclopedie politică...cit.*, pp. 16-27.

- 46 Pour la présentation des arguments des deux « camps », voir également *Istoria parlamentului și a vieții parlamentare...cit.*, pp. 154, 156-157; Anastasie IORDACHE, *Instituirea monarhiei constituționale și a regimului parlamentar în România. 1866-1871 [L'institution de la monarchie constitutionnelle et du régime parlementaire en Roumanie. 1866-1871]*, Ed. Majadahonda, Bucarest, 1997, pp. 76-79; Apostol STAN, *Grupări și curente politice în România...cit.*, p. 129.
- 47 J'ai dépouillé le débat sur la composition du législatif, en analysant chaque intervention dans la Constituante, dans « Législatif bicaméral ou unicaméral? Dezbaterea constituțională de la 1866 » [« Législatif bicaméral ou monocalaméral ? Le débat constitutionnel de 1866 »], *Analele Universității din București*, științe politice, anul II, 2000, pp. 69-93. Il est intéressant de constater le grand nombre d'éléments communs entre le débat roumain sur l'organisation des pouvoirs dans la Constituante de 1866 et les discussions de septembre 1789 en France dans l'Assemblée constituante. Voir à cet égard Patrice GUENIFFEY, « Constitution et intérêts sociaux : le débat sur les deux chambres », in *1789 et l'invention de la constitution*, sous la direction de Michel TROPER et Lucien JAUME, Actes du colloque de Paris organisé par l'Association Française de Science Politique : 2, 3 et 4 mars 1989, L.G.D.J.-Bruylant, Paris, 1994, pp. 77-88.
- 48 D.A.C., pp. 29, 53, 184.
- 49 D.A.C., p. 185.
- 50 Ioan C. FILITTI, *Izvoarele Constituției dela 1866...cit.*, pp. 11-12, 43-44.
- 51 D.A.C., p. 191.
- 52 Par le Traité de Paris de 1856, la garantie des Grandes Puissances se substitue au contrôle russe dans les deux Principautés de la Valachie et de la Moldavie (art. XXV du Traité). Dans les conditions de la rivalité stratégique entre les Grandes Puissances, la solution qui a émergé était le signe d'un compromis : l'article XXIII du Traité garantissait l'indépendance de l'administration, du commerce, de la législation, de la religion, et prévoyait la constitution d'une Commission chargée de l'unification administrative des Principautés et de leur organisation future. La Commission centrale de Focșani a été mise en place en 1859. L'article XXIV du Traité prévoyait la convocation de divans ad-hoc dans les deux Principautés afin d'« exprimer les souhaits du peuple concernant l'organisation définitive des Principautés » (M.S. ANDERSON, *The Great Powers and the Near East. 1774-1923. Documents of Modern History*, Edward Arnold, Londres, 1970, pp. 83-84).
- 53 D.A.C., pp. 191-192; voir également D.A.C., p. 203.
- 54 D.A.C., p. 192.
- 55 D.A.C., p. 193.
- 56 D.A.C., pp. 198-199.
- 57 D.A.C., p. 201.
- 58 Voir à cet égard Apostol STAN, *Grupări și curente politice în România între Unire și Independență...cit.*, pp. 128-129.

- 59 Ioan C. FILITTI, *Izvoarele Constituției dela 1866...*cit., pp. 11, 12-13, 15, 43-44; IDEM, „Des origines du régime représentatif en Roumanie”, extrait des *Documents franco-roumains*, no 3-4, 1931, pp. 2-22.
- 60 *D.A.C.*, p. 209.
- 61 *Istoria parlamentului și a vieții parlamentare...*cit., pp. 156-157.
- 62 Voir à ce sujet Daniel BARBU, *Bizanț contra Bizanț...*cit., pp. 32-33, 66.
- 63 Valentin Al. GEORGESCU, *Bizanțul și instituțiile românești până la mijlocul secolului al XVIII-lea*, Bucarest, 1980, p. 225, *apud* Daniel BARBU, *Bizanț contra Bizanț...*cit., p. 32.
- 64 Daniel BARBU, *Bizanț contra Bizanț...*cit., pp. 32, 34-43.
- 65 *D.A.C.*, p. 185.
- 66 *D.A.C.*, p. 190.
- 67 *D.A.C.*, pp. 206-207.
- 68 *D.A.C.*, p. 207.
- 69 *D.A.C.*, p. 204.
- 70 A.D. XENOPOL, *op. cit.*, pp. 548-549.
- 71 *D.A.C.*, p. 190.
- 72 *D.A.C.*, pp. 190-191.
- 73 *D.A.C.*, p. 207.
- 74 IDEM.
- 75 C'est-à-dire les conservateurs, *junimea*.
- 76 *D.A.C.*, pp. 207-208.
- 77 *D.A.C.*, pp. 196, 202.
- 78 *D.A.C.*, p. 189.
- 79 *D.A.C.*, pp. 184-185
- 80 *D.A.C.*, p. 194.
- 81 Klaus von BEYME, *Parliamentary Democracy. Democratization, Destabilization, Reconsolidation, 1789-1999*, Macmillan, Houdmills, 2000, p. 8.
- 82 Andrew C. JANOS, *op. cit.*, p. 65.
- 83 *D.A.C.*, pp. 28.
- 84 *Istoria parlamentului și a vieții parlamentare...*cit., p. 157.
- 85 Bernard MANIN, *Principes du gouvernement représentatif*, Calmann-Lévy, Paris, 1995, pp. 113-116.
- 86 E.J. HOBSBAWM, *Națiuni și naționalism din 1780 până în prezent. Program, mit, realitate [Nations et nationalismes depuis 1780 à nos jours. Programme, mythe, réalité]*, trad. de Diana Stanciu, Ed. ARC, Chișinău, 1997, pp. 34-35.
- 87 Du total des députés présents (99) pour voter l'article 28, seulement 24 ont voté contre, et 75 pour (*D.A.C.*, p. 209).
- 88 Voir Tudor DRĂGAN, *op. cit.*, p. 193.
- 89 Gérard MAIRET, *Le principe de souveraineté. Histoires et fondements du pouvoir moderne*, Gallimard, Paris, 1997, p. 51.
- 90 *Ibidem*, pp. 94-101.

- ⁹¹ Voir sur ce point l'ouvrage éclairant de Bernard MANIN, *op. cit., passim*, et surtout les conclusions auxquelles il arrive, pp. 14, 299-302, 305.
- ⁹² Teodor Lates, séance du 18 juin 1866, *D.A.C.*, p. 57.
- ⁹³ René REMOND (sous la dir.), *Pour une histoire politique*, Seuil, Paris, 1988, pp. 21, 385.
- ⁹⁴ Pierre ROSANVALLON, *Pour une histoire conceptuelle du politique...cit.*, p. 30.
- ⁹⁵ C'est le point commun le plus important entre cette approche et *l'histoire politique*, cf. le livre programmatique de René REMOND, *op. cit.*
- ⁹⁶ Marcel GAUCHET, *La révolution des droits de l'homme*, Gallimard, Paris, 1989, pp. XIX-XX.
- ⁹⁷ C'est la perspective d'analyse des débats parlementaires utilisée par Ladan BOROUMAND, *La guerre des principes. Les assemblées révolutionnaires face aux droits de l'homme et à la souveraineté de la nation (mai 1789-juillet 1794)*, préface de Mona Ozouf, Ed. de l'EHESS, Paris, 1999, p. 191.
- ⁹⁸ *Ibidem*, p. 192.
- ⁹⁹ Marcel GAUCHET, *op.cit.*, pp. X, 58.
- ¹⁰⁰ *Ibidem*, p. VI.
- ¹⁰¹ Serge BERSTEIN, « La culture politique », in Jean-Pierre RIOUX, Jean-François SIRINELLI (sous la dir.), *Pour une histoire culturelle*, Seuil, Paris, 1997, pp. 372, 386.



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THE FIFTH POWER

TRANSITION OF THE ROMANIAN SECURITATE FROM COMMUNISM TO NATO

Those who after December 22, 1989, believed they would be doing away with the Securitate were harboring illusions. The Securitate in Romania, just like all the other similar institutions in the former socialist countries, is organized in such a way that even if some of its leaders disappear, it goes on functioning without them. Its hierarchy is organized in accordance with the Indian-file principle: when one of its leaders vanishes, the whole file takes one step forward, filling the places occupied automatically. This type of organization, however, has a defect that can destroy the unity of the apparatus: if the chief at the head of the file changes course, all the others follow suit.¹

This is how a man belonging to the Securitate apparatus – a colonel from the county of Dolj – defined the transformation process that took place in the political police during the years of transition in Romania. The “recovery” of the Securitate structures by the authorities that came to power after 1989 has been mentioned and proven many times, and by many people in hundreds of press articles, which show how important areas of society were “contaminated” by the presence of officers of the former communist political police.

Today, officers of the former Securitate can be divided into three large categories. The first category is that of officers who were successful politicians or businessmen. The second category comprises those who were successful both in life and career, advancing from the rank of captain, major or colonel to the rank of general or even head of a Romanian intelligence service. The third category is made up of the few who retired from activity, preferring to live simply on a pension complemented occasionally by income from their parents’ household in the country or, best of all, a lucrative activity like being administrator of an apartment

block or head of personnel charged with employee attendance and discipline in small and medium sized enterprises. In practice, this sorting into categories reflects – in this author's view – the sociological "grid" that described the composition of the Securitate apparatus before 1989. The first two categories generally comprise those who established themselves in the beginning of the 1970s, many of which came from the Securitate School in Băneasa having showed promise as students and being top university graduates. For example, Alexandru Tănăsescu, a former general in the espionage department of the Securitate and – until he was placed in reserve in 1999 – first deputy director of the Foreign Intelligence Service, who graduated magna cum laude from the faculty of history at Bucharest University and, on graduation, was appointed to the post of researcher with the Institute of Historical and Sociological Studies. He held this position until January 3 1973, when he was appointed to the General Direction of Foreign Intelligence² and assigned to many espionage missions in Western countries. The active policy of attracting intellectuals to the Securitate apparatus was devised by the former chief of the State Securitate Department [SSD], General Iulian Vlad, who in 1969, at a time when the structural reforms within the State Securitate Department had reached a climax, held the position of chief of the Cadres Education and Improvement Direction. The third category, which is atypical in the general context of the Securitate apparatus, is made up of people who came to work for the Securitate as a result of certain "combinations of circumstances/events". Members of this group perceived their own positions in terms of a compromise that would afford them a slightly better life, or were simply officers who in the past had been "renowned" for their utter incompetence. Without a shadow of a doubt, this third category now belongs to history. The first two, however, continue as practitioners of a custom attributed by legend to KGB instructors: "Some people are writing history, we are making it."

On December 22 1989, the State Securitate Department had a total of 15,312 employees, of which 10,114 were officers, 791 military foremen, 3,179 non-commissioned officers, and 1,228 civilian personnel. The central divisions of the Securitate employed 6,602 people; the territorial divisions and the Securitate of the Municipality of Bucharest employed 6,059 people; while the cadres of educational and improvement schools numbered 225 persons and the special undercover units 2,426, of which

1,892 were officers.³ The events of December 22 1989 caught many in the Securitate unawares, many were unprepared. For example, events took place so fast that, some two hours after the courtyard of the Securitate Inspectorate in Braşov had filled with people, a military foreman was still sent to a farm belonging to the Party Household near Braşov to collect a pig for the holiday dinner of the cadres. The lack of imagination shown in evaluating the events that preceded Ceauşescu's flight, borne of a sense of belonging to an immutable caste experienced by each Securitate operative, led to paralysis of the system.

Neither the general chaos that reigned on December 22 1989, nor the subsequent the manner in which the structures of the State Securitate Department were dissolved and brought under control was explained clearly in the succession of normative acts issued by the provisional power. The apparatus of the communist party found itself in the same situation. Firstly, the communiqué to the country by the National Salvation Front delivered by television by Ion Iliescu on the evening of December 22 1989 mentioned only that "the whole of state power had been taken over by the Council of the National Salvation Front [CNSF], to which is subordinated the Superior Military Council that coordinates the entire activity of the army and the units of the Ministry of Internal Affairs." Although this formulation proved sufficiently confusing to heighten the unlimited certainty and direction of the period, it was not until December 24 that the CNSF delivered a further communiqué, which said: "The units of the Ministry of Internal Affairs will be integrated into the Ministry of National Defense, which will take over the sole command of all the country's troops and means of combat."⁴ In the two days following Ceauşescu's flight, the former Securitate was denounced, but the demonization was limited only to the level of public conscience. With the dissolution of the former political police into the waters of power having already begun, there has to this day been no official condemnation of the repressive deeds it once performed.

Directly after being appointed minister of national defense, General Nicolae Militaru, a former client of counterespionage thanks to his connections with the Soviet agency of military espionage, signed a new CNSF decree together with Ion Iliescu. The new decree (No. 4 of December 26 1989) dealt with the fate of the former SSD. In Article 1 it made clear that:

The State Securitate Department, the Command of the Securitate Troops, together with the organs and divisions reporting to them, are to become part of the composition of the Ministry of National Defense. The above includes the structure, budget, personnel, armament, ammunition, technical equipment, fixed assets, and the assets and liabilities within the country and abroad.⁵

Set against the background of a manipulation of public opinion, as evidenced by television images of dismantled telephone bugging centers, the first months of 1991 saw an intense regrouping of the former Securitate structures in parallel with efforts by a number of provisional dignitaries to control these structures. Formally, the former Securitate was subordinated to the Ministry of National Defense on December 22. On December 31, immediately after Iulian Vlad and his entourage had been arrested, Ion Iliescu appointed then vice prime minister of the Provisional Government Gelu Voican Voiculescu to the post of commander of the State Security Department.⁶ On the evening of the same day, at 10 p.m., Voican Voiculescu organized an extraordinary meeting at the Ministry of Internal Affairs of the highest-ranking officers of the Securitate. At this meeting, he promised the SSD officers that the new power would not wage war against them, but would only abolish the structures of the institution. On January 2 1990 General Militaru and Voican Voiculescu began coordinating the takeover of the Securitate by the Ministry of National Defense. A thorough analysis of the organizational chart of the Securitate was conducted and the future intelligence structures of Romania were outlined. These structures were formed using the personnel and logistics of the Securitate, which had not been formally abolished. It is worth remembering that with the decree signed on December 26 by Ion Iliescu and Nicolae Militaru, the State Securitate Department was transferred as a whole to the Ministry of National Defense and became a component part of the ministry. The archives of the SSD, its vast network of informers, the services intelligence officers were capable of performing, and, finally, the business interests of the Securitate – all these things were quickly understood by the new power.⁷

The fate that befell the Securitate – which disappeared by itself without its disappearance being confirmed by law – was also shared by the former communist party, and for the same reasons. The decree for the dissolution of the Romanian Communist Party, signed under pressure from the streets on January 12 1990, was abrogated after five days by a decision of the

Council of the National Salvation Front.⁸ Dissolution would have entailed the issue of succession and establishment by law of how to divide the patrimony of the Romanian Communist Party. In both cases, besides the political motivations of the new power, which hesitated to make a real split with the past, there existed another reason. We can call this the *privatization of the communist regime* in keeping with the pattern of what was also happening at the time in the USSR.⁹

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A large number of Securitate operatives were then recovered and utilized by the provisional power in the first months of 1990 and integrated into the structure of the “new” intelligence services and the governmental apparatus, into the ministries of Internal Affairs, Justice, Foreign Affairs, and Foreign Trade.¹⁰ The intelligence services took over almost the entire personnel and logistics of entire departments in the Securitate. In Romania, according to Law No. 51 of July 29 1991 regarding national security, there are no fewer than seven (officially) operational secret services: the Romanian Intelligence Service, the Foreign Intelligence Service, and the Protection and Guard Service; these are followed by three other services developed in compliance with Article 6 of the same law within “the Ministry of National Defense, the Ministry of Internal Affairs, and the Ministry of Justice, by means of specialized internal structures”; finally, there is also a separate structure, the Special Communications Service, tasked with protecting official communications. The first of these services, established with the accord of the Provisional Government and the president of the CNSF, Ion Iliescu, at the beginning of the month of February, was the intelligence service of the Ministry of Internal Affairs. This service took over 260 of the total 566 officers formerly belonging to the Securitate of the Municipality of Bucharest.¹¹ The new service was officially headed by Admiral Cico Dumitrescu, but in practice was controlled from behind the scenes by Voican Voiculescu assisted by his advisers – Securitate General Nicolae Doicaru, former chief of communist counterespionage, and Colonel Viorel Tache.

The policy of assigning former Securitate operatives in parallel to governmental structures continued. In the following years, many Securitate operatives took refuge in the government and local power structures, or with Romanian representations abroad. For example, during August 1993

the Ministry of Foreign Affairs, the Ministry of Foreign Trade, and the Ministry of Tourism appointed a number of seventeen former high-ranking officers of the former Securitate to positions abroad – as military attachés or commercial advisors. A further eleven were transferred to the Central Headquarters of the Ministry of Foreign Trade to take up leadership positions, thereby strengthening the ranks of Securitate officers already present in those structures. Of Peter Ciobanu, for example, a director in the Ministry of Foreign Trade, it was known that he was a former spy. Two other Securitate officers held important positions in the reform and finance system: Radu Herghelegiu was appointed coordinator at the Reform Department, while Petru Rareş became director of EXIMBANK.¹² The effect was that Romania's structures of representation continued to be dominated by the former Securitate. The position of the régime in this respect was made clear by the explicit policy adopted in 1990, when Mihai Caraman was appointed chief of the newly established External Intelligence Service. Caraman was famous for having been a Romanian spy who in the 1960s caused much harm to the North Atlantic Treaty Alliance when he succeeded in purloining a large quantity of secret documents later delivered by Ceauşescu to the Soviet Union. This appointment, combined with the regrouping of former Securitate operatives, sent a clear signal to the West as to the pro-Soviet orientation of the new power in Romania. Romania was in fact the last country to sign the dissolution of the Warsaw Treaty and the only country in the Soviet Bloc to sign a treaty with the USSR (April 1991).

Coming back to the former Securitate: the remaining former operatives that had not been incorporated into the structures of the intelligence services and the central and territorial apparatus of government, or included on electoral lists, were instead allowed to enter the world of business. They came to constitute an "élite force" that was involved in all the more profitable market affairs – from the bankrupting of state companies by overvaluing supply and sales contracts, to large-scale import-export businesses and the control of privatization processes. As a consequence, the "crisis period" endured by the Securitate in December 1989 was short lived: the new power structures, as soon as they felt their position threatened by the re-establishment of historical parties in the context of political pluralism, were quick to understand the benefits to be gained from utilizing the capabilities of the former Securitate operatives. Competition from these parties was to be eliminated – in as far as possible without the violent implication of the state institutions – by controlling

and discrediting them, which the SSD cadres were both trained and willing to do.

The complicity of the new authorities with the structures of the former Securitate resulted in actions that placed the latter unconditionally in the service of power. By way of example we may look at the campaign of slander which became a permanent feature during 1990-1992 and was typical of the former "D" (disinformation) service headed by the Mihail Stan, who in the meantime had become a general and deputy director of the RIS. At times the attacks verged on the absurd, as can be seen from the following brief catalog of targets and themes of the campaign: of the well-known dissident Doina Cornea it was said that she had distributed money for political purposes and had gone around the country buying companies, that she was in fact Jewish, and that, together with Radu Câmpeanu and Ion Rațiu (whose real name was allegedly Racz Janos), had signed a treaty with the Hungarian Ministry of Foreign Affairs stipulating the detailed "sale" of Romania's territory for their benefit. This story was published several times – in facsimile, in NSF official newspapers – and spread in the larger towns as apparent truth. In a similar vein, it was said of Corneliu Coposu that he had lived almost his entire life in the West, without knowing the difficulties suffered by ordinary Romanians. With this occasion the highly popular syntagm was launched: "You did not eat Soya salami". And in the official NSF daily newspaper, "Azi", Constantin Ticu Dumitrescu, the leader of the "Association of Former Political Detainees", was denounced by means of falsified photographs showing him to have participated in the assassinations perpetrated by the legionnaires in 1940 – needless to say, omitting the fact that he was only 12 years old at the time the assassinations took place.¹³

As the years went by and, as with the post-communist régime, the occult power of the former Securitate increased – through the infiltration of political parties and power structures, not to mention the coordination of the Romanian intelligence services – these methods ceased to be necessary weapons in the arsenal of the political police. Meanwhile, however, the Securitate had penetrated Parliament, was leading the Government, and executing the orders of power within the secret services: the Securitate had been privatized. All attempts to dismantle the huge hidden power the Securitate has amassed have so far ended in failure. In the first years after 1989, Securitate operatives won immunity from the abuses committed in the past – abuses which were not only far from

being punished, as the trial for the assassination of anticommunist dissident engineer Gheorghe Ursu in 1985 shows, but which were not even seriously investigated. The belated setting up of a National Council for the Study of the Securitate Archives (NCSSA) with a view to unveiling the activity of the former communist political police ended in failure: the new institution had nothing to work on since, under various pretexts and with the tacit agreement of President Iliescu, the secret services refused to respect the law and hand over the archives of the Securitate to the NCSSA. This protecting of the past was only part of the reward the then power gave to the former Securitate for helping what is today the Social-Democrat party, successors by direct filiation of the former communist party, in regaining and consolidating power. Under the cover of a genuine conspiracy of silence, the authors and instigators of a long series of criminal abuses inflicted on the Romanian people during communism were kept within the structures of the secret services in their new roles as *specialists*, who moved in the shadows of power and became “respectable/honorable” businessmen or equally “respectable” politicians. This leads to the inevitable question: How does the Năstase Government and President Iliescu intend to meet the requirements of NATO, which has expressed concern as to the strong influence still exerted today over Romanian society by former Securitate operatives? Do they really intend to do this? And, if they are, are they in a position to do so?

Unfortunately, no declaration by President Iliescu or Prime Minister Adrian Năstase has touched upon this subject. The Romanian authorities have preferred instead to insist upon laws for the defense of NATO secrets, thereby bypassing the essential: that those who represent a real danger to those secrets are the very same Securitate operatives who have been entrusted to guard them. As one-time NATO rivals, they once betrayed Ceaușescu, and so too might they one day betray the secrets of the Alliance.

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The former Securitate currently dominates the economy.¹⁴ When declarations in Washington refer to corruption, they move immediately to the topic of the former Securitate with which they implicitly associate the bribery and name-dropping that took root in Romania in the last ten years after flourishing prodigiously during the transition stage. The

privatization process in which the Securitate participated was a carbon copy of the way the so-called transition took place in the Soviet Union – in numerous stages. The only difference is that the process in Romania was non violent. One possible explanation for the non-violent character of this process is the loyalty of the private structures of the Securitate towards their new protectors, a loyalty that was strengthened by the fact that they were “recovered” or rescued by the new power after December 1989 at a time when the majority of the population was requesting the dissolution of the political police and their arrest.

In terms of politics or business, the former Securitate act in accordance with their own rules, which bear no relation to democracy or the contract-based market economy. Anyone who stands in their way or of whom they have need is either bought off or compromised. As the source of much corruption and illicit business, being involved in the smuggling of cigarettes, diesel, alcohol and even weapons, and known to bank-bankrupt “advisors” or organizers of financial embezzlement schemes masked as investments funds, while always enjoying sizable political and logistical support – the Securitate represent the fifth power in the Romania today. Among other examples, they were responsible for bankrupting Bancorex, the largest bank with state capital in Romania. The bank disappeared after having granted huge non-secured credits, mainly to companies in which former party activists and Securitate operatives were shareholders, but also directly to officers of the intelligence services, magistrates and policemen. According to the report by the International Monetary Fund for the year 2000, the bankruptcy cost Romania two billion USD.

This would not have been possible without political protection and control. The links between Securitate operatives and the Iliescu régime are as strong as those that existed during Ceaușescu régime, if not even stronger since they are based not just on simple military subordination but also on common interests. During the privatization of communism, the non-violent transfer of state patrimony from socialist ownership to the private sphere of funds, accounts, profitable businesses and property can be explained in terms of the close links between Securitate operatives who chose to enter the world of business, their colleagues that remained in the ranks of intelligence services, and the political protectors of both categories, who themselves are exponents of the old communist élite. These different links in the chain of power are not based on competitive relationships. Rather they work collaboratively, being based on close

personal and long-standing relationships that were not changed after the events of December 1989, but were in fact taken to a new dimension.

When the identity of a former Securitate operative from the secret services or the structures of power is compromised by a leak to the press, he is saved by “rotation of cadres”, which removes him from visibility, though not from a position of influence and power. This happened in the case of General Victor Marcu.¹⁵ General Marcu was born on June 28 1943 in the village of Ulmi in Dâmbovița County. His real family name is Butucea. He graduated in 1970 from the School of Law at the University of Bucharest and began to work at the Securitate’s Direction II for Counterintelligence, where he focused on the economic sectors before being transferred to the Direction of Foreign Intelligence on March 15 1975. Here he worked as an officer and chief of department at the military unit UM 0626, a special unit that dealt with eliminating “hostile emigration”. In practice, UM 0626 had the role of identifying and assassinating persons sentenced to death by Ceaușescu, either for deserting the Securitate or for activities against the régime that had incurred the wrath of the dictator. After 1989, he was “recovered”, and, on May 29 1992, became an RIS general and deputy to Virgil Măgureanu. He was then removed from the Interior Intelligence Service (IIS) on the grounds of his dubious business dealings with the Arab mafia. The Năstase Government, however, appointed this presumed assassin to the position of Secretary General at the Authority for Privatization and Administration of State Participations. His appointment was justified by his superior with the explanation that the credit-worthiness of clients would need to be verified and that the Authority’s intelligence would need to be protected. He was removed from this position only after September 11 2001, when his notorious and close links with Arab smugglers in Romania – which most likely supplied terrorist networks – took on a new importance. Needless to say, it is highly unlikely that these links were not known by the authorities when he was appointed to the position.

Former Securitate operatives in Romania are supported and maintained in a climate of corruption in which they move like fish in water and through which they feed the political class that holds the reins of power with immense amounts of money. In practice they form a bridge between the political and business spheres and are situated on the fringes of the law where they can exploit many opportunities to make quick profits. Any measure taken against the Securitate-mafia groups fails for this very reason: so as not to “cut” the substantial income that guarantees the

welfare of the Social-Democrat dignitaries. The number of villas, luxury cars, and the size of bank accounts is in direct proportion to the closeness of these links, which are sometimes based on personal affinities – as in the case of Premier Adrian Năstase, who is advised even today by the godfather of one of his sons, Colonel Ristea Priboi, despite being well aware of the request of the North Atlantic Alliance and Romania's European partners to diminish the power of the former Securitate.

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A simple listing of the cases in which the former Securitate – who had changed their logo of two crossed machine guns to the three roses of the Social Democrats – were appointed to key positions following the 2000 elections is highly enlightening. Between 1996 and 2000 they even created a paramilitary structure within the framework of the current governing party, which at the time was in opposition. More precisely, they created a *Department for the Guard, Protection, and Propaganda of the Party of Social Democracy of Romania*, utilizing the compromise and disinformation methods of the Securitate to the full. After the success of the elections, many of these officers were reactivated within the intelligence services.

There is a fundamental contradiction between official declarations regarding the strong desire to become a member of NATO, on the one hand, and the reactivation of former Securitate operatives, on the other. There are many examples that illustrate this point, one of the most notable being that of the aforementioned Securitate officer Ristea Priboi. Priboi was born on May 9 1947 in the village of Brădești in Dolj County. He graduated from the Securitate School in Băneasa in 1968 and in 1971 obtained a degree as a graduate in law. One year previously, on January 1 1970, he was appointed as an officer in the External Intelligence Direction (EID). He was assigned to espionage missions in his role as a cadre of the EID in England (1974 to 1978), followed by Sweden, France, Spain, Norway, Denmark, Belgium, Holland, and Greece. In December 1989 he placed himself at the service of the newly installed power, which at the time appeared more interested in preserving the Warsaw Treaty (the dissolution of which was signed last by Romania) than in integration into NATO. His last mission, this time as an officer of the External Intelligence Service (EIS), was to Yugoslavia, where, in 1994, he

“cemented” the friendship relationship between the Iliescu régime and that of Milosovic and contributed to the organization of fuel smuggling to the former Yugoslavia in a deliberate infringement of the embargo. The smuggling was performed in 1995 by the Romanian authorities with the help of the secret services and a number of private companies controlled by former Securitate officers. After being placed in reserve, Priboi placed his expertise at the disposal of Adrian Năstase and became an advisor to the latter on “issues of national security”. Prime Minister Năstase supported him in his bid to obtain the position of chairman of the Parliamentary Commission for the Control of the EIS and only the quick reaction of the press prevented this from happening.

As a Securitate operative, Ristea Priboi had been among other things the deputy to the chief of the department within the EID concerned with “Radio Free Europe” during a period in which Romanian espionage organized not only the bomb attack on the Munich headquarters of Radio Free Europe (perpetrated by Carlos the Jackal with the coordination of the Securitate), but also various attempts to assassinate Radio Free Europe employees and the dissident writer Paul Goma. The author’s own investigations have shown that Priboi – habitué, mentor, and hunting mate of Năstase – also performed political police activities in Romania. He was involved in the actions of the Securitate against a large group of intellectuals in 1981.¹⁶ Two protesters in the revolt in Brasov in 1987 claim they were investigated by him, one even accusing him of participation in acts of torture.¹⁷ Despite this, Ristea Priboi swore, on becoming a deputy in the Romanian Parliament, that he had never collaborated with the former Securitate. Cynically, Priboi believes he did not commit perjury since there is a difference, he says, between “to collaborate” and “to be employed”. Typically, Ion Iliescu and Adrian Năstase joined forces in defending Priboi, who had rightly been accused by the press, civil society, and a section of the political opposition. Ion Iliescu, for example, urged Romanians to free themselves “from the emotional and psychological burden that lies heavily on the climate of the country”, maintaining that, “a man should not be blamed” for having worked with the Securitate. This tone differs from the tone assumed when making declarations about Romania’s integration into NATO.

Not satisfied just with Priboi, after being installed as head of government, Adrian Năstase promoted yet another former spy to the post of advisor. Constantin Silinescu was born on March 30 1948 at Potcoava in Olt County. He was a division general who was placed in reserve in 1977

after having been a deputy director with the EIS. He graduated from the Securitate School in Băneasa (1966-1974), the Law School (1972), and the Special School for Spies (1973-1974), after which he was sent on espionage missions in the West. He was first sent to Great Britain (1974-1984) together with his colleague Ristea Priboi to conduct espionage activity under the cover of the Third Secretary at the Romanian Embassy in London, before moving on to Czechoslovakia (1979-1984) – again under diplomatic cover. After this he was sent on various missions to the former USSR, Bulgaria, China, Yugoslavia, Hungary, Mongolia, and the USA throughout the period 1985-1989. After revelations in the press, and especially those made by the opposition politician Ioan Talpeș (presidential advisor on issues of national security, who had a very bad relationship with Iliescu and whose daughter had divorced Iliescu's son), the former spy lost his position as advisor to the Prime Minister on "special issues". In exchange, however, he became a director of the National Agency for Environmental Protection, a field in which he suddenly appeared to possess a wealth of expertise, even publishing a book on the subject, though he was later accused of plagiarism.

The list of Securitate operatives that were reactivated after 2000 within the structures of power continues with Marian Ureche. At the beginning of the 1980s, Ureche worked for the Securitate of the Municipality of Bucharest. By December 1989 he had become deputy commander of Direction I of the State Securitate Department, which dealt with the tracking of persons that had become inconvenient to the régime. As recently proved by the College of the National Council for the Study of Securitate Archives, Ureche had inspired and participated in political police activities, including the political persecution of the philosopher Ioan Petru Culianu. In 1994, he became a shareholder in ARGIROM Holding, together with former Minister of Interior Doru Ioan Tărăcilă and the Social-Democrat deputy Iosif Armaș, who was one of the richest members of Parliament. At the time, Ureche was a professor at the National Intelligence Institute, the cadres school of the Romanian Intelligence Service. He helped establish the ARGIROM company, contributing 179,820,000 lei in share capital, which was a huge amount of money at a time when the average wage did not exceed 15,000 Lei and which could not be explained in terms of his legal income. He subsequently transferred his shares to his wife's name. After the elections of 2000, he became the head of the Independent Protection and Anticorruption Service in the Ministry of Justice, but later resigned in

December 2003 following revelations by this author about his past as a Securitate operative. Ureche's business affairs did not escape the eyes of the press, either. He was also involved in managing a number of contracts for importing oil, as well as exporting oil to Yugoslavia during the embargo. A company he controlled was credited by the State with nearly 22,000,000 USD. The money has never been repaid.¹⁸

Ureche was not the only secret service head to be compromised by his past in the political police. After the 2000 elections, President Iliescu appointed Tudor Tănase to the post of Special Communications Service General. He had been a member of General Nicolae Pleșiță's team at the time the latter was in charge of the External Intelligence Direction and in touch with the terrorist Carlos the Jackal. Tănase joined the Securitate operatives that had worked as spies in the West and were members of the team of "specialists" which Iliescu and Năstase would adhere to NATO. The number of reasons for bewilderment in relation to the way the Euro-Atlantic integration of Romania is to take place is roughly equal to the number of Securitate operatives reactivated under the generous umbrella of the Social-Democrat Party, to whose ranks belong also those officials promoted to extremely important positions who in the past had declared visible hostility towards the NATO Alliance. Iliescu chose Radu Timofte to be head of the Romanian Intelligence Service, someone who had displayed violent anti-NATO sentiments during the Kosovo conflict. The same is true of the current Defense Minister, Ioan Mircea Pașcu.

An unexpected pretext for the reactivation of former Securitate operatives was created by invoking national security requirements after the attacks of September 11 2001. The reactivation of a number of notorious Securitate operatives, and their promotion to powerful positions, was accompanied by the increased sphere of possible action granted to the secret services under the pretext of an "antiterrorist strategy".¹⁹ On a positive note, the terrorist attacks did at least draw attention to the duplicitous policy of the authorities as regards the organized networks of the "Arab mafia", which had enjoyed immunity in Romania in exchange for excluding Romania from the list of countries targeted for terrorist attack. This policy was inherited from the Ceaușescu régime through the agency of the former Securitate operatives. Ceaușescu's privileged relations with the Arab world of the 1980s are known: they existed at a time when Romania was isolated from the West and even from its partners in the Eastern Bloc. Romania could not avoid becoming a favored terrain

for Islamic terrorism, all the more so as from 1980 up to the Revolution more than half a million Arab students passed through Romania. All these students had come under the magnifying glass of the Securitate, which used some as informers or as communication channels with the Arab secret services and international terrorist networks. After 1989, some chose to stay in Romania and became Romanian citizens. Most Arabs living in Romania have no affinities with fundamentalist movements, nor do they have connections with terrorist movements or illegal business. Nonetheless, until 1996 some had developed illegal businesses and connections with the explicit protection of the Romanian authorities. And it was no accident that Ossama bin Laden mentioned Romania as one of the countries from which Al Qaeda had received financing. The organization of financial support networks was the price being paid for keeping Romania off the map of the countries targeted for terrorist attack.

A few days after the tragic events of September 11, 2001, one of the top voices of authority, that of the director of the Romanian Intelligence Service, Radu Timofte, declared that Romania was not vulnerable to terrorist attack and that terrorist groups had never had support from Romania. He later changed his declaration, probably after learning of the close relationships that had existed between the former Securitate and Arab terrorism. On September 20 2001, this author published an article²⁰ in an important Romanian daily newspaper directly referring to the support granted by the Iliescu régime to the Arab mafia up until 1996. The following day, the RIS published the following communiqué:

The Service regrets to remark that from an excess that can only be harmful, the authors of some so-called sensational revelations or signatories of documentary materials and investigations and analyses, have entered, perhaps involuntarily, into a dangerous game of communicating false information that could be detrimental to national security and the foreign relations of Romania.

One day later, in an implicit recognition of the links, the author was denounced by the Romanian Presidency to the General Magistrate on the grounds of *divulging state secrets*. In the end, the prosecutors in the case decided that no crime had been committed by publishing the evidence and the author was not made the subject of any investigation. Two months after the September 11 attacks, the RIS director, Radu Timofte, finally admitted that “large amounts of money” from Romania had the

funded the foreign accounts of certain organizations: "Large amounts of money flowed from [Romania] to the bank accounts abroad of some international organizations, possibly of a terrorist nature."²¹

The raising of funds for Arab terrorism was made possible mainly during the previous mandates of Ion Iliescu. As is apparent from the numerous revelations published in the Romanian press at the time, smuggling was state policy. The power won as a result of the elections was not used to implement the party's various election promises, but was instead used to ease the running of illegal businesses, which provided government officials and other public dignities with immense amounts of money. Many of these illegal activities were carried out by genuine mafia-type networks, organized by Arab nationals, one of which, Kamel Kader, was himself to become a dignitary under the Iliescu régime. Kader was born on March 9, 1960 in Rafah in the Gaza strip as the son of Ahmed and Aisha Mohammed. When he was granted Romanian citizenship in 1993, he was the only known permanent resident at 31 Mureş Street in Timișoara. He graduated from the Timișoara Medical School, qualified as a doctor. He informed on his Arab and Romanian colleagues, including the Securitate officers Traian Sima and Radu Tinu. One of the "favors" granted to him in exchange for his reports was the obtaining of visas and passports for a certain fee for the entry into Romania of other Palestinian citizens through the agency of Colonel Orleanu, chief of the Timiș Passport Office. During his academic years, Kader openly introduced himself as leader of the Palestinian students in Romania, and from his friends he also did not hide his membership of two terrorist groups (Al Fatah and Abu Nidal) or his past as a former combatant in the West Front in Lebanon. In fact, both before and after 1989 he maintained more or less open relationships with the Organization for the Liberation of Palestine and the Palestinian Authority. These relations became more frequent after the arrival in Bucharest on February 26, 1990 of the official Palestinian representative Fouad al Bittar. However, he also established confidential links with the RIS and the Ministry of Internal Affairs, which was mainly formed from the former Securitate. It is quite possible that, in the words of one former intelligence officer who knew him at the time, "not even he knew for whom he was working".²²

Kader's main preoccupation was smuggling via Romania's Western borders. Just as with another big smuggler, Zaher Iskandarani, Kader, as both Syrian intelligence officer and Securitate agent, contributed large amounts of money to the Social Democrat election campaign in 1992.

As asserted, his close relationships with the head of the Presidential campaign at the time, Viorel Hrebenciuc, resulted in a “contribution” of around one million dollars from the Palestinian community in Romania. As a reward, for three years (1992 to 1994) Kader held positions with both the Presidency and the Government, where he had the function of “advisor” in both cases as the representative of the “Palestinian minority in Romania”. In Government he would attend cabinet meetings, entering by the official entrance, armed with a gun and a cell phone – a rarity at the time – and was not subject to any controls thanks to his status as a Romanian state dignitary, who could had direct access to governmental telex and fax machines. In 1994, he controlled fourteen companies in Timișoara and Bucharest, obtained sizable loans from the state-controlled banks thanks to his function in Government, and was the main beneficiary of export licenses for timber, calves, and baby rams – licenses he either ceded to other Arab businessmen or exploited through his own companies.

The decision to revoke Kamel Kader’s position as advisor to the Government and to the Presidency was taken as late as December 1994. As such it proved impossible to avoid a political scandal, which placed the authorities in a delicate position after it was proven that Kader had enjoyed unhindered access to confidential materials. In the meantime, several confidential documents had disappeared from the Government building, leading to their subsequent “declassification” so as to avoid any accusations that Social-Democrat dignitaries had been accomplices to espionage. This precipitated Kader’s departure for Palestine, where he became an advisor on intelligence issues to Yasser Arafat.

The list of the Arab mafia businesses, especially the smuggling of cigarettes, supported by the leadership of the Romanian Intelligence Service through General Marcu is highly impressive. Sometimes the money earned was used to buy weapons, sometimes even from Romania as in the case of the network set up in 1993 by the Lebanese national Elias Nassar. The traffickers escaped punishment, even when caught, and were free to leave the country. Nassar was released in 1994 after paying three million dollars to the Romanian Intelligence Service. Later, another big smuggler under investigation, Victor Michelle Issa, was released from custody and allowed to leave the country, though not before sending President Iliescu a letter of congratulations on the occasion of his birthday.²³

These close relationships and the toleration of the business and financial networks of the Arab mafia in Romania were the result of the strategy

continued after 1990 by the Romanian intelligence officers of the former Securitate who had had close links with Arab students in the past. The unwritten non-aggression pact between the Securitate operatives in the intelligence services and the terrorist networks – through which a lot of people became very rich – bore its ugly head on September 11, 2001 in New York and on March 11, 2004 in Madrid.

*

During the entire period of transition, Romania was exposed to constant and intense pressure from structures of the former communist nomenclature and its activists, who dictated decision making related to both internal and external policies and strategies. On another front – in Parliament, Government, the Justice system, the secret services, the press – large groups of former Securitate operatives were able to exert an active influence on decision making on matters of interest to them. Over a number of years, these structures consolidated into informal power networks. They represent, in their own right, a decision making factor – a fifth power. The force and toxicity of this power has been displayed on several occasions. For example, during Bill Clinton's visit to Bucharest, Jim Steinberg, then deputy advisor for national security at the White House, declared that "the Romanian secret services are full of former Securitate officers to whom no NATO secrets can be entrusted"²⁴. As they were, so they remained. A divorce between the Securitate and its present-day political protectors, the formerly communist Social-Democrat Party, is difficult to imagine, which is why I have tried to describe life as it is in Romania today with its Securitate operatives newly admitted to NATO. An illuminating anecdote describes this well: my former Securitate investigator (currently a banker) and a former subordinate of his (still active in the secret services) were exchanging jokes with some Americans during half-time at a football match – the result of which they already knew as it was they themselves that had arranged it; all the while they were eating sunflower seeds out of paper bags labeled "Top Secret" and wearing American "Red Bulls" caps.

NOTES

- ¹ Marius Oprea, *Moștenitorii Securității*, an article in *Analele Institutului Român de Istorie Recentă*, Vol. 1, Polirom Publishing House, Iasi, 2003, p. 13.
- ² Alexandru Tănăsescu was born in Bucharest on March 17 1945. After being placed in reserve in December 1999 he reemerged as a close supporter of the former Party of Social Democracy of Romania, currently the ruling Social Democrat Party.
- ³ Data taken from the Organizational Chart of the State Securitate Direction, published by the author under the pseudonim B. Petriceicu in "România Liberă", issue no. 4187/2003.
- ⁴ Domnița Ștefănescu, *Cinci ani din istoria României. O cronologie a evenimentelor, decembrie 1989 –decembrie 1994*. Mașina de Scris Publishing House, 1995, p. 34 (hereinafter referred to as *Cinci ani...*).
- ⁵ *Ibidem*.
- ⁶ "România Liberă", issue no. 1207/1994.
- ⁷ See details of the process whereby the former Securitate was taken over by the new power installed in Bucharest after December 22 1989 in Marius Oprea, *Moștenitorii Securității*, pp. 13-36.
- ⁸ *Cinci ani...*, pp.46-47.
- ⁹ The participation of the Securitate in privatizations and its implications was elaborated upon by the author during a conference on "The post-revolutionary businesses of the Securitate" that took place at the New Europe College in Bucharest on January 7 2004. The main parts of the conference were published in the daily newspaper "România Liberă" on January 22 2004 under the title "*Onorabilele familii...cu epolet*".
- ¹⁰ Many officers were taken on by the Ministry of Foreign Trade, with the heads of department for Asia, the Far East, Africa, and Europe run directly by Securitate operatives in 1990. Former Securitate officers were also appointed to lead a number of foreign trade companies subordinated to the Ministry of Foreign Trade (e.g. FRUCTEXPORT, AGROEXPORT, METALIMPORTEEXPORT, and TERRA). The same happened with afore-mentioned ministries themselves as revealed in various press articles at the time ("România Liberă", issue no. 130/1990, *Securitatea există! Lângă noi...*, "Evenimentul Zilei", issue no. 345-1993, *Numirea unor foști securiști în străinătate aduce României imense prejudicii*).
- ¹¹ "România Liberă", May 26 1998.
- ¹² "Evenimentul Zilei", issue no. 345/1993, *Numirea unor foști securiști în străinătate aduce României imense prejudicii*.
- ¹³ A study of issues from the daily newspaper "Azi" (official newspaper of the NSF) from February-May 1990 is enlightening in terms of the slander and disinformation campaigns conducted at the time.
- ¹⁴ See Note 9.

- 15 There have been many articles in the press regarding the activity of this Securitate officer; also after 1989, referring to his involvement in supporting illegal smuggling operations.
- 16 In "a Plan of measures to prevent and counteract hostile activities against our country under the cover of the 'Transcendental Meditation sect'", which was drawn up by Iulian Vlad in 1982, Ristea Priboi's name appears as main force behind the unveiling of the criminal activity of the "Transcendental Meditation sect" by the Securitate one year before (See Marius Oprea, *Banalitatea răului. O istorie a Securității în documente (1949-1989)*, Polirom Publishing House, Iasi, 2002, p. 396.).
- 17 Marius Oprea and Stejărel Olaru, *The Day We Won't Forget, November 15, 1987, Brașov*, Polirom Publishing House, Iasi, 2004, p. 100 (English version).
- 18 "România Liberă", November 5 2003: *Ministerul Justiției a pierdut o...ureche*.
- 19 Because the secret services in Romania were no longer allowed to conduct "special operations" with the help of the "Arab mafia" they were authorized to set up their own business networks. Through Emergency Ordinance No. 154 of November 21 2001, the SIS was authorized to perform economic activities. A similar allowance for the RIS followed through Emergency Ordinance No. 72 of June 13, 2002, followed by an emergency ordinance for the private service activities that could be conducted by the Protection and Guard Service (Emergency Ordinance No. 103 of August 29, 2002). Even the Special Communications Service gained the right to "provide services" in private conditions through Emergency Ordinance No. 7 of January 30, 2002.
- 20 The article entitled *Brațul de sprijin al lui bin Laden în România*, met with strong reactions and criticism from Social-Democrat officials.
- 21 Radu Timofte's contradictory statements on terrorist networks and their connections with Romania were published in detail in the press at the time.
- 22 For the links between the Arab mafia and the Romanian authorities, with direct reference to Kamel Kader, see also www.tripod.ro, *Regimul Iliescu – paradis al terorismului internațional*.
- 23 The author keeps a duplicate of this letter in his personal archive.
- 24 This statement was published in the Romanian press after the Clinton visit to Bucharest.



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“GUTE ORDNUNG UND DISCIPLIN”: PATTERNS OF SOCIAL DISCIPLINE IN SIBIU (HERMANNSTADT) IN THE SIXTEENTH CENTURY

This paper investigates the specificity of social disciplining and social control in the town of Sibiu in the Reformation era. It will discuss the strategies applied by the urban society in order to create an ideal society shaped by commonly shared civic, political, and moral values.

1. Definition of concepts and methodology of research

The very notion of “social discipline” or “social control” already has some tradition in history writing. Initially, the term *Sozialdisziplinierung* was employed in 1969 by Gerhard Oestreich in his analysis of the creation and functioning of the absolutist state.¹ The concept has been challenged, criticized and enriched in meanings and fields of research ever since.² In a fundamental overview of the problem, Heinz Schilling acknowledged the significance of the concept for understanding the early modern society and state. The author lists an entire range of concepts (*Sozialdisziplinierung*, *soziale Kontrolle*, *Sozialregulierung*, *Policeyordnungen*, etc.) which have been employed by social historians to address the question of early modern society’s striving to exert control and regulation over individuals and social groups.³ Although in many case studies social control is understood narrowly in terms of the control and prevention of crime,⁴ the scope of the concept in this research extends to cover the measures taken by political, ecclesiastical and other civic bodies in order to impose administrative order and bring about change in the moral values of individuals.⁵

“Discipline” and “Policey” were part of the political vocabulary of the sixteenth-century Sibiu authorities, as will be discussed later. The very notion of “Policey” in this period was equal to the idea of civic order which secured the preservation and maintenance of the community.⁶ Recently, the publication of early modern *Policeyordnungen* in the German speaking world has seen some remarkable progress.⁷ However, history writing in Romania has not reacted at all to these developments in European historiography, and this makes my analysis of social discipline in Sibiu an innovative approach in this respect. Opening a new avenue of research has the advantage of bringing to light new approaches and interpretations in social history, though the current stage of my work is still subject to further revisions and refinements.

In the specific case of Sibiu, the mechanisms of social control and social discipline will be investigated based on different norms and regulations which aimed to legitimize the right of the town authorities to exert control over its citizens, maintain civic order and create an ideal model of moral comportment. The source material for the analysis consists of:

- A. Civic norms:
 - town statutes;
 - town ordinances and sumptuary laws;
- B. Norms imposing church discipline;
- C. Corporate norms:
 - guild statutes, apprentices’ articles;
 - neighborhood articles.

These sources will be examined in order to understand how social control was exerted over the citizens of Sibiu by the various social and professional bodies. My working hypothesis is that the town ordinances, which were intended to discipline and educate the entire community of citizens, together with guild and neighborhood articles that regulated the life smaller groups of individuals, can be seen as a coherent and convergent effort by all these institutions to create an ideal society. The keystone of such an endeavor is the willingness and consensus of the targets of this social control.⁸ Being a citizen of Sibiu required acceptance and obeisance to the rules. Social harmony and the common good was the common end for all sixteenth-century Sibiu inhabitants, which were to be obtained exclusively by behaving and living properly. The task of

providing this to the citizens was mostly assumed by the city council, and it was the embracing of the Lutheran faith which increased the authority and legitimacy of the civic authorities to do so, as will be argued throughout this study.

2. The historical development of Sibiu: between the medieval tradition and the early modern times

Founded in 1160 by the mythical figure of Hermann from Nürnberg,⁹ the town acted since its beginnings as the center of the province of Sibiu: the administrative, juridical and ecclesiastical center of all Saxon inhabited territories and different groups of colonists. Some historians believe that the hegemonic role of the town was sought from the start, and their assertions are based on the particular early topography and type of settlement employed in Sibiu. The reconstruction of the original parcel division, consisting of smaller lots of 500-1,100m², together with the initial surface of the settlement, which was significantly larger than those found in neighboring villages, indicate that Sibiu was intended to have a somewhat different purpose than the average colonist settlements in Transylvania.¹⁰ During the fourteenth and fifteenth centuries, Sibiu strengthened its position as a capital of the Saxons in Transylvania. The town evolved into a very important manufacturing and commercial center for Transylvania. This trend was strongly and consistently promoted and supported by the new economic and defense policies of the Hungarian Kings of the fourteenth century. For Sibiu, this resulted in a number of special commercial and trading privileges. Although disputed in early twentieth-century historical writing, it has now been established that one of the major Levantine trade routes passed through Wallachia and the Saxon towns of southern Transylvania, routes which played an important role in providing Central Europe with oriental goods, especially spices. In the fourteenth and fifteenth century Sibiu remained an outpost of the Hungarian kingdom that maintained hegemony over Wallachia.

Sibiu also preserved and strengthened its leading position within the Saxon community. The continuing efforts to fortify the town had many positive consequences: the minting chamber of Transylvania was transferred to Sibiu in 1427 due to the Ottoman threat, a fact which again had crucial consequences for the economic growth of the town. The mayors of Sibiu eventually monopolized the office of the minting

chamber in the period 1444-1499, even intermittently farming out the minting of the coins.¹¹ After an almost three-century long process, in 1486 Hungarian King Matthias Corvin reinforced the privileges in the *Andreanum* (1224) and instituted at the same time the existence of the autonomous juridical and legislative unity of the Transylvanian Saxons, the Saxon University – the “Intact Unity of Saxons” as Konrad Gündisch has put it (*Sächsische Nationsuniversität, universitas Saxonum*).¹² It united the Seven Seats of the Saxons, the Two Seats of the Saxons, and the *Burzenland*.

Tax registers at the turn of the sixteenth century counted 1,103 tax paying household units, which enabled István Draskóczy to estimate the population of Sibiu at around 5,500 inhabitants.¹³ In 1510, according to other opinions, Sibiu had 1,311 taxable units, that is approximately 6,500 residents¹⁴ with full citizen’s rights. Around 1500 one fifth of Sibiu’s inhabitants was made up of the “inquilini”, who did not have a house. Naturally, there was also a number of non-citizens residing in town: day-laborers, journeymen, apprentices, and marginals.¹⁵

Politically, sixteenth-century Sibiu was governed by an annually elected mayor and the Small Council (*magistratus, senatus*) of 12 members (*senatores, consules*) who were also appointed yearly but usually held their seats for life. The existence of this governing body was first mentioned as early as 1292.¹⁶ Up until 1541, each member of the Small Council was responsible for collecting city taxes in one of the twelve units into which Sibiu was divided. They were exempt from paying taxes for the houses which they inhabited.¹⁷ However, this responsibility was withdrawn from the council members in the town statutes of 1541. Each was rewarded for his efforts with yearly wages of 80 florins.¹⁸

Political leadership of Sibiu was confined to the higher social strata of the town. Members of the Small Council and other high-ranking officials were elected from the most influential patrician families, who acquired their wealth through long-distance trade in cloth and spices. During the Middle Ages, many rich merchants from Italy and Nuremberg settled in Sibiu.¹⁹

According to Gustav Gündisch, the composition of the council in the sixteenth century reveals the balance of power in the city. In the period 1526-1555, of 60 council members 31 were merchants, 17 were artisans, 9 were handworkers, and 3 were learned²⁰ (two notaries and a physician²¹). The mechanisms by which council members were appointed were not

unequivocal, as they were in Nuremberg. In Sibiu, in 1521, the Small Council was “closed” through the decree of the elderly members, which listed the families entitled to participate in the dancing in the city hall.²² A decision by the Sibiu council of 1550 which forbids the election of members’ relatives to the council “in order to avoid conspiracies” appears to indicate that blood affiliation did indeed play an important role in the selection.²³ The position of each member in the council was very well established, as indicated by the lists of senators. Ascension to a higher position was possible either by appointment to a high office (royal judge, judge of the seat, bailiff) or by the election of new members who filled the lower ranks. If a councilor was appointed to a high office outside the council he would retain his initial position on return to regular membership.²⁴ Throughout the sixteenth century, public life in Sibiu was dominated by a number of important politicians, including Mark Pemfflinger, a fervent partisan and faithful follower of the Habsburgs who played a decisive role in the Reformation, Peter Haller, an extremely rich merchant who became involved in the political turmoil in Transylvania in the middle of the sixteenth century, and Albert Huet, who modeled the evolution of the Saxon community at the end of the period.

The Great Council (*Hundertmannschaft, centumviri*) was founded in 1495.²⁵ It included members of the guilds, who had a say in the major decisions through their elderly representatives and formally approved the composition of the Small Council.²⁶ The Great Council was generally represented in the political events of the town through its eldest and most respected members. In the symbolic representation of the town’s political structure, the *Hundertmannschaft* was also referred to as the community (“Die Gemein”).²⁷

After Transylvania became an autonomous principality under Ottoman suzerainty in 1541, several events marked the evolution of the Saxon community. One of the most important of these events was the embracing of the Lutheran faith in the middle of the sixteenth century. In 1552, the Saxon University sanctioned the Reformation book, which contained the “Kirchenordnung aller Deutschen in Siebenbürgen” that had been written by Johannes Honterus five years earlier²⁸ and decreed Lutheranism as the “national” faith of all Christians living on Saxon territory.²⁹

In my view, this increased political and religious independence of the Transylvanian Saxons had as one of its consequences the more coherent policy of confessionalization and social discipline as applied by each community. This study focuses exclusively on Sibiu. However, published

sources, though still scarce, reveal that similar town ordinances enforcing public discipline as well as guild articles imposing rules of good behavior and proper manners were also widespread among other Transylvanian towns during the sixteenth century.³⁰

The Saxons were one of the three political nations represented in the Transylvanian Diet, the legislative body of the principality, and therefore an active part of its political life.³¹ They entered the new political situation with a rich tradition of protection from central authority (the former Hungarian kings) through the granting of various privileges. Protection and confirmation of these privileges was a continuous issue on the political agenda for the Saxons. Their medieval inheritance was the foundation for the political and juridical status of the Saxon nation within the principality of Transylvania.

3. Authority and social control in Sibiu in the sixteenth century: between order and disorder, norm and practice

Historian Robert Scribner laid the theoretical grounds for understanding social control in sixteenth century German cities. His main assumption was that:

The aim of social control is to create a deep-rooted consensus within civil society, which leads to the acceptance of the social and political order as legitimate and purposive.³²

He also distinguished four forms of social control: 1. "the exercise of coercion"; 2. "political regulations"; 3. "legitimation of the existing order"; and 4. "ideology."³³

In Sibiu, the political authority and rulership was represented by the Small Council. This institution assumed the task of issuing town ordinances which required a certain behavior and civic attitude or the town citizens and proscribed punishment for disobedience. The legitimation of the central authority and the public expression of the ideology of "good order and discipline" is captured in words in the town statute of 1589, written under the supervision of one of the major figures in the whole of Saxon history, the royal judge Albert Huet. The preamble to this rather lengthy text dwells on the glorious history of the forefathers of the town, who

were able to found it and adorn it “with nothing but good order and government – *Policey*”:

By the mercy of the Almighty God the beloved ancestors of the Saxon nation obtained this Saxon land through their faithful services to kings and emperors, and built this land with towns, markets, and villages, and even fortified it with fortresses in several places, and were offered these to have in their possession for eternity, just as this town of Hermannstadt, which took its name from the chieftain Hermann, was built and adorned with nothing else but good order and government.³⁴ (My translation from German)

The good tradition was kept alive by closely watching over marriages, inheritances, and property rights, but also with attention and guards in all streets and neighborhoods, in all guilds, and in the town council. The need for good customs, order and discipline (*Gute Gewohnheit, Ordnung und Disciplin*) was necessary for the preservation of the ancient town liberties and privileges, the text continues. This necessity was recognized as well as acknowledged by the council together with the community.³⁵ Things were not changed, but brought back to the old state of things, reshaped into the right order. Innovation was made with eyes turned toward the past, to the state of the unaltered tradition.³⁶ The same unawareness of the change toward a new direction as well as the aversion toward change can be identified in the statutes of the handshoemakers and tanners guild in 1540:

For the welfare and the use of the entire land, with the will and the wise council of all Germans, we started and took to an end an order (*Ordnung*), that is a rectification (*Rechtfertigung*) of the laws of the handworkers' guilds and we removed and abolished totally all the bad and unusable statutes and agreements which have appeared from a long time ago until now, and we decided to keep unchanged the good and the useful ones...(My translation from German).³⁷

Control over marriages, property rights, and inheritance laws was also legitimized through this statute.³⁸ “The capital of the Saxons” survived troubled years and turmoil because of the “good peace and unity”.

No quarrel, discord, disturbance, no hatred and envy of the folk, no uproar and treason led to destruction or ruin, eternal praise, honor and thanks to God.³⁹ (My translation from German)

Citizens were offered “protection and security” (*Schutz und Schirm*) by the town authorities, who made sure to punish everyone who broke the order.⁴⁰ This political vocabulary is very much related to sixteenth century discourse.⁴¹ Other provisions of this town statute will be discussed later in this study.

The affirmation of the commonly shared values and ideals was strongly promoted through civic rituals. Public ceremonies were a feature of urban life throughout European cities, and Sibiu was no exception to the rule. The available information, however, is not as rich as the existing material for German and Italian cities⁴² but is sufficient to demonstrate that secular, political rituals were also practiced in Sibiu.

The swearing in of officers is documented by two sources, which are different in nature and in richness of detail. The first is a short note in the town book that also contains the annual lists of the high officials. For the year 1570, the town notary notes beside the name of the royal judge Augustin Hedwig that “on the day of 8 January he was elected by his majesty John II at the Diet in Mediaș and on the day of 16 January was inaugurated and made known with honor (*honorifice inauguratus et publicatus*) in Sibiu by Mateus Nagy, the king’s man.”⁴³

A more detailed account of this particular installation ceremony of a royal judge is given by Albert Huet in his diary. The date of 1 February 1577 marked the beginning of his impressive political career. On that day he had just been elected in eleventh position as a new council member, a position which became available after the death of two senators the previous year.⁴⁴ It is important to note that Huet had been chosen to be a member of the Great Council the year before.

Anno 1577 I was called to become a member of the honorable wise council and was installed on 1 February, when Georg Hecht was the Burgermeister.⁴⁵

On the very same day, however, the death of the former royal judge, Augustin Hedwig, opened the way for Huet’s promotion to the highest position among the Transylvanian Saxons.

In the year 1577, on *dominica ludica*, that is on the 24th day of March, Christoff Bathori, the voyvod of Transylvania and count of the Szeklers, sent from Alba Iulia two secret councilors and high commissioners, Gergely Apaffy and Sandor Kendi, who handed over to me the office of royal judge together with a credential letter. The third day I was announced at the town hall in front of the honorable wise council and the centumvirs. Then, accompanied by the council together with the community with the town flag and the two commissioners in front of me, I walked under the flag. Then they were all my guests at five tables, when I offered the two commissioners two pairs of golden cups.⁴⁶ (My translation from German)

Although in 1589 the town officials proudly asserted that the town had resisted revolts and riots, just one generation earlier, a bloody episode had shaken the foundations of the community. After several difficult years of Habsburg occupation, the mayor Peter Haller and the other councilmen decided in 1556 to abandon the Habsburg party and take a pro-Ottoman position, triggering the rage of the Great Council. The unfortunate event of a huge fire in March 1556 rapidly led to chaos: many houses burnt and 81 people lost their lives. A furious crowd gathered in front of town hall to demand that the officials join them and inspect the site of the disaster. The royal judge, Johann Roth, was murdered during the events.⁴⁷ Hieronymus Ostermayer, the chronicler, reported with consternation that the people “did not obey the councilmen any longer and took the governing (*Regiment*) into their own hands...”⁴⁸

The extreme violence and killing were severely punished by Peter Haller, who only managed to restore peace by mid April. After a thorough investigation and interviewing of eye witnesses which lasted several days at the beginning of May 1556, the leaders of the riot were punished and the murderer of Roth sentenced to death.⁴⁹ The cost of reconstruction for the damaged houses was paid for by the public budget.⁵⁰ Some guilds also contributed to help the needy.⁵¹

This crisis in the political life of Sibiu was triggered by the different political views of the Small and the Great Council. Challenges to the decision of the town senate occurred again in 1581. The *Hundertmannschaft* then succeeded in forcing the Small Council to accept their choice of mayor. The elected Burgermeister, Blasius Raw, died after only one year in the position.⁵² The citizens then proposed Johann Wayda as candidate but the senate refused to give its consent because Wayda was not a sitting member in the Small Council.⁵³ The reaction of the outraged citizens was prompt: they gathered around the towers to protest

against the arbitrary dismissal of their candidate by the senate. The discussions that took place at the Heltauer Gate are very revealing as to the level of awareness of Sibiu's citizens of the town laws. A certain Lukas Roth spoke first:

I ask the devil about the law, who made this law? We did, and when we do not like them we make others. We are the citizens and we have the freedom, therefore we are now making Hans Wayda mayor. Whoever speaks against this, we show him our fist, don't we?⁵⁴ (My translation from German)

He also encouraged his fellow citizens to elect a new council if their decision was not followed. The calm was restored by the balanced speech of Michael Engler, a butcher with a good reputation in the community. After condemning Lukas Roth for his bad mouth, he turned to the laws and the rights of the Saxons, which he knew very well:

You know that I am acquainted a little with our rights, and in the letter (charter) of King Andreas it is written that "the royal judge of Sibiu should not name in an office anyone who does not live among you and the people should elect the person who seems the most suitable". And another writing about the town liberty, which is also more than one hundred years old, says that "no mayor should be mayor more than two years one after the other, every other year a new mayor should be appointed or elected, so that the council of the land and of the town and the rights are not forgotten".⁵⁵ (My translation from German)

Indeed, a fragment of a town statute from the end of the fifteenth century contains these exact instructions regarding the election of the town's mayor.⁵⁶ The knowledgeable citizen continued his speech in front of his fellow townsfolk in an extraordinarily convincing manner, building up the tension to deliver a remarkable admonition to the council:

There is nothing written about the council and so we are only respecting the law when we tell the Great Council that they should elect Hans Wayda. And we tell our brothers from the other towers, that there is no law according to which the mayor should be a council member. So we stand by our decision and when the council sees that we too know and respect the laws but will not give in, they will see in the end that they had put their bear hands into hot coal, and that no one can prove us wrong.⁵⁷ (My translation from German)

Eventually, Johann Wayda became the “elected” mayor of the town. Ironically, he was able to hold his position continuously between 1581 and 1585. The requirement whereby one mayor should not hold more than two terms was never brought up. In fact, in the course of the sixteenth century, other mayors ran the affairs of Sibiu for longer periods of time. Augustin Hedwig, for example, was mayor of Sibiu for nine years, from 1557 to 1565, while Simon Miles was in office between 1566 and 1576.⁵⁸

What is also interesting about this episode is the extent to which certain individuals were aware of their hometown’s history and politics. It is evident that the authority of the Small Council could be challenged not just in an extreme and violent manner as in 1556, but also through debate and invocation of town rights and privileges. Power was still subject to negotiation in the sixteenth century: citizens would obey and be disciplined as long as their voice could be heard at critical moments. They had their say and opinion as to who was suitable to run the city. I have no information as to why Johann Wayda was able to win the hearts of the people but safely assume that the support he received did not go unreciprocated.

4. “Institutions and instruments” of social control in Sibiu

It is difficult to make a clear-cut distinction between these institutions and instruments in the Sibiu of the sixteenth century. The scope of the various disciplining authorities overlap each other, and as I will argue later in this study, the city council was able to obtain legitimacy not just in its overlapping with other institutions but also in taking over some of their attributions.

4.1. Town council and town ordinances

So far I have discussed the town statute of 1589 which synthesized the ideology of “good order and discipline” in Sibiu. In the following, I will examine closely the town ordinances and the decisions of the Saxon University concerning the public behavior of community members. My main argument is that during this period, political authorities began and succeeded in taking over disciplining attributes from the former medieval corporations. Proper or improper conduct was the concern of the city

fathers or leaders of the community. Social control targeted the behavior and mores of the citizens.

In the great South-German cities of Augsburg and Nuremberg, the city councils took rapid steps after the Reformation to create order through town ordinances. In Augsburg, such an “Ains erbern rats der stat Augspurg zucht und pollicey ordnung” was printed as early as 1537.⁵⁹ It aimed to punish and remove from the Christian body of the city all evildoers who disobeyed the word of God, did not attend church and follow the “true Christian religion”. Church discipline became of interest to the town fathers, who dedicated the first three articles of this ordinance to these matters. Other areas of concern were, in this order, excessive drinking, nightwalking, staying in taverns after nine o’clock in the evening, playing and betting, marriage, divorce, and prostitution.⁶⁰ This “Discipline Ordinance”, believes Lyndal Roper, marked a crucial moment in the transfer of moral control to the civic council.⁶¹

The law published in Nürnberg in 1572, “Vernewte policeyordnung, mandata und gesetz”,⁶² is even more elaborate than the Augsburg ordinance. Here also the blasphemous, those who disregard the word of God, are the first to be mentioned.

Sibiu’s close relations with these German towns were established centuries before. Common economic, but also political and cultural interests connected the two remote regions.⁶³ There was an interesting exchange of information of various kinds, from political events to trading opportunities. In the sixteenth century, apprentices from Nuremberg and Augsburg still spent their apprentice years in Sibiu, just as Transylvanian Saxons had the opportunity to learn their trade abroad in Germany.⁶⁴ When the barbers of Sibiu and Braşov decided to put down their statute in writing, the preamble to their founding letter stated a German inspiration:

We are informed with sufficient accounts and sealed letters that the barbers and surgeons in the German land (*in Teutschem Land*) have their guild statute in all towns...⁶⁵ (My translation from German)

Peter Haller, the political figure who dominated the public life of the Saxons and of Transylvania, came from the Haller family of Nuremberg and maintained contact with his relatives.⁶⁶ My argument is that Sibiu’s political leaders were informed and aware of the developments in these two cities and that this new policy of increased control of the civic

government over the body of inhabitants also appealed to them. However, I am unable to prove beyond doubt that there was a straightforward imitation by Sibiu officials of the policies applied in Nuremberg and Augsburg. Moreover, whatever happened in Sibiu happened on a much smaller scale and with less refined legal and administrative instruments.

The first town sumptuary law was issued in Sibiu in 1547 aimed at restraining immoderation and intemperance during weddings. The same ordinance was renewed in 1574, when the number of tables for guests was limited to twenty.⁶⁷

The ordinance of 1565, however, marks a turning point in the city council in terms of its taking more definite steps toward controlling and disciplining its citizens. This particular town mandate regulates areas of civic life which were already under the supervision of the disciplining authorities of the neighborhood and guilds. The most important claim made encroached upon the guilds, where the council pronounced its jurisdiction in matters previously subject to the authority of the guild masters. The ordinance did not forbid celebrations; it aimed only to harness excessive feasting which would lead to unruliness:

1. In the neighborhoods, on Sundays and on other holidays, the host should not offer more than one course. On Ash Wednesday, the host offers one course and the neighborhood another course, without any banquet. And the following day they should all be quiet and content, without any further feasts and celebrations.
2. When an apprentice is appointed, the celebration on this occasion should only contain two courses and all other useless things should be forgotten. Guests should be invited only to fit one table.
3. When a master is appointed, there should be two tables of guests and no more than two courses of food.
4. Similarly, when an engagement is closed, each party should settle for two tables of guests, and 20 tables for the wedding. And no one should breach this without the approval of the honored Council, under the penalty of one florin for each extra table.⁶⁸

The mirror reflection of the norm and practice can be followed with regard to this particular regulation. Although ten years had passed since this statute was issued, the 1575 wedding of Albert Huet was, according to his own description, organized in an opposite manner. After having served at the imperial court in Vienna under Ferdinand and Maximilian, Huet returned to his hometown (*Vaterland*) in 1574. The 37-year-old man

set his eyes on Margaretha, a young girl of 15 and the granddaughter of Augustin Hedwig, then royal judge of the Saxons. Huet spoke to the young maiden on 1 July, and the engagement was concluded on 2 August. The wedding celebration was postponed several times due to the death of Huet's mother and then that of his father-in-law. Eventually, the happy event took place on the Sunday of 6 February 1575. The festivity lasted for two days, and included the preparation of 50 tables for guests, spread among six houses for the first days, followed by public celebrations and games during the second day.⁶⁹

It was common practice in Augsburg, for instance, for patrician or rich merchant families to apply for an exemption from the harsh wedding regulations, which, naturally, were granted to them by the council.⁷⁰ There is no trace in the documentary evidence of Albert Huet having made any such application, however considering his social and political status, it is quite possible he never did. His marriage to the niece of the royal judge of the Saxons was a beneficial event for the public life of the city, a great political moment which, through the rank and number of attendees, established the position of Sibiu itself within the Saxon community and its relations with the central government of Transylvania.

The second part of this 1565 town ordinance was designed to bring some order to the status of journeymen, servants, and maids. These individuals were perceived by the collective imaginary as being disruptive to social harmony, either in terms of their uncertain social and civic status, or their uncontrolled sexuality.⁷¹

The main idea behind this "Ordnung fon den taglönerns, für knechten vnnd ihrem lohn"⁷² was to establish contractual relations between journeymen, who did not belong to a strict economic organization that could protect their interests, and employers, who were thus compelled to respect the competition on the labor market. The last article of this law addresses the slippery field of female disobedience:

Servant maids who do not want to serve pious people but go to live with widows or other townspeople and want to look after themselves should not be free of tax but should pay 2 lot for the town.⁷³

Although the reasons behind this decision are not explicit, the motivation in obliging maids to pay taxes – which they clearly could not afford – was to force them to enter the service of married couples where they could be surveyed and controlled at the same time. Abhorrence for

the unleashed sexuality of young single females, combined with the well-known lustful conduct of widows is not surprising.⁷⁴ Old women of 50-60 years old who married young men were to pay a fine of 100 gold florins, which at the time, in 1577, would buy 20 kg of pepper or 25 Turkish rugs.⁷⁵

The town council issued another decree during the same year that stated that people living in “wild marriages” should be married on the threshold of the church or pay a penalty of 10 florins and the bride should have her head uncovered, while the groom must walk to and from the church bare foot.⁷⁶

As I argued earlier, it was the lay authorities that took it upon themselves to discipline and educate the people, invading areas of life previously belonging to the church or the guilds.

The town council was just one of the authorities concerned with the proper behavior of individuals. The University of Saxons, the common political body of all Transylvanian Germans, was also actively involved in the norm creation process. Its decisions were applied over the entire Saxon territory and were expected to be respected in towns and villages alike. Beside major deliberations over politics or finances, the University occasionally addressed more mundane but by no means less important issues. Taverns, for example, represented one of the more vexing problems for the community. By their nature, these were noisy socializing places, the sight of many games and many a scandal where drinking led to unruly behavior (*Unzucht*). The main targets of the disciplining regulations were, again, the servants and maids.

In 1551, the Saxon authorities demanded the following:

No meeting place of the servants and maids, called *Spielstuben* by the people, should be accepted in towns and villages, in order to avoid scandal. And they should not be allowed to drink late into the night.⁷⁷

The issue was addressed again six years later, in 1557, this time with mentioning the fine to be paid by the depraved:

Although the taverns were oftentimes discussed and deliberated over because many vices and misconduct happen there, we decide that from now on anyone who is found in the tavern after the bell toll should be fined with one florin. The servants are allowed to meet after noon until vesper time, and they should go home after that.⁷⁸

What does the reiteration of a certain norm mean in this context? Authors today acknowledge that the repetition of norms does not necessarily imply their ineffectiveness. Martin Dinges argues that in the late Middle Ages there were several grounds for such repetitiveness: the change of rulership, the actualization of an obsolete norm, the unsuccessful application of a norm, and the administrative impediments to its application in terms of disobedience.⁷⁹ It seems that so far taverns were a matter of “concern”⁸⁰ for several reasons. They were the gathering place for servants, who were disruptive and disobedient people by nature. And in taverns, servants drank and played without supervision. The uneasiness caused by the combination of all these factors is a very sixteenth-century attitude.

4.2. Church discipline

The history of Sibiu and its citizens in the sixteenth century cannot be understood without the Reformation. Embracing the Lutheran faith was a great moment of change, when all Transylvanian Saxons found in the rediscovery of the genuine “Word of God” another common pillar of their identity.⁸¹ The Reformation in Transylvania was an urban phenomenon, just as everywhere in Europe. In Sibiu, the first Lutheran preachings were heard as early as 1523 and soon found adherents among merchants and citizens, as the famous letter of complaint of the Sibiu chapter to the bishop of Esztergom showed.⁸² Once Mathias Ramser (Ramaschi) had accepted being a parishioner of Sibiu in 1536, the Reformation in Sibiu was complete. The achievement was strongly supported by several influential political figures of the town, such as Mark Pemfflinger and Georg Huet.⁸³

Without doubt, the support of the civic authorities in the success of the Reformation came with a price. One of the major outcomes of the urban Reformations of the sixteenth century was increased interference by lay government into matters previously dealt with exclusively by the church. The same shift in the balance of power and control occurred in Sibiu as well. I will discuss here two chief aspects of this: the enforcing of church discipline; and the control of church marriages by the civil institutions.⁸⁴

The main agents in imposing church discipline were naturally the pastors. They were responsible for the catechization of their parishioners,

for their attending the divine service on Sundays, and for organizing annual visitations. These duties were established by the Synod of the Lutheran Church.⁸⁵ The Saxon University and the Synod of the Lutheran church reached an agreement to be “as one” in 1559 (*Artickel aus der Reformation, in welche die weltliche Oberkeit Deutscher Nation sampt ihren Kirchendienern eins worden sein, ein iedes theil darnach zu leben*).⁸⁶ The following provision permitted the authority of the civic council to play a role in supervising church discipline:

Those who contempt the ceremonies should be admonished first by the word of God. When they do not follow it and do not renounce their malice (*Bosheit*), they should be punished by the pastors and the political magistrate.⁸⁷

The Saxon University took to this mission in earnest. Two years before the agreement, in 1557, the community of Saxons had already issued a decision concerning church attendance and measures to be taken against the disobedient.

Although the divine word is brought to daylight so loud and pure, the youngsters and the coarse folk despise the churches and the word of God, and laymen stay at home during the preaching or wander through the fields or in the streets, or at the market place. Wherever these will be found to neglect the sermon intentionally and without good reason, they should be placed in the cage (*Fidell*) in order to be an example (*Beybild*) to the others. And in all communities where there are no cages, they should be erected.⁸⁸

The public humiliation of the sinful was also a strong instrument of discipline and punishment in Reformed Germany.⁸⁹ In Sibiu, stocks (*Pranger*) were erected in 1550,⁹⁰ and were removed from the town's main square (the Great Ring) together with the cage and the gallows pole only in the eighteenth century, when the city council transferred them upon the insistence of the Austrian authorities.⁹¹

Marriage was the second greatest concern of both the secular and religious authorities. I have already discussed the insistence of town ordinances on how wedding celebrations were supposed to be held in Sibiu. The efforts for order and good demeanor during weddings had another side to the story as well. Marriage was to be concluded in church,

and this public ceremony was to precede the private one. The view of the Lutheran clergy and council concurred in this respect. In the visitation articles drawn up for the use of the pastors in 1577, they were urged to exhort young people not to start their married life before the church ritual:

Young married people, who forgot their honor and discipline (*Zucht*) and had started their marriage in an unchristian fashion, if they repent in time, they should be brought without delay to the church to be married, the woman with her head covered, and they should be shown at the church door, so that the others learn, watch, and be aware.⁹²

The town council also issued a law during the same year stating that people living in “wild marriages” should be married on the threshold of the church or pay a penalty of 10 florins, while the bride must have her head covered and the groom must walk to and from the church bare foot.⁹³ The aim of these rules was evident: they strived to prohibit and prevent pre-marital sexual relations, that is, improper sexual behavior.⁹⁴ As to good morals and proper marriage, although the aforementioned 1572 ordinance dwelled extensively on marriage and the wedding, the town council of Nuremberg prepared a new order ten years later. The text, forthrightly called a “mandate against prostitution”, serves exclusively to impose church weddings and forbid sexual intercourse before the church ceremony had taken place.⁹⁵ By this time, prostitution (*Hurerrey*) had taken on new meanings to cover also adultery and concubinage.⁹⁶

Although to my knowledge there were no moralizing books for use by household heads, as can be seen in sixteenth-century Germany,⁹⁷ a definition of a proper marriage was still given by the council members of Sibiu. In 1590, one former member of the council, Matthias Raw, the son of Blasius Raw, a highly respected member of the community and mayor of Sibiu between 1579 and 1580, was involved in a bitter case of divorce. The Sibiu chapter asked for references about Matthias Raw from the men who sat together in the council. The royal judge, Albert Huet, together with the mayor, the bailiff (*villicus*), and the town notary, supplied a common *Attestorialbrief*, stating that Matthias Raw had behaved properly in his office. They had heard often that Raw was unhappy with his wife and therefore admonished him, instructing him to live happily with his spouse, share the same room, table, and bed with her as was appropriate for a devoted husband.

... er sollte fridlich mit seiner hausfraw leben, wie einem fromen hauswirt zustehet, vnd mit ir in einer stuben, einem tisch vnd einem bette beinwohnen, wie einem fromen eheman zustehet.⁹⁸

Apparently, the scandal cost Matthias Raw his seat in the Small Council.⁹⁹ His charge that his wife was always “irritating him and throwing things at him” did not weigh heavily enough. The outcome of the process is not known.¹⁰⁰

4.3. Guilds

Guilds were the economic and social backbone of the town. After the first guild statutes in 1376, which documented the existence of 19 guilds in Sibiu,¹⁰¹ in the sixteenth century the number of guild grew to 28.¹⁰²

Guilds in Sibiu, just as in western Europe at the time, had obtained the right to guide their professional and communal life according to written statutes. Their regulatory purpose was chiefly focused on issues concerning the organization of the craft: admission to the trade as an apprentice, mastership, quality of work, the conditions for buying raw materials and selling finished products, duties of the guild members, etc. However, medieval guilds also disciplined their members with regard to their behavior and social conduct.¹⁰³ Apart from the already mentioned 1376 charter, which in practice contains a joint statute for more guilds, during the sixteenth century the different guilds drafted their own statutes. The “honor” of the guild was to be preserved through the proper demeanor of the guild masters. These early statutes focused mainly on the duties and obligations of the masters. They were occasionally approved by the city council.

A turning point in the relationship between guilds and political authority took place in 1539-1540. During these two years, a great effort of renewal took place: the Saxon University, represented by the mayors of Sibiu, Braşov, and Bistriţa, confirmed or granted new statutes to several guilds (butchers, coat makers, rope makers, shoemakers, tailors, potters, goldsmiths).¹⁰⁴ For the sake of the “common good”,¹⁰⁵ the city fathers decided to rectify all guild statutes by removing the useless and bad articles that had been added over the years and keeping the “good and the useful” ones. All the re-formed statutes had a similar preamble, the wording of which bore a striking resemblance to the ideas of the religious

reformers of the time. However, the intentions behind granting the new (or renewed) statutes were not innocent: the town authorities took over the right to punish certain offences, which previously were dealt with by the guild masters. Offences ranged from the shoemakers buying skins to which other guilds members were entitled¹⁰⁶ to the spilling of blood and violence.¹⁰⁷ Moreover, the guilds were forbidden to modify their statutes or to act according to decisions not first brought to the attention of and granted approval by the council.¹⁰⁸

The goldsmiths from Sibiu did not consent to the new policy imposed on them by the town authorities. Two days after the issuing of their new statute (the goldsmiths had had a written statute since 1494)¹⁰⁹ the members of the guild drafted a letter of complaint requesting the modification of certain articles. They resented the control of their work and castigation of masters who tampered with the quality of silver by the town judges.

In this article [the sixth-M.P.] it is our complaint that the magistrate should make punishment, because in the old guild letter it is written that the guild master should go around every four weeks, and whatever silver he could find that is incorrect, finished or unfinished, plated in gold or not, he should take it away and take it to the guild... This is our plea and request to you that you should let this punishment and judgment be made within our guild...¹¹⁰

The goldsmiths were granted another statute in 1561, but the magistrate had not given in to these requests. However, one of the articles encouraged the masters to present their grievances to the town council:

It should not be forbidden to anyone to complain or to come in front of the council with his protest or request. Whoever does this or hinders it should pay a mark of silver to the council.¹¹¹

All through the sixteenth century, similar articles were put down on paper for various guilds.

My principal argument in this matter is that, just as in Augsburg, for example, there was a transfer of power and control from the guilds to the city council. In Augsburg, this was accomplished by attracting guild members into the central council.¹¹² In Sibiu, a similar trend cannot be substantiated due to the lack of reliable studies into the economic and

social life of the town during the period. What can be shown, however, is the shift of power at the level of norms. Beside the increased power in terms issuing guild regulations and punishment, using the 1565 town statute the town council also prescribed how admission to the guild should be celebrated. These particular moments in a handworker's profession (apprenticeship, mastership) were the core of every medieval guild statute. Their regulation by the central government of the town was, in my view, a political statement and an affirmation of supremacy.

The disciplining of the young boys who entered into the community of a guild had also been an attribute of the adult masters. Documentary evidence from the sixteenth century shows that an increasing number of statutes were composed for apprentices, clearly indicating a growing pressure for proper conduct (*Zucht*) and respect for honor and hierarchy. Defamation and betrayal of common values was not accepted. In 1575, for example, the association of goldsmith apprentices reached an agreement on the rules of conduct of its members:

First, whoever starts a fight and speaks badly of the other's honor, the fine is 50 pence.

Item, if someone tells what had been spoken or done between the apprentices, the fine is 25 pence.¹¹³

Moreover, the sixteenth-century guild statutes and apprentice articles put a stronger emphasis on the table manners of their members. A young apprentice was also supposed to behave properly at the common table: good manners required keeping food and wine inside and spilling them out by accident or because of drunkenness was punished in all guild statutes. The statutes of shoemakers of 1559 have, all in all, 40 articles, 12 of which deal with misbehavior and rude manners.

If one apprentice drinks or eats beyond measure and spills out the drink and the food he should be penalized with one week's pay.¹¹⁴

The cloth makers had gradually increasing fines for spilling and throwing up wine:

If one gushes out wine, 10 pence. If one spills the wine and cannot cover it with the palm of his hand, the fine is two pence. If he spills more, he should refill the measure.¹¹⁵

Excess in any of its forms, be it of drinking, eating, or verbal expression, was definitely not tolerated and was to be excised from the daily and festive life of the community.

Playing cards¹¹⁶ or games involving gambling were allowed within certain limits. The shoemaker apprentices were punished under the following conditions in the articles already mentioned from 1559:

No apprentice should play games involving money with an other, such as stones or cards, in the church yard, in a house or in the market place; because wherever they will be caught, God forbid that they had played with only half a pence, they will be fined with half a pound of wax.¹¹⁷

Control over norm breakers, however, became a concern of the town council. The most comprising statute for all apprentices working in Sibiu was approved by the town mayor and the royal judge in 1581: *Pollicey und Zuchtordnung vnd straffen allerley handwerkßknechten vnd studenten auch kauffknechten ihn der Hermannstadt*. The eldest apprentice had the duty of reading these articles aloud for the others on festive occasions when they all were gathered. The first point discouraged apprentices to drink from the can and urged them to drink with a small cup or a glass in order to avoid drunkenness. Apprentices were forbidden to swear and curse, bicker, or use their fists or knives. Gaming and playing was allowed, "for reasons of pleasure", as long as the bet did not exceed one penny. After nine o'clock in the evening they were supposed to go home quietly, without shouting and wandering in the streets: whoever was found after the curfew alone in the street "without light", or eavesdropping under the windows was to be taken in by the night watchers to the town hall.¹¹⁸ In my opinion, by this time the legitimacy of the town council vis-à-vis the disciplining and behavior control of Sibiu inhabitants was a *fait accompli* that went unchallenged.

The fortunate finding of an accounting register from 1593, in which the then mayor, Johann Wayda, recorded the income of the town from fines, allows us to contrast the norm with practice. Grouped under the heading "The Fines" (*Folgen die Strafen*), the entries are highly revealing: nightwalkers, quarrelsome individuals, or people playing at night were all held to account for breaking the rules. From this record, it appears that the main troublemakers were servants and apprentices, who, interestingly, are not listed by their own names, but by those of their masters. The fine issued to two tailors' apprentices found in the street at

night was 1 florin each, whereas two other youngsters, apprentices of a barber and a founder, were to pay 2 florins each for being caught with two widows at night.¹¹⁹ Although the town statutes and neighborhood articles do not refer to misbehavior in terms of sexual conduct, the latter entry in the record indicates that this was also an issue of concern. The shoemakers' guild decided to stipulate in its 1559 articles that any apprentice seen in the company of a "public woman" (*offenbore Frau*) should be made to pay half a pound of wax. It appears that young and inexperienced boys were more exposed and the most likely to give in to such temptations.¹²⁰

4.4. Neighborhoods

The regulations discussed so far had been mostly for the control and discipline of youngsters, who were just beginning to experience and learn about adult life in many of its aspects: profession, proper conduct, and sexuality. However, the picture of social discipline in Sibiu is not complete without also investigating neighborhood statutes, which began to be put down in writing in 1563. Neighborhoods (*Nachbarschaften*), contrary to certain beliefs,¹²¹ were not an institution specific to Transylvanian Saxons. They also existed and are documented in other German regions, such as Münsterland, around the city of Essen, and in cities on the Rhine valley.¹²² The first documentary evidence of the existence of such an organization in Sibiu goes back to the end of the fifteenth century.¹²³ Neighborhoods were formed of all households on one particular street. The household fathers met once a year, on Ash Wednesday, when a common feast was celebrated and decisions were made.

These decisions of the "honored neighborhood" were to be obeyed by all its members – more specifically, grown men, the masters of their households. Naturally, most of the articles dealt with the duties of each member of the neighborhood: attending common activities, funerals, participating in the night watch, and street cleaning. However, interestingly, civility and good behavior were also matters of concern. Again, as with other ordinances and regulations, proper demeanor was itself constituted in opposition to penalized conduct. Defamation, scolding, aggressive behavioral outbursts, or the playing of games resulted in various punishments and fines. Playing cards was not entirely forbidden for grown-ups, either, as long as it took place at a table and was played together with skittles and checkers. The inventory of the *Bürgergasse*

neighborhood from 1577 lists three checkerboards.¹²⁴ However, honor was more important than conduct. "Whoever accused someone of lying" was penalized more severely than playing cards in the aforementioned articles pertaining to the neighborhood.

The heads of neighborhood were also agents of the city council in enforcing town laws. This is an entirely opposite to the situation in Augsburg, for instance, where neighborhoods openly resisted interference and control by the town authorities.¹²⁵ In Sibiu, the "neighborhood fathers" were to keep an eye on and work together with the *Trabanten*, who were paid through the town budget to maintain order in the streets.¹²⁶

5. Conclusion

This study has sought to analyze social disciplining and social control as understood and practiced in sixteenth-century Sibiu. I have argued that the city council accumulated more power over its citizens in a number of stages. Issuing town ordinances was one of the means at the council's disposal. These norms formed part of the "reality" of the rhetoric of the authorities because they determined "Vorstellungen über das Wichtige und Richtige", as Martin Dinges so rightly puts it.¹²⁷

My hypotheses do not contradict the assumptions of Konrad Gündisch, however. On the contrary, they only serve to strengthen my opinion that upon a layer of voluntary self-disciplining a concentrated and conscious effort was made by the town council and the Saxon University to bring within their power all possible means of social control, a process which also included an overlapping and taking over of the authority and legitimacy of this control from other institutions – the church and the guilds. Moreover, the sixteenth century saw the fashioning of the "ideology" of "good order and discipline", an ideology which infiltrated the discourse and rhetoric of all social groups.

NOTES

- ¹ Gerhard Oestreich, "Strukturprobleme des europäischen Absolutismus", in *Geist und Gestalt des frühmodernen Staates. Ausgewählte Aufsätze von Gerhard Oestreich*, ed. Brigitta Oestreich, Duncker & Humblot, Berlin, 1969, pp. 187-8.
- ² Heinrich Richard Schmidt, "Sozialdisziplinierung? Ein Plädoyer für das Ende des Etatismus in der Konfessionalisierungsforschung", in *Historische Zeitschrift* nr. 265, 1997, pp. 639-682.
- ³ Heinz Schilling, "Profil und Perspektive einer interdisziplinären und komparatischen Disziplinierungsforschung jenseits einer Dichotomie von Gesellschafts- und Kulturgeschichte", in *Institutionen, Instrumente und Akteure sozialer Kontrolle und Disziplinierung im frühneuzeitlicher Europa*, ed. Heinz Schilling, Vittorio Klostermann, Frankfurt a.M., 1999, esp. pp. 26-7.
- ⁴ See for example Eva Österbeg, Dag Linström, *Crime and Social Control in Medieval and Early Modern Swedish Towns*, Acta Universitatis Upsaliensis, Uppsala, 1988.
- ⁵ A similar definition of the notion in Anja Johann, *Kontrolle mit Konsens. Sozialdisziplinierung in der Reichsstadt Frankfurt am Main im 16. Jahrhundert*, Waldemar Kramer, Frankfurt a.M., 2001, p. 17.
- ⁶ Sixteenth-century author Melchior von Osse used the term by applying an aristotelian quotation: "politiam essem ordinem quendam inhabitantium in principando et in subjiendo". Gerhard Oestreich, "Policey und Prudentia civilis in der barocken Gesellschaft von Stadt und Staat", in *Strukturprobleme der frühen Neuzeit. Ausgewählte Aufsätze von Gerhard Oestreich*, ed. Brigitta Oestreich, Duncker&Humblot, Berlin, 1908, pp. 366-7.
- ⁷ See for example the most recent volumes of *Repertorium der Policeyordnungen der Frühen Neuzeit*, gen eds. Karl Härter und Michael Stolleis, vol 4, Baden un Württemberg, ed. Achim Landwehr, Thomas Simon, Vittorio Klostermann, Frankfurt a.M., 2001; vol. 5, Reichsstädte, ed. Henrik Halbleib, Inke Worgitzki, Vittorio Klostermann, Frankfurt a.M., 2004.
- ⁸ A. Johann, *Kontrolle mit Konsens*, p. 15.
- ⁹ Georg Soterius, *Cibinium*, manuscript in the Bruckenthal Museum, 11.
- ¹⁰ Paul Niedermaier, "Dezvoltarea urbanistică și arhitectonică a unor orașe transilvănene din secolul al XII-lea până în secolul al XVI-lea", in *Studii de istorie a naționalităților conlocuitoare din România și a înfrățirii lor cu națiunea română. Naționalitatea germană*. vol. 1. Editura Politică, Bucharest, 1976, p. 132.
- ¹¹ Huszár Lajos. *Az erdélyi fejedelemség pénzverése*, Akadémiai Kiadó, Budapest, 1995, p. 9, 23.
- ¹² Konrad Gündisch. "Autonomie de stări și regionalitate în Ardealul medieval", in *Transilvania și sașii ardeleni în istoriografie. Din publicațiile Asociației de studii transilvane Heidelberg*, Hora Verlag, Sibiu, 2001, pp. 33-53.

- 13 István Draskóczy, "Az erdélyi Szászföld demográfiai helyzete a 16. század elején", in *Erdélyi Múzeum* LXI, 1999, no. 1-2, p. 25, table 5.
- 14 Samuel Goldenberg, "Urbanization and Environment. The Case of Medieval Towns in Transylvania", in *Urbanization and Human Environment. Social and Historical Studies*, The Center for Information and Documentation in Social and Political Sciences, Bucharest, 1973, p. 16.
- 15 Gustav Gündisch, "Der Hermannstädter Aufstand des Jahres 1556", in *Aus Geschichte und Kultur der Siebenbürger Sachsen: ausgewählte Aufsätze und Berichte*, Böhlau Verlag, Köln, 1987, pp. 213-4.
- 16 *Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen*, (hereinafter: UKB) vol 1, Sibiu, 1892, p. 76.
- 17 See the 1541 town statute: in Friedrich Schuler von Libloy, *Merkwürdige Municipal-Constitutionen der Siebenbürger Szekler und Sachsen*, Sibiu, 1862, p. 71: "Mer die Herren des gantzen Radts sollen in den Häußern, so sy ynne wohnen, fray syzcenn, sonder alle ander Häuser, dy sy habenn, sollen sy vorczynsen nach Markczalung".
- 18 Ibid: *Die Herren, die purger, dy nach den Gnaden Gottes yerlichen erwelet werden sollen von der Statt yerlichen vor yre Sorg habenn mytteynander yn eyner Summa fl. 80.*
- 19 Gustav Gündisch, "Die Oberschicht Hermannstadts im Mittelalter" in *Zeitschrift für Siebenbürgische Landeskunde* 4, no.1, pp. 3-21.
- 20 Gustav Gündisch, "Peter Haller. Bürgermeister von Hermannstadt und Sachsengraf, 1490?-1569)" in *Deutsche Forschungen im Südosten*, no. 1, 1944, p. 66.
- 21 National Archives Sibiu (hereinafter: NAS), Inv. 211, nr. 1.
- 22 Jackson Spielvogel, "Patricians in Dissension: A Case Study from Sixteenth-century Nürnberg", in *The Social History of the Reformation*, ed. Lawrence P. Buck and Jonathan W. Zophy, Ohio State University Press, Columbus, 1972, p. 87.
- 23 NAS, Inv. 211, nr. 1, 149v: *Notandum quod unanimi et maturo consilio senatus Cibiniensis deliberavit et conclusit a modo et in posterum sese observandum quod in senatoris ordine se quempiam legere oportuerit nullus quicum aliquo senatore in senatu existente affinitate sit iunctus eligi diceat ne propter affinitatem privato affectui indulgentes aliqui vel partes facian vel conspirationes moneant quod sepius factum esse, plurime Reipublice exemplo esse possunt. Id cum maturo consilio sit decretum, huic libro civitatis est insertum. Ex commissione dominorum de consilio.*
- 24 See the lists of high officials and Senate members from 1522 to 1600 in the town book: NAS, Inv. 211, nr. 1 and 2.
- 25 Georg Eduard Müller, *Stühle und Distrikte als Unterteilungen der Siebenbürgish-Deutschen Nationsuniversität, 1411-1876*, Böhlau, Köln, 1985, p. 78.

- 26 From 1522 onwards the town book contained also listed the names of the town officials. In some years, the heading mentions that the composition of the council was elected by the Great Council: *habita est electio Magistratus Cibiniensis a 100viris eiusdem Reipublicae Cibiniensis hoc modo...* See e.g. NAS, Fund "Magistratul oraşului Sibiu. Acte administrative". Inventory 211, nr. 2, 160r (1587), 168r (1588).
- 27 1541 town statute.
- 28 Georg Daniel Teutsch, *Urkundenbuch der evangelischen Landeskirche A.B. in Siebenbürgen*, vol. 1, Sibiu, 1862, p. 6 sqq.
- 29 Krista Zach, "Stände, Grundherrschaft und Konfessionalisierung in Siebenbürgen. Überlegungen zur Sozialdisziplinierung (1550-1650)", in *Konfessionalisierung in Ostmitteleuropa. Wirkungen des religiösen Wandels im 16. und 17. Jahrhundert in Staat, Gesellschaft und Kultur*, ed. Joachim Bahlcke, Arno Strohmeyer, Franz Steiner, Stuttgart, 1999, pp. 388-90. See also István György Tóth, *Old and New Faith in Hungary, Turkish Hungary, and Transylvania*, in *A Companion to the Reformation World*, ed. R. Po-chia Hsia, Blackwell Publishing, Oxford, 2004, pp. 214-16.
- 30 For Bistrița see Oskar Meltzl, *Über Luxus und Luxusgesetze*, Sibiu, 1870, pp. 23-4 and Friedrich Teutsch, "Aus der Zeit des sächsischen Humanismus", in *Archiv des Vereins für siebenbürgische Landeskunde. Neue Folge* (hereinafter: *Archiv*) 16, no. 2, 1881, pp. 274-77. For Cluj several town statutes are published in *Corpus statutorum Hungariae municipalium. A magyar törvényhatóságok jogszabályainak gyűjteménye*, (hereinafter: *Corpus statutorum*) vol. 1, eds. Sándor Kolozsvári, Kelemen Óvári. Budapest, 1885, pp. 256-60.
- 31 Krista Zach, "Fürst, Landtag und Stände. Die verfassungsrechtliche Frage in Siebenbürgen im 16. und 17. Jahrhundert", in *Ungarn Jahrbuch*, nr. 11, 1980-1981, pp. 63-90.
- 32 R.W. Scribner, "Social Control and the Possibility of an Urban Reformation" in *Popular Culture and popular movements in Reformation Germany*, Hambledon Press, London, 1987, p. 177.
- 33 *Ibid.*, p. 176.
- 34 *Corpus statutorum*, vol. 1, p. 542.
- 35 *Ibid.*, p. 543.
- 36 Gerald Strauss, *Law, Resistance, and the State. The Opposition to Roman Law in Reformation Germany* Princeton University Press, Princeton, 1986, p. 74.
- 37 *Handel und Gewerbe in Hermannstadt und den Sieben Stühlen (1224-1579)* (hereinafter: *Handel und Gewerbe*), ed. Monica Vlaicu et al., Hora Verlag, Sibiu, 2003, p. 338.
- 38 *Ibid.*, p. 543. Scribner, "Social Control," p. 177.
- 39 *Corpus statutorum*, vol. 1, p. 543.
- 40 *Ibid.*

- 41 Scribner, "Social Control," p. 177.
- 42 Edward Muir, *Ritual in Early Modern Europe*, Cambridge University Press, Cambridge, 1997, pp. 229-68.
- 43 NAS, Inv. 211, nr. 2, 25r.
- 44 NAS, Inv. 211, nr. 2, 82r.
- 45 The diary of Albert Huet is a unique source for sixteenth century Transylvania. His notes made on the blank pages of a breviarium have already been published in various variations. See Daniel Heinrich, *Einnerungen an Albrecht Huett, aus seinem eigenhändigen Tagebuche und aus sicheren Quellen geschöpft*, Sibiu, 1847, pp. 28-31; Gustav Seivert, *Die Stadt Hermannstadt, eine historische Skizze*, Sibiu, 1869, p. 70-71; G.A. Schuller, "Zeitgeschichtliche und biographische Aufzeichnungen auf den Deck- und Titelblättern älterer Bücher", in *Korrespondenzblatt des Vereins für siebenbürgische Landeskunde* (hereinafter: *Korrespondenzblatt*) 30, no. 4-5, 1907, p. 36-38. These three editions differ slightly from each other in their reading of Huet's handwriting.
- 46 Schuller, "Zeitgeschichtliche", p. 38.
- 47 G. Gündisch, "Der Hermannstädter Aufstand", esp. pp. 217-34.
- 48 *Quellen zur Geschichte der Stadt Brassó in Siebenbürgen*, (hereinafter: *Quellen*) vol. IV, Braşov, 1903, p. 518.
- 49 A. Scheiner, "Die Sprache des Teilschreibers Georg Dollert", in *Archiv*, 37, 1933, pp. 32-46.
- 50 NAS, Fund "Magistratul oraşului Sibiu", Inv. 197, no. 18, *Rationes consulares*, 17v: *Eodem anno (1556) in menso Julio pro subleuacione inopia pauperum civium combustorum ex voluntate senatus et communitatis ex consistorio dati f. 300*.
- 51 Gustav Seivert, *Die Stadt Hermannstadt*, p. 47, where the author offers an excerpt from the accounting register of the tailor's guild: the masters were offered a loan of 28 gold florins and 2 measures of grain for free.
- 52 NAS, Inv. 211, no. 2, p. 97v.
- 53 Johann Wayda appears in the lists of senators for the first time in 1569 and was a regular member of the Small Council until 1577, rising from 12th position in the first year of his mandate to 6th in 1577. He reentered the council in 1586 after having been mayor of Sibiu between 1581-1585 in first position among the senators. NAS, Inv. 211, no. 2, 25r, 36r, 41r, 49r, etc.
- 54 Gustav Seivert, "Ausgestorbene Originale aus dem Siebenbürger Sachsenlande" in *Siebenbürgischer Volkskalender* 19, 1870, p. 6.
- 55 *Ibid.*, pp. 6-7.
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- 57 Seivert, "Ausgestorbene Originale", p. 7.
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- 59 Wolfgang Wüst, *Die "gute" Policey im Reichkreis. Zur frühmodernen Normensetzung in den Kernregionen des Alten Reiches*, vol. 1, *Der Schwäbische Reichkreis*, Akademie Verlag, Berlin, 2001, pp. 77-88.
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- 61 Lyndal Roper, *The Holy Household. Women and Morals in Reformation Augsburg*, Oxford, Clarendon Press, 1989, p. 56.
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- 65 *Quellen*, vol. 9, eds. Gernot Nussbächer, Elisabeta Marin, Aldus Verlag, Braşov, 1999, pp. 382-7.
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- 67 Fr. Schuler von Libloy, *Siebenbürgische Rechtsgeschichte*, vol. 1, Sibiu, 1867, p. 133.
- 68 *Corpus statutorum*, 1, pp. 537-8.
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- 70 Roper, *Holy Household*, p. 152.
- 71 Katharina Simon-Muscheid, "Kleidung, Lohn und Norm – Objekte im Beziehungsfeld zwischen Mägden, Knechten und Meisterleuten in Spätmittelalter und Früher Neuzeit", in *Norm und Praxis im Alltag des Mittelalters und der Frühen Neuzeit. Internationales Round-Table-Gespräch, Krems an der Donau, 7. Oktober 1996*, ed. Gerhard Jaritz, Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1997, pp. 55-74.
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- 77 *Corpus statutorum*, I, p. 525.
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- 81 Krista Zach, "Toleranță religioasă și construirea stereotipurilor într-o regiune multiculturală. "Biserici populare" în Transilvania" in *Transilvania și sașii ardeleni în istoriografie. Din publicațiile Asociației de Studii Transilvane Heidelberg*, Editura hora, Sibiu, 2001, pp. 64-7, 74-5.
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- 108 *Handel und Gewerbe*, pp. 303-33.
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- 110 *Ibid*, p. 335.
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- 112 Roper, *Holy Household*, p. 76.
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- 122 Münch, Paul, *Lebensformen in der frühen Neuzeit*, Propyläen, Frankfurt
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Hermannstadt. Ein Beitrag zur Geschichte der deutschen Stadtverfassung
und Verwaltung in Siebenbürgen" *Archiv*, 20, no. 1, 1885, pp. 7-202.

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- ¹²⁶ *Corpus statutorum*, vol. 1, p. 545.
- ¹²⁷ Dinges, "Normsetzung als Praxis?", p. 41.



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THE CLASSIC LANDMARKS OF MODERN LIBERALISM: ON ARISTOTLE'S EQUALITY AND CICERO'S LIBERTY

*Just as honey, though extremely sweet, is
yet perceived to be sweet by its own
peculiar kind of flavor and not by being
compared with something else, so this
Good ... is indeed superlatively valuable,
yet its value depends on kind and not
on quantity.*

Cicero, *De Finibus*

In most current approaches to the liberal notions of liberty and equality, the classic humanist heritage of liberalism that has been kept alive by liberals such as Wilhelm von Humboldt, J.S. Mill, Alexis de Tocqueville, and T.H. Green is often overshadowed by an orthodoxy which locates the most respectable ways of sustaining a liberal doctrine today in a close alliance with Kantian ethical egalitarianism and with the most progressive side of J.S. Mill's representative democracy. What is usually neglected by this otherwise highly laudable democratic and progressive orthodoxy of liberalism is the fact that shaping standards for institutions according to an egalitarian social justice alone could dilute interest in maintaining certain vital standards for individual excellence that have survived strongly within the most humanist strand of modern liberalism.

The present study is meant as an attempt to retrieve some classic echoes of equality and liberty that I think will not undermine the modern liberal-democratic tradition of equality of opportunity, rule of law, and negative liberty, while, at the same time, providing a vital breathing space for our liberal institutions by recollecting some standards of human excellence neglected today, which have, however, outlived for most part of our human history. And although attaching some importance to something that has been enduring enough to last for centuries is a common-place, it is probably against historical and ethical common-sense to think that contemporary social and political institutions are so

innovative that no reference to classic landmarks related to human excellence is needed any more.

This is not to say that in what follows I will be submitting to a melancholy dream of retrieving *the same* moral standards of excellence that Plato, Aristotle, and Cicero advocated in ancient times. To cultivate such an unreasonable vision of a philosophical *jardin de retours* would be tantamount to falling short of that common-sense historical soundness that distinguishes the classical past from *our past*, which we can only reconstruct with inescapable adjustments. On the other hand, to show a lack of interest in some of the ethical ingredients of the classical past (the ones we can have access to) would be equivalent to ignoring some of the principles that have nourished our European civilization ever since and that, arguably, never became obsolete, even if our present ethical priorities make them appear so. I believe the mistreatment of classical standards for individual excellence in ethics and political theory today can not challenge their genuine significance for our culture simply because the difference between an enduring ideal of human excellence and a fashionable notion of egalitarian social justice is still perceptible.

But perhaps the most important weakness of a moral or a political theory which omits any ideal of excellence, thereby advocating that the most desirable and honorable human goals are located in egalitarian social or moral goals, is that egalitarianism does not seem to possess any sound provision at all for moral incentive. As far as I am aware, no convincing moral motivation can be constructed within the framework of a theory which sustains that human worth *ought to* be equally discovered and respected in every living individual alike, and thus, that every uncommonly gifted individual should belittle himself in front of everyone else in order to reach the humble, yet respectable standard of *right* conduct. Kant himself, who notoriously theorized precisely that sort of moral equality, used only a speculative notion when he posited a universal human rationality in his moral theory. Thus, the famous Kantian categorical imperative is shaped to fit that idealistic construct related to an equal, universal capacity for a self-legislation of moral principles, and which is, in this regard, harmonized with a secularized version of Christian ethics. Although I will not argue here against Christian ethics, which of course provide more content for a moral *duty* to God than their secularized successors, I would like to make clear from the outset that the way in which I intend to reconstruct ancient ethical principles will not be mediated by their Christian interpretations.

What would perhaps be more appropriate here is a pagan way of regarding the most desirable aim of human life: the ideal of personal excellence or virtue (*arête*) and the unashamed individual struggle to increase one's own degree of human accomplishment. From this particular perspective, the idea that appreciating the unparalleled excellence of an individual can be seen as *an offence* to someone else who is less endowed or more self-complacent may seem very peculiar indeed. Likewise, the implication that there is something morally flawed in purposefully cultivating one's own virtue (because of a love for oneself) by implicitly increasing the inequality between oneself and those who are by nature less endowed is somewhat unintelligible from a pagan moral perspective.¹

Of course, the philosophers and moralists of our day qualify this attitude as idiosyncratic "elitism" and unwarranted "perfectionism", both being seen as irreverent and unjust towards the less fortunate and, therefore, as devoid of moral excuses for their "arrogant pretence". However, what they usually appeal to when they make such severe judgments on every sort of moral elitism is the same egalitarian ethical doctrine whose regrettable lack of motivational resources we have already referred to. Of course, they also habitually allude to natural rights – to the crowning moral principle of modern liberal theory and liberal institutions. Whether or not such "equal natural rights" have, in their secularized shape, a more consistent content than a moral duty that was deprived of the Christian reference to God is a question I will not attempt to answer here. What I do not want to omit, however, is that despite the impressive modern reputation of both "moral duty" and "natural rights" some intuitions related to personal excellence have survived, even in some liberal theories that promote "equal natural rights". I am referring here in particular to the modern liberal theories of John Locke and John Stuart Mill and will try to argue for the presence of a qualitative inequality of an Aristotelian kind in their political theories (not surprisingly Mill's liberal-democratic theory). Later, I will complement my approach to Aristotelian qualitative inequality by a classic notion of liberty which I intend to reconstruct by revisiting some of Cicero's philosophical treatises. I will argue that Cicero's way of considering liberty also befits in some respects a given modern notion of positive liberty present in nineteenth-century liberalism. This analysis will lead to a final attempt to reconnect the notion of authority with humanist liberty and excellence and to derive some conclusive policy implications of my theoretical approach.

Human qualities in liberal politics: a preliminary defense

Having established the objectives of this study, the first objection that arises is that liberal conceptions of society, despite proceeding from the non-perfectionist basic principle of equal natural rights, can not provide a proper harbor for *an ethics of human excellence*. A reason for this could be that the most celebrated ethical doctrine of excellence in ancient Greece, Aristotle's ethics of virtue, appears to be addressed to a select public, whose crucial interest is in perfecting a kind of private virtue, rather than a competence for wider moral issues related to public or political life. Although Aristotle mentions on several occasions that his *Nicomachean Ethics* could serve both the ruler and the politician (the citizen, in the Greek *polis*) by providing indications as to how appropriate moral decisions should be made when it comes to wider political interests, the general account of moral virtues concerns the *wise man*, or the *good man*, rather than the citizen. By contrast, liberal theories usually design principles of government and representation that are confined to the realm of public morality and consequently show little concern for the level of wisdom or ignorance of the individuals in their private moral realms. In early modern language, what is at stake in liberal theories is the *Body Politique*, and there is no additional curiosity related to those mysterious human "qualities" that make people wise or ignorant in those areas of their lives that are irrelevant to politics.

My answer to this is twofold. First, it is true that Aristotle's ethics are written for the relatively few persons who from a moral point of view aspire to become *better* (in our current understanding of the term *goodness* we normally describe a *good person* as a fair, decent and kind fellow; however, for Aristotle, and as the intended meaning here, *good* expresses courage, generosity, selective but genuine friendship and proper pride, or a justified love for oneself). Aristotle's *Politics*, however, is expressly addressed to the ruler and the citizen and gives some clear suggestions as to how the virtue of the *good citizen* should be distinguished from that of the *good man*.² Moreover, Aristotle preserves in his *Politics* something of his ethical ideal of individual excellence by way of sustaining equality according to desert or a *proportionate equality*. And, as I will argue, it is precisely this notion of proportionate equality which seems to be relevant to the modern systems of political representation that are shaped by J. Locke and J.S. Mill.

Second, it is somehow inaccurate to suggest that early modern theorists of liberalism are altogether indifferent to traditionally conceived human qualities. Even Hobbes's most radical political theory – usually seen as blameworthy even by liberals because of its notion of undivided, immutable and ineradicable sovereignty – involves a way of requiring the sovereign or monarch to prove some exceptional moral gifts that are thought necessary to ensure the quality of government.³ Locke, on the other hand, is even more demanding in this respect, requiring that all those who represent the three political powers – the executive, the judiciary and the federative power – should possess certain virtues that are not (and can not) be prescribed by the law. This renders mere law-abiding insufficient to ensure a first-rate representative government, as far as Locke's politics are concerned, and needs to be supplemented by an often unnoticed appeal to virtue and human qualities.⁴ Of course, the highest expression of a traditionally conceived ideal of human excellence in a liberal theory is J.S. Mill's notion of *individuality* or human flourishing. J.S. Mill's notion of representative government and his notion of plural voting strongly convey the basic and standard moral assumption that some human beings are better than others and count for more – in a quite literal sense in Mill's view, as we shall see later on.

Proportionate equality, civic function, and degrees of excellence

All who embark on a study of Aristotelian ethics and politics will soon notice that the founding father of logic and the metaphysics of identity and non-contradiction graciously admits to a certain inconsistency between the higher moral standards of *goodness* that he clarifies in *Nicomachean Ethics* and the political expressions of virtue that he is concerned with in *Politics*. Aristotle seems to be quite aware of the inevitable moral defects of the political environment and the difficulty involved in any unrealistic attempt to match private moral desert with political responsibility.

In Book V of *Politics*, Aristotle revives the Platonic theme of the two meanings of political equality – that of a numerical or a mathematical equality, and an equality according to desert.⁵ Numerical equality involves a quantitative ranking of the elements, while proportional equality or equality according to desert is meant to equalize ratios, thus bestowing

pre-eminence to what is proportionally better in terms of contextually evaluated desert.

However, in *Nicomachean Ethics* Aristotle makes it clear that for him only proportional equality is worth considering as an absolute form of justice.⁶ This ideal justice is, of course, unachievable in the political world, as he suggests in *Politics*, since the marching order of such equality – that is, the aristocracy based on genuine virtue and nobility – could hardly occur and persist in the real world where the tendency to use its principles by the oligarchy of the wealthy is more acute.⁷ Aristotle notices that most of the constitutions or political regimes of his time tended either to exploit the extremes of numerical equality, as in the democracies, or, as we have seen, to misuse the inequality of desert by justifying the empowering of the rich.⁸ Since most constitutions that exhibit the most extreme side of the two types of equality are usually unstable, in his account of Greek political history he finds it reasonable to promote a balance of the two concepts of equality, whose main social support comes from a conservative middle-class disinclined to rebel against the government for reasons of resentment due to poverty or the arrogant propensity associated with the love of luxury and wealth.⁹ The result is a mixed constitution that adjusts proportionate equality, or the ideal of justice according to desert, to a community of uneven and often unwise human beings. As a consequence, this ethical concession to politics seems mainly to be driven by the conservative goal given by Aristotle to a constitution: that it should be the best instrument to preserve peace and political stability.

Nonetheless, for Aristotle this mixed form of political regime is not a way of weakening his belief up to the point of debilitation that only equality according to desert is in fact suitable for a just estimate of human quality. His compromise between ethics and politics never goes as far as to conceal the intrinsic importance that he attaches to a superior degree of human excellence.

In Book VIII of *Nicomachean Ethics*, which contains part of Aristotle's famous account of friendship, we find a similar idea: Aristotle suggests that in order to preserve a wider friendship or social concord within a community, each should obtain what they deserve in accordance with the rule of proportion, which also means wider recognition of certain criteria for what is to be honored or praised. It is therefore suitable that the more respectable be disposed to contribute more to the public share than those who lack dignity, but are more willing to obtain more out of

the public wealth. The former deserves more honor, while the latter deserves more wealth, which on the whole follows the “proportion to merit” and preserves friendship.¹⁰

The fact that a city-state is usually inhabited by people with different degrees of virtue and wisdom is, as Aristotle explains in Book III of *Politics*, far from being an undesirable condition. On the contrary, it is a prerequisite of civic stability because a city, just like a living being, requires not only a soul, but also a body.¹¹ Aristotle is not inclined to dream of a *polis* whose members are, without exception, wise and attentive to heavenly beauty, and not anxious with regard to more worldly things. On the contrary, Aristotle’s *polis*, as well as Plato’s *Republic*, requires a certain amount of materiality and inertia with respect to a serene wisdom in order to reach a suitable civic order that has some chance of enduring. This “materiality” takes form in the organicist account of Aristotle’s civic virtues as a list of the specific *functions* each member of the community must perform in order that the entire body of the city continues to flourish.¹²

The ordinary citizen is therefore expected only to fulfill his own function properly, and not to cultivate a more demanding practical wisdom that is prescribed by Aristotle only for the ruler as the latter’s proper virtue. But, on the other hand, the ruler may perform *his own function* and may possibly also express his higher degree of excellence (if any) only if the ruled are able to perform their civic functions properly. Accordingly, there exists a certain functional interdependence between ruler and ruled in the organicist structure of the Aristotelian *polis*. The success of each member of the *polis* in performing his own social function properly seems to depend on the quality of the civic performance of others. And it is clear that, within the hierarchy of authority that is ideally matched by Aristotle with a given functional hierarchy of civic virtue and desert, all should be able to express some specific human qualities in order to perform their respective functions suitably, according to social rank. Undeserving or powerless human beings are seen by Aristotle as unworthy of being assigned civic functions or duties (this is, of course, heavily criticized today as unwarranted political perfectionism and castigated in terms of insensitivity to contemporary principles of social justice).

We have nonetheless suggested that, however perfectionist his hierarchical model of authority in its matching with degrees of civic virtue, Aristotle still remains a moral “minimalist” in *Politics* in comparison with his stronger ethical demands for the private virtue of the *good man*.

However, he appears to assume that a certain hierarchy of personal excellence (which includes, of course, superior moral competence) is not to be eclipsed by any sort of political regime that has some claims for legitimacy. Thus the implication is that even if the preservation of political stability is seen as the highest goal of Aristotelian politics, this is not to be attempted *at all costs*. And even if civic virtues are less demanding than private moral virtues, Aristotle appears not to be disposed to negotiate all of his ethical standards with politics.

With desert still being a qualitative hindrance to a politics conducted purely by morally blind power-mechanisms we can argue that Aristotle promotes a *meritotelic* model of social and political hierarchy that is both sensitive to individual merit and the degree to which each individual contributes to the *telos* of his community – that is, to its happiness or flourishing. This *meritotelic* model, based on a proportionate equality, whose criterion is individual input to the well-being of the community, is to be distinguished, however, from the contemporary notion of meritocracy, which only captures the idea of a social hierarchy from the perspective of mere technical competence. The moral competence and the interest to promote the *telos* of one's community are neither presupposed nor required by the notion of meritocracy as they seem to be in Aristotle's *meritotelic* scheme of social hierarchy.

In ethical terms, what appears to be missing from a narrower meritocratic model that relies purely on individual technical abilities is the sort of moral incentive provided by the awareness of one's membership to a social body or community – or by a certain *patriotism*. The motivation provided by the meritocratic model, however, seems to be more a matter of individualistic eagerness for self-assertion than one burdened by a sense of belonging to the community or awareness of the "social" part of one's personal self. On the contrary, Aristotle's teleological and *meritotelic* model relies, as I see it, on the idea of communitarian and patriotic *telos*, which is imprinted, so to speak, on the individual aims of each member of the common-wealth. Consequently, the *good* of a community is not a sort of collective, abstract goal which transcends the long-term interests of the individual in so far as each social individual already contains in his own "moral agenda" the prescription to contribute somehow to the *public good* according to his specific talents and abilities. Receptive or *patriotic* membership of a community could arguably provide motivational support for civic participation which is more consistent than an individualistic desire of self-assertion for the sake of *one's own* secret

delight. At any rate, the former seems to convey more moral meaning than the latter. In addition, what seems to be allowed by a *meritotelic* model is a legitimacy of individual excellence or justified inequality which is apparently not all that obsolete since most current excellence-oriented educational policies, for example, still need to call on a standard for the recognition of individual excellence in some specific areas of expertise.

What I think also deserves attention here is an implicit, yet quite perceptible Aristotelian model of trust-based or *fiduciary inequality* which expresses the intuition that there is both a social and individual gain in accepting a justified inequality if the moral capital invested in a person entrusted with authority on the basis of his excellence provides the “moral investor” a reasonable “return”, that is, if the person entrusted with a privilege is indeed worthwhile and *good*, in the Aristotelian sense. So, *fiduciary inequality* implies risk-taking and a more active recognition of excellence than a mere descriptive appreciation or polite expression of esteem. This risk can be measured by the degree of authority which is entrusted in someone who is considered more deserving on the basis of his or her personal qualities. In the next two sections, I intend to stress some aspects of J. Locke’s and J.S. Mill’s liberal theories of representative government that seem to fit the meritotelic scheme and a model of *fiduciary inequality* built on more or less visible Aristotelian foundations.

Beyond procedural leadership: Locke’s fiduciary inequality

The most conventional approach to Locke’s liberal theory of government emphasizes the procedural mechanism for constraining every personal misuse of power in order to prevent political arbitrariness of the worst kind or tyranny. Laying acute stress upon law-abiding and procedural hindrances to power-abuse is, of course, justifiable in every reading of Locke’s political theory that has any claim to accuracy. Nonetheless, an over-emphasizing of the Lockean “rule of law” and procedural leadership often leads to an omission of the fact that, in his *Second Treatise of Government*, Locke also refers to some unrecorded rules that happen to give the representatives of all the three departments of power – the legislative, executive and the federative – a moral credit that is beyond the law on the key-condition that it sensibly promotes the public good.

The language I use here when I consider the model of *fiduciary inequality* is, as we can see in the following quote from the *Second Treatise*, not entirely dissimilar to that used by Locke himself:

Though in a constituted common-wealth ... there can be but *one supreme power*, which is *the legislative*, to which all the rest are and must be subordinated, yet the legislative being only a fiduciary power to act for certain ends, there remains still *in the people a supreme power to remove or alter the legislative*, when they find the *legislative* act contrary to the trust reposed in them.¹³

The Lockean mechanism of social contract thus relies on a *fiduciary* empowering of certain persons, with the conditions I have already mentioned that they choose to promote primarily the public interest instead of looking for arbitrary or personal benefits. But this fiduciary empowering device also implies certain decisions for political action that are not (and cannot possibly be) prescribed by the law and are, consequently, left to the wisdom and prudence of the representatives in charge of political decisions:

Many things there are, which the law can by no means provide for; and those must necessarily be left to the discretion of him that has the executive power in his hands, to be ordered by him as the public good and advantage shall require.¹⁴

In technical terms, Locke uses the term *prerogative* for this “power to act according to discretion, for the public good, without the prescription of the law, and sometimes even against it”.¹⁵ The prerogative should compensate, through a fiduciary investment of authority with moral credit, for the silence of the law with regard to unforeseen situations. Locke is aware, however, of the risks involved in increasing the prerogative which can weaken the protective power of the law against corruption and the misuse of authority. The prerogative is thus a privilege of the agents of power, albeit confined by “the empire of law, and not of men”, to use James Harrington’s phrase. This tradition of preventing corruption and abuses of power by enforcing the legal system (which goes back to Machiavelli and probably reaches Locke through Harrington’s mediation¹⁶) is strong enough for the latter to prevent him from not seeing the dangers of a structural system that relies solely upon personal leadership. Nonetheless, Locke does neglect certain potential individual

qualities that may possibly help the representatives to duly perform their public duties.

With the basic condition for this slight “arbitrariness” left by Locke to the human agents of power being the promotion of the public good, we have, in my opinion, arrived very close to what we previously called a *meritotelic* model in our brief survey of Aristotle’s (justified) inequality. Even if Locke begins his *Second Treatise of Government* by establishing the “equality of men by nature”¹⁷ as a principle of his theory of government, it is perhaps reasonable to distinguish this formal equality in front of the law, or the impossibility to “avoid the force of the law”¹⁸ after entering the civil condition, from the breathing space left for a potential expression of virtue or wisdom by someone whose “natural authority” is also enforced by the law. In other words, the Lockean device of fiduciary empowering seems to prevent the procedural structures of leadership from asphyxiating the human, qualitative potential of some leaders to be more worthwhile than others. An Aristotelian kind of justified inequality, based on recognition of human *goodness* in political action, is, therefore, still part of Locke’s modern liberal scheme of government.

Mill’s proportional voting: assigning political competence on humanist grounds

J. S. Mill’s theory of representative government clearly contains some perfectionist and elitist ingredients that are much discussed and criticized today, especially (and indeed not surprisingly) from the egalitarian wing of political theory.¹⁹ Mill’s “aristocratic liberalism”, to use the term coined by Alan Kahan,²⁰ is classified alongside Burckhardt’s and Tocqueville’s liberalism owing to their similarity in terms of a dislike for the masses and the middle class, their contempt for mediocrity and fear of its potential hegemony, and their lack of belief in the centralized state.²¹

Small wonder, then, that a political philosopher like Mill (who received a special private humanist education with an implicit aristocratic flavor and whose entire discussion of *individuality* relies on a Humboldtian view of human flourishing with highly classic and romantic connotations) chose to shape an elitist humanist theory of democratic representation in his *Considerations of Representative Government*. Yet Mill’s theory of representative government is anything but reactionary and shares to a large extent the ideal of moral and intellectual progress to which good

government may contribute. Accordingly, one of Mill's criteria for the *goodness of a government* is, as stated from the outset in his latter work, "the degree to which it tends to increase the sum of good qualities in the governed, collectively and individually".²² Mill seems to endorse the idea that, on the one hand, a government should not be disinterested in encouraging improvement in the human quality of the governed, and, on the other, that political machinery can be properly set in motion with the force supplied by the good qualities of the governed. Such *good qualities* are explicitly located in moral virtues and intelligence, in what we call *human goodness* from a classic humanist perspective. This criterion for the goodness of a government is similar to the Aristotelian goal of politics – the promotion of the *happiness* of the *polis* and its members by cultivating their character through appropriate education and good laws.

Mill's technical approach to the electoral system is of a particular importance here in that it sustains the idea of *proportionate equality* by recommending the allowance of many votes to those who are *better* in terms of moral virtue or intellectual achievement. He thus applies with no significant alterations the classic (Aristotelian) notion of equality according to desert – that is, the idea that someone who is *better* in either moral or intellectual terms should literally *count for more* when it comes to public decision-making. This, according to Mill's democratic views, does not challenge the right to a political voice that all should be allowed; though it does explicitly deny an *equal right* of opinion in respect of political matters:

But though every one ought to have a voice – that every one should have an equal voice is a totally different proposition. ... if with equal virtue, one is superior to the other in knowledge and intelligence – or if with equal intelligence, one excels the other in virtue – the opinion, the judgment, of the higher moral or intellectual being, is worth more than that of the inferior: and if the institutions of the country virtually assert that they are of the same value, they assert a thing which is not. One of the two, as the wiser or better man, has a claim to superior weight.²³

Of course, an immediate challenge to this political proposition of Mill's is to ask who is entitled to ascertain the superior value of one person over another. Mill's criterion for selecting a heavier opinion is the "individual mental superiority" that can be established through a reliable system of education or a trustworthy scheme of general examination. He is also ready to accept that, in the absence of such a system, another test

could be the nature of the occupation of the individual in question. For example, an employer is, on average, more intelligent than a laborer, and a skilled laborer is likely to be far more intelligent than an unskilled one.²⁴ The system of general examination would be controlled by competent bodies like, for example, the Universities of Oxford and Cambridge, on the condition that “they are fairly open to all comers”.²⁵ This makes Mill anything but a supporter of an electoral privilege for the wealthy English upper classes, which traditionally have the easiest access to the first-rate education provided by the Oxbridge system. What he thinks is needed is a means to attest the “individual mental superiority” that is not influenced by traditional English traditional class-biases which favor the upper classes.

Mill’s electoral system of plural or proportional voting relies on the humanist supposition that a superior degree of virtue or intelligence is paralleled by a superior political competence – which is, of course, a highly problematic assumption. In *Nicomachean Ethics*, Aristotle himself clearly distinguishes between the intellectual virtue of the philosopher, which is appropriate for a contemplative life, and practical reasoning or the capacity to deliberate on political matters.²⁶ If we were to follow this classic distinction between intellectual and moral virtue, we would hardly agree with Mill that it is reasonable, for example, to grant highly gifted intellectuals a superior level of electoral competence.

Nonetheless, Mill seems to use a wider humanist framework than that evident in Aristotle’s tradition when he fashions his electoral model of proportional voting on the basis of a *fiduciary inequality* determined by both moral and intellectual virtue. To clarify this resource of Mill’s modern humanism, we should consider more carefully the content of the humanist tradition which Mill was inclined to endorse and combine with his own nineteenth-century humanism.

The influence of humanist traditions on nineteenth-century liberalism

The liberal humanism of the nineteenth century has two main sources. One is the Greek and Latin humanist tradition, which underwent some changes during the Enlightenment, when Aristotle’s virtue was replaced with education and the Aristotelian teleological doctrine was reoriented from the restricted space of the *polis* to the progressive period

encompassing the entirety of humankind according to the historicist vocabulary of the nineteenth century.

The alternative source is that of Florentine civic humanism, which reinvented the classic notions of citizenship and virtue, especially through Machiavelli's political writings. Aristotle's distinction between the virtue of the citizen and the virtue of the good man are merged by Machiavelli into a single virtue of republican civic participation, the *vivere civile*, whose significance is equated by Machiavelli to the sole means of a republic to resist the contingencies imposed by *fortuna*.

In the first tradition of humanism it is hard to ignore the very plausible influence of Aristotle on Mill's belief that a society based upon liberty and equality cannot sustain itself without appropriate means to cultivate certain specific individual virtues (Mill was very familiar with Aristotle's *Politics*, *Rhetoric* and *Nicomachean Ethics*). In similar vein, Mill appears to praise virtue and human character as irreducible traits both of morality and politics, although the specific content of virtue clearly differs between Mill and Aristotle. Mill argues, therefore, that the preservation of a political regime depends on its success in cultivating certain specific social virtues in its citizens – a thesis which is strikingly similar to Aristotle's teleological approach to education in Book IV of *Politics*.²⁷ And Mill's traditional humanism is perhaps more obvious in his political defense of a certain conception of the good which favors the humanist value of a worthwhile human life²⁸ (a hierarchy of values that is also present in his utilitarian ethics). The latter humanist attitude is seen in particular as being inconsistent with Mill's own defense of individual liberty and limited government, not to mention Mill's critique of traditional mores as imposing a "slavery of custom",²⁹ thus denying the spontaneity of freely chosen actions, for the reason that a commitment to virtue may support some perfectionist preferences for a certain conception of the good that entail politically interfering measures to implement a "politics of the good life". Indeed Mill does encounter some difficulties in harmonizing the notion of limited government with the "amount" of virtue he believes is necessary to a coherent political life. What appears difficult to protect, of course, (if the commitment to virtue tends to overrun the importance of individual choice) is a personal autonomy that is not invaded by "the wisdom of laws" that, impede, for example, an individual from harming himself if he has freely chosen to undergo a harmful, yet inoffensive experiment.

What seems crucial, however, in understating the way Mill solves this tension, is the fact that he does not propose any legislation of morals,

for Mill's autonomy is seen as an individual achievement, one that demands appropriate cultivation of certain qualities of mind and character.³⁰

In his famous *Autobiography*, Mill describes his uncommon private education, partly due to the demanding curriculum created for him by his father, James Mill, and partly due to his own desire to complement a cultivation of the "analyzing spirit" with an "internal culture of the individual through poetry and art".³¹ While philosophical training was described by Mill as a necessary practice in order to discipline and shape the inquiring mind, commerce with poetry was seen as developing sympathy with other human fellows and cultivating the habit and motives for pursuing worthy ends. Mill thus recommends, through the example of his own "unusual and remarkable" private education, an improvement to public education with the hope (very attuned to the spirit of his age) that this would contribute to the wider moral and intellectual progress of humankind.

Mill thus appears to promote an ethos of virtue that is provided by a more demanding humanist education and which permits the individual to win both freedom of the mind and a cultivated knowledge of the human heart. What seems to be revived in some respects by this modern humanist model of education is the classic Ciceronian notion of humanist freedom obtained through *cultura animi* or a suitable training in philosophy. I will return to this point later in this essay.

As we have seen, the second humanist tradition that influenced the intellectual landscape of nineteenth-century liberalism was the secularized conception of morals of the Renaissance. The Socratic and Platonic conceptual tradition of *arête*, seen as a civic excellence expressing the moral goodness of a person, was assimilated earlier with the Latin *virtus* and also enriched with some other connotations: the power by which an individual or a group can act properly in a civic situation, or the essential property that makes a person or a thing what it was. In addition, Boethius's tradition of discourse associates *virtus'* use of sexual language with a masculine active intelligence (from the etymological meaning of *vir*: man) that sought to dominate the passive, unpredictable force of the female, *fortuna*. The success or failure of dominating *fortuna* with *virtus* could either manifest itself in the submissive reward *fortuna* gives to *virtus* for his strength or in her vindictive betrayal and triumphant derision of his weakness. In the post-Augustinian tradition followed by Boethius, *fortuna* was chosen to symbolize the insecurities of the *saeculum*

that could only be tamed through the wisdom inspired in Boethius by a benign, consoling female figure: namely, Philosophy. Philosophy is seen by Boethius as being able to supply him with the contemplative power needed to resist Fortune's malice by denouncing the unpredictability of power in a political world as aspects of phenomenal or historical unrealities that are only a small part of God's providential design.³² This specific encouragement to cultivate a philosophical liberty of contemplation is of particular interest to this essay, since it supports our aim of reconstructing some of the ingredients of a humanist inner freedom based on a cultivated discernment.

But let us now return to Machiavelli, whom we have already depicted as the main spokesperson of the Renaissance rhetoric of civic virtue relevant to nineteenth-century liberalism. According to the records, we can corroborate that Machiavelli's influence was more important in Tocqueville's political writings than in those of Mill. Consequently, we notice an affinity between what Tocqueville deplores in his *Democracy in America* as an *individualism* calmly abstracted from the problems of one's political community, and as harmful to that community,³³ and the Florentine, Machiavellian notion of *vivere civile* as the only republican virtue that reduces the contingencies of *fortuna* (whose dangerous whims are revived by Machiavelli with there being no hope of escaping them by philosophical contemplation, as in the post-Augustinian tradition of Boethius).

Tocqueville's critique of the American equality of condition that substitutes the old standards of excellence for the arbitrary criteria provided by the majority has, on the other hand, some obvious Aristotelian connotations and seems to deplore the modern disappearance of the model of proportional equality as well as the somewhat Procrustean fate of equality in the American democratic society. On the other hand, however, Tocqueville balances this personal nostalgia with the hope of moral progress under the premises of liberal-democracy, similar to Mill's social and moral optimism, though of course widely adjusted to the more general spirit of the pan-European nineteenth-century Enlightenment.

What is shared, therefore, by Mill's and Tocqueville's modern humanism is this implicit distinction between certain traditional landmarks that can be reconstructed from the past and the particular humanist spirit of the age. This capacity to take past heritage *cum grano salis* is what apparently distinguishes an idealistic adoption of classic humanism, with its distaste for the world around it (also expressed, for example, in distaste

for the commercial spirit),³⁴ from a selective recollection of certain humanist standards in the more general framework of nineteenth-century humanism – for neither Mill nor Tocqueville propose a “full restoration” of classic values, despite their (typically modern) fear that the sphere of private life, in which the flavor of humanist morals and culture persists, was being increasingly invaded by a tyrannical majority with second-rate preferences. Both chose to employ the humanist rhetoric, which, as we have seen, combines many sources and traditions of humanism, though rather as an ethical and critical perspective that allowed them to disapprove of the “modern vices” in the society and politics of their time. This is apparently the only reasonable sense in which we today can also attempt to reconstruct some classic standards for excellence, in order to criticize the egalitarian orthodoxy of our time by re-creating a space for a heterodoxy in which equality can also be *proportional* and liberty can still be associated with higher individual propensities and goals.

Humanist liberty in the context of the modern positive/negative liberty

After having considered some possible ways to re-discuss the Aristotelian *proportionate equality* in a liberal-democratic context, let us now reflect briefly on the classical sources for a modern “reconstruction” of the notion of liberty.

With this purpose in mind, we can start by delineating the modern discussion of liberty in the current debates of political philosophy and the history of political ideas. In Anglo-Saxon political philosophy, the standard notion of political liberty is established around the distinction between negative and positive liberty. This distinction was notoriously described by Isaiah Berlin’s discussion of J. S. Mill’s “negative liberty”, as opposed to a Hegelian understanding of liberty in a “positive” spirit, in Berlin’s 1958 classic *Two Concepts of Liberty*.³⁵

Negative liberty is intended primarily to restrict interference by other persons in the private sphere of an individual or group. The subject is therefore protected by law in his or her private sphere of decision making and free experimentation, with the only condition being that his or her private choices do not harm others. Implicit in this “minimalist” view of the self is that “everyone knows best his own interest” and that no institution is entitled on either moral or epistemic grounds to establish

the goals or purposes of an individual by claiming superior knowledge or wisdom in terms of what best favors the latter's interest. This notion of liberty – consistent with being left alone – has also some historical connections with *laissez-faire* economics, and although it exhibits some claims to ethical neutrality, it is compatible, for example, with a wide range of policies which support the free market and free competition, and thus in non-neutral ways sustains some preconditions of liberty.³⁶

Positive liberty, on the other hand, presupposes a wider conception of the self that replaces the “minimalist” desire to be left alone with the ideal of “self-realization” and “self-mastery”. This concept in some respects follows the traditional division of the self into a “rational” and an “irrational” part and promotes the ideal of controlling the “irrational soul” by the superior, rational one whose Platonic metaphor is the alert and severe charioteer who masters the “appetitive”, lower soul.³⁷ Since slavery to irrational appetites can not always be successfully undermined by the individual's own capacity to control himself, a law that supports the long-term ends of the higher self (for example, a law against drug trafficking or alcoholism) is said to liberate the personality from its inferior tendencies. This concept of liberty is therefore associated with certain desirable ways of acting that can be identified from a contemplative, philosophical perspective of life that appears to follow the Phytagoric model of *philosophy* as a love for or attachment to wisdom according to which the philosopher is the privileged spectator of “the festival of life”.³⁸ Accordingly, positive liberty relies upon the assumption of a moral perfectionism based on a capacity to discern the true and genuine from ephemeral values and backed up by a political perfectionism which may involve laws and institutions designed to “take care” of the long-term interests of the individuals.

T. H. Green and the other English New Liberals, whose liberal doctrine was influenced by the idealism of Hegel's and Kant's philosophy, as well as that of Aristotle, sustained a concept of positive liberty that moved beyond the “minimalist” involvement of the state and thus encouraged state-action that pursued the more worthwhile goals of individuals. In philosophical terms, the action of the state was conceived, in Hegelian fashion, as favorable to the “substantive will” and the genuine freedom of the individual through certain rational, anti-consumerist policies – the tendency of which notoriously encouraged New Liberal support for political assistance and taxation. This charitable and egalitarian tendency of the New Liberal notion of positive liberty therefore appears to support

a classification of the concept on the left-wing, social-democratic wing of politics, although it omits some of its classic humanist, and possibly non-egalitarian potential.

This tendency to group positive liberty on the most egalitarian side of politics is even more visible and dramatic in Berlin's own critique of the totalitarian use of positive liberty throughout the twentieth century to justify oppressive "collective goals" that were ideologically disguised as "progressive" and liberating. Berlin's critique rightly emphasizes the risk of associating positive liberty with unlimited state-power by a political doctrine that downplays the individual right to negative liberty and justifies its unconstrained repression by allegedly well-intentioned policies, governed by rational aims.

Nonetheless, despite Berlin's legitimate fear of an unconstrained misuse of positive liberty by a state which overwhelms negative liberty, we should perhaps not abandon the whole humanist potential of positive liberty, in its classical sense, in a reckless post-totalitarian rejection of every notion whose re-interpretation may have played a role in justifying twentieth-century systems of political repression. The totalitarian experience has taught us the important historical lesson that, however promising the appearance of an ideology that justifies wider state-power, the liberal restriction of negative liberty *should be maintained* and must properly be defended by the constitution. However, it does not follow that every consideration of positive liberty, even with regard to more restricted policy-making areas (such as certain educational policies that promote excellence), should be hastily deconstructed on anti-totalitarian grounds. To derive *so much* from an anti-totalitarian stance is, to quote an old English saying, simply "to throw the baby out with the water".

Small wonder then that, in the tense geopolitical context of the Cold War, liberals such as Isaiah Berlin and Karl Popper were unsympathetic to every "humanist" justification of state-intervention and to every "morally legitimate" transgression of negative liberty. But if a certain brand of "humanism" has been more or less compromised politically by its post-Marxist misuses, we can perhaps do more than simply resign from an anti-totalitarian and rather nauseatic attitude towards every form of "humanism" and positive liberty.

The concept of positive liberty which I think is still of *humanist* significance today is that in the educational Ciceronian sense of achieving individual, cultivated discernment through an appropriate *cultura animi*.

In Ciceronian terms this involves cultivation through an acquaintance with classic Greek philosophy on the reflective capacities of the individual (or of the freedom of the mind) – the model which, as we have seen, was still regarded as desirable and socially useful to a nineteenth-century liberal such as J. S. Mill.

The Ciceronian model of positive liberty³⁹ that I wish to emphasize here is well captured by a famous quotation from *Tusculan Disputations* in which Cicero declares that he prefers, before heaven, “to go astray with Plato ... rather than hold true views with his opponents”.⁴⁰ What Cicero seems to imply here is that he has already acquired, through appropriate philosophical training, an appropriate *freedom of judgment* that allows him to decide what is to be preferred, even if the risk to “go wrong” is not immaterial. In other words, Cicero suggests that he has sufficient trust in his own cultivated discernment or his own freedom of the mind – and that he is suitably aware of the risk of making a mistake – in order to have *the internal liberty* to prefer the company of Plato.

This internal liberty could be properly called a *humanist liberty* or that kind of liberty that characterizes someone who perceives the difference between ephemeral goals and the real nature of visible things. This kind of liberty could be associated with certain particular meanings of the Latin term *humanitas*: namely, the cultivated judgment of the philosopher and an acute awareness of the instability of things worldly.⁴¹

The sense in which Cicero invokes the function of a philosophical training in acquiring what I call *humanist liberty* is different, however, from the task that Aristotle assigns to the philosopher. For Aristotle, the individual inclined to philosophical contemplation is to be functionally distinguished from a person endowed with more practical skills. The former is an intellectual whose appropriate function is to deal with scientific research into the causes of phenomena, whereas the latter, for example, should be a politician, judge or public servant. And while the former should inquire into the science of causes, the latter should deal in cultivating *human goodness*. By contrast, Cicero appears to be more sanguine as to the philosopher’s capacity to contribute to the public good and to display not only intellectual, but also practical wisdom. The reason for this confidence in the philosopher’s capacity to synthesize contemplative and practical judgment appears to be that Cicero takes the Pythagoric model of “the lover of wisdom” quite seriously, which, as we have seen, is literally compared to the ability to contemplate life as a spectator.

So, it is merely a *cultivated* capacity that allows the performance of surrounding persons to be seen with uninvolved discrimination, one that for Cicero can only be acquired through continual philosophical practice which qualifies the individual for *free* judgment. This capacity for *disinterested contemplation* is described by Cicero as the ability “to watch closely what was done and how it was done”, to see for the sake of the seeing itself, and “to scan closely the nature of things”.⁴² These “special few” capable of seeing things in this disinterested way are praised by Cicero as the human beings that are the most liberated (*liberalissimum*) from inconsistent and ephemeral goals.⁴³

This demanding assumption of the rational liberty of the *good man*, as well as the Ciceronian notion of disinterested judgment, should not be confused, however, with the modern “scientific objectivity” of those researchers who claim to have access to a value-free perspective, uninfluenced by either cultural or personal biases. This “scientific objectivity”, appropriately termed by J. C. Droysen as “eunuchic objectivity”,⁴⁴ in fact appears to derive from the absence of an individual capacity to perceive things with cultivated disinterestedness. The disinterested judgment we have considered is, quite on the contrary, based on *an individual capacity* for discrimination that has been properly fostered – otherwise, if an individual were unable to discriminate, he could not be *free* to discern, since he would be constrained by his inherent weakness.

Why humanist liberty and excellence should not become egalitarian

As we have seen, the occurrence of this cultivated capacity to discriminate is rather exceptional and the truly free humanist in a person, who, for that reason, could be called a *free humanist*, seems to be preserved in both the Pythagoric and Ciceronian model of the philosopher-spectator. Despite the fact that this model is shaped differently when compared to both the Platonic and the Aristotelian intellectual vocation of a philosopher, it nonetheless preserves the traditional elitism of the Academy.

This implicit irreverence towards a majority whose access to a *humanist liberty* is usually restricted is still present in Mill’s modern humanism and in his praise of individuality, eccentricity and human excellence. Of course the sociologist might say that Mill’s theoretical position is shaped

by his own privileged access to a humanist education and by his own related interest in justifying it. However, Mill appears less interested in making a *pro domo* with a sectarian flavor than in defending *per se* a classic educational curriculum that has a value in its own right and thus conveys a somewhat timeless sense of what it is to be *human* or *good* or *worthwhile*. This classic education might best favor, as Mill inclines to believe, personality and human uniqueness. This notion of a humanist heritage that can cultivate the human soul of the gifted individual in an exceptional manner goes back, I believe, to the Ciceronian tradition of *cultura animi* and is mediated, for Mill, by the Humboldtian notion of *Bildung*.

Of course, this system also favors the idea that some individuals are more gifted and, therefore, more worthwhile than others and that there is only a “select minority” that can regard a training in philosophy as a genuine *magistra vitae*⁴⁵ whose contemplative principles do not change considerably over time. Accordingly, the notion of humanist liberty implies that the self-selection of this minority does not depend on a mere idiosyncrasy and is by no means accompanied by arrogant contempt and superior-minded aloofness for those who are less gifted or less motivated to learn more. What is at stake here is in fact an unashamed difference between the gift and motivation to cultivate disinterested judgment and an incapacity or disinterest in acquiring such free discrimination.

Some ingredients of this notion of *elitist* humanist liberty, supported by a descriptive realism, can still prevent the excesses of an utopian prescriptivism relying on the very cheerful expectation that there is a possibility for unlimited moral and historical progress – a supposition notoriously shared by Mill in his grand nineteenth-century liberalism, though in quieter tones than Hegel. Berlin is of course right when, later in the mid-twentieth century, he fears that every mixture of moral progressivism, positive liberty and state-power has a dangerous social potential that can degenerate into a totalitarian seizure of political power. Similarly, he is justified in thinking that negative liberty should be so firmly established that it effectively censures all possible abuses of positive liberty. But, again, positive liberty may also be sustained in a less ambitious social and historical fashion by associating it with a *cultura animi* that could best assist the cultivation of personal discernment and a sense of perspective, without being attached to any sort of excessive historical or moral optimism, on the one hand, while not involving subservient reverences to the “ideal” of leveling humanist liberty, on the other.

If we detach the positive liberty of these risky social and political ingredients that could become support for a totalitarian state, we can retain the ethical significance of humanist liberty, which can provide the motivation to achieve a higher degree of individual excellence.⁴⁶ As I have already suggested, a non-egalitarian recognition of an ethics of personal excellence could supply the agent with a moral motivation usually absent from most modern egalitarian systems of ethics, notably from Kantian and post-Kantian ethics. If the aim of providing a moral theory with a motivation that could afford the agent with an incentive *to act* in a certain way is not to be neglected, then perhaps the non-egalitarian ideals of human excellence and humanist liberty should be maintained in some form or other, for we can see no alternative way of providing moral incentives in an egalitarian moral framework. If we were all rewarded more or less satisfactorily (albeit not strictly equally), regardless of what we have done and simply because of our status as human beings living in a well-ordered society, then why should we devote our attention to improving our knowledge or moral habits or whatever potential qualities we might have? I think there is no convincing answer to this question from a moral perspective that denies the *inequality of desert* or a certain recognition of different degrees of human excellence.

Authority and personal excellence

What would be the benefit to us if we were to bring back some ingredients of an Aristotelian and a Ciceronian notion of personal excellence today? This question is meant to refer primarily to the context of modern liberal theory that I have already considered.

To recap briefly, the first sense in which I discussed this ancient model of human excellence by considering that *fiduciary inequality*, which allows a person in authority to pursue the *public good* in ways that were not (and could not have been) anticipated by the law, naturally presupposes an investment of that person with moral legitimacy on the grounds of his or her (potential) human qualities. In other words, what is at stake here is the possibility of complementing (and possibly strengthening) the formal authority of a person by her moral distinction, which may involve some Aristotelian virtues, as well as a Ciceronian freedom of discrimination or a privileged sense of perspective.

This is not to suggest, however, that I am prepared to sustain a utopian elitism, fashioned after a simplified Platonic vision of the philosopher-king, or that I wish to imply that all individuals in positions of political authority should be expected to reach a satisfactory degree of wisdom or human excellence. Cicero, himself a profound admirer of Plato's philosophy, admitted in his *De Re Publica* that the Roman republic had acquired the strength to endure for centuries precisely because it was the result of joint labor of many (more or less wise) statesmen, who placed their patriotic commitment above personal interests and continually fortified the foundation of the republic. And he adds explicitly that those statesmen who were not "wise", since this name is reserved only for the philosophers, but who nonetheless shaped laws and institutions that encouraged excellence, are also worthy of the highest esteem "since they have fostered the precepts and the discoveries of the wise".⁴⁷ So what seems to be crucial here is the social cultivation of a model that encourages personality and excellence by joint effort which itself should be recognized as worthwhile.

However, it is precisely this model of social recognition of excellence that seems to be treated today as obsolete and of less importance than, say, social justice or that *what is right* – of course, right for everyone. Cicero, once more, despite his praise for "the many" who founded the Roman republic, supports this celebration of the joint foundation of the Roman republic by the authority of Cato, whom he singles out for special praises for his being highly experienced in public affairs, with whom he had had dealings both in times of peace and war, and of whose conversation one could never tire – he always spoke with measure, mixing charm with dignity, as zealous in learning as in teaching, demonstrating a complete harmony between his life and his words.⁴⁸ So, Cicero's criteria for individual excellence and moral authority in politics are quite clear, though he did not use them to downplay the merits of other Roman statesmen, rather, as I have said, to support Cato's own praise for a republic whose foundation was not based upon the genius of one man, but of many. The model of personal authority is thus *meritotelic* and the degree of excellence is, consequently, measured not only according to the personal qualities of a leader, but also in terms of his contribution to the public good.

Let us also look at the reception of this meritotelic model of Cato's by modern Western statesmen. Alexander Hamilton, one of the most controversial American statesmen who contributed to the famous

eighteenth-century debate between federalists and republicans, was heard to say that, in the Roman Empire, Cato was the Tory and Cesar the Whig, and while the former had died along with the republic, the latter had destroyed it.⁴⁹ Of course Hamilton intended with this statement to downgrade the humanist model of virtue and personal authority and to advance instead Cesar's triumphant image, with whom (at least according to some of his critics) he wished to be associated. Hamilton's own insight into the destiny of America as a commercial and a military empire (an intuition that was of course validated later by historical events) motivated him to support a stronger executive and a martial force meant to sustain it in Machiavellian fashion.⁵⁰

This attitude of Hamilton's nicely captures the modern style of downgrading the importance of a political authority backed by moral excellence and a certain inner distinction (or what we may call the commercial-utilitarian and the military way of regarding authority in modern times since Machiavelli and Hobbes redefined the concept of political authority as such). What becomes obsolete is precisely that model for social recognition of excellence that Cicero so clearly associates with Cato's dignity. This conversion of the moral language of meritotelic authority into the pragmatic language of power seen as a success in seizing control and in justifying it convincingly is perhaps the most efficient modern way of undermining the notion of the individual desert that traditionally supported authority.

The other side of this modern cynical attitude towards personal excellence is, I think, the long-standing English educational preservation of a notion of *cultura animi* used to justify the traditional recruiting of public servants among upper-class graduates of Oxford and Cambridge based on the perceptible ideological argument that Oxbridge-trained (usually in the classics) individuals were so properly instructed in the spirit of a humanistic perspective on human values that were the less vulnerable to corruption and politicianism. This cultivated privileged minority was, therefore, best equipped to exert a positive liberty in the humanistic style and thus the most qualified to fill (of course, disinterestedly) the most important administrative roles in the country.

The same connection between a training in classics and public and political competence is also present in the traditional arsenal of Tory self-legitimacy. And, apparently, it is no mere anecdotic accident that a reliable and convincing Tory candidate should have been able to insert some well-mastered Latin quotations from Cicero or Tacitus into his public

speeches, in order to gain public credit and sufficient approval – even by those who did not understand Latin.

What appears to be the main vice of this system – if we regard it with green and unsuspicious eyes – is the fact that it involves the possibility of shaping the individual liberty, as well as disinterested discernment, in very mechanical and predictable ways. In other words, it involves a form of educational engineering that in mechanical ways could lead to a series of intelligent and disinterested humanists. In more descriptive terms, what appears to be achieved through this long-standing institutionalization of an alleged cultivation of free discrimination and human qualities is in fact a code of mannerist replacement of excellence, or a sophisticated culture of the imitation of virtues.

If this diagnosis is accurate in some way, we may assume further that, although a humanist educational system is a prerequisite for a suitable cultivation of individual discernment, this is only a partial condition for the personal development of a person who truly nurtures the discrimination and the sense of perspective of a free humanist. Since, on the basis of this assumption, the minority of genuine free humanists cannot be determined purely on the basis of the number of degrees issued by a prestigious university, the elitist question of human excellence is not reducible to the necessity of safeguarding a traditional meritocratic system such as the preferential recruiting of English public servants from Oxbridge (a system heavily criticized today, especially from egalitarian liberal and social-democratic perspectives). Left-wing arguments against this traditional meritocracy characteristically refuse to admit the *elitist* nature of the meritocratic premise that an exceptional education can only benefit a talented minority. On the other hand, however, the same critics sustain a wider admission to *the same kind of special education* of gifted young persons from the lower classes and the implicit restriction of such education to those who are better-off, but less endowed. (Of course, what can be obtained through these policies is a democratic extension of access to an exceptional education, but not a dismissal of the elitist nature of that education.)

If positive freedom, however, is regarded in a wider exceptionalist sense that does not depend only on educational circumstances, but also on the quality of individual motivation and a personal ability to value in one's own way the classic humanist heritage, we could then even conceive of a certain independence of the notion from a given university curriculum. However, this independence can only ever be relative, since a cultivated

discernment, at least in a Ciceronian sense, *presupposes* an appropriate acquaintance with basic classic readings that are to be *intrinsically valued* and most suitably preserved by a university tradition, such as the Oxbridge system, for example.

Before I reach my conclusions, I would like to emphasize more strongly this concern for educational preservation of certain standards of individual excellence that could possibly maintain something of a classic *cultura animi*. As I have suggested, this is not to imply that we should naively grant all the responsibility for promoting excellence to a humanist university curriculum; however, it is possible that a certain sense for the classic landmarks of our European culture that enable the shaping of individual discernment can only be diffused with the help of a traditional curriculum including Plato, Aristotle, and Cicero.

In guise of conclusion: some policy implications for sustaining excellence today

My approach here to liberty and equality may not be welcomed by contemporary liberals who incriminate any “perfectionist” revival of Aristotelian equality or Ciceronian liberty as unrealistic, outdated, and insensitive to the egalitarian and progressist spirit of our days, not to mention the widely accepted priority of social justice over any notion of *goodness* or *excellence*. Of course, the standard liberal egalitarian response to most perfectionist arguments, whose hard-core principles are drawn from John Rawls’s *Theory of Justice*, is that we should recognize the priority of negative liberty over equality and admit the factual existence of the natural aristocracy of talents; however, our social institutions should be shaped so as to rectify the arbitrariness of this unequal distribution of talents by nature.

My problem with this egalitarian liberal approach to social institutions (including, significantly, the educational system) is that, by defending only negative liberty as a priority – and thereby omitting a certain amount of positive liberty and, consequently, the importance of cultivating a higher standard of human flourishing – and by professing a “reasonably” liberal egalitarian order as the second priority of *fair* social institutions, the human ideal of personal excellence which can provide a singular moral motivation for personal development in a wider sense is today relegated to the margins of the most worthwhile social purposes.⁵¹ This

tendency is also reflected by the main objectives followed in current policy-making, which receive inspiration from this doctrine of egalitarian liberalism. In other words, the bargaining of a justified inequality that can possibly offer moral or intellectual incentives for an ethics of personal development, may, with some ethical prescriptions based on an universalistic concern for social justice, lead us to a placid resignation with those criteria that are dictated only by the market or the arbitrary opinion of all who happen to be more persuasive or better publicized.

From this perspective, it is perhaps not so outdated to defend a reasonable educational policy aimed at sustaining a basic humanist curriculum in non-technical universities. The legitimacy of that curriculum is sometimes constrained to defend itself today, as in the case of the revisionist policy implemented by many American universities to replace a classic curriculum by one that was “fairly selected” and that, for example, necessarily incorporates certain obscure, discriminated African poets. Of course, the “fairly selected” poets might or might not be as worthwhile as Shakespeare or Homer – judgment being left to the taste or disposition of all those curios enough to trouble themselves with such comparisons.

A similar educational policy that might still help to preserve something of a breathing space essential in cultivating a humanist sense of perspective, even if not with the immediate aim of providing civil servants, would acknowledge the importance of keeping alive a number of educational centers of excellence and possibly create others. This would of course be a “reasonable” policy in the defense of humanist standards for individual excellence or the promotion of a model for the recognition of personal excellence. Consequently, it would have nothing of a more ambitious political or public character, although it could involve some general consequences related to the standards for first-rate leadership, for example.

The impersonal, procedural framework of liberal-democratic institutions that prevents abuses of personal leadership, such as corruption or accumulation of power, could thus be complemented – and by no means subverted – by a suitable educational recognition of certain higher standards for personal excellence – the fragrance of which could, as I have argued, be retrieved from the past and utilized anew according to the understandings of our own age.

NOTES

- ¹ See also the pagan interpretation of virtue-ethics provided by Richard TAYLOR in his *Virtue-Ethics: An Introduction*, foreword by John Donnelly, Linden Books, Interlaken, N.Y., 1991.
- ² This distinction is made by ARISTOTLE in *Politics*, 1277a13-14. I use the Stephen Everson edition of *The Politics and the Constitution of Athens*, Cambridge University Press, Cambridge and New York, 1996.
- ³ See Hobbes's equation of private and public interest in the case of a good monarchy, and his suggestion that the monarch should primarily seek to ensure "the riches, strength, and reputation" of his subjects, as if they were his own "riches, power, and honour". Thomas HOBBS, *Leviathan*, ed. by C. B. Macpherson, Penguin Classics, Harmondsworth, 1985, pp. 245-6.
- ⁴ See John LOCKE, *Second Treatise of Government*, ed. by C.B. Macpherson, Hackett Publishing Co., Indianapolis and Cambridge, 1980, pp. 75-83.
- ⁵ *Politics*, 1301b30-33.
- ⁶ *Nicomachean Ethics*, 1131a28. I use here David Ross's translation revised by J.L. Ackrill and J.O. Urmson, Oxford University Press, Oxford, 1998.
- ⁷ *Politics*, 1302a2-4.
- ⁸ *Ibid.*, 1302a4-8.
- ⁹ *Ibid.*, 1302a12-15.
- ¹⁰ *NE*, 1163b1-15.
- ¹¹ *Politics*, 1277a6-7.
- ¹² *Ibid.*, 1276b20-34.
- ¹³ John LOCKE, *Second Treatise of Government*, *op. cit.*, pp. 77-8.
- ¹⁴ *Ibid.*, pp. 83-4.
- ¹⁵ *Ibid.*, p. 84.
- ¹⁶ For a comprehensive analysis of the influence of Machiavelli on Harrington's *Commonwealth of Oceana*, see J. G. A. POCOCK, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*, Princeton University Press, Princeton and Oxford, 1975.
- ¹⁷ J. LOCKE, *op. cit.*, pp. 8-9.
- ¹⁸ *Ibid.*, pp. 502.
- ¹⁹ See for example Richard HOLLINGER's book, *The Dark Side of Liberalism: Elitism vs. Democracy*, Praeger, Connecticut and London, 1996, which starts with a critique of Mill's elitism.
- ²⁰ See Alan S. KAHAN, *Aristocratic Liberalism: The Social and Political Thought of Jacob Burckhardt, John Stuart Mill, and Alexis de Tocqueville*, Transaction, New Brunswick and London, 1992.
- ²¹ These characteristics of the pan-European "aristocratic liberalism" of the nineteenth century are collected and examined by Kahan in *op. cit.*, pp. 34-80.
- ²² J.S. MILL, *Considerations on Representative Government*, in *On Liberty and other essays*, Oxford University Press, Oxford, 1991, p. 227.
- ²³ *Ibid.*, p. 334.

- 24 *Ibid.*, p. 336.
- 25 *Ibid.*, p. 337.
- 26 NE, 1138b15 – 1144a35.
- 27 *Politics*, 1337a10-b22.
- 28 See also Peter BERKOWITZ, *Virtue and the Making of Modern Liberalism*, Princeton University Press, Princeton and Oxford, 1999, p. 137.
- 29 See in J.S. MILL's *On Liberty*, the fourth chapter "Of the Limits of the Authority of Society over the Individual", pp. 83-103 in the John Gray edition of *On Liberty and Other Essays*, Oxford University Press, Oxford and New York, 1991, pp. 83-103.
- 30 P. BERKOWITZ, *Virtue and the Making of Modern Liberalism*, *op. cit.*, p. 138.
- 31 J.S. MILL, *Autobiography*, in *Autobiography and Literary Essays*, ed. by J.M. Robson and J. Stillinger, University of Toronto Press, Toronto, 1981, p. 141.
- 32 See J.G.A. POCCOCK, *The Machiavellian Moment*, *op. cit.*, p. 37-9.
- 33 Alexis DE TOCQUEVILLE, *Democracy in America*, trans. by George Lawrence, Encyclopaedia Britannica, Auckland, Chicago etc., 1993, p. 271.
- 34 See Alan S. KAHAN, *op. cit.*, p. 88.
- 35 Isaiah BERLIN, *Two Concepts of Liberty*, Oxford University Press, Oxford, 1958.
- 36 See Norman BARRY, *An Introduction to Modern Political Theory*, Macmillan, Houndmills and London, 2000, p.201.
- 37 This metaphor is used by PLATO in *Phaidros*, 435e-444e, in his description of the action that the rational part of the soul has to assume in order to master the lower, irrational part.
- 38 This comparison was notoriously transmitted by CICERO, in his *Tusculan Disputations* V.III.8. I used the English translation of J. E. King, published by Loeb Classical Library, Harvard University Press, Cambridge, Mass., and London, 1996.
- 39 I should mention that this Ciceronian notion of positive liberty, based on a cultivated internal capacity for free contemplation and discernment, has nothing to do with the Roman conception of *libertas* originally associated with the ideal of Roman citizenship and the aspiration of Roman plebs to change the status of *servus* to the condition of *liber*: that is to obtain *free citizenship* and a rather negative right of protection by the law. For this negative emphasis of the Roman *libertas*, see Hanna PITKIN, "Are Freedom and Liberty Twins?" in *Political Theory*, No. 16, 1988, pp. 523-52.
- 40 *Ibid.* I. XVI, 38.
- 41 The term *humanitas* had of course a richer significance in the historical context of the "civilized" ancient Rome, as opposed to the "barbarous" non-Latin world. It involves a superior civility and has a somewhat self-conscious *goodness* associated with it, a highly discriminating judgment obtained through *cultura animi*, and awareness as to the vulnerability of things earthly. For my purposes here, I preferred to reconstruct the Ciceronian model of *humanist freedom* by using only the two last meanings above.

42 *Ibid.*, V. III. 8.

43 In her essay on “The Crisis in Culture: Its Social and Political Significance”, Hannah ARENDT equates this cultivated disinterested discernment with the Kantian aesthetic capacity to “think in the place of everybody else”, which Kant calls, in his *Critique of Judgement*, an “enlarged mentality” (*eine erweiterte Denkungsart*), that is an art of thinking from a perspective that goes further than one’s own private idiosyncrasies and is thus able to include the viewpoints of all those who happen to be present. See H. ARENDT, *Between Past and Future*, The Viking Press, New York, 1961, pp. 220-1.

44 Quoted in Friedrich MEINECKE, *Vom geschichtlichen Sinn und vom Sinn der Geschichte*, Stuttgart, 1951.

45 *Ibid.*, II.VI. 15.

46 This motivational ingredient is also somewhat absent in the republican conception of freedom proposed more recently by Philip PETTIT in his *Republicanism: A Theory of Freedom and Government*, Oxford University Press, Oxford, 1997. Pettit argues that in his classic distinction between negative and positive liberty Berlin has omitted the possibility of “a third concept of liberty”, that is a liberty that requires the non-domination by others (and it is, thus, negative), though on the other hand defends some positive republican values, such as equality and community, for example. Although my notion of humanist liberty preserves the communitarian flavor in the Aristotelian-Ciceronian tradition of a functional responsibility towards one’s community, its explicit need for a moral incentive for excellence and goodness is a constraint to an egalitarian concept of freedom.

47 CICERO, *De Re Publica*, III. IV. I use the English translation of Clinton Walker Keyes, published by Loeb Classical Library, Harvard University Press, Cambridge, Mass. and London, 2000.

48 *Ibid.* II.1.

49 Quoted in Gerald STOURZH, *Alexander Hamilton and the Idea of a Republican Government*, Stanford University Press, Stanford, 1970.

50 See J.G.A. POCOCK, *The Machiavellian Moment*, *op. cit.*, pp. 528-32.

51 I see it as quite ironic that the whole Rawlsian construction of a “veil of ignorance” in his *Theory of Justice* (Oxford University Press, Oxford, 1999) relies on a special capacity of the parties to be *rationaly disinterested* and to abstract themselves from all information that may obstruct them from seeing things from the perspective of their fellow citizens. Rawls in no way emphasizes the fact that such a capacity to deliberate upon social distribution with “an enlarged mentality” may involve a rather exceptional discernment and sense of perspective. He attaches, instead, his version of social contract and his notion of the veil of ignorance to the Kantian moral tradition of universal rationality, which gives Rawls’s theory of justice a morally egalitarian and an idealistic flavor, without providing it, however, any convincing moral incentive *to strive to attain* such a high degree of rationality.

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THE ALLURING FACET OF *CEAUȘESCUISM*: NATION-BUILDING AND IDENTITY POLITICS IN COMMUNIST ROMANIA, 1965-1989

“Man is a complex animal who is tractable in some respects and intractable in others. Both the successes and the failures of our communist cases suggest that there is a pattern to this tractability-intractability behavior, that liberty once experienced is not quickly forgotten, and that equity and equality of some kind resonate in the human spirit.” This is how Gabriel Almond concludes his study on communist political cultures that focuses on the former Soviet Union, Czechoslovakia and Yugoslavia, as well as Cuba, Hungary and Poland.¹ It can be argued that, apart from liberty, equity and equality, the notions of *social integration*, *economic improvement* and *national cohesion*, also resonated in the spirit of the peoples ruled by communist regimes. As far as Romania is concerned, this author believes that any comprehensive analysis designed to explain the way in which the regime began co-opting large strata of the population as of the early 1960s must address two issues of paramount significance: *modernization* and *nation-building*. In terms of (communist) modernization, during the 1960s and 1970s the regime had something to offer to Romania’s population at large. Quality of life, for the majority of the population, improved unquestionably. Things changed fundamentally during the 1980s, however, when a severe economic crisis struck, generated by the regime’s inflexible policies. Consequently, it was both the relative and the absolute deprivation suffered by the overwhelming majority of the population that made the 1989 revolution possible.

A number of questions remain, however: what hampered the development of societal opposition towards a regime that was not only brought to power by a foreign (super)power – the Soviet Union – but was also based on an ideology that had no local tradition whatsoever?² Also, after the period of Stalinist terror came to an end and, more importantly,

the withdrawal of Soviet troops was accomplished in the summer of 1958, what was it that created a focus of identification with the regime? Answering these questions is by no means easy. This paper argues that an answer can be found in the continuation of the nation-building process under communism. This process, which had entered its final stages by the early 1980s, eventuated in a cultural syndrome that can be called *the late creation of the nation*. This syndrome made a major contribution to hampering any gradual development of societal opposition towards the regime and determined in many respects the atypical, bloody nature of the 1989 Romanian revolution.

As Walker Connor has aptly demonstrated, the question as to *when* a nation is created still sparks heated debate among scholars and lay people alike. In Romania, the process of creating the nation did not end in 1918, as a majority of Romanian scholars argue. It should be noted from the outset that few intellectuals under communism focused seriously on the issue of the formation of Romanian national identity. In most cases, strong emphasis was placed on the ancient roots of the Romanian people. And it is for this reason, simultaneously with the resurgence of autochthonism in the aftermath of the July 1971 “theses”, that references to the Thracians, Geto-Dacians and Dacian-Romans became almost obligatory elements in any discourse on the formation of the Romanian nation. Autochthonist historical discourses were mainly produced by historians associated with the Romanian Commission of Military History, which was presided over by General Ilie Ceaușescu, one of Nicolae Ceaușescu’s brothers. Although references to the Thracians became instrumental in establishing Romanians’ ancient roots, Geto-Dacians and, more importantly, Dacian-Romans were referred to as the “legitimate forefathers” of the Romanians. A historian, who was close to the Romanian Communist Party (RCP), wrote the following in 1983:

The complex process of organic blending of the two cultures and civilizations, of ethnical and linguistic osmosis between the Dacians and the Romans, inaugurated, with the end of the Dacian wars, a decisive stage which would result in the coming into being of a new people, the legitimate successor to its ancestors: the Romanian people.³

While General Ilie Ceaușescu wrote:

Documents and sources of all kinds and historical deeds also attest to the fact that the Geto-Dacians – the *legitimate forefathers* of the Romanian people – lived in the Carpatho-Danubian-Pontic area from times of yore, that they *did not come here from some other places*.... The Geto-Dacians, *direct forefathers of our people*, were attested in document for the first time as early as 2,500 years ago.... Components of one and the same people, speaking the same language, living in the same territory, having the same civilization, the Geto-Dacians were called in ancient writings either the Getae (in Greek sources) or the Dacians (in Latin sources) [my emphasis].⁴

As to the Romanian nation, a majority of the historians and social scientists have placed the moment of its formation somewhere between the 1848 Revolution and the 1918 creation of Greater Romania. For example, in a work published in 1967, the historian Ștefan Pascu argues that it was the “revolutionary struggle” during the 1848 Revolution that concluded the process of formation of the modern Romanian nation.⁵ Nevertheless, as Irina Livezeanu puts it in her work on interwar Romania, “the unification of Romanian lands in 1918 constituted a national revolution ... and this revolution initiated the turbulent nation building and civil strife that characterized the decades between the two wars.” Furthermore, the same author observed, “the union of 1918 brought into being a deeply fragmented polity, and the startling effects of centuries of political separation presented great challenges to the newly enlarged state and the sense of national identity of its population.”⁶ Similarly, Jowitt has argued that during the interwar period “the elites and major sectors of the population lacked meaningful, shared sentiments of community and a relatively consistent, jointly shaped set of commitments to the nation state itself.”⁷

This paper argues that the nation-building process in Romania was continued under communism. This particular element of Romania’s recent history made the elites and masses alike perceive the Romanian nation-state as being still “unrealized” and continuously threatened by some of its neighbors, especially Hungary and the Soviet Union. As Rogers Brubaker argues, this tendency to view the nation-state as “unrealized” imposes the adoption of a dynamic political stance. Since the state was perceived as being not yet national in its entirety, it was therefore imperative to be “nationalizing”:

Characteristic of this stance, or set of stances, is the tendency to see the state as an “unrealized” nation-state, as a state destined to become a

nation-state, the state of and for a particular nation, but not yet in fact a nation-state (at least not to a sufficient degree); and the concomitant disposition is to remedy this perceived defect, to make the state what it is properly and legitimately destined to be, by promoting language, culture, demographic position, economic flourishing, or political hegemony of the nominally state-bearing nation.⁸

Due to a combination of economic, social and cultural factors, a decisive stage in creating the Romanian nation was achieved in the early 1980s.⁹ It is this author's opinion that communist Romania went through a piecemeal process of "ethnic bureaucratic incorporation", to use Anthony D. Smith's term, based on three main components – (1) *elite manipulation*; (2) *cultural reproduction*; and (3) *modernization conducted from above* – that entered its final stage only in the early 1980s.

How the Romanian communist elite conceptualized the process of formation of Romanian national identity is, however, another matter. Still, the vigorous revival of national ideology after the withdrawal of Soviet troops in July 1958 poses difficult questions of interpretation with regard to the internationalist phase of Romanian Stalinism under the first supreme leader of communist Romania, Gheorghe Gheorghiu-Dej (1948-1965). As for Gheorghiu-Dej's successor, Nicolae Ceaușescu (1965-1989), it can be inferred from his many speeches that the supreme leader of Romanian communists believed that the process of formation of the Romanian nation had come to an end with the creation of Greater Romania in 1918:

The establishment of the [Romanian] unitary national state six and a half decades ago represents an astounding historic victory for the long heroic struggle of the masses *to create the Romanian nation* and marks the realization of the age-old dream of all Romanians to live in unity within the borders of the same country, in one free and independent state [my emphasis].¹⁰

Consequently, after coming to power in 1965, Ceaușescu was convinced that he was creating the Romanian "socialist nation." It is nonetheless difficult to grasp from Ceaușescu's speeches what exactly a "socialist nation" meant to him. Analysis of his policies towards minorities reveals that he envisaged an ethnically homogenous Romanian "socialist nation." In terms of the official stance towards the idea of a "socialist" Romanian

nation, however, things were much clearer and were focused on the concept of a political nation. For example, in 1976, in his introduction to a volume dedicated to the history of the Hungarian minority in Romania, the historian Lajos Demény argues that Ceaușescu's idea of "socialist nation" was close to the idea of a political nation.¹¹ At the same time, however, we should bear in mind that Demény's interpretation was intended to provide a "human face" to the regime's assimilationist policies. In reality, the strategy of the RCP in dealing with ethnic minorities was based on the idea that communist egalitarian policies would lead to the disappearance of ethnic identities.

As already mentioned, it is this author's opinion that the process of creating the modern Romanian nation entered its final stage under the Ceaușescu regime. This aspect is also of prime importance in explaining why intellectual dissidence in communist Romania developed only with much difficulty and only after the economic crisis had become evident. As a legacy of the interwar cultural debates, national ideology remained a powerful issue, and the ideas, attitudes, and arguments associated with it played a major role in cultural debates during the communist years, especially after 1958. The revival of this ideology in the late 1950s and early 1960s, after a period of quiescence (though not rejection), echoed in the hearts and minds of the more talented Romanian intellectuals. In Romania, to use George Schöpflin's inspired phrase, "a legitimating discourse, that of ethnicity" was not only a constant of the country's political culture, but also a determinant in creating a focus of identification with, and loyalty towards, the regime.¹² This situation, until the early 1980s, served to dampen the appeal of dissident ideas to a larger public who saw in the regime a defender of their country's independence and territorial integrity. It should be added here that history – a subjective interpretation of "national" history – played a major role in this legitimating discourse. Thus, in communist Romania history mattered and was interpreted and re-interpreted according to the immediate goals of the communist ruling elite.

In order to support the argument of this paper some theoretical and methodological aspects need to be discussed. As Walker Connor argues, "nation-formation is a process, not an occurrence."¹³ In the case of Romania, this author argues, the process of turning peasants into Romanians, to paraphrase Eugen Weber, took a decisive course only under the national-communist regime of Nicolae Ceaușescu (1965-1989) in the context of an extensive program of centrally planned urbanization,

industrialization, increased communication and the spread of education. Furthermore, when analyzing the process of nation-building in Romania during the period 1945-1989, this author draws on the concepts of *organic* and *organized solidarity*, coined by the late Alexandru Duțu, an outstanding Romanian historian of mentalities.¹⁴ According to Duțu, *organic solidarity* is specific to the private sphere, which includes the family, parish, and voluntary associations and the like, while *organized solidarity* belongs to the public sphere and can be found throughout history, from the time of the elderly councils to the modern state. In cases of nation-building, such as that in Romania, the transformation from imperial province to national state took place primarily by relying on organized solidarity. It can be argued that organized solidarity, that is a sense of solidarity developed and continuously reinforced *from above* within the framework of the nation-state (through education, internal migration and common socialization in large state companies etc.), played a crucial role under communism and, ultimately, forged the Romanian nation. It should be emphasized that Duțu's interpretation perfectly complements Benedict Anderson's famous idea of the nation as an "imagined community."¹⁵ In this author's interpretation, Anderson's concept of "imagined community" describes mainly a process *from below*, while Duțu's concept of "organized solidarity," addresses a process initiated *from above*.

Indeed it is difficult, if not impossible, to provide a precise date for the creation of a nation.¹⁶ In Romania, as already noted, we are dealing with a *late creation of the nation*. Here, the notion of *creation* refers to a decisive shift in integrating large masses of the ethnic Romanian population into the "organized solidarity" and "imagined community" of the Romanian nation, and not to the final, ultimate realization of nationhood. Methodologically, the process of nation-building under communism will be analyzed below according to three major lines of inquiry: (1) *elite manipulation*; (2) *cultural reproduction*; and (3) *modernization conducted from above*.

Elite manipulation

The Romanian communist elite's relation to nationalism is an area that merits further investigation, all the more so since there has so far been no thorough investigation into the degree in which the exacerbated

nationalism of late *Ceaușescuism* originates from within the party elite. In other words, how much of Ceaușescu's nationalism was inspired by interwar trends (via recuperated intellectuals, for example) and how much came from his socialization with Gheorghiu-Dej's men?

In this respect, post-1989 testimonies of the former nomenklatura are not only telling, but also puzzling, since they reveal that the so-called internationalist phase of Romanian communism was less internationalist than was previously thought. For instance, controversy over contested territories, such as Transylvania, determined Romanian communists to look for arguments in the nationalist repertory even before they came to power in 1948. Gheorghe Apostol, arguably the most faithful of Gheorghiu-Dej's men, recalls a meeting with Stalin in December 1944 at which only he, Gheorghiu-Dej and Ana Pauker were present. The Romanian delegation based its plea for Transylvania by insisting on the history of the region, from the Roman conquest onwards. Clearly unimpressed with their historical arguments, Stalin decided that Transylvania should be awarded to Romania for their switching sides in August 1944. Apostol's story is significant because it emphasizes a major aspect of the Romanian communists' idea of nation. To Stalin they presented not the theses of the Fifth Party Congress, but the importance of the short-lived union of Transylvania with Moldavia and Wallachia under the medieval ruler, Mihai Viteazul, in 1600, on which they based their plea for the region. These accounts raise doubts as to the Romanian communists' supposed full commitment to the Cominternist theses of the Fifth Party Congress with regard to the multinational character of Greater Romania. Another high-ranking former communist official, Ion Gheorghe Maurer, who himself was not an ethnic Romanian, stresses that, with the exception of Ana Pauker and those who came from Moscow, he never heard a Romanian communist arguing that Bessarabia should be Soviet or that Transylvania be Hungarian.¹⁷

The problem of Bessarabia was clearly more delicate than that of Transylvania. Although clear references to Soviet-occupied Bessarabia could have damaged relations with the Soviet Union, recent testimonies in fact show the Romanian communist elite to have perceived that territory as being a part of a historic Romania. In this respect, the events surrounding the publication of Karl Marx's *Notes on the Romanians* are illustrative. Paul Niculescu-Mizil was at the time the head of the Propaganda Section of the Central Committee and therefore directly involved in the publication of Marx's work. Niculescu-Mizil has provided interesting information as

to the way in which a Polish historian discovered the manuscript in Amsterdam and how the news reached the Romanian authorities. He also speaks of the decision to translate the manuscript for the use of the party leadership and, finally, to publish it in 1964 through an elaborate critical apparatus that recommended the volume as a purely scholarly work.¹⁸

The importance of this here is that Marx's book handed the Romanian communists the opportunity to express what they could not express openly by using the authority of a "founding father": that the regime considered Bessarabia to be part of historical Romania. For example, Niculescu-Mizil recalls that his father, also a communist militant, also adopted a similar stance towards Bessarabia, confirming Maurer's assertion regarding the Romanian communists' views of the territories incorporated into Greater Romania after WWI.¹⁹ Thus, from 1964 onwards, Marx's words would be quoted imperiously whenever necessary to support the RCP's idea of national history. For example, two historians at the Party's service wrote the following in 1983:

Most clearly synthesizing and assessing the major moments of the history of the Romanian people, Marx stated his opinions on the question of the origin of the Romanian people, of the unity of territory and of the historical continuity of the Romanians in this territory. In his works, *he stressed the age of the Romanian people, its historical unity and continuity on the territory it had inhabited for millennia* [my emphasis].²⁰

Furthermore, it may be argued that *Party monolithism* and *self-assertiveness* are crucial concepts that offer a key to the political culture of Romanian communism. These features were shaped by the strategy of political survival based on independence from Moscow and extensive industrialization that was devised by Gheorghiu-Dej in the aftermath of the Twentieth Congress of the Communist Party of the Soviet Union. The strategy was strictly adhered to by Ceaușescu. However, since a comprehensive discussion of the RCP industrialization policies under Gheorghiu-Dej and Ceaușescu would exceed the scope of this paper, we will instead focus on one important aspect of communist Romania's "independent path towards communism": the completion of the nation-building process.

As Ronald H. Linden correctly observed, "Romanian leaders have successfully capitalized upon the non-Slavic identity of the population."²¹

It was the policy of independence from Moscow – admittedly, combined with the slight improvement of living standards that began to show in the early 1960s – that echoed with the hearts and minds of the majority of the Romanian population. In August 1968, ten years after the withdrawal of Soviet troops from Romania, Ceaușescu delivered his famous “balcony speech” in which he condemned the invasion of Czechoslovakia by WTO troops. From a historical perspective, it could be argued that the effect of Ceaușescu’s discourse on the Romanian population at large was enormous. For many Romanians his speech provided “proof” of his charismatic qualities.²² Simply put, this author believes that Ceaușescu’s “charismatic leadership” – to use Reinhard Bendix’s concept – occurred within the dramatic conditions of August 1968.²³ Paul Goma, for example, the initiator of the 1977 Goma movement and perhaps the most famous Romanian dissident, wrote of the mobilizing force of Ceaușescu’s August 1968 speech with the following words:

Ceaușescu’s discourse from the balcony... even now, in 1985, I cannot say that then he was “acting”, that he was insincere. In spite of the hysterical atmosphere, those of us who that August in 1968 had joined the Patriotic Guards did so neither for him, Ceaușescu, nor for the communist party... Not even for (socialist) Romania. Ceaușescu appealed not to communists, but to ... citizens, to defend – not the Party, but the country, by the power of arms.²⁴

Similarly, the critical intellectual writer Dumitru Țepeneag remembers how Ceaușescu’s speech had an instant effect on him: “For some days – he later confessed – I was a convinced *Ceaușeculist*.”²⁵ Without doubt, Ceaușescu’s charisma was for the most part simulated afterwards by official propaganda using co-opted intellectuals. Nevertheless, the origins of his “charismatic leadership” are to be found in the “late creation of the nation” or the new nation syndrome, as will be shown below and the fact that what was generally taken to be “proof” of his charismatic qualities was taken from the beginnings of his rule. It is useful to remember that Ceaușescu came to power in March 1965 and delivered his most famous speech on 21 August 1968. At the same time, as Max Weber puts it, if a charismatic leader “is unsuccessful for a long time, above all if his leadership fails to benefit his followers, it is likely that his charismatic authority will disappear.”²⁶ Nonetheless, it took more than ten years for Ceaușescu’s charismatic authority to be eroded.

After that moment in August 1968, much stronger emphasis was placed on the country's ancestors' struggle for independence and their heroic deeds. The equation was quite simple: in the past Romanians had to fight the Ottomans, under Ceaușescu they needed to oppose the Soviets (more obliquely, there were also some references to the alleged irredentist stance of Hungary). As Schöpflin aptly puts it:

Mythic and symbolic discourses can thus be employed to assert legitimacy and strengthen authority. They mobilize emotions and enthusiasm. They are a primary means by which people make sense of the political process, which is understood in a symbolic form.²⁷

In Ceaușescu's Romania, the resort to historical myth came almost naturally. From the very beginnings of his rule, Ceaușescu displayed an interest in and appreciation for the heroic deeds of the medieval rulers of the Romanian principalities. Ceaușescu's style of leadership – contrary to the leadership style of his predecessor, Gheorghiu-Dej – was based on a systematic itinerary of domestic visits, which regularly included the most significant monuments and historic sites of the given area.²⁸ Moreover, in the aftermath of the Soviet-led Warsaw Treaty Organization (WTO) invasion of Czechoslovakia, Ceaușescu began what can be termed the "itineraries of national cohesion", which were meant to provide popular backing to the independent policy of the RCP. Let us follow in detail the unfolding of events. On 21 August 1968 Ceaușescu delivered the "balcony speech" condemning the invasion of Czechoslovakia by the troops of five "fraternal" countries – the Soviet Union, the German Democratic Republic, Hungary, Poland, and Bulgaria. The next day, 22 August 1968, the Romanian Grand National Assembly (GNA) was convoked for an extraordinary session. In his speech to the GNA Ceaușescu stated that: "In our opinion, a big and tragic mistake, with heavy consequences for the fate of the unity of the socialist system and the international communist and workers' movement, has occurred."²⁹ Two days later, on 24 August, Ceaușescu held talks with the Yugoslav leader, Iosip Broz Tito (Ceaușescu had already visited Yugoslavia during the period 27 May-1 June of that year).³⁰

Then, on 26 August 1968, the supreme leader of Romanian communists began a comprehensive program of domestic visits. What is important here for this paper is the choice of Transylvania as the prime target of the regime's propagandist efforts. During a single day, 26 August 1968,

Ceaușescu managed to visit three different counties – Brașov, Harghita and Covasna – and participated in no less than four mass meetings in the towns of Brașov, Sfîntu Gheorghe, Miercurea Ciuc and Odorheiul Secuiesc. It is important to note that in the counties of Harghita and Covasna the majority of the population is and was ethnic Hungarian. Having learnt the lesson of the 1956 Hungarian Revolution, it appears Ceaușescu feared that the WTO invasion of Czechoslovakia would provoke unrest among the Hungarian-speaking population of Romania. This is quite possibly true, since, at the mass rallies held in the towns of Sfîntu Gheorghe, Miercurea Ciuc and Odorheiul Secuiesc, he ended his speeches by saying a few words in Hungarian. Indeed it was the only occasion when Ceaușescu attempted to speak in the Hungarian language.³¹

With regard to the revival of historical myths in order to create popular support for the RCP's policies, one particular mass rally was of paramount importance: the rally of 30 August 1968 in the Transylvanian city of Cluj. On that day, Ceaușescu delivered a flamboyant speech in front of a large audience. He referred for the first time to the RCP as the direct successor of the heroic deeds of the Romanian medieval rulers, such as Ștefan cel Mare (Stephen the Great), Mircea cel Bătrîn (Mircea the Old), and Mihai Viteazul (Michael the Brave).³² From that moment on, the cult of ancestors and the manipulation of national symbols became the main ingredients of Ceaușescuism. It should be stressed that Ceaușescu made a considerable effort to attract Romania's national minorities and convince them that the RCP minority policy did not envision their assimilation. In this respect, it is revealing that a new series of domestic visits was scheduled for the period 20-21 September 1968 in another ethnically mixed region of Romania, the Banat. On that occasion, Ceaușescu again visited three counties – Caraș-Severin, Timiș and Arad – and delivered speeches at mass rallies in the cities of Reșița, Timișoara and Arad.³³

Ceauseșcu's posture of defiance towards the 1968 Soviet intervention in Czechoslovakia misled statesmen, politicians and scholars alike. As a keen observer of Romanian politics and society, Jowitt has defined Ceaușescu's stance as characteristic of a "romantic (liberal) nationalism:"

Under Ceaușescu, the nationalism of the Romanian regime, at least through the summer of 1969, has been what Carlton Hayes has termed romantic (liberal) nationalism. There are a number of indices one can use to justify this characterization: (a) the presence or absence of an Adam Smith sort of

definition of world harmony; (b) an emphasis on the value of sovereignty, that is, national independence; (c) identification with 'oppressed' nations; (d) an emphasis on the past which focuses on events and continuity rather than on a golden age or myth era; and (e) a view of nations as the natural divisions of humanity.³⁴

In reality, Ceaușescu's vision of national identity had nothing to do with romantic nationalism. He was aiming, as far as the Romanian majority was concerned, at a radical reinforcement of ethnic ties, a stance made clear by the launch of the so-called "Theses of July 1971". The "theses" – a rather brief document structured into seventeen points – embodied Ceaușescu's rigid attitude towards education and cultural production. Ceaușescu then reiterated the main ideas of the document, which was issued on 6 July 1971, at a meeting of Party activists involved in propaganda and indoctrination held on 9 July 1971. The "Theses of July 1971" were a radical attack on the cosmopolitan and "decadent", pro-Western attitudes in Romanian culture.³⁵ Equally, they signaled a return to cultural autochthonism. Furthermore, after the launch of the "theses", the regime began to place stronger emphasis on the importance of history writing in the building of the "socialist" nation, with the most important step being to provide the party guidelines for the writing of a "national" history. Three years later, in 1974, the founding document of Romanian national-communism was issued: the Romanian Communist Party Program (RCP).³⁶ This official document opened with a concise 38-page history of Romania, which became not only the blueprint for a single, compulsory textbook that was utilized in every school, but also the model for all historical writing to be published in Romania. It was based on four conceptual "pillars": (1) the ancient roots of the Romanian people; (2) the continuity of the Romanians on their territory from ancient times until present; (3) the unity of the Romanian people throughout its entire history; and (4) Romanians' continuous struggle for independence. (A discussion of the effects of the RCP on history writing and teaching is provided below in the section on cultural reproduction).

When a high-ranking Romanian party official exclaimed while in discussion with a foreign diplomat that "Independence is our legitimacy!" he really meant it.³⁷ It can be argued that in Romania, up until the mid 1980s, the nationalistic hatred of the Russians (and subsequently, the Soviets) acted in favor of the regime. At mass level, one of the lessons taught by national history was that nothing good ever came from the

East. For its part, the regime was prepared to nurture and exploit Romanians' Russophobia, which, as Hugh Seton-Watson put it, "is second only to that of the Poles."³⁸ This it skillfully did until the mid 1980s.

There was, however, something that the regime could not foresee: the coming to power of Mikhail Gorbachev. After 1985, at a time of structural economic and moral crisis in Ceaușescuism, the launch of Gorbachev's domestic *perestroika* led to the emergence of a totally different image of the Soviet Union and its leadership. "Gorbimania" began to spread among a Romanian population exasperated by the economic crisis and the orthodox vision of socialism being propagated by the "Genius of the Carpathians." When Gorbachev paid an official visit to Romania (25-27 May 1987), many Romanians hoped, in vain, that he would persuade Ceaușescu to introduce measures of economic reforms. The result, nonetheless, was that Romanians no longer saw the Soviet Union as a real threat to Romania's sovereignty; they were, in fact, looking to Moscow to free them from the domestic tyranny of the Ceaușescu clan. People were eager to learn more of Gorbachev's reforms. Pamphlets and brochures in Romanian published in the Soviet Union by the Novosti Press Agency circulated, especially in Bucharest, as if they were dissident writings. In 1988-1989, the people read avidly any such Soviet brochures with titles containing subversive words and syntagms such as: "restructuring", "renewal", "innovative", and "a new vision".³⁹ In terms of nationalist propaganda, therefore, the key argument of the RCP's legitimating discourse – independence from Moscow – vanished with the inception of Gorbachev's reforms.

As a consequence, the regime was left with only one target: the Hungarian minority. On 20 December 1989, Ceaușescu affirmed that the revolt in Timișoara, which sparked the Revolution, was the result of activity by "hooligan elements, working together with reactionary, imperialistic, irredentist, chauvinistic circles... aiming at the territorial dismemberment of Romania."⁴⁰ He was clearly hinting, among others, at neighboring Hungary and the Soviet Union. Nevertheless, the new image of the Soviet Union among Romania's population deeply undermined the regime's propagandistic endeavors. By the late 1980s, independence from Moscow had ceased to be a major source of legitimacy for the communist regime in Romania. To paraphrase the high-ranking Romanian communist official quoted earlier, by the late 1980s, *independence* had ceased to be *their* legitimacy.

Cultural reproduction

The teaching of a “national” history and, respectively, geography, contributed decisively to the forging of the national identity in communist Romania. Similar strategies were also employed elsewhere, outside the communist world. For example, in his work on the modernization of rural France, Eugen Weber emphasizes the use of history teaching in the nation-building process.⁴¹ Nationalism is also place-bound. Consequently, in geography teaching, the presence of an identical map of the country in every classroom of every high school in Romania, contributed decisively to the process of “imagining” the nation. In this respect, as Cristina Petrescu has suggested, the generations raised under communism had a different perception of the national territory than the interwar generations. For them, Romanian national territory was imagined as comprising Transylvania, but not Bessarabia. The mental map they internalized was based on the political maps they saw continuously in the classroom. As a consequence, Bessarabia ceased to be perceived, on a mass level, as part of Romania’s historic territory and the process of imagining the Romanian nation during the communist period did not include that territory. At the same time, we should bare in mind that the RCP elite, as shown earlier, strove to keep alive the idea that Bessarabia was part of historical Romania. However, with Bessarabia, the process of cultural reproduction created a set of salient values that undermined the RCP’s ability to manipulate national symbols. Consequently, when Ceaușescu sought to win back popular support by raising the issue of Bessarabia in the late 1980s, he received very little popular backing. The precise moment when the issue of Bessarabia entered RCP discourse is still difficult to establish. Niculescu-Mizil argues that discussions with the Soviets were initiated in 1973-74 and continued in 1978, though it was at the Fourteenth Congress of the Romanian Communist Party that Ceaușescu called for the abrogation of the Ribbentrop-Molotov Pact.⁴²

History teaching was of even greater importance when it came to forging “organized solidarity”, as suggested by the centrality of the debates on the process of Romanian ethno-genesis. Communist historiography went through three stages between 1948 and 1989 in respect of this issue. In the first stage, 1948-1958, the Russification campaign meant that official historiography placed strong emphasis on the Slavs and their role in the formation of the Romanian people. The second stage, 1958-1974, was characterized by relative ideological relaxation and a return to the theses

of the interwar period which spoke of the role of the Romans and their intermixing with the local Dacian population in providing what was considered the Dacian-Romanian essence of the Romanians. The third stage, 1974-1989, was dominated by "Dacomania" – a special emphasis on the fundamental role of the "autochthonous", Dacian element in the formation of Romanian people.⁴³ As shown above, the 1974 Program of the RCP imposed a blueprint for the writing and teaching of national history based on four conceptual "pillars": the ancient roots of the Romanians, continuity, unity, and independence.

At the same time, it should be stressed that none of these four sacred themes of Romanian historiography was new. In fact, all these ideas had been present since the very institutionalization of history itself as a scientific discipline in Romania. The first two themes – ancient roots and the continuity of the Romanians – were developed as a result of the polemics with historians from neighboring countries, most notably Hungary towards the end of the 19th century. Moreover, since the processes of state-building and the professionalization of history as a discipline in its own right took place simultaneously in the second half of the 19th century, the third theme – the unity of the Romanian people – was always present in the historical writings of the period. Until the advent of Ceaușescuism, however, this issue never became an axiom. The fourth theme – the incessant struggle for independence – is a characteristic of all the historiographies of the smaller countries of Central and Eastern Europe that were continually confronted with more powerful neighboring empires. As Romania tried to emphasize its independence within the communist camp, the centrality of the struggle for independence in the national-communist historiographic canon was a natural reflection of daily politics. With historical studies, the real problem was that these four themes became the standard, a yardstick of historical interpretation. Consequently, one of the major lessons of national history, as taught until December 1989, was that the unitary Romanian nation-state had been continuously contested and threatened, and that it was the patriotic duty of all responsible Romanians to defend it at all costs. And, by depicting itself as the sole guarantor of Romania's independence and national sovereignty (with one eye on the neighboring Soviet Union and Hungary), the Party won considerable popular backing.

The idea of a Romanian nation created around four conceptual "pillars" reached the grassroots level through schooling, the press, cinema, radio and television. It was further reinforced through the national festivals,

Cîntarea României and *Daciada*. This process in fact started well before 1974, and the year 1968 can be considered a turning point. It was not by chance that, in the aftermath of August 1968, one of the most powerful Romanian historical myths was revived: the myth of Michael the Brave and his unification of the Romanian principalities in 1600.⁴⁴

Michael the Brave was a medieval prince who for a number of months in 1600 managed to unite the principalities of Wallachia, Moldavia and Transylvania (the main historical provinces of present-day Romania) under one rule. The reign of Michael the Brave became the subject of one of the most successful films ever to be produced under communism: Sergiu Nicolaescu's mega-production, *Mihai Viteazul*. The film was made in 1969 and released in 1970. What is of interest here is the film's perfect embodiment of Ceaușescu's vision of "national" history in the light of the myths of continuity and unity of Romanians on the present-day territory of the country.⁴⁵ More importantly, rather than concentrating on Nicolaescu himself, I believe that most emphasis should be placed on the quality of the script and the personality of the scriptwriter, Titus Popovici, and his relationship with the communist establishment, not to mention those who acted as advisors on medieval history, Andrei Oțetea and Constantin C. Giurescu, who were the most representative historians of the period. Approached in this way, we can conclude that Nicolaescu himself was only responsible for delivering to the public what were the official ideas of national history dressed up in fancy clothes, which he did with tremendous success.

We can go further and argue that the film was instrumental in forging a national identity for a majority of today's Romanians, and there are at least two main elements that support this argument. Firstly, the movie was very well made, both technically and artistically. The main character, Michael the Brave, was played by one of the most gifted Romanian actors of the postwar period, Amza Pellea, and the team of supporting actors included the best actors Romania had to offer at that time. Secondly, the script was simple and direct: the story unfolded without complication and the message was designed to reach all kinds of audiences, from the most sophisticated to the most ignorant. Clearly, the story told in Nicolaescu's film followed the history books and emphasized the aforementioned "pillars" of "national" history. Since collective viewing by school children was compulsory, the message of the film was efficient in reaching the grassroots level and produced lasting effects.⁴⁶

After the launch of the 1974 Romanian Communist Party Program, the regime devised a national festival, *Cîntarea României* (Songs of Praise for Romania), which was first held in 1976 and continued to be held annually until 1989. A national sports competition called *Daciada*, in a clear reference to the Dacian origins of the Romanians, was also established, but was less influential in forging ethnic allegiance.⁴⁷ *Cîntarea României* became so important in forging the national identity of present-day Romanians due to having been devised as a kind of huge cultural-ideological umbrella under which all cultural activities in Romania after 1976 were to take place. In other words, everything that could be identified as a cultural event had to be part of the national festival and praise, one way or another, the nation and its supreme leader. The festival brought together professional artists and large numbers of amateur artists alike from all over the country. For amateur artists the festival represented first and foremost an opportunity to escape from the boredom of the workplace and spend some days out of the factory (and sometimes out of town).⁴⁸ The price they had to pay was to praise *Partidul*, *Ceaușescu*, and *România*, which many felt worth doing in the circumstances. Insidiously, however, through the verses that people recited and the songs they sang, a set of values and attitudes were being slowly inculcated. The result was that many acquired a subjective version of national history and came to believe that the Party's achievements really were a continuation of the heroic deeds of the medieval rulers. The magic of the 1968 "balcony speech" was clearly still powerful, and, to reiterate a point, it was only after 1981 that the economic crisis began to undermine the regime's attempts to indoctrinate the population. Moreover, both *Cîntarea României* and *Daciada* were national competitions, which thus contributed to reinforcing ethnic ties and allegiance.

This mixture of professionalism and amateurishness harmed not only the quality of the cultural products, but also made more space for those products that best served the communist propaganda machine. Initially, when glorifying the RCP and its supreme leader, the amateur artists overdid their compliments in order to achieve official recognition. Soon afterwards, the professional artists also began to see in the festival a means for upward mobility and the chance to earn some easy money and duly followed suit. As a consequence, up until the demise of the regime, many professional artists produced a continuous array of pretentious and bad taste artworks depicting the supreme leader and his wife. The 1980s, in particular, proved a fertile period for the production of this kind of

kitsch.⁴⁹ What interests us here, however, is that at grassroots level the festival was instrumental in praising Romanianness and the unity of the party-state. Thus, through cultural reproduction, the regime succeeded in enforcing upon ethnic Romanians a stronger sense of belonging to the organized solidarity of the Romanian nation.

In addition to *Cîntarea României*, another cultural “show” served, by rather simpler means, to support the regime’s identity politics: the *Flacăra* (Flame) Cenacle of Revolutionary Youth, which was led by the poet Adrian Păunescu. From 1973 until its demise in June 1985, the *Flacăra Cenacle* succeeded in “confiscating” the natural rebelliousness of the younger generations and transforming it or directing it for patriotic purposes. By channeling the energies of a generation, who as yet did not perceive the system as something entirely bad, the *Flacăra Cenacle* hampered the development of a true counterculture and thus contributed to the hampering of a dissident movement in Romania. By mixing rock music with poetry that praised the nation, the Party and its supreme leader, Păunescu’s cenacle reached the public that *Cîntarea României* could not: the young and potentially rebellious. The message of the *Flacăra Cenacle* was that communism could coexist with a sort of alternative culture. Young people were allowed to stay until the small hours of the day in stadiums throughout the country where they could sing, dance, smoke, consume alcohol, and make love. In many respects, the atmosphere in the stadiums was more pleasant than what the system could offer in terms of leisure opportunities, especially by the early 1980s. On 15 June 1985, however, the *Flacăra Cenacle* took place in a stadium in the city of Ploiești, some 50 kilometers north of Bucharest, when torrential rain caused chaos among the crowd and resulted in the death of five people and numerous injuries. As a consequence, the regime banned the *Flacăra Cenacle*,⁵⁰ but the damage had already been done. Politicized rock music did not appear in Romania, partly due to Păunescu’s festival. Admittedly, the rock-and-roll counterculture was also undermined by the economic crisis and the rationing of power consumption, as one Westerner ironically observed: “How could you expect rock and roll to survive in a country where there is barely enough electricity to power a light bulb, let alone drive an electric guitar?”⁵¹ However, the role of the *Flacăra Cenacle* in “confiscating” a major segment of the alternative culture that *Cîntarea României* was unable to reach and channel it into patriotic performances in accordance with the tenets of Ceaușescu’s July 1971 Theses must not be neglected.⁵²

The perverse effects of this policy were felt acutely after the collapse of communism. In the early 1990s, the issues of national identity and loyalty towards a “unitary nation-state” received disproportionate amounts of attention, and often overshadowed the issue of democratic transformation of the country. It was in part due to this approach to nationhood that Romania’s post-communist transformation has been longer and more traumatic than in most of the former communist countries of Central Europe.

Modernization conducted from above

Another issue that merits closer examination is related to modernization – more specifically, to economic development and social transformation under communism. According to the 1930 census, Romania’s rural population made up 78.9% of the total population, with the urban population representing the remaining 21.1%.⁵³ After the communists came to power, the rural population began decreasing and fell from 76.6% to 49.9% over the period 1948 to 1981, while the urban population increased from 23.4% to 50.1%.⁵⁴ The rapid industrialization of the country that took place at the same time resulted in a growth of the population working in industry and a significant decrease in those working in agriculture. Between 1950 and 1981, the population employed in agriculture decreased from 74.1% to 28.9%; conversely, over the same period, the population employed in industry increased from 12.0% to 36.1%. This process occurred in the context of socialist industrialization, that is, the concentration of large masses of workers in huge factories in close proximity to urban areas. This large shift in the rural-urban distribution of the population, combined with the rapid increase in the amount of the population involved in industry compared with agriculture, led to the exposure of large numbers of peasants to urban life and city culture. These masses went through a process of cognitive dissonance, being forced to change their behavior and, in the long term, their attitudes. This “organized” their sense of solidarity beyond the organic solidarity characteristic of a face-to-face society. The end result was their integration into the “imagined” community of the Romanian nation.

However, the integration of the rural regions could have not been achieved without a sustained program of economic development. As shown above, the development of a network of paved roads and, following

the Leninist principle, rural electrification, contributed heavily to forging the nation. Rural electrification was accompanied by the spread of cheap radio technologies that brought rural Romania out of its autarky. The spread of television in the late 1960s also had a decisive influence on the process of cultural integration. Interwar Romania's network of paved roads was deplorable. In 1956, after more than ten years of communist rule, paved roads still made up only 4.8 % of the total network of 76,000 km. By 1980 paved roads made up 20.0 % of the total. In terms of electrification, the situation was equally poor when the communists came to power: in 1945, only 535 villages from a total number of 15,000 were connected to the national grid; while in 1965 the number was 3,034, a number which had risen to 10,591 by 1970.⁵⁵

The spread of education, which is a crucial ingredient in the process of cultural reproduction, was directly linked to industrialization and urbanization. While the rate of illiteracy in interwar Romania substantially declined between 1918 and 1948, the vast majority of the population had still not attended more than four years of primary schooling. As mentioned earlier, the law in 1948 stated that of the seven years of available free education, only four were compulsory; by 1955/1956 seven years of schooling became compulsory in urban areas, followed by a similar provision in 1959/1960 for rural areas. In 1961/1962 compulsory education was extended to eight years. Though only 14% of pupils in 1938/1939 went beyond primary level, the implementation of communist educational policies meant that this percentage had increased to 59% by 1965/1966. The consequence was that successive generations were educated according to a unique national curriculum and fully achieved (especially by learning "national" history and geography, as already shown) a profound sense of national identity. A corollary of this, however, was that the Romanian nation was understood mainly in ethnic and not in civic terms.

Conclusions

In conclusion, apart from the modest economic boom of the 1960s and 1970s, the skilful manipulation of national ideology provided a strong and enduring focus of identification with, and loyalty towards, the communist regime. In this respect, the political culture of Romanian communism possessed in national ideology an enduring element of prime

symbolic importance. The “late creation of the nation” syndrome also provided unexpected support to the communist regime and hindered the development of an organized movement against the regime. It also acted as a hindrance towards the rapid democratization of the country after the 1989 revolution.

For example, if we compare the societal response to the territorial losses of Romania in the summer of 1940 to that of January-March 1990 based on the perceived threat of losing Transylvania, then the argument put forward in this section can be better understood. It can be argued that the conditions in 1940 were different from those at the beginning of 1990: in the summer of 1940, Europe was at war, Romania’s interwar system of alliances had been dissolved, and there was little room for maneuver. At the same time, however, we should not underestimate the gravity of the situation in Romania at the end of 1989 and beginning of 1990. If we look back at what was the only bloody revolution among the revolutions of Central and Eastern Europe in 1989 and the ensuing “power vacuum”, we soon notice that, *mutatis mutandis*, the conditions were in many respects comparable. Still, the important matter in this analysis is the societal reaction, which in post-1989 Romania was much stronger. When the leaders of the National Salvation Front claimed that the nation was in danger, there ensued an abundance of different forms of self-organization and protest from below. For example, the initial successes of the nationalist cultural association, *Vatra Românească* (Romanian Hearth), are impressive, given the speed at which it spread and established branches all over the country.

It is another matter altogether, however, as to whether the nation really was under threat. We can go further and enquire as to the true goals of *Vatra Românească* and why its influence had diminished drastically by the end of 1991, at the same time with the consolidation of political parties. Despite these questions, the crucial aspect was that many people were genuinely concerned with defending the integrity of their homeland, despite in some cases never having visited Transylvania, nonetheless responded to the cause of *Vatra Românească* and other similar associations. By contrast, during the same period (1990-1991), the question of Bessarabia failed to provoke a similar reaction. This leads us to conclude that the process of nation-building under communism had served to exclude Bessarabia from the mental maps of a majority of the population.

NOTES

- ¹ ALMOND, Gabriel A., "Communism and Political Culture Theory," in idem, *A Discipline Divided: Schools and Sects in Political Science*, Sage Publications, Newbury Park, Cal., 1990, p. 168.
- ² The weakness of the socialist movement in Romania up until the communist take-over was determined, as Michael Shafir convincingly argues, by three main factors: (1) the socio-economic structure of economy, i.e. the "eminently agrarian" character of the country; (2) the "non-Romanian ethnic origin" of many socialist and communist leaders; and (3) the "disregard displayed by the Romanian Communist Party towards traditional national aspirations." See SHAFIR, Michael, *Romania – Politics, Economics and Society: Political Stagnation and Simulated Change*, Frances Pinter Publishers, London, 1985, p. 9. Hereafter quoted as *Romania – Politics, Economics and Society*.
- ³ See MUȘAT, Mircea, "The Same People, the Same Homeland and the Same History," in *Romania: Pages of History* (Bucharest) No.3, 1983, p. 5.
- ⁴ CEAUȘESCU, Ilie, "The Romanian people: Two millennia of historical existence in the Carpatho-Danubian-Pontic area," *The Entire People's Struggle*, Special Issue of the *Romanian Review of Military History* (Bucharest), n.d., pp. 11-12.
- ⁵ See PASCU, Ștefan, *Formarea națiunii române* (Formation of the Romanian nation), Editura Didactică și Pedagogică, Bucharest, 1967, pp. 49-55.
- ⁶ LIVEZEANU, Irina, *Cultural Politics in Greater Romania: Regionalism, Nation Building & Ethnic Struggle, 1918-1930*, Cornell University Press, Ithaca, 1995, p. 7, 297.
- ⁷ JOWITT, Kenneth, *Revolutionary Breakthroughs and National Development: The Case of Romania, 1944-1965*, University of California Press, Berkeley, 1971, pp. 89-90.
- ⁸ BRUBAKER, Rogers, *Nationalism Reframed: Nationhood and the National Question in the New Europe*, Cambridge University Press, Cambridge, 1996, p. 63.
- ⁹ After 1981, to a certain extent the economic crisis and ideological decay undermined the regime's efforts to further homogenize the Romanian "socialist" nation. At the same time, the idea that various regional identities – Transylvanian, Wallachian, Moldavian – melted into a Romanian identity was also supported by the fact that the Romanian nation did not follow the fate of the "unrealized" Yugoslav or Czechoslovak nations after 1989.
- ¹⁰ CEAUȘESCU, Nicolae, "Speech at the festive meeting to celebrate 65 since the Union of Transylvania with Romania, held in Bucharest on 1 December 1983," in *Romania: Pages of History* (Bucharest) No.1, 1984, p. 3.
- ¹¹ DEMÉNY, Lajos, "Introduction" to *Studii de Istorie a naționalităților conlocuitoare din România și a înfrățirii lor cu națiunea română: Naționalitatea maghiară* (Studies in the history of the co-inhabiting nationalities in Romania and their fraternization with the Romanian nation: The Hungarian nationality)

- Vol. I, Editura Politică, Bucharest, 1976, pp.5-6. For the Saxon minority in Romania see *Studii de Istorie a naționalităților conlocuitoare din România și a înfrățirii lor cu națiunea română: Naționalitatea germană* (Studies in the history of the co-inhabiting nationalities in Romania and their fraternization with the Romanian nation: The German nationality) Vol. I, Editura Politică, Bucharest, 1976.
- ¹² SCHÖPFLIN, George, *Nations, Identity, Power: The New Politics of Europe*, Hurst, London, 2000, p. 64. Hereafter quoted as *Nations, Identity, Power*.
- ¹³ CONNOR, Walker, *Etnonationalism: The Quest for Understanding*, Princeton University Press, Princeton, 1994, p. 223.
- ¹⁴ For the idea of “organized solidarities” see DUȚU, Alexandru, “‘Europa noastră’ gîndită și trăită” (“Our Europe” Ruminated and Lived), in idem, *Ideea de Europa și evoluția conștiinței europene* (The idea of Europe and the evolution of European consciousness), Editura All, Bucharest, 1999, pp.9-12.
- ¹⁵ According to Benedict Anderson, a nation is “an imagined political community – and imagined as both inherently limited and sovereign.” See ANDERSON, Benedict, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, Verso, London, 1991, p. 6.
- ¹⁶ Connor, for example, states that “the point in the process at which a sufficient proportion of people has internalized national identity allowing nationalism to become an effective force for mobilizing the masses does not lend itself to precise calculation.” See CONNOR, *Etnonationalism*, pp. 223-224.
- ¹⁷ For Apostol’s story see BETEA, Lavinia, *Maurer și lumea de ieri: Mărturii despre stalinizarea României* (Maurer and the yesterday world: Testimonies on Romania’s Stalinization), Editura Ioan Slavici, Arad, 1995, p.260; for Maurer’s affirmation, see *ibid.*, p. 147.
- ¹⁸ See MARX, Karl, *Însemnari despre români: Manuscrise inedite* (Notes on Romanians: Unedited manuscripts), Editura Academiei Republicii Populare Române, Bucharest, 1964.
- ¹⁹ For more on the publication of Marx’s manuscript see NICULESCU-MIZIL, Paul, *O istorie trăită* (A lived history), Editura Enciclopedică, Bucharest, 1997, pp. 251-93.
- ²⁰ See MICU, Bucur Ioan, and GHEORGHE, Constantin, “The History of the Romanians in the Oeuvre of Karl Marx,” in *Romania: Pages of History* (Bucharest) No.3, 1983, pp. 52-53.
- ²¹ LINDEN, Ronald H., “Romanian Foreign Policy in the 1980s,” in NELSON, Daniel, ed., *Romania in the 1980s*, Westview Press, Boulder, Col., 1981, p. 229.
- ²² According to Max Weber, charisma is “a certain quality of an individual personality by virtue of which he is set apart from ordinary men and treated as endowed with supernatural, superhuman, or at least specifically exceptional powers or qualities.” Quoted in BENDIX, Reinhard, “Reflections

on Charismatic Leadership,” in BENDIX, Reinhard et. al., eds., *State and Society: A Reader in Comparative Sociology*, University of California Press, Berkeley, 1973, p.619. Ceaușescu’s speech of 21 August 1968 was published by the Party’s daily *Scînteia*, No. 7802, Thursday, 22 august 1968, p. 1. The speech was also published in CEAUȘESCU, Nicolae, *România pe drumul desăvîșirii construcției socialiste: Rapoarte, cuvîntări, articole, ianuarie 1968 – martie 1969* (Romania on the road to accomplishing socialist construction: Reports, speeches, articles, January 1968 – March 1969, Editura Politică, Bucharest, 1969, pp.415-418. Hereafter quoted as *Romania on the road to accomplishing the socialist construction, January 1968 – March 1969*.

23 For more on this see BENDIX, Reinhard, “Reflections on Charismatic Leadership,” in BENDIX, Reinhard et. al., eds., *State and Society: A Reader in Comparative Sociology*, University of California Press, Berkeley, 1973, pp. 616-29.

24 GOMA, Paul, *Amnezia la români* (Amnezia to Romanians), Editura Litera, Bucharest, 1992, p.54.

25 ȚEPENEAG, Dumitru, *Reîntoarcerea fiului la sînul mamei răătăcite* (The return of the son to prodigal mother’s breast), Institutul European, Iași, 1993, p. 95.

26 Quoted in BENDIX, “Reflections on Charismatic Leadership,” p. 620.

27 SCHÖPFLIN, *Nations, Identity, Power*, p. 89.

28 During the period of consolidation of Ceaușescu’s personal power (1965-1969), the purpose of such visits was to create the image of a popular leader always ready to consult with the people, especially the workers and peasants. For more on this see PETRESCU, Cristina, “A Ritual of the ‘Golden Epoch’: Ceaușescu’s Domestic Visits”, in BOIA, Lucian, ed., *The Myths of Romanian Communism*, Vol. II, Bucharest University Press, Bucharest, 1997, pp.107-109. In Poland, Edward Gierek followed a similar strategy after his coming to power in the early 1970s. The leader of the Polish communists, as Kennedy observes, “tried to re-secure the party’s working-class roots through ‘consultations’”. For instance, in 1971 alone, Gierek held 171 “grass-roots meetings.” See KENNEDY, Michael D., *Professionals, Power and Solidarity in Poland: A Critical Sociology of Soviet-Type Society*, Cambridge University Press, Cambridge, 1991, p.39. For his part, Michael Bernhard estimates that Gierek held 187 such meetings in 1971. See BERNHARD, Michael H., *The Origins of Democratization in Poland: Workers, Intellectuals, and Oppositional Politics, 1976-1980*, Columbia University Press, New York, 1993, p. 42.

29 The same day, the GNA adopted a document, the importance of which was equaled only by that of the “Declaration of April 1964:” *Declarația Marii Adunări Naționale a R.S.R. cu privire la principiile de bază ale politicii externe a României* (Declaration of the Grand National Assembly of the Socialist Republic of Romania regarding the fundamental principles of Romania’s

- foreign policy). See *Principiile de bază ale politicii externe a României* (The fundamental principles of Romania's foreign policy), Editura Politică, Bucharest, 1968. The fragment from Ceaușescu's speech is on p. 21.
- 30 CONSTANTINIU, Florin, *O istorie sinceră a poporului român* (A sincere history of the Romanian people), Editura Univers Enciclopedic, Bucharest, 1997, pp. 509-510.
- 31 CEAUȘESCU, Nicolae, *Cuvîntare la mitingul din municipiul Brașov - 26 august 1968* (Speech at the mass rally in the city of Brașov – 26 August 1968), in CEAUȘESCU, Nicolae, *Romania on the road to accomplishing the socialist construction, January 1968 – March 1969*, pp. 422-30; idem, *Cuvîntare la mitingul din orașul Sfîntu Gheorghe – 26 august 1968* (Speech at the mass rally in the town of Sfîntu Gheorghe – 26 August 1968), pp. 431-38; idem, *Cuvîntare la mitingul din orașul Miercurea Ciuc – 26 august 1968* (Speech at the mass rally in the town of Miercurea Ciuc – 26 August 1968), pp.439-48; idem, *Cuvîntare la mitingul din municipiul Odorheiu Secuiesc – 26 august 1968* (Speech at the mass rally in the town of Odorheiu Secuiesc – 26 August 1968), pp. 449-54.
- 32 CEAUȘESCU, Nicolae, *Cuvîntare la marea adunare populară din municipiul Cluj-30 august 1968* (Speech at the mass rally in the city of Cluj – 30 August 1968), in *Romania on the road to accomplishing the socialist construction, January 1968 – March 1969*, p. 478.
- 33 CEAUȘESCU, Nicolae, *Cuvîntare la mitingul de la Reșița – 20 septembrie 1968* (Speech at the mass rally in the city of Reșița), in CEAUȘESCU, Nicolae, *Romania on the road to accomplishing the socialist construction, January 1968 – March 1969*, pp.506-516; idem, *Cuvîntare la mitingul de la Timișoara – 20 septembrie 1968* (Speech at the mass rally in the city of Timișoara – 20 September 1968), *ibid.*, pp.517-21; idem, *Cuvîntare la mitingul de la Arad – 21 septembrie 1968* (Speech at the mass rally in the city of Arad – 21 September 1968), *ibid.*, pp. 521-31.
- 34 JOWITT, *Revolutionary Breakthroughs and national Development*, p. 286.
- 35 See CEAUȘESCU, Nicolae, *Propuneri de măsuri pentru îmbunătățirea activității politico-ideologice, de educare marxist-leninistă a membrilor de partid, a tuturor oamenilor muncii – 6 iulie 1971* (Proposal of measures aimed at enhancing the political-ideological activity, the Marxist-Leninist education of Party members and the entire working people – 6 July 1971) and *Expunere la Consfătuirea de lucru a activului de partid din domeniul ideologiei și al activității politice și cultural-educative – 9 iulie 1971* (Exposé at the Meeting of the Party activists in the field of ideology and political and cultural-educational activity – 9 July 1971), Editura Politică, Bucharest, 1971. For more on this see PETRESCU, Cristina and PETRESCU, Dragoș, “Restalinizarea vieții culturale românești: Tezele din iulie 1971” (The Restalinization of the Romanian Cultural Life: Nicolae Ceaușescu's Theses of July 1971), *Arhiva Cotidianului* (Bucharest), 25 October 1996, pp. 1-3.

- 36 See *Programul Partidului Comunist Român de făurire a societății socialiste multilateral dezvoltate și înaintare a României spre comunism* (The Romanian Communist Party Program for establishing a multilaterally developed socialist society and Romania's advancement towards communism), Editura Politică, Bucharest, 1975. Regarding the teleological approach to the "national" history, see pp.27-64.
- 37 Quoted in BOTEZ, Mihai, *Românii despre ei înșiși* (Romanians about themselves), Editura Litera, Bucharest, 1992, p. 33.
- 38 Cited in VUCINICH, Wayne S., "Major Trends in Eastern Europe," in FISCHER-GALATI, Stephen, ed., *Eastern Europe in the 1980s*, Westview Press, Boulder, Col., 1981, p. 9.
- 39 See for instance: *Conferința a XIX-a a P.C.U.S.: O nouă viziune, hotărâri cu caracter novator* (The 19th conference of the CPSU: A new vision, innovative decisions), Novosti Press Agency, Moscow, 1988; *Cea de-a XIX-a conferință a P.C.U.S.: Documente și materiale—Raportul prezentat de Mihail Gorbaciov, secretar general al C.C. al P.C.U.S.* (The 19th conference of the CPSU: Documents and materials – the report presented by Mikhail Gorbachev, general secretary of the CPSU), Novosti Press Agency, Moscow, 1988; *Congresul deputaților poporului din U.R.S.S.: Raportul prezentat de Mihail Gorbaciov, Moscova, Kremlin, 30 mai 1989* (People's Deputies Congress: The report presented by Mikhail Gorbachev, Moscow, Kremlin, 30 May 1989), Novosti Press Agency, Moscow, 1989; Nikolai Șmeliov, *Restructurarea așa cum o vede un economist* (Restructuring as seen by an economist), Novosti Press Agency, Moscow, 1989; and *Restructurarea: Probleme, Studii, Prognoze – Potențialul spiritual al înnoirii* (Restructuring: Problems, Studies, Prognoses – The spiritual potential of renewal, Novosti Press Agency, Moscow, 1989.
- 40 See the text of Ceaușescu's televised evening discourse of 20 December 1989 in PERVA, Aurel and ROMAN, Carol, *Misterele revoluției române: Revenire după ani* (The mysteries of the Romanian revolution: A return after many years), Editura Carro, Bucharest, 1991, pp. 38-39.
- 41 As Eugen Weber puts it, "there were no better instruments of indoctrination and patriotic conditioning than French history and geography, especially history." See WEBER, Eugen, *Peasants Into Frenchmen: The Modernization of Rural France, 1870-1914*, Stanford University Press, Stanford, 1976, pp.333-334.
- 42 See NICULESCU-MIZIL, Paul, *De la Comintern la comunism național* (From Comintern to National-Communism), Evenimentul Românesc, Bucharest, 2001, pp. 448-49.
- 43 Regarding Romanian historiography and its relation to politics between 1944 and 1977, see GEORGESCU, Vlad, *Politică și istorie: Cazul comuniștilor români, 1944-1977* (Politics and history: The case of Romanian communists, 1944-1977), Editura Humanitas, Bucharest, 1991. Hereafter quoted as *Politics and history*.

- 44 Michael the Brave was born in 1558 and came to the throne of Wallachia in September 1593. After the battle of Șelimbăr (18/28 October 1599), he occupied Transylvania and became the Habsburg governor of the province (while also ruling over Wallachia). On 6/16 May 1600 Michael the Brave's troops entered and occupied Moldavia. During the months of June, July and August 1600 he was at the height of his powers, ruling over the three principalities inhabited by Romanian-speaking populations: Wallachia, Transylvania and Moldavia. In September 1600, however, after the battle of Mirăslău (8/18 September), Michael was forced to renounce the throne. He returned, however, to Transylvania with the military support of Emperor Rudolph II in July 1601, but was assassinated on 9/19 August 1601 on the orders of the Habsburg General Giorgio Basta. For a classic interpretation of the reign of Michael the Brave see GIURESCU, Constantin C., and GIURESCU, Dinu C., *Istoria Românilor* (History of Romanians) Vol.2, Editura Științifică și Enciclopedică, Bucharest, 1976, pp. 324-80.
- 45 After 1989, Nicolaescu's films were released on videocassette and, quite surprisingly, were once again successful. A short interview with Nicolaescu introduces each film. The more attentive viewer will grasp immediately from these interviews that the director was more interested in the technical aspects of film-making than in the national-communist ideas of history epitomized in his films. The interview for his film *Mihai Viteazul* (Michael the Brave) and its less flamboyant sequel *Nemuritorii* (The Immortals), as well the thrillers *Un comisar acuză* (A police inspector accuses) and *Revanșa* (The Revanche), which takes place during the war years, 1940-1941, support this view.
- 46 For the post-1989 VHS/PAL version of *Mihai Viteazul*, remastered in Dolby Surround sound, see NICOLAESCU, Sergiu, *Mihai Viteazul: Ultima Cruciadă* (Michael the Brave: The Last Crusade), 203 min, distributed in Romania by Transglobal Media SRL.
- 47 For the first *Cîntarea României* (1976/1977) festival, see PETRESCU, Dragoș, "Cîntarea României sau stalinismul național în festival" (Songs of Praise to Romania or national-Stalinism in festival), in BOIA, Lucian, ed., *Miturile comunismului românesc* (Myths of Romanian communism), Editura Nemira, Bucharest, 1998, pp. 239-51. For more on the national sport competition *Daciada* see GEORGESCU, *Politics and history*, pp. 124-25.
- 48 This assertion is also supported through the direct observation of the author while working as an engineer at the Romlux Tîrgoviște Electric Bulb Factory during the period 1987-1989.
- 49 See, for example, the painters Constantin Piliuță and Sabin Bălașa or the poets Corneliu Vadim Tudor and Adrian Păunescu. The list of professional artists, not to mention the large numbers of amateur artists, who produced these kinds of "works of art" is, however, much longer. See for instance the numerous paintings dedicated to the Ceaușescu couple by both professional and amateur artists and reproduced in the *Luceafărul Almanac 1988*

(Bucharest), pp. 1-13, and the *Scînteia Almanac 1987* (Bucharest), pp.25-31. For figures relating to the artistic production, see STOIAN, Nicolae, "Cîntarea României – Un festival-epopee" (Songs of Praise to Romania: A festival epopee), in *Flacăra Almanac 1978* (Bucharest), pp.32-36 and POPESCU-BOGDĂNEȘTI, N., "Cîntarea României: O constelație a talentelor poporului" (Songs of Praise to Romania: A constellation of people's talents), in *Scînteia Almanac 1978* (Bucharest), pp.129-36. For poetry, a good introduction to the productions by court poets is given by NEGRICI, Eugen, *Poezia unei religii politice: Patru decenii de agitație și propagandă* (The poetry of a political religion: Four decades of agitation and propaganda), Editura Pro, Bucharest, n.d., esp. pp. 311-49.

⁵⁰ On the Ploiești event see GIURESCU, Dinu C., ed., *Istoria României în date* (Romania's history in data), Editura Enciclopedică, Bucharest, 2003, p. 719.

⁵¹ Quoted in RAMET, Sabrina P., *Social Currents in Eastern Europe: The Sources and Meaning of the Great Transformation*, Duke University Press, Durham, 1991, p. 234.

⁵² In fact, the *Flacăra Cenacle* won the first prize for "artistic and cultural-educational activity" at the inaugural (1976-1977) edition of the national festival *Cîntarea României*.

⁵³ MADGEARU, Virgil N., *Evoluția economiei românești după războiul mondial* (The evolution of the Romanian economy after the War), Independența Economică, Bucharest, 1940; reprint, Editura Științifică, Bucharest, 1995, p. 23.

⁵⁴ SHAFIR, *Romania – Politics, Economics and Society*, p. 47.

⁵⁵ RONNÄS, Per, *Urbanization in Romania: A Geography of Social and Economic Change since Independence*, The Economic Research Institute, Stockholm School of Economics, Stockholm, 1984, p. 246.

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LA *FĂLCARE*, UN MODÈLE D'ORGANISATION COMMUNAUTAIRE DANS LES BALKANS ET SA DYNAMIQUE

Peut-être moins bien connu que le *fis* albanais ou le *pleme* slave, le système d'organisation tribale propre aux populations d'Aroumains vient compléter l'image de l'espace balkanique, du début de XX^{ème} siècle. La manière dont ces communautés aroumaines étaient organisées et fonctionnaient s'insérait dans le réseau de systèmes sociaux qui tissaient le « mosaïque » des Balkans. Ce type d'organisation sociale, couvrant le Nord de l'Albanie, du Monténégro, et l'Ouest de la Macédoine, zone géographique et culturelle – que P.H. Stahl appelle « la dernière région tribale de l'Europe » – réunissait l'organisation tribale et le groupe domestique. En même temps, et à un autre niveau, il corrélait le système communautaire avec « l'expression ethnique » du groupe (STAHL, P.H., 2000, p.15). Une démarche qui se donne comme but l'étude du système tribale aroumain vient avant tout enrichir l'image de la diversité sociale qui composait et compose encore l'espace balkanique. (D'ailleurs, l'investigation de ces systèmes a engendré des modèles d'analyse tel qu'il est le cas de la « zadruga » slave.) Un aspect peut susciter un plus d'intérêt dans l'étude du fonctionnement communautaire des Aroumains. Au début de XX^{ème} siècle, suite aux guerres balkaniques, une partie importante des Aroumains des Balkans, a quitté son espace d'origine, pour émigrer en Roumanie. Aujourd'hui, les Aroumains se retrouvent dans des groupes plus ou moins compacts au Sud-Est de la Roumanie, dans la région de Dobroudja (les principales villes de la communauté étant les villes Constanța, et Tulcea) et aussi, dans la capitale du pays, à Bucarest. Une présentation du contexte historique de cette émigration, comme d'ailleurs les détails de son déroulement (qui tiennent tant de l'histoire des Balkans que de celle de la naissance de l'Etat roumain moderne) ne font pas l'objet de cette étude. Les quelques données concernant les

Aroumains et leur histoire qui seront intégrées à la démarche ont le seul but de mieux encadrer l'objet de l'analyse : la dynamique d'un système d'organisation communautaire/sociale, plus précisément, la présentation de quelques mécanismes « d'agrégation communautaire » (Cohen, A.P. ; 1985 p. 20) qui peuvent être mis en relation avec le processus de construction des frontières ethnique, en tant que « critères pour détermination de l'appartenance et des façons de rendre manifestes l'appartenance et l'exclusion ». (Barth, 1969, 1995, p. 213) Ces mécanismes qui résident fondamentalement dans l'exercice de la parenté seront mis en lumière en relation avec le changement social extrêmement complexe que les Aroumains immigrés en Roumanie ont du traverser, changement qui a touché aussi les repères territoriaux que tout un contexte et modèle de vie sociale.

L'utilisation du concept de « communauté », s'appuie plutôt à l'usage théorique du terme dans l'ethnologie des sociétés paysannes qui conçoit la communauté comme « unité sociale restreinte, vivant d'une économie partiellement fermée sur un territoire d'où elle procure la majorité des produits nécessaires pour la subsistance. Elle associerait en proportion variable, la propriété collective et la propriété privée en soumettant ses membres à une discipline collective, dans une sorte de tension constante nécessaire au maintien de la cohésion » (Bonte /Izard, 1992). Il faut tenir compte que dans le cas analysé il s'agit d'une « communauté » soumise aux lois de la vie citadine, dont les individus sont intégrés aux multiples réseaux de sociabilité (et ont accès en même temps à de multiples ressources économiques) réseaux qui entraînent également le milieu urbain que celui rural. D'ailleurs, même le model d'urbanité roumaine interfère des pratiques sociales propres ou monde rural avec des comportements imposés par une existence citadine¹. Par conséquent une lecture possible des données qui met en opposition la société et la communauté serait d'emblé exclue. Au contraire, l'hypothèse de travail propose une analyse des comportements et pratiques communautaires en tant que dimension de la vie sociale urbaine et comme partie de la société roumaine.

Il y a deux aspects de ce déplacement de population qui intéresse notre démarche. Premièrement, c'est le fait qu'au moment de leur immigration, les groupes d'Aroumains qui s'installaient en Roumanie, venaient d'une organisation sociale de facture tribale. La communauté, on pourrait dire exemplaire de ce type d'organisation, était la *Fălcare*, forme d'organisation communautaire étroitement liée à la transhumance. En même temps, l'installation en Roumanie a signifié la sédentarisation

pour les colons. De plus, dès leurs arrivés en Roumanie, ils ont dû traverser, avec la population roumaine (dont ils sont devenus une partie), des changements sociaux radicaux déclenchés par les deux guerres mondiales, l'installation du communisme, ensuite sa chute. Ces bouleversements, qui se sont succédés sur un laps de temps d'environ 60 ans, ont mis à l'épreuve le modèle communautaire qui réglait la vie sociale des Aroumains dans les Balkans. C'est justement ce contexte social et historique qui fait que l'étude de ce qu'on pourrait appeler « la communauté aroumaine de Constanța », peut mettre en lumière au moins deux choses : d'un côté la dynamique, des processus et des mécanismes de l'édification de la communauté, et de l'autre côté, l'agrégation communautaire (Cohen, A. P., 1985, p. 20) en rapport avec un modèle propre à l'espace d'origine, les Balkans.

Nous essaierons premièrement de définir les limites de la parenté en relation avec le modèle communautaire préexistant, tout en analysant quelques aspects liés à l'exercice de la parenté, qui, à travers le contexte historique et social décrit, fonctionnent en tant que repères d'un modèle de construction d'une communauté.

Ainsi, les groupes d'individus venant de différentes régions des Balkans, et appartenant aux différents sous-groupes culturels des Aroumains, ont constitué après l'émigration en Roumanie une unité culturelle et relationnelle distincte dans le contexte de la société roumaine du Sud-Est du pays. Cette unité s'est construite à travers l'action d'un système complexe de pratiques sociales et de ressources symboliques, qui, même « distordues ou réinterprétées » ont été « toujours d'une certaine manière 'déjà-là' et disponibles aux acteurs. » (Poutignat/Streiff-Fenart, 1995, p. 179). Pourtant, l'accent de cette démarche ne sera pas mis principalement sur les aspects ethniques de la construction communautaire, c'est à dire sur le discours qui renvoie à la catégorisation des individus en termes de l'ethnicité (Barth, Fr. 1995, p. 211), mais plutôt sur les aspects organisationnels de l'agrégation de la communauté (ethnique) en tant que système social.

Dans ma démarche, je suis parti de quelques observations préliminaires de facture empirique, issues de ma propre expérience de vie qui s'est déroulée presque entièrement au milieu ou à la proximité des familles aroumaines de Constanța.

Premièrement, il s'agit du fait que même si les Aroumains installés en Roumanie venaient des différentes zones des Balkans, ils se sont repliés

sur le nouveau territoire en tant que groupe distinct. Cette communauté s'est coagulée à travers des normes et mécanismes tenant d'une certes « tradition » (un modèle préexistant), mais c'était un modèle communautaire qui n'était plus identique au celui attesté dans les Balkans au début du XXème siècle. C'est justement la relation, le rapport qui s'installe entre l'ancien modèle communautaire et le modèle d'existence communautaire des Aroumains de Roumanie qui fait l'objet de cette démarche. Plus précisément, comme je viens de le dire, l'attention sera focalisée sur l'analyse de certaines pratiques de fonctionnement du système de parenté, comme sources, et en même temps conditions d'établissement, de maintien, de transformation des frontières entre les groupes. (Ph. Poutignat et J. Streiff-Fenart, 1995).

Deuxièmement, je constate que, dans un double mouvement, - marqué d'un côté par l'intégration de la « communauté » aroumaine dans l'espace social roumain (je parle ici d'une intégration qui touche aussi les pratiques sociales que les constructions idéologiques) et de l'autre côté par un processus de « transformation » communautaire en accord avec la dynamique de la société globale, - le système de la communauté aroumaine ne s'affaiblit pas, mais il se renforce.

Les Aroumains et leur vie communautaire

Les Aroumains² constituent une population originaire de l'espace balkanique et leur présence y est attestée dès les Xème et XIème siècles. Leur histoire, et implicitement la trajectoire de leur devenir, s'est consommée dans l'espace balkanique et leur présence est signalée dans des sources diverses (journaux de voyage, documents des chancelleries, mentions des chroniqueurs byzantins et français etc.)³ Mais à partir de la seconde moitié du XIX^{ème} siècle les écrits sur les Aroumains, fussent-ils historiques, ethnographiques, linguistiques, sont devenus plus nombreux, et ceux qui produisaient ces textes étaient en grande majorité les Aroumains qui avaient commencé à s'établir en Roumanie tout de suite après la constitution de l'Etat roumain moderne. Ils essayaient, dans des domaines différents (surtout en histoire, en littérature comparée et en linguistique) de faire connaître la population aroumaine ou, plus précisément, de prouver l'existence d'une ethnie aroumaine dans l'espace des Balkans, ayant une histoire, une langue et une culture propres, une identité propre. Cette identité tentait de s'affirmer, notamment par le

biais de la langue roumaine. Actuellement, les Aroumains vivent en tant que minorité ethnique dans leurs territoires d'origine: en Grèce, en Albanie, en Serbie, et en Bulgarie.

Dans les années vingt, une partie importante de cette population, encouragée par le gouvernement roumain, a émigré dans le Quadrilatère, région roumaine frontalière avec la Bulgarie, au sud de la Dobroudja (Noe, C., 1938) ayant deux départements, Caliacra et Dourostor. En 1940, pendant la guerre, suite au traité de Craiova, le Quadrilatère est devenu territoire bulgare. Les populations qui s'y sont installées ont dû émigrer, pour la seconde fois (dans le cadre d'un échange de population entre la Roumanie et la Bulgarie), en Dobroudja du nord et dans la plaine du Bărăgan. Par conséquent, cette « communauté » est formée en fait, par la réunion de plusieurs groupes d'Aroumains originaires de différentes zones de l'espace Balkanique, installés sur un territoire assez bien délimité de la Roumanie : la région de Dobroudja.

L'image du type d'organisation communautaire qui réglait la vie de la plupart des groupes des Aroumains dans l'espace balkanique est restituée par ce qu'on connaît sur la *Fălcare*, un système social dont le fonctionnement comme je l'avais déjà dit, était étroitement lié à la transhumance.

Le « *celnicat* »⁴ et la « *fălcare* »⁵

La première source qui contient des renseignements sur l'existence des *celnics* remonte au XI^{ème} siècle. Kekaumenos les appelle « chefs des Valaques » en parlant de l'émeute des Roumains du Pind en 1066, et il traduit le mot d'origine slave « *celnic* » par « *strathigos* » = chef dans la bataille (Murnu, G., 1913, p. 69). Jirièek le considère l'équivalent à « *comes palatinus* » chez les Serbes (Hâciu, Athanasie, 1936, p. 284), et Heuzey traduit le mot « *celnic* » par le grec « *skouteris* » qui était le nom que portait un officier du palais, l'Ecuyer (Heuzey, L. 1860, p. 273). Par ailleurs, la connotation pastorale du terme doit être très ancienne, car « c'est avec ce sens qu'il apparaît très tôt dans les villes dalmates. Ainsi, dans l'île Curzola il se retrouve sous la forme : 'pastores seu celnicos' dès 1214. De même à Spalato et à Trace (1402) » (Capidan, Th., 1926/27, p. 73).

L'institution du *celnicat* a duré jusqu'au début du XX^{ème} siècle tout comme son organisation sociale dont la partie composante était, la *fălcare*

ou la *fara* (*phara*)⁶. Les pasteurs nomades aroumains vivaient partout en *fălcare*. Le nombre des familles d'une *fălcare* allait de 50 à 200 et étaient apparentées entre elles (Th. Capidan, 1926 p. 38). La position sociale du *celnic* dans la *fălcare* était celle d'autorité absolue : il détenait la fortune la plus importante (parfois plus de la moitié de la fortune entière d'une *fălcare* (Th. Capidan, 1926, p. 39), il prenait des décisions dans les problèmes de pâturage (le départ et la rentrée des troupeaux, la distribution des produits et leur vente) et avait le dernier mot dans tous les problèmes concernant la gestion à l'intérieur du groupe qu'il soit nomade ou non⁷ de la *fălcare* en général.

« C'était lui le juge et l'exécuteur des sentences /.../ et tout ce qu'il faisait était sans appel aux autorités turques et personne n'envisageaient la possibilité d'avoir recours à toute autre autorité. » (Caragiani, I., 1929, p. 50).

G. Murnu l'appelle « intermédiaire entre la tribu et l'administration, dirigeant du peuple au combat, ayant, outre l'autorité territoriale, des attributions militaires et le rôle de juge en vertu du droit usuel ». (Murnu, G., 1913, p. 69) « Le *celnic* donnait son consentement aux mariages et un veto ferme à tout divorce, institution non acceptée dans la vie de la *fălcare* ». (Hâciu, A., 1936, p. 285). C'était toujours lui qui pouvait arrêter l'exercice de la vendetta, très fréquente surtout chez les Aroumains *firserots* (Hâciu, A., 1936, p. 285-286). Mais avant tout, le *celnicat* était héréditaire : « Personnage tout pacifique, il prétend cependant tenir ses droits d'ancêtres guerriers qu'ils ont acquis, le sabre en main ». (Heuzey, 1860, p. 268) Le *celnic* était secondé dans la prise de ses décisions par un conseil de vieux ("*aușateț*"⁸)⁹. « Ce conseil avait des attributions judiciaires en vertu du droit coutumier qui réglait tous les différends entre les villageois » (Capidan, Th. 1926/27, p. 71).¹⁰ Les Aroumains ont toujours joui dans les Balkans d'autonomie totale. Ni l'Empire Ottoman, ni les Albanais ou les Grecs ne sont intervenus dans leur façon de gouverner. Ils ont eu en permanence le droit de porter des armes, de s'autogérer, de s'autogouverner. « Ils ont joui d'immunités judiciaires et fiscales et de chefs (*celnics*) quasiment indépendants » (Th. Capidan, 1926/27, p. 71). Le *celnic* détenait aussi le pouvoir militaire dans la *fălcare*. Toute l'histoire des Aroumains, fût-elle orale ou écrite, abonde en histoires sur la façon dont ils entendaient défendre leurs « familles » : « La tradition dit que [au siège de Gramoste¹¹] il y a eu des luttes sanglantes qui ont duré bien des années. A l'une des attaques des Albanais, seule la *fălcare* du *celnic* Statu, avec ses 40 cousins, tous des « *cusurinii* »¹² Statularani,¹³ ont

vaillamment tenu tête » (A. Hâciu, 1936, p. 139).¹⁴ Ils défendaient à la fois les routes et les trajets par où ils menaient leurs troupeaux de moutons si bien que, en fait, ils contrôlaient, du point de vue militaire, de très vastes régions. Il paraît que sous la domination turque les attributions militaires des *celnics* avaient été transférées sur les « capitaines » aidés par des « *armatoli* » qui constituaient la gendarmerie¹⁵ du pays (Capidan, Th. 1926/27, p. 40).¹⁶ Les sultans ont reconnu leur autonomie et le statut de chefs de groupes armés et les ont exemptés de tout impôt (Pouqueville, F.C.H.L., 1824, p. 10). « Chaque capitaine avait de 50 à 300 *armatoli* et avait l'obligation de surveiller les gorges et les routes, de donner au besoin de l'aide armée aux patrouilles turques [pațale] /.../. Ils étaient mis sous le commandement immédiat du pacha et formaient, en d'autres termes, la gendarmerie des villages » (Pouqueville, F.C.H.L., 1824, vol. I, p. 2).

Ion Caragiani dresse une liste des Capitaines et des *Armatoli* aroumains entre 1495-1821. Bien des noms se répètent, ce qui prouve la perpétuation dans la famille de cette occupation. Vers les années 1400, les Vénitiens se servaient des offices des *Armatoli* et des Capitaines aroumains dans leurs luttes contre les Turcs. A chaque fois ceux-ci s'enrôlaient avec les membres de la famille : « Ils étaient surtout préférés dans les corps des chevaliers /.../ les bergers et les autres membres de la *fălcare*, commandants et chefs de tribus, étaient connus par les Vénitiens selon leur nom de 'le loro fameglie', c'est-à-dire 'fumeli'le alor lor'. » (Caragiani, I., 1929, vol. II, p. 145-148). C'est toujours dans la même formule que les *Armatoli* aroumains se sont enrôlés dans le mouvement Etheria (1821). I. Caragiani écrit que: « Dès le début des combats on trouve de commandants d'armées, tous aroumains. Teodor Colocotroni, généralissime des armées révolutionnaires de Péloponèse /.../ [est] chanté par le peuple en tant que Vasileos ton Vlahon [le Roi des Aroumains], puisque le noyau de son armée était formé par ceux-ci et il avait un corps de garde personnel, des plus vaillants *firseroti*, au nombre de 200, de ses cousins et neveux, tous *celnics*, éleveurs de moutons, chevaux et juments, dans la vie courante. » (Caragiani, I., 1929, vol I, p. 217).

Dans les ouvrages dont la parution s'arrête les premières décennies du XX^{ème} siècles, la définition que l'on donne couramment à la *fălcare*, c'est, comme je l'ai déjà dit, réunion/groupe de plusieurs familles apparentées. On la nomme encore soit clan, soit tribu : « Organisés en clans ou tribus, obéissant à leur chefs puissants, maîtres des gorges et des défilés dangereux des montagnes /.../ il n'y avait qu'eux capables

d'entretenir l'insurrection si longtemps /.../ » (Hâciu, A., 1936, p. 145), où « Les Aroumains vivaient en tribus, chacune composée de plusieurs familles, qui formaient une *fălcare* » (Capidan, Th., 1926/27, p. 71).

On sait encore que chaque *fălcare* portait le nom du *celnic* qui la dirigeait. (Caragiani, I., 1929, vol. I, p. 21). D'ailleurs lorsque quiconque voulait savoir si un *celnic* avait beaucoup de sujets il demandait: « Est-ce qu'il a beaucoup de *fălcare*? Est-ce qu'il a beaucoup de fumeal'i? » (Caragiani, I., 1929, vol. I, p. 21). Il advenait fréquemment la jonction de plusieurs *fălcare* ce qui donnait des « *cete* »¹⁷ (groupes) de quelque 2 à 3000 personnes. Dans ce cas chaque *fălcare* gardait son individualité distincte (Nenitescu, Ioan, 1895. p. 77.)

Avant de partir à l'analyse de ce système, il faut préciser que le terme de *fălcare* était appliqué particulièrement aux groupes pratiquant la bergerie, l'élevage, et qui, dans les mouvements de la transhumance, se déplaçaient avec leurs moutons, d'une région à l'autre. Mais les mêmes critères d'organisation sociale de la *Fălcare*, géraient la vie des Aroumains dans tout l'espace balkanique. Les renseignements sur le fonctionnement des différentes maisons ou communautés aroumaines ne suggèrent pas des différences organisationnelles marquantes entre les communautés sédentaires ou les groupes transhumants (des différences au niveau du fonctionnement du système de parenté, de l'organisation de la vie économique, administrative, politique ou militaire).

La *Fălcare*, serait donc considérée comme une communauté idéale dont l'analyse peut offrir une image d'un certain modèle communautaire. Par conséquent, pour des raisons méthodologiques dans les pages suivantes, le terme de *Fălcare* serait utilisé, pour désigner justement ce « modèle » d'organisation sociale, propre aux Aroumains des Balkans.

Th. Capidan compare la *fălcare* à la *zadruga* slave. Mais la dernière est propre à « l'organisation des peuples éminemment agricoles. » (Capidan, Th., 1926/27, p. 41). Dans beaucoup de ses traits la *Fălcare* paraît être plus proches de « *fis* » (le système tribal albanais) que de « *zadruga* », qui était un système centré fondamentalement sur la propriété de la terre et sur la dynamique de la cohésion d'un groupe domestique hétérogène, de nature cognatique. (De plus, la *fălcare* a toujours été formée de familles apparentées, mais en ligne de descendance patrilinéaire, et a été dirigée par un *celnic* (Capidan, Th., 1926/27, p. 41). En plus, les dimensions que la *Fălcare* pouvait toucher, dépassait largement le nombre de personnes qu'un groupe domestique comme « *zadruga* » pouvait englober. La grande ressemblance entre les deux types

d'organisation sociale, [*zadruga* et *fălcare*], a son origine, selon Capidan, dans « la même organisation économique ». Il s'agit, en fait, d'un modèle de représentativité complexe, administrative et surtout économique, conjugué avec un système de (ré) distribution proportionnelle des produits, dont les principes peuvent être retrouvés dans les deux cas.

Le Celnic prenait à bail ou achetait des montagnes et de la nourriture pour toute la Fălcare et chaque famille payait proportionnellement en têtes de bétail (moutons, et chevaux qu'elle possédait) (...). On payait aussi d'une manière collective et proportionnelle les peux, le sel, les toiles et les dépenses occasionnées par la surveillance du village et par les procès concernant les pâtures ainsi que les frais de représentation du Celnic, etc. Tous les produits de l'élevage, le lait, la laine, la viande, se vendait également en commun, ce qui évitait les pertes dont chacun aurait eu à souffrir en vendant individuellement les produits (Hâciu, A., 1936, p.145).

D'ailleurs, la vente individuelle de produits était interdite et tous les travaux concernant la fabrication des produits laitiers se faisaient en commun. Ce type de représentativité complexe, administrative, territoriale, militaire, économique, etc. du groupe peut être retrouvé aussi dans le cas de « *zadruga* » et de l'organisation tribale albanaise.¹⁸ Pour rendre plus claire l'image de l'organisation sociale de la *fălcare*, il faudrait ajouter quelques éléments : il s'agit de l'existence de l'endogamie à l'intérieur de la *fălcare*,

L'habit des Niculceni et des Lintopeni, à quelques petites différences près, dans la forme et la couleur, n'est en définitive que l'habit pur de Gramostea /.../. La preuve qu'ils avaient appartenu à la même *fălcare* ou « *fara* » est qu'il y a toujours eu parmi eux des alliances de mariage (Hâciu, A., 1936, p. 150),

et de l'exogamie au niveau de ses parties composantes : « les familles »¹⁹. L'interdiction du mariage allait jusqu'au V^{ème} degré de parenté chez les Mégléno-Roumains, au VI^{ème} y inclus chez les Gramostens et les Vériens et au X^{ème} y inclus chez les Fârserots (Hasotti, I., 1983, p. 26). F. C. (femme, 60 ans, cipane), dont je tiens une partie des données, se souvient du fait que la parenté allait jusqu'à IX^{ème} *bîrne*! (= générations, littéralement : « ceintures »)²⁰ La situation était identique dans le cas des familles alliées par parrainage. Ces informations mettent en relief les limites jusqu'où allait la parenté. Mais, dans les sources écrites de langue

roumaine (qui s'arrêtent vers les années 1930, pour recommencer à apparaître après la chute du communisme), ce que les auteurs entendaient par "famille" est loin d'être clairement défini. La plupart d'eux, lorsqu'ils font référence à la "famille", entendent le groupe domestique, couvrant d'ordinaire trois générations, d'habitude les fils mariés et leurs enfants qui cohabitent avec les parents. (Quand il n'existe pas de fils, on peut trouver une fille mariée avec ses enfants qui cohabitent avec les parents). En même temps, les parties composantes de la *fălcare*, comme je l'avais déjà dit, sont également nommées familles, et leur description les attestent comme des systèmes plus complexes que le groupe domestique (si l'on prend en compte le degré de parenté jusqu'où allait la prohibition du mariage).²¹ Pourtant, il faut préciser ici que les textes concernés sont parus en roumain. Leurs auteurs (des Aroumains dans la plupart des cas) utilisent le terme « famille » pour nommer des catégories de parenté, qui, en aroumain peuvent être définies par différents termes, comme « soia » ou « taifa » ou « fumeal'ia ».

Aujourd'hui, le type de filiation sur lequel repose la parenté chez les Aroumains est bilatéral. Mais le vocabulaire de la parenté suggère l'existence d'une différenciation du côté du père et du côté de la mère. Au moins pour les groupes de Fîrterots, on emploie des termes différents pour désigner la grand-mère paternelle « mae » et la grand-mère maternelle « muma », et aussi pour désigner l'oncle maternel et l'oncle paternel. Mais il manque des données plus précises sur cet aspect.²² L'organisation de ce système, se faisait en partant de la ligne de descendance paternelle, ligne qui réglait aussi le système de repérage des individus dans l'intérieur du réseau. Cependant, la ligne de descendance de la mère reste très importante, tenant compte du fait que l'interdiction du mariage touche le même degré de parenté et avec la même force le groupe d'origine de la mère comme celui du père. Davantage, pareil au fis albanais et aux communautés domestiques grecques, la femme, même après le mariage, continue à appartenir (ou faire partie) au groupe d'origine.²³ Pourtant, le repérage des individus dans les communautés se faisait (et se fait encore) par rapport à l'ascendant paternel le plus âgé, connu dans la communauté (le grand-père ou l'arrière-grand-père) et porteur du patronyme, fût-il vivant ou non.

D'ailleurs, le patronyme avait un statut spécial dans la *fălcare*. Dans *Les Roumains de la Péninsule Balkanique*, I. Caragiani fait une présentation des « tribus²⁴ des Suliats »²⁵, en montrant la composition de quatre villages, c'est-à-dire les noms des « tribus » qui les composent et le nombre de

familles qui composent les « tribus ». « Les tribus sont données, selon leurs chefs, au masculin pluriel ».²⁶ Les noms de ces tribus dérivent, dans la plupart des cas, d'un surnom,²⁷ des noms communs ou propres²⁸ ou bien d'un zoonyme²⁹. La fonction que ce nom avait dans la *fălcare* peut être déduite de l'importance qu'a aujourd'hui le patronyme chez les Aroumains. Il est considéré l'un des principaux facteurs de cohésion familiale : « Il y a chez les Aroumains une permanente cohésion de la famille, /.../ surtout entre ceux qui portent le même nom de famille /.../ ». (Cușa, N., 1990, p. 87. Th. Capidan identifie la *fălcare* à la « ginta » = *gens*: « Chez les Romains «gentes», identiques aux *fălcare(s)* chez les Aroumains, étaient formées de 'cognationes' ('famel'le' d'une *falcare*) /.../ ». Cette définition suppose la perception de la *fălcare* en tant que groupe issu d'un ancêtre commun en ligne unilinéaire.

Mais nous n'avons pas trouvé, ni dans la bibliographie consultée, ni dans la mémoire des gens, de références explicites à ces aspects. Cependant, la structure, la composition de ce type d'organisation sociale, telle qu'on la décrit (chef héréditaire, exogamie au niveau de ses parties composantes, endogamie au niveau de l'ensemble, structures militaires propres etc.), à quoi s'ajoute la manière spécifique d'organisation économique que A. Hâciu appelle « une vraie société par actions » (Hâciu, A., 1936, p. 134), tout cela conduit à définir la *fălcare* comme organisation sociale tribale. Ses caractéristiques, qui faisaient d'elle une organisation tribale lignagère, étaient : la présence prouvée de l'exogamie au niveau de ses parties composantes (même si celles-ci sont insuffisamment définies) et de l'endogamie au niveau de l'ensemble, puis l'hérédité du *celnic* et, surtout, la rigueur de l'organisation du système économique qui la représente et qui fait de la *fălcare* une unité sociale indépendante, à laquelle on ajoute les propres structures militaires.

La *fălcare* a constitué le système social de référence des communautés aroumaines des Balkans jusque vers les années 1920. Ces groupes n'ont jamais connu de forme de gouvernement centralisée ni de gouverneur unique. Ce qu'on désigne, par un terme générique, communauté valaque (aroumaine) des Balkans a été, de fait, une structure modulaire, un réseau en fait, dont les « unités de parenté », les *fălcare*, s'assemblaient et se désassemblaient selon différents impératifs (transhumance, défense). Mais elles restaient des unités fonctionnelles stables, qui se suffisaient à elles-mêmes et conservaient leur individualité. « Grâce à cette organisation, faute d'une autre organisation nationale et militaire du peuple dans le sens moderne du mot, les Aroumains de la Péninsule ont

réussi à garder intacte leur être ethnique, car la *fălcare* tenait pour reliques sacrées ses us et coutumes nationaux » (*Hâciu, A., 1936, p. 285*). La position que ce type d'organisation communautaire tenait dans le contexte multiethnique des Balkans peut faire elle-même objet d'étude, mais une analyse comparative minutieuse dépasse le cadre de ce texte. Les renvois que j'ai faits pour mettre en lumière les similitudes ou les possibles correspondances repérables entre les différents types de systèmes communautaires qui ont formé le tissu social de cet espace jusqu'au début du XX^{ème} siècle (comme le *fis* albanais ou le *pleme* slave, avec son unité domestique génériquement nommée *zadruga*) n'ont que le rôle de tenter une mise en contexte. Faute d'une vraie démarche comparative, son but est celui d'offrir au lecteur un élargissement de perspective, un cadre optimisé de perception et de compréhension du sujet proprement dit : le système d'organisation tribale aroumaine.

Je n'ai pas trouvé des références bibliographiques explicites sur la manière dont s'organisait et agissait, en fait, le système de la parenté dans le cadre de la *fălcare*. Pourtant le fait que les Aroumains immigrés en Roumanie entre 1925-1926 étaient partis d'un tel système social peut éclairer les détails de fonctionnement de cette organisation communautaire, détails qui tiennent de la mise en œuvre du système de la parenté. D'une part, les colons Aroumains installés au Sud de la Roumanie ce sont repliés dans les territoires colonisés en tant que communauté distincte, même si la signification et le souvenir de la *fălcare* avaient presque complètement disparu de la mémoire collective.³⁰ D'autre part, la manière dont cette « communauté » de Roumanie s'est constituée, peut présenter un réel avantage dans une démarche qui se propose à percevoir la composition et le fonctionnement du système social qui rendait les populations aroumaines repérables et distinctes dans l'espace balkanique, et qui fait surtout qu'en Roumanie, cette communauté soit bien individualisée.

Pourtant, si on suppose l'existence d'une reproduction du modèle, elle n'aurait pu avoir lieu que dans les conditions des changements sociaux sévères que les Aroumains ont traversés. Ces changements ont signifié tout d'abord, à part l'installation en Roumanie (avec ce que le processus d'adaptation au nouveau contexte social, politique, culturel a entraîné), aussi la sédentarisation des groupes transhumants. Il faut, donc, tenir toujours compte des conditions historiques et sociales dans lesquelles la « reproduction » a eu lieu.

Famille et communauté

Toute la littérature portant sur les Aroumains (études monographiques ou historiques, journaux de voyages etc.) regorge de renseignements sur la famille ou plutôt sur « l'atmosphère » qui règne dans les maisons aroumaines. Détaillées (les descriptions ethnographiques, les monographies) ou ponctuelles (les journaux de voyages), ces informations parlent, dans leur grande majorité, de deux aspects : « la rigueur » (la sévérité) des normes de comportement en famille et « l'amour » qui unit ses membres³¹, les deux étant considérés, dans tous les cas, de très forts éléments d'identité.

Chez toutes les souches roumaines /.../ la vie se déroule selon les mêmes normes, ce qui constitue le trait caractéristique des Roumains macédoniens. Dans la famille règne la vie patriarcale, avec des mœurs imprégnées de la plus sévère moralité. Le père est l'autorité suprême /.../ (Capidan, Th., 1926/27, p. 50).

La personnalité de la famille est constituée par un bouquet de vertus cardinales /.../ à savoir : l'autorité hors de discussion du père et le respect sacré pour tout ce qui est vieux ; la pureté dans les liens matrimoniaux, l'amour de la langue /.../" (Hâciu, A., 1936, p. 542).

Leur structure sociale était modelée par des fortes liaisons, familiales et de clan, ce qui les a aidés garder leur tradition culturelle et de s'assurer un certain rôle politique et économique à Bucarest. (Veiga, F., 1993, p. 186)

Par « famille » on entend (dans la plupart des cas) la famille souche formée de trois générations (grands-parents, parents et enfants), mais aussi une aire de parenté plus large.

Il y a chez les Aroumains une permanente cohésion de la famille, non seulement entre parents, frères et sœurs mais aussi entre les frères et les sœurs des parents, et surtout entre ceux qui portent le même nom de famille /.../. Le respect et la soumission envers les parents sont déjà proverbiaux /.../. L'entraide est une tradition chez les Aroumains, ce qui étonne beaucoup de monde (Cușa, N., 1990, p. 87).

Cette citation concerne directement les Aroumains de Roumanie (le livre a paru en 1990), et sa substance se retrouve dans le discours de ceux que

j'ai interviewés. Plus précisément, le premier niveau où l'on fait la délimitation d'avec l'autrui, les Roumains en l'occurrence, c'est celui de la cohésion familiale. A la question : « En quoi les Aroumains se distinguent-ils particulièrement des Roumains ? », la réponse a été toujours la même : « Les Aroumains sont beaucoup plus unis, ils tiennent beaucoup plus à leur famille ». ³² Aucun des Roumains ou Aroumains interviewés n'a fait référence en priorité à la langue parlée ni à l'origine différente. Mais l'analyse de la manière dont on construit et fonctionne cette cohérence et bien des aspects propres au système de parenté peuvent être mieux compris uniquement en rapport avec ce type d'organisation sociale dont le modèle était la *fălcare*.

La « Soia » ³³

Au cours d'une enquête j'ai été « sommée » par mon informatrice de lui expliquer ce qu'était la *fălcare*. A ma réponse : « un groupe de familles apparentées », elle m'a répliqué amusée : « Ha ! Tous les Macédoniens (Machidonii) sont apparentés entre eux ! ». Certes, les Aroumains ne sont pas le seul groupe ethnique auquel on attribue et qui s'attribue lui-même ce stéréotype. Mais il prouve l'existence de certaines qualités du système de parenté qui font que son fonctionnement soit très présent dans la conscience des individus, voire même qu'il soit porteur de connotation(s) identitaire(s). On peut dire que ces qualités sont la présence de l'endogamie et, dans les conditions de l'endogamie, la façon dont la flexibilité du système se manifeste, sa dynamique, autrement dit, sa viabilité. Nous allons essayer de montrer d'abord la façon de fonctionnement du système de parenté dans le cadre de la communauté et comment il agit en tant que lien social. Le premier problème est de définir la parenté chez les Aroumains, de la délimiter. Le mot qui désigne la parenté bilatérale est *soia*, en roumain « neam » ³⁴. La *soia* est la parenté consanguine et par alliance à la fois.

La *soia* c'est le « neam ! » cela ne peut pas être confondu ! C'est-à-dire la *soia* peut aller même jusqu'au quatrième ou cinquième degré de parenté ! / Q. - Faut-il qu'on soit du même sang ? / R. - Non ! Il se peut que l'on soit [parent] par alliance aussi. C'est toujours la *soia*, le « neam » ! On est respecté en tant que « neam » ! /.../ Donc la *soia* acquiert une portée plus grande, elle couvre davantage ! (V. C., femme, 45 a. E. 3).

La *soia* c'est les « neam(s) » [parentèle], tiens! La *soia* s'étend sur neuf générations, neuf « *brîuri* » [= cercles], neuf « *rînduri* » [= rangs]. C'est ça, la *soia*, cousins, filleuls, parrains, « *cuscri* » [= alliés]. (F.C., femme, 60 ans, E. 10).

Il y a eu néanmoins, dans les réponses que j'ai reçues, une nuance, dans la définition de la *soia*, qui suggère l'installation effective de la relation de *soia* uniquement à partir de la validation d'une alliance par l'apparition de l'enfant. Les *soia*-s des alliés se maintiennent en permanence en position de *cuscrie*³⁵ les unes par rapport aux autres, et elles ne deviennent des *soia*-s proprement dites qu'avec le temps, à mesure que la parenté commence à fonctionner entre eux (les alliés).³⁶ On parle d'une *soia* du jeune homme et d'une *soia* de la jeune fille.

Q. - Est-ce que, après le mariage, tous entrèrent dans la même *soia*? / R. - Non! Voyons! Je te l'ai dit, la *soia* de la jeune fille est à elle! Et quand on se réunit pour un baptême... « eh, discutons aussi avec la *soia* de la femme... et la nôtre, pour qu'on se rassemble en grand nombre... » (F. C. femme, 60 ans, Ent. 11).

Une seconde acception du terme *soia* est celle d'ethnie.

La *soia* c'est les Macédoniens (Machedonii)... nous autres, Macédoniens ! Par exemple il y a les Firserots³⁷ ou il y a nous, autres, Macédoniens ? (L. B., fille, 26 ans E. 6).

Pour revenir à la première signification du terme, je crois qu'elle peut être étendue à la famille élargie. Le mariage est prohibé (aujourd'hui) jusqu'au troisième degré de parenté, y inclus (cousins au troisième degré), mais les parents au quatrième ou parfois même au cinquième degré de parenté sont considérés comme faisant partie de la *soia*.³⁸ Ces fluctuations des limites de la parenté, qui peut oui ou non être reconnue, sont, des fois, dépendantes des stratégies économiques ou sociales. Plus précisément, un individu (ou une famille) parvenu(e) à une position privilégiée dans la hiérarchie sociale (haut dignitaire, directeur d'institution ou ayant un niveau économique très élevé) peut être reconnu comme faisant partie de la *soia* par ses cousins au quatrième degré et la parenté peut être cultivée ! La reconnaissance de la parenté éloignée peut s'ensuivre aussi à cause d'un exil, du dépaysement.

J'ai rencontré quelqu'un juste à Vienne, comme ça, un parent très éloigné, mais on se considérait cousins... c'est-à-dire tout le monde le sait (nous l'avons dit à tous)... On s'entend bien, on s'aide! (C. B., fille, 18 ans E. 7).

Dans ce cas la parenté est non seulement reconnue (acceptée), mais aussi exercée par l'instauration du modèle d'entraide entre les membres de la famille, qui peut toucher, même la parenté éloignée (IV^{ème}, V^{ème} degré). D'autre part, une certaine stratégie sociale peut mener au bannissement (circonstanciel et passager) d'un parent de premier degré.

Une bonne femme vient chez moi avec sa belle-fille. Moi, j'ai tout de suite compris de quelle famille elle était issue. Je dis : « il est quoi pour toi un tel de Coïciu^{39?} » « Ah », dit-elle, « de la *soia* ! » Tu parles ! C'était son frère ! Mais comme ils étaient plutôt miséreux et fauchés, elle ne l'a pas dit, car elle craignait que les parents de la fille ne changent d'avis puisque la fille avait sa *soia*⁴⁰ (F. C., femme, 60 ans E. 11).

Ce façonnage, cette fois-ci dans l'acceptation de modification, peut être non seulement de conjoncture ou de passage comme dans les exemples ci-dessus, il peut devenir aussi constitutif⁴¹. Ce type d'« adoption » qui pourrait être nommé « prise en charge » fait partie, en réalité, du système d'entraide,⁴² l'un des facteurs les plus importants pour la cohésion familiale et aussi communautaire. Il est important de souligner que l'obligation de l'entraide atteint également les parents lointains, parents au deuxième, troisième, parfois même au quatrième degré. Cet aspect a pour effet primordial la naissance du *pattern* des liens affectifs propre aux familles restreintes (parents, enfants, grands-parents) dans les zones de la parenté lointaine, fait qui agit, une fois de plus, en facteur de cohésion familiale. C'est toujours jusqu'aux mêmes degrés de parenté (II^{ème}, III^{ème} et même IV^{ème}) que remonte la tendance à réaliser l'unité territoriale de la famille, d'habitude la même ville, puis le même quartier⁴³.

Nous, les C., on ne nous voit jamais ailleurs qu'à Cobadin⁴⁴. Il y en avait à Patura⁴⁵, oncle Dincu [des Celnicu] [juste après la colonisation - N.M.]. On a tant et si bien fait qu'on les a fait venir à Cobadin ! Mon père les a installés chez nous, non contre loyer, comme ça ! Ils y sont restés quatre ou cinq ans. Ils avaient deux belles-filles, un fils célibataire, des petits enfants, plus eux deux. Et on les a pris en charge et on les a aidés jusqu'à ce qu'ils se soient bâtis leur maison. Oui, on les a installés chez nous pour que les Dincu ne restent pas à Patura ! /.../ Ils [les Dincu] étaient cousins

avec grand-père, nos parents [étaient] frères !... (F. C., femme, 60 ans, E. 10).

Après les années 1970 déménager du village à la ville est devenu de plus en plus difficile. Pour obtenir la « carte de séjour en ville »⁴⁶ il fallait d'abord obtenir un espace d'habitation, qui ne pouvait être que dans le logement d'une famille déjà résidente en ville. Pour un Roumain accepter quelqu'un dans son espace locataire était un geste accompli avec prudence et fait uniquement en faveur des parents proches (frères, parents)⁴⁷; par contre, pour les Aroumains, il était devenu une pratique courante. Dans ce but on pouvait faire appel aux parents les plus lointains, voire même à des étrangers par l'intermédiaire des parents.

Le regroupement permanent des parents est donc non seulement souhaité mais encore imposé, étant une règle de vie familiale infligée par extension à la communauté. L'observer, cela peut mobiliser, comme nous l'avons vu, non seulement les parents proches mais aussi les lointains, par contre, l'ignorer, cela peut entraîner des sanctions. Les ressorts de cet impératif de maintenir la *soia* regroupée dans un territoire commun peuvent être retrouvés, en partie dans le rapport de cette population avec le sol. Pour les Aroumains le terroir était, avant tout, un « acquis » et non un « héritage ».⁴⁸ Ainsi, l'existence d'un territoire « commun » était, et l'est encore, la résultante de l'existence d'un réseau de parenté très vigoureux, complet et regroupé, capable d'« investir » le territoire de cette qualité [de « terroir »]. D'ailleurs, la terre, ne fait pas objet de transmission par héritage, chez les Aroumains. Ni dans les sources écrites, ni pendant les entretiens que j'ai menés (et je fais référence ici aussi aux Aroumains colonisés en Roumanie ainsi qu'à ceux de l'espace balkanique des différentes périodes historiques) je n'ai retrouvé des mentions sur la terre en tant qu'objet d'héritage⁴⁹. Le problème de la propriété sur la terre, avec tout ce qui en découle, s'est posé pour les Aroumains, au moins en Roumanie, seulement après la chute du régime communiste, avec le commencement des rétrocessions des terres confisqué par le pouvoir communiste. Mais c'était un problème de la société roumaine dans son ensemble, et en ce qui concernait les Aroumains, l'objet de leur intérêt était les parcelles qui sont entrés dans leur possession au moment de la colonisation. Au-delà de l'existence des réseaux communs de sociabilité, au-delà de l'obligation de la proximité territoriale ou de différents réseaux sociaux, économiques, informationnels qui impliquent

les individus de la *soĭa*, l'un des plus importants facteurs de la cohésion familiale chez les Aroumains est l'impératif de l'affectivité.

C'est ça qui est important, être par l'éducation et par la naissance auprès de son proche /.../. C'est là la source [et l'existence] de cette réciprocité [affective] entre les Macédoniens (V. C., femme, 45 ans E. 3).

Il faut chercher le modèle, tout d'abord, dans l'extrapolation du type d'affectivité propre à la famille nucléaire à l'extérieur de son aire ; par exemple, cette expression : « on dit cousin, on dit frère ! ». Mais en même temps, ce regroupement des individus issus des groupes de frères dans une même catégorie rendue visible par l'impératif de l'affectivité peut également envoyer à la construction idéologique du groupe des frères dans un système lignagère. C'est la même chose pour les parents par alliance, on leur doit de l'affectivité. Le modèle en est le même que celui supposé entre les parents consanguins. En fait, l'impératif de l'affectivité, peut être décodé comme impératif de la fidélité. « L'aire » couverte par la « fidélité » est délimitée par le réseau de la parenté consanguine, à laquelle on ajoute celui constitué par les alliances. Il s'agissait d'une forme de mise en oeuvre de la cohésion sociale, qui ne tenait pas nécessairement de la défense proprement dite, mais qui, plus généralement, visait une forme de sécurisation du système dans son ensemble. Autrement dit, il s'agissait de la construction d'un palier idéologique, qui, à son tour, réglait les pratiques de sécurisation d'un groupe, dont la preuve de fidélité offrait la visibilité sociale de ces pratiques. Les limites du groupe⁵⁰ en question étaient dessinées principalement par la carte de ceux qui portaient le même patronyme (et leurs alliés), carte qui renvoyait directement à l'organisation sociale en groupes, caractéristique des communautés aroumaines des Balkans.

C'est par ce biais, plutôt, qu'il faut lire la « cohésion familiale » qui opère aujourd'hui dans la perception et la conscience des gens (soient-ils Aroumains ou non-Aroumains ; une différenciation significative entre les Aroumains et les non-Aroumains. La nature de cette fidélité peut être mieux comprise plutôt en relation avec le contenu du *besa* albanais, présent d'ailleurs aussi chez les Aroumains, qu'en relation avec une certaine affectivité qui peut se construire entre les gens. La « promesse », le « monde de l'honneur », la « croyance », la « confiance », et la « loyauté » (Doll, B., 2003, p. 148) sont des concepts qui comptent dans la preuve de l'existence de l'affectivité envers les parents. C'est toujours

au niveau du réseau ou, mieux dit, de la *soia* que l'on comble aussi le besoin d'information des individus. Par exemple, pour savoir si un produit peut, oui ou non, être trouvé sur le marché, on contacte les parents qui travaillent dans le commerce (parents jusqu'aux plus lointains degrés de parenté ou d'alliance). Pour se renseigner sur l'état social, économique ou matrimonial d'un individu ou sur une famille on s'adresse également à des parents.⁵¹ A cet égard il n'y a pas de refus et cela n'implique aucun genre d'obligation entre la personne qui demande et celle qui donne l'information, car tout individu peut, virtuellement, devenir à tout moment, « donneur » ou « receveur » d'information. Il fait partie, de ce point de vue, d'un réseau latent dont les segments ou circuits s'activent en fonction des besoins des individus. Un exemple : les femmes ont l'habitude de « faire » les magasins, de temps en temps, magasins de toutes sortes (articles ménagers, alimentation, vêtements etc.) où travaillent des parents ou des connaissances (Aroumains) sans rien acheter, dans l'unique but de recueillir des informations sur des produits en voie de promotion ou sur les éventuelles augmentations de prix.⁵²

La *Taiifa*⁵³

Si la *soia* comprend des individus apparentés par consanguinité aussi bien que par alliance, la *taiifa* désigne, en premier lieu, les liens du sang, plus clairement la lignée (en descendance patrilinéaire).

La *taiifa* c'est la famille... quand tu dis... « Quelle *taiifa* as-tu » La *taiifa* veut dire grand-père, grand-mère, mère, père, frères, sœurs, c'est ça, la *taiifa* ! La *soia* c'est la *soia*, cousins, filleuls, parrains, alliés. /.../ en ce moment ma *taiifa* c'est mon mari, mes beaux-parents, mes filles avec les gendres, les petits enfants /.../. Mon père ne faisait pas partie de la *taiifa* de mon mari. C'était la *taiifa* de mes parents. On ne peut pas demander: quelle *fumeal'ie* [famille]⁵⁴ êtes- vous, [mais] quelle *taiifa* êtes- vous, c'est-à-dire combien de membres [de la famille] êtes- vous ? (F. C., femme, 60 ans E. 11).

La *taiifa* est uniquement consanguine, il n'y a que les membres de la famille /.../. Mes beaux-parents disaient « nous nous rassemblions toute la *taiifa* chez les parents spirituels » [le parrain et la marraine] /.../ cela voulait dire leur famille, grand-parents, parents, enfants, ou «eh, quand on allait aux noces, on se rassemblait des *taiifas* tout entières ! » (V. C. 60 ans, E. 3).

On m'a encore défini la *taïfa* comme « les amis à qui on se ressemble »⁵⁵ (G. B., homme, 45 ans, E. 5), et de même, groupe domestique, « les personnes du foyer » (A.S., femme, 70 ans E. 1) ou même plus vaguement « les plus proches parents » (L. B., fille, 26 ans E. 6).

Même si le terme couvre d'avantage la relation de sang qui existe entre deux individus, elle suggère aussi l'idée de cohabitation ou plus précisément, celle de l'obtention d'une proximité maximale spatiale dans l'intérieur du groupe des frères. La définition de groupe d'amis en tant que *taïfa*, envoie plutôt à une extrapolation du modèle de relation propre au groupe des frères au celui d'amis (en tenant compte du fait que chez les Aroumains, les réseaux de sociabilité se construisent surtout dans l'intérieur du réseau de la parenté.) Ensuite, si on prend en compte le questionnement sur la composition de la *taïfa* de quelqu'un, on peut remarquer que la question ne vise pas le nombre des individus composant la *taïfa* « combien » (comme dans le cas du terme *fumeal'ia*) mais *quelle taïfa*, cela veut dire, *nommer* et *répertorier* le groupe de cohabitation. Par conséquent, donner des renseignements sur sa propre *taïfa* c'est affirmer son appartenance à un certain groupe consanguin, avec toit commun, et nommer les membres du groupe, non pas par leur nom, mais par leur position dans le système : beau-père, belle-sœur, neveu etc. La première définition correspond au discours sur le modèle idéal de la parenté aroumaine.⁵⁶ Dans le cas de la *taïfa*, le modèle idéal est celui qui réclame un foyer commun, où *taïfa* veut dire « une maison ».

Exemple 1:

Par exemple, mon beau-frère habite en ce moment avec deux belles-filles à la maison. Il y a cinq ans il a marié un fils, l'année dernière l'autre. L'aîné [il a trois fils] avait logé chez lui quatre ans, depuis peu il s'est acheté un appartement, il a déménagé. Depuis une année il [mon beau-frère] habite avec deux belles-filles, mais il n'y a pas eu le moindre conflit. Leur appartement a quatre pièces. Dans l'un habite un couple, ils ont aussi un gosse de trois ans, dans une autre [pièce] l'autre [couple] et dans une [la troisième] pièce logent eux [deux]. Et ils font une famille, un foyer ! Ils s'entendent à merveille ! La plus jeune belle-fille, la dernière à venir à la maison, est coiffeuse. Lorsqu'elle rentre le soir elle remet à son beau-père l'argent, tout son gain [pourboire y compris], « Papa, regardez combien j'ai gagné ! ». Mon beau-frère en est très content, un soir il m'a dit : « Tu t'en rends compte... par rapport aux enfants de nos jours, quelle éducation a cette fille ? Bien entendu je ne prends pas son argent, puisque maintenant on s'est émancipé, nous autres, ce qui compte, c'est le geste ! »

Q. - Qui est-ce qui dirige la maison ?

- C'est la belle-mère qui dirige ! Il n'y a pas d'autre alternative, sinon il arrive... Le beau-père et la belle-mère, tous les deux, c'est eux qui prennent les décisions, ce qu'on fait, ce qu'on ne fait pas !

Q. - La belle-fille plus jeune doit obéir à la plus âgée ?⁵⁷

R. - C'est ce qu'on dit, mais elles sont déjà liées d'amitié, elles ont à peu près le même âge, elles sortent ensemble se promener, rendre visite..." (D. et C. M. homme et femme (couple), 70 et 65 ans. E. 9).

Ou bien voilà un autre cas :

Ma nièce, quand elle s'est mariée, il y avait les beaux-parents et deux belles-sœurs dans la maison ; elle les a mariées. Et tous lui ont dit, prends garde, tu l'épouses, mais il y a aussi les beaux-parents et les deux belles-sœurs ! S'il y a de belles-sœurs célibataires, c'est à elle de les marier ! C'est-à-dire les frais sont supportés, en partie, par elle-même ! C'est normal car l'argent accumulé à son propre mariage a été versé dans la caisse commune de toute la maison ! Par exemple, si la belle-fille a besoin de quoi que ce soit, elle le signale à la belle-mère : maman, je voudrais m'acheter ça ou ça. Bien entendu, la belle-mère ne lui dit pas non, mais la caisse est commune. /.../ A leur tour, les belles-sœurs obéissent à la belle-fille, la respectent, elle sont amies /.../. Elle est mariée depuis vingt ans et habite dans la maison des beaux-parents. Mais devant les beaux-parents elle se tient toujours debout. Ce que la belle-mère veut, on le fait ! On va là-bas ? On y va ! C'est ça, elle a eu part de méthodes « à l'ancienne » ! Et elle est jeune, elle n'a que 41 ans ! (M. D., homme 70 ans E. 9).

Deuxième exemple :

Ceux-là, ils sont quatre frères. Deux sont restés à Ceamurlia⁵⁸. Mais tu sais quels sont leurs rapports ? On ne dirait pas quatre maisons, mais une seule ! Ils ont quatre voitures, maintenant je crois qu'ils en ont deux, chacun, car ils sont bien nantis ! Ils ont chacun le double des clés de la maison. Ils arrivent, prennent la voiture... tu sais, comme si les quatre ou huit voitures étaient à tous. Ou pour les chaussures, celui qui sort chausse des souliers marron, noirs, aucune importance à qui ils appartiennent ! « Eh, si ces souliers sont à Gogu, il viendra les chercher ! » Quelle cohésion chez ces garçons ! Et les belles-sœurs, c'est pareil ! Et l'aîné, Paris, n'a pas de « fumeal'ie »,⁵⁹ alors Donca, le second frère, lui en a donné un, car lui, il a fait trois fils. Il le lui a donné pour « fumeal'ie », non pas pour qu'il l'élève.⁶⁰ Lorsqu'ils ont emmené tante Mucha à la maternité, le médecin a dit « longue vie à votre fils ! ». Et Donca, ni un ni deux, a dit à [son frère] Paris :

« Longue vie au tien ! » Ils n'ont même pas demandé l'avis, à elle ! Donca dit « nous, on est convenu, à la maison, avec notre mère, que si c'était un fils, on le donnait à Paris ! », « eh, d'accord », dit Mucha. [En ce qui concerne] Les deux frères restés à Ceamurlia [ils] ont des moulins, ils s'entendent très bien. Tănăs el et George tiennent une bijouterie, à deux, car ils sont frères mais dans les papiers d'identité ils sont cousins ! (F. C., femme 60 ans E. 11).

La deuxième citation est un exemple de *taifa* sans toit commun.⁶¹ Les normes restent pourtant les mêmes que dans la cohabitation⁶². Tous les membres de la *taifa* ont accès permanent à tout l'habitat. En plus, même s'il y a la propriété individuelle sur les biens (maisons, objets), l'usage en est commun. Traditionnellement, le pouvoir social et économique est tenu par le plus âgé, c'est-à-dire le père, qui gère les revenus des fils et de belles-filles. Un bon exemple pour rendre visible la position du chef de la *taifa* et aussi le contenu de cette position est le moment du don pendant les noces. Ainsi, c'est seulement le plus âgé du groupe (de la lignée) qui offre le don en argent aux mariés (en fait au père du marié) au nom des tous les couples qui composent sa propre *taifa*. Cette pratique, qui met en lumière le statut du chef de la famille et le contenu de son pouvoir symbolique, rappelle en même temps le type de représentativité organisé autour de la personne de *celnic* qui organisait la vie de la *fălcare*. Quand un jeune se marie, surtout une jeune fille, car c'est elle qui va entrer dans la maison des beaux-parents, le premier conseil qu'il reçoit, la première norme de conduite que ses propres parents lui suggèrent, c'est de se soucier des beaux-parents.⁶³ Malgré cela, ce sont les parents qui ont pleins pouvoirs sur leurs enfants. Les grands-parents ne s'y mêlent pas. A ce point, l'autorité du chef traditionnel de la famille s'arrête et tout abus engendre des conflits.

Celui qui m'a aidée à faire des études a été le grand-père. Pendant que mes parents étaient allés moissonner l'avoine, c'est lui qui m'a donné 37 lei et je suis partie /.../. J'ai été reçue la septième sur 400. Quand je suis rentrée, j'ai appris qu'il y avait eu une grosse bagarre entre papa et grand-père, ils s'étaient chamaillés, ils ne se parlaient plus, vu que ce fut lui [grand-père] qui m'avait donné la permission d'aller faire des études ! (V. C., femme, 45 ans E. 3)

Il existe quand même un aspect, un détail de cette situation (qui concerne les limites de l'autorité du chef dans le cadre de la *taifa*), qui est mis en

lumière dans le cas cité. Il est vrai que les parents (plus précisément le père) sont ceux qui ont pleine autorité sur les enfants, et par conséquent le pouvoir de décision en ce qui les concerne. Mais, de l'exemple mentionné ci-dessus on peut saisir le fait que la transgression de l'autorité paternelle par le grand-père paternel, (d'ailleurs le chef de principe de la *taifa* tant qu'il soit en vie), plus précisément la décision qu'il a prise concernant l'enfant (indépendamment de la volonté du père) n'a pas été annulée. Le geste du grand-père a engendré le conflit, il est resté cependant la décision finale. C'est, peut-être, un exemple pour la nature de l'autorité du chef de la *taifa*, une autorité nuancée qui agit par rapport au contexte et la nature (l'importance conçue) de la décision qui doit être prise. Au cas où la résidence ne serait pas commune, on essaie du moins obtenir une proximité maximale d'habitat pour tous les membres de la *taifa*. La distance entre eux devrait être, tout au plus, celle qui permette la visite de tous, en un seul jour, en allant à pied.

Qu'ils soient tous d'un côté ! Pas forcément alignés, mais d'un seul côté (du village), si bien que si je viens chez vous, chez Mirela [fille], chez Tina [fille], jusqu'au soir je puisse voir tout le monde. (F.C. femme, 60 ans E. 10).

Ce rassemblement des parents proches, je le répète, se faisait avant et se fait, parfois, aujourd'hui encore, de force :

Tiens, Fimnia, de [la famille] Vrușa, pourquoi crois-tu qu'elle soit venue en Roumanie ? [Il s'agit de l'immigration de 1920]. Elle ne voulait pas venir, fille unique chez ses parents et quatre frères. Elle s'est mariée, elle avait un fils et les beaux-parents lui ont enlevé le fils ! Bon gré, mal gré, elle est venue ! Elle pleurait, à longueur de la journée, car elle n'y avait personne ! (M. C., femme, 65 ans E. 9) ;

Ou bien en usant de tout moyen de conviction, n'importe lequel :

Je n'ai pas voulu de mon gendre. Comment laisser ma fille épouser un inconnu et un Hongrois ?! En fin de compte, j'ai accepté parce que ma cousine le connaissait, elle travaillait à Brasov avec lui /.../. Mais j'ai tant et si bien fait que je les ai fait venir à Constantza. Ils sont venus parce que c'est nous qui les avons aidés, non pas sa mère (C.D., femme, 63, inf. non enregistrée).

Du point de vue du rapport qui existe entre les individus qui composent la *taïfa*, la relation entre frère et sœur est un aspect particulier, et par conséquent, aussi celui de l'oncle maternel. D'ailleurs, les Aroumains des Balkans⁶⁴ emploient encore des termes différents pour désigner l'oncle paternel – *lali* – et l'oncle maternel – *baba mare* = « grand baba » (*baba* = papa, en turc). Les Aroumains de Roumanie emploient le terme *lali* pour les deux oncles, mais pas les Mégléno-Roumains,⁶⁵ qui se servent de la même différenciation terminologique : *bebi* = oncle maternel, *lali* (aroumain) ou *deadu* (bulgare) = oncle paternel.⁶⁶ Même si cette terminologie suggère un système de parenté où le frère de la mère a un statut social autre que celui de l'oncle paternel, les ressorts de cette différenciation restent difficiles à tirer au clair, en partant seulement des informations (textes publiés ou matériaux de terrain) concernant les Aroumains. Mais cette situation qui tient de la position de la femme dans le système, ne fait pas une exception dans l'espace balkanique. On la retrouve aussi chez les Grecs ou les Albanais.

Sa situation vis-à-vis du lignage d'origine et du lignage du mari correspond avec celle décrite pour les Albanais ; la femme appartient au lignage d'origine. Dans le lignage du mari son rôle semble être celui de mettre au monde des enfants et de travailler. Dans une vendetta opposant le groupe du mari à celui de son groupe d'origine, elle est du côté de ce dernier (Andromedas, 1968, p. 63) ; si elle est attaquée par les ennemis du mari, elle va se plaindre à sa famille d'origine et non pas au mari (Kontsilieris, 196) ; si elle trompe son mari, le déshonneur retombe non pas sur son mari mais sur son groupe d'origine ; son père et ses frères surtout sont ses protecteurs naturels, et ce sont toujours eux qui la punissent par la mort en cas d'adultère ; en absence de frère, ce sera le plus proche cousin consanguin qui la tue (Didika Niki, 1977, p. 771). (Stahl, 2000, p. 94)

En tenant compte de ces aspects, les normes de conduite sur lesquelles se règle aujourd'hui dans les familles d'Aroumains le comportement du frère envers sa sœur, d'une part, et des neveux envers l'oncle maternel, d'autre part, deviennent plus compréhensibles. Ainsi, ces normes font la preuve de ce poids privilégié de l'oncle maternel dans le fonctionnement de la *taïfa*. Les normes de conduite en question reposent, en principal, sur l'obligation et le droit, à la fois, du frère de gérer la vie de sa sœur, même après le mariage de celle-ci⁶⁷. C'est lui qui a droit d'intervenir au cas où sa sœur aurait des problèmes familiaux, et c'est toujours lui qui est consulté quand il s'agit du mariage de ses neveux. Le frère a l'obligation

d'aider moralement et matériellement sa sœur sur tout le parcours de sa vie, et les enfants, à elle, doivent de l'obéissance à l'oncle maternel en égale mesure qu'à leur propre père. On peut supposer donc, derrière ces modèles de comportements le type de bilatéralité du système de la parenté qui caractérisait les populations aroumaines des Balkans. Ainsi, la manière dans laquelle la femme continue à faire partie de la *taïfa* d'origine, même après le mariage, se conjugue dans le fonctionnement du système avec la position que le frère de la mère détient dans ce système. Ce serait le modèle de la *taïfa*. Mais le type d'organisation qu'elle suppose doit être non seulement vécu. Son exercice doit être encore prouvé à la communauté. C'est la preuve, l'aveu de l'intégration de la *taïfa* dans la structure de l'ensemble de la communauté dont elle est une composante. La motivation de l'entraide entre les frères est toujours la relation affective qui les unit et qui est le fruit de l'éducation. Le principe qui est à la base de l'éducation affective dans les familles d'Aroumains est celui qui prend comme repère de rapport affectif envers le parent le modèle suivant : les frères n'en font qu'une et même personne, les cousins sont considérés comme des frères. Une fois de plus, on peut voir ici la perception du groupe de frères comme « corps » unique, et, au moins au niveau du discours, la prise en considération d'une différenciation catégorielle dans le réseau de la parenté, seulement à partir des groupes de cousins. L'application de ce principe remonte jusqu'à des parents du II^{ème} degré (cousins de II^{ème} degré). Outre les effets que ce type d'éducation peut avoir dans les rapports qui s'établissent entre les individus dans le cadre du groupe domestique ou plus large de la *taïfa* (dans les conditions que j'ai déjà montrées), il peut mener aussi à la naissance du réseau de sociabilité des jeunes, exclusivement entre parents. Ainsi, « le meilleur ami » est presque toujours un frère ou un cousin.

On en est à un aspect particulier d'entraide, à savoir celui qui concerne la manière d'élever les enfants. Il existe l'adoption effective dans le cadre de la *taïfa* (du neveu de frère – je ne tiens pas d'informations sur la possibilité de l'adoption du neveu de sœur), assez fréquente chez les Aroumains, auparavant sans même demander l'avis de la mère pour cette adoption, qui doit se soumettre à la décision de son mari et ses frères. Cette adoption a, au fait, une fonction sociale, de mise en œuvre des stratégies de groupe qui peut dépasser largement la simple entraide bien circonscrite et clairement définie. D'ailleurs, cette pratique, présente aussi chez les Albanais⁶⁸, renvoie plutôt à la manière dont le groupe des frères est construit dans les systèmes lignagères, à l'identité des individus

qui le composent. Il existe aussi la prise en charge (le cas de G. S., décrit plus haut) qui est, cette fois-ci, tout un système d'entraide et qui suppose le changement de domicile d'enfant. Mais il existe encore ce qu'on pourrait nommer la circulation des enfants et qui consiste dans le fait que toute la *taïfa* contribue à les élever. Au besoin, mais non seulement (étant donné que cette circulation est l'un des systèmes principaux pour la création du réseau de sociabilité), l'enfant peut et doit être confié uniquement aux soins des frères et des sœurs des parents naturels ou des grands-parents. Trouver des solutions, à ce problème, à l'extérieur de la *taïfa* (par exemple payer une fille au pair) ce serait offenser les parents. D'ailleurs les enfants ont un statut spécial dans les familles d'Aroumains. Ils sont intégrés, dès leur plus tendre âge, à l'activité de la famille. On leur fait faire des petits achats dès l'âge de 6-7 ans, ils ont dans le ménage, des responsabilités à la mesure de leurs forces et dont ils ont l'obligation de s'acquitter, tout comme les adultes, ils sont capables, à des âges très précoces (4, 5, 6 ans) de donner des informations étonnement complètes sur la famille (nom, adresse et degré de parenté) et en général ils sont traités avec du sérieux.

Nous tenons nos enfants en respect, nous ne les vexons pas, ne le prenons pas en dérision, c'est pourquoi il y a une si grande cohésion entre parents et enfants chez nous (V. C., femme, 45 ans E. 3).

La *fumeal'ia*

Il est à signaler que l'une des acceptions du terme *fumeal'ie*⁶⁹ couvre, en exclusivité, les enfants d'un couple, ce terme étant le troisième, à côté de *soïa* et *taïfa*, qui existe dans le champ lexical de la parenté chez les Aroumains.

Fumeal'ia c'est les enfants. /

Q. - Le mari, entre-t-il dans la *fumeal'ie* ?

R. - Non. Seuls les enfants. C'est-à-dire, si vous demandez : « quelle famille avez-vous ? » (*Ti fumeal'ie ai ?*) on répond « un fils et deux filles, ou deux filles... ou ce qu'on a comme enfants » (L. B. fille, 26 ans, E. no. 6).

Si on relie l'utilisation du terme *fumeal'ie* au sens suggéré plus haut, c'est à dire « les enfants d'un couple » et la manière dont le terme

fonctionne avec référence à l'ensemble de la *fălcare* (la totalité des familles, en fait des *taïfas* qui composaient une *fălcare*, dirigée par un *celnic*, voir la première partie du texte), son signification plus large paraît être « la totalité des descendants avec origine commune dans son ensemble » autrement dit, le groupe de descendance dans son plus large acception. Mais le terme peut avoir aussi le sens de « maisonnée » de groupe domestique. Couramment, le terme s'emploie surtout dans sa première acception. D'ailleurs, un couple sans enfants ne vaut rien. Il n'y a d'ailleurs aucun terme pour désigner cette situation.⁷⁰ Ce n'est que lorsque ceux-ci apparaissent que le couple se transforme en « maison » ou *fumeal'ie*. L'enfant, une fois adopté (donné *di fumeal'ie* = en tant que *fumeal'ie*), devient la « famille » de celui qui l'adopte ou mieux dire, investi le couple avec la qualité de « famille ».

Pour conclure, reprenons les caractéristiques de la *taïfa*. Il s'agit en fait d'un système de normes, qui construisent un modèle d'existence communautaire et qui donnent aux individus les repères comportementaux et d'interaction dans l'intérieur du groupe. Ces caractéristiques seront: la préférence (même la prescription) d'un habitat commun ou à proximité ; la création et la mise en oeuvre d'un réseau d'entraide basé sur le droit d'usage en commun des biens (et cette norme devienne encore plus nuancée quand elle touche les pratiques économiques), la construction des réseaux de sociabilité qui reposent, presque en exclusivité, sur des individus appartenant à la lignée, à quoi s'ajoute la possibilité (et même la recommandation) de donner des enfants en adoption à des couples sans enfants de la *taïfa* (le groupe de frères). Cette « interchangeabilité » des enfants issus d'un groupe des frères⁷¹, est, peut être, l'aspect le plus exemplaire pour une analyse de la communauté aroumaine tant que système social dont le modèle « classe » les frères dans un seul groupe. En même temps, les individus engrenés dans un tel fonctionnement « par groupes », qui semble être essentiel pour la construction de ce qu'on appelle « la communauté aroumaine », restent intégrés à la société roumaine dans son ensemble, par des affiliations à de multiples réseaux de sociabilité, professionnels, économiques.

En guise de conclusions

Cette démarche, essentiellement descriptive, a particulièrement mis en lumière un système de règles positives de l'exercice de la parenté.

Ce système, articulé dans une sorte de « charte » normative, dresse un cadre de référence pour les pratiques et les comportements des individus, pratiques qui fonctionnent comme mécanismes de construction de la communauté. Comme nous avons vu, les mêmes normes qui organisent la vie dans le cercle de la parenté proche (famille étendue, perçue comme « un corps ») sont extrapolées à l'ensemble des groupes qui affirment leur appartenance à la population aroumaine de Roumanie. Le découpage méthodologique laisse de côté les aspects liés à la dimension politique de la vie communautaire, liées aux pratiques économiques ou rituelles, ainsi que les aspects qui concernent la construction de « l'étranger » par rapport à la « communauté ». Mais, d'une certaine manière, seule la description du système de parenté rend visible le cadre le plus général de la logique de la construction communautaire. Et le point d'appui de cette logique semble être la manière dans laquelle les individus appartenant à une culture aroumaine perçoivent l'idéologie de la construction du groupe des frères.

Il est possible que la rencontre de ce « noyau dur » du système de parenté (et du système communautaire aroumain en même temps) avec les changements sociaux déclenchés par l'émigration ouvre une porte à une analyse plus approfondie de la dynamique du modèle communautaire et aussi à la construction d'une identité (ethnique aussi) aroumaine. Ces changements sociaux ont engendré les contraintes d'un double repositionnement des Aroumains immigrés en Roumanie : d'un côté, dans des contextes sociaux nouveaux et divers, et de l'autre côté, dans un contexte historique qui réclamait de plus en plus un fonctionnement social global dont le pivot était essentiellement l'individu. Ainsi, à travers les changements sociaux qui ont remodelé la mise en scène de la « communauté » aroumaine, la construction du « groupe des frères » reste, avec toutes les pratiques sociales et comportementales qui en découlent, un des plus importants points d'appui dans la construction symbolique, idéologique et aussi organisationnelle de la vie communautaire. Les conventions communautaires, liées à ce « nœud » du système de parenté opérant une délimitation entre « nous » et « les autres », deviennent frontières par leurs réinvestissement à valeur symbolique (Cohen, A.P. 1985, p. 63).

NOTES

- ¹ L'urbanisation de la période communiste, en détruisant les villages, « a brûlé » les étapes du changement social. La ville englobait le village – le plus souvent en le démolissant – sans qu'elle puisse générer sa dénégation et sans, par conséquent, le supprimer. Les pratiques qui agrégeaient l'urbanité ainsi construite, réinstallaient « la communauté » avant « la société ». « Construirea urbană, socială și simbolică a cartierului Mănăstur » in *Idea Artă + Societate*, 15-16/2003 p. 135-152.
- ² Les ethnonymes qui désignent les Aroumains ont suscité beaucoup de débats (Weigand, Wace-Thompson, Capidan, Papahagi, Popovici, etc.). Ils sont appelés par les autres peuples de différentes manières (Valaques, Ciobani ou par un surnom, Tsintsares, Kutsovlaques). Ils se désignent eux-mêmes en employant une gamme très diverse d'ethnonymes, selon la région d'origine (Fîrseroti, Gramusteni, Verieni etc.) ou selon le nom tribal (Statularani, Mergenati etc.). La littérature a imposé des termes plus ou moins confus (Macédo-Roumains ou Macédoniens). Cette démarche ne se propose pas de détailler cette problématique. J'ai choisi le terme « Aroumain », pour deux raisons : d'abord, c'est l'ethnonyme par lequel cette population se désigne elle-même officiellement en Roumanie (dans les émissions radiophoniques, dans les publications etc.) ; ensuite, c'est le mot de la langue elle-même, qui désigne couramment le groupe (armân = aroumain, armânimea = aroumanité).
- ³ « Parmi les nombreux renseignements sur les Aroumains nous en retenons les suivants : en 1088 (ou 1105 selon d'autres chercheurs) le Patriarche Nicolas III de Constantinople et l'empereur Alexis le Comnène ont ordonné de chasser du Mont Athos les Aroumains y faisant du commerce avec leurs produits de bergers, car leurs femmes représentaient un 'danger' pour la vie monacale (...) ; en tant que terme géographique, on fait mention de Valachie (à entendre la Grande Valachie) en 1198, sous le nom de *Provincia Blachie*. Dans une bulle de l'empereur Alexis III Anghel (Năsturel, P., 1989 p. 54) les documents de l'Archevêché latin de Céphalonie enregistrent la présence des Valaques dans les Iles Ioniennes, en 1274 (Năsturel, P., 1989 ; p. 57, 60) ; c'est toujours dans des documents d'un archevêché, cette fois-ci de Crète, qu'on atteste l'interdiction de leur séjour dans l'île, décidée par le grand conseil de Venise, en 1274 (Năsturel, P., 1989, p. 57) ; vers la fin du XII^e et le début du XIII^e siècle, Ramon Muntaner, l'un des dirigeants de la Compagnie Catalane et, de même, chroniqueur fameux, parle d'un certain « Langlo », qui était « seigneur de Blaquia » et il précise que « Blaquia » était le pays le plus puissant du monde (Iorga, 1919, p. 31) ; La chronique de Pachymères nous renseigne qu'en 1305 un contingent de volontaires valaques faisait partie de l'armée byzantine dans les combats contre les Catalans (Fontes, 1975, p. 452-453) ; dans une chronique anonyme de 1308 écrite en latin et concernant l'Europe orientale, les Aroumains sont

designés comme un grand peuple, dénommé Blasi, qui vivait entre la Macédoine, l'Achaïa et Salonic (Capidan, 1942, p. 25 ; Năsturel, 1989, p. 56) ; en 1324 l'empereur byzantin Andronic II, le Paléologue fait don à l'église de Ianina (Epire) des terres et des personnes qui les travaillaient avec, parmi lesquelles il y avait aussi des groupes de Valaques balkaniques (Iorga, 1919, p. 37-38) ; l'historien byzantin Laonikos Chalkokondylas (environ 1423-1490) parle des luttes des Valaques contre les Turcs et il remarque le fait que les premiers étaient répandus depuis la Dacia jusqu'au Pind (Capidan, 1932, p. 31, 1942, p. 25) et il affirme que les Valaques parlaient la même langue que celle des Daces du côté du Danube (...), langue qui ressemblait à l'italien (Arginteanu, 1904, p. 199 ; Năsturel, 1989, p. 70) ; Sous le règne du sultan Mahomed II (1451-1480), les Valaques représentaient à peu près 40% de la population du Péloponnèse (Beldiceanu, 1984, p. 6-9) ; Dans la seconde moitié du XVI^e siècle, le voyageur français Pierre Belon du Mans parle de villages de Valaques dans la Péninsule Balkanique, de femmes pleurant des aroumaines et de mineurs valaques dans les environs de Salonic (Iorga, 1928, p. 34 ; idem, 1937, p. 46) ». Cette énumération succincte de sources est fait(e) par Carageani, Gh., 1999, in *Etudes aroumaines*, Ed. Fond. Cult. Roum., Bucarest, p. 26-27. Les sources citées sont : Arginteanu, I., 1904, *Histoire des Roumains macédoniens. Depuis les plus vieux temps jusqu'à nos jours*, Bucarest ; Beldiceanu, N., 1984, « Notes sur les Roumains des Balkans sous le jour des sources ottomanes » in *Bulletin de la Bibliothèque Roumaine*, XI(XV), Série nouvelle, Freiburg ; Capidan, T., 1942, *Les Macédo-Roumains. Ethnographie, histoire, langue*, Bucarest ; Papahagi, T., *Dictionnaire du dialecte aroumain général et étymologique. Dictionnaire aroumain (macédo-roumain) général et étymologique*, 2^{ème} édition augmentée, Bucarest, Fontes (1975) *Fontes Historiae Dacoromanae*. 3. *Scriptores Byzantini. Saec. XI-XVI*, Editeurs Alexandru Elian et Nicolae-Serban Tanașoca, București ; Iorga N., 1919, *Histoires des Roumains de la Péninsule des Balkans (Albanie, Macédoine, Épire, , Thessalie, etc)*, Bucarest ; 1928, *Les voyageurs français dans l'Orient européen*, Paris ; 1937, *Istoria Românilor*, București ; Năsturel, P.S., 1989, *Les Valaques de l'espace byzantin et bulgare jusqu'à la conquête ottomane* in AA.VV.

4 Le mot *celnic* provient du slave *celo* qui signifie front/en tête. Cf. Th. Capidan, *L'élément slave dans le dialecte aroumain*, p. 86, le mot a été emprunté par les Aroumains chez les Slaves du Midi. Chez les Serbes il apparaît dans des documents du XIV^{ème} et du XV^{ème} siècle, « désignant un grand dignitaire à la cour serbe, que Jiricek identifie au « comes palatinus ».

5 *Fâlcare* sing. sans art., *fâlcarea* sing. art., *fâlcari*, pl., sans art. *fâlcările*, pl. art. L'origine du mot *fâlcare* est latine, étant un dérivé du *falx*, -cem = faux/[faucille], et qui au début, désignait un terrain en forme de faux sur lequel était emplacée une demeure, probablement pour être mieux défendue contre les attaques de l'extérieur /.../ ; on trouve des dérivés locaux du latin *falx* aussi dans la toponomastique d'Italie (Th. Capidan, 1926/27, *Les Macédo-roumains*, p. 71).

- ⁶ *Fara* en dialecte macédo-roumain veut dire « tribu ». I. Cragiani, op. cit. 1929, note 1, p. 21. Mais on retrouve le terme aussi dans l'albanais, pour désigner la tribu. « L'unité sociale supérieure à la fratrie est la tribu ; son nom diffère selon les régions. Au nord, son nom habituel est plutôt celui de *fis*, et au sud, plutôt celui de *farë* », Stahl, 2000, p. 44. En même temps, le mot *phara*, comme partie du vocabulaire de la parenté, est présent dans la langue grecque : « *fára* (ou *rátsa*, litt. : engeance, race) [...] Appartenir à une *genià* (lignage) c'est donc, d'abord, porter un des patronymes reconnus officiellement comme telle. Plusieurs lignées portant le même patronyme, appartenant, donc à la même engeance (*rátsa*) se considèrent comme apparentées en ligne agnatique sans, toutefois, parvenir à faire remonter ces lignages à un ancêtre fondateur commun connu. » Couroucli, M. 1985, *Les oliviers du lignage. Une Grèce de tradition vénitienne*, éd Maisonneuve et Larose, Paris
- ⁷ La grande majorité des communautés aroumaines dans les Balkans étaient formée des transhumants, mais on trouvait aussi, dans le sud de la Bulgarie actuelle, des villages aroumains sédentarisés (selon l'affirmation de mes interlocuteurs).
- ⁸ De *aús*, en aroumain, *vieu*.
- ⁹ Dans les tribus albanaises l'institution du « vieux » avait des fonctions semblables : « [...] chaque village a ses vieillards de lignage qui convoquent l'assemblée villageoise ; ils ne peuvent ni dénoncer ni imposer des amendes à personne sans l'assistance des 'sous-vieillards' et de l'assemblée ; ils ne sont pas exempts des charges collectives du village ni de la participation à la guerre ; ils sont punis par leurs concitoyens s'ils commettent quelque délit. Le vieillard occupe la place d'honneur à la table et reçoit la meilleure pièce, la tête de l'animal consommé ; il est le premier servi avec du café (*Hasluck*, 1954, 132-133). Kristo Frasheri décrit aussi les deux figures typiques de la société patriarcale, le vieillard et la tête – *kefali*, dirigeant militaire de la communauté (177, p. 254). » La fonction de vieillard peut être héréditaire, aussi que celle du dirigeant militaire (Stahl, 2000, p. 54-55).
- ¹⁰ Le Conseil et le *celnic* déféraient au jugement des autorités turques uniquement les causes qui exigeaient la peine capitale.
- ¹¹ Ville aroumaine de Grèce.
- ¹² = Cousins en aroumain. Le terme existe aussi en albanais avec le même sens. « Le mot *kushrinija* (de *kushëri* - cousin) désigne toujours un group apparenté par le sang (*Valentin*, 1956, p. 88) et rappelle le mot roumain *cusurin* (ayant pour origine, comme le mot albanais, le latin *consobrinus*). » (Apud Stahl, 2000, p. 48-49)
- ¹³ Statularani = les Statu.
- ¹⁴ L'auteur a recueilli des informations des Aroumains immigrés en Roumanie au début du siècle : F. Misea, l'architecte A. Culina et la mère de l'architecte A. Ghiaciu.

- 15 Cette séparation entre le pouvoir administratif du groupe ou de la tribu et le pouvoir militaire est présente aussi chez les populations albanaises : « Le *Bajrak* est une organisation militaire territorialisée imposée par l'administration ottomane ; le mot arrive à désigner un district. Les guerriers des différentes formations locales combattent sous un même drapeau et sous la conduite d'un même porte-drapeau – *bajraktar*; cette organisation a eu une évolution qui tend à supplanter les anciennes unités sociales. Mais, comme le *katoun*, ou la *mahalla*, le *bajrak* peut cacher une ou plusieurs unités sociales traditionnelles, comme la phratrie ou la tribu (*Ullqini*, 1977, p. 617 sq.; *Gopçeviç*, p. 288 sq.). Les cas où le *bajrak* correspondent à une unité géographique sont nombreux . » (Stahl, 2000, p. 50)
- 16 Selon Pouqueville, l'idée de la fondation des « capitainetés » appartiendrait aux chevaliers français et vénitiens après la désagrégation de l'Empire Byzantin.
- 17 Le terme était présent aussi dans la terminologie de l'organisation tribale albanaise : « une tribu se compose plusieurs phratries. *Rrok Zojzi* (1977, p. 197-198) analyse la structure des tribus et constate que leur première division est formée par ce qu'on appelle des grandes phratries – *vllazni te mëdha* à Malessie Madhë, pieds de tribu – *kambë fisi* à Dukagjin et unités – *cëtë* dans la Labërie. » (Stahl, 2000, *op. cit.*, p. 43)
- 18 « Le groupe domestique est solidaire devant la justice ou vis-à-vis de la société environnante. » Le chef seul pouvait représenter le groupe tout entier. Les membres sont ainsi perçus en tant que groupe. Les individus n'ont ni pouvoir économique ni droit de propriété individuelle ni responsabilité civile. Le groupe était responsable pour les faits de l'individu et était chargé de le défendre en cas d'agression ou offense (la vendetta). Devant l'Eglise le groupe est perçu aussi comme solidaire, « ainsi, il lui arrive d'excommunier tout un groupe, non seulement une personne ». (...) Enfin, l'unité du groupe ainsi que la validation des droits du groupe sur les « propriétés communes du village ou de la tribu » s'affirment par rappel aux « ancêtres mâles en les citant par leur nom », Durham, M., 1928, *Some Tribal Origins, Laws and Customs*, London, p. 203, *apud* Stahl, 2000. p. 23-24.
- 19 Dans le cas du *fis*, l'organisation tribale albanaise, l'exogamie est réglée par la différenciation plus nuancée entre les deux lignes de descendance, celle de la mère et celle du père : « On s'apparente aussi avec le groupe d'origine de sa mère, appelé *gjini* (Dojaka, 1979, p. 74), mais c'est une parenté faible, car basée sur le lait et non sur le sang. Ceci explique pourquoi la coutume interdit les mariages dans la lignée paternelle bien plus loin que réclame l'Eglise, et accepte des mariages interdits par l'Eglise quand il s'agit du lignage maternel (Dojaka, 1979, p. 82-83). « Les fiançailles à l'intérieur du *fis* n'avaient pas lieu étant considéré une grande infamie. A l'intérieur du *fis* on est ensemble aux fêtes, aux funérailles » (Dojaka, 1979, p. 80). La société veille jalousement au respects des interdits : à Rapsha il y a la coutume « de ne pas contracter mariage avec une personne de sa propre tribu, serait-il

même lointain au centième degré de parenté... » [...] (Valentini, 1969, p. 225) [...] « L'interdiction de trouver femme dans sa propre tribu est souvent signalée (Durham, 1910, p. 48 ; *idem*, 1935, p. 93 et 1928, p. 15 ; Krasniqi, 1971, p. 501 ; Dojaka, 1979, p. 77) ; elle était suivie dans de nombreuses régions (Dojaka, 1979, p. 76) et concernait parfois plusieurs tribus à la fois qui se considéraient descendantes d'un unique ancêtre" (Dojaka, 1979, p. 77) » (Stahl, 2000, *op. cit.*, p. 44-45).

20 Il était encore interdit de faire des alliances entre des enfants descendants de mariages antérieurs des parents.

21 Pourtant, il faut préciser : les textes concernés ont paru en roumain. Leurs auteurs (des Aroumains dans la plupart des cas) utilisent le terme « famille » pour nommer des catégories de la parenté qui en aroumain peuvent être définies par différents termes, comme *taifa* ou *fumeal'ia*.

22 Les données que je tiens visent une période qui s'étend entre le début du XIX^e siècle et les premières décennies du XX^e siècle.

23 Voir *taifa*, le frère de la mère.

24 L'auteur traduit, dans la note, « tribu » par *fara* (*fălcare*).

25 Les informations sont prises par Caragiani dans Pouqueville, 1824, *Voyage dans la Grèce moderne et Histoire de la régénération de la Grèce*, de même dans une histoire des Suliats et de leurs guerres par Cristofor Pervos, dans le but de démontrer que les tribus des Suliats ont été des tribus aroumaines.

26 Caragiani, I., 1929, *Les Roumains de la Péninsule Balkanique*, p. 21.

27 Ex: Ceux qui tendent l'oreille, les Longues-Oreilles, les Ventrus, les Vilains, les Beaux, les Blancs etc.

28 *Vășiții* (de Vașiu = Vasile – Basile) ou *Pășiții* (de Pacha).

29 *Mînzații* (de *mînz* = poulain), *Sahinații* (de *sahiu* = épervier), *Ciorîții* (de *cioară* = corneille), *Băfații* (de *bafă* = crapaud).

30 Aucun de ceux interviewés âgés de moins de 60 ans, n'a su ce qu'était la *fălcare*. Pourtant, dans les discours qui s'attaque à la construction d'une identité ethnique, culturelle, même « nationale » aroumaine, les références à la *fălcare* ou *fara* en tant que modèle communautaire et de « communion » en même temps sont très présentes. Même une des revues (édité à Paris) très connue et fréquemment invoquée dans ce type de discours s'appelle « Fara Armânească ».

31 Là-dessus je dois faire une précision. Les principales sources écrites sur lesquelles repose ce chapitre remontent à la fin du XIX^e et au début du XX^e siècle et appartiennent à des auteurs d'origine aroumaine établis en Roumanie en tant que Roumains. Leurs écrits ont pour objet, dans la plus grande partie, les communautés aroumaines des Balkans, avant leur émigration vers la Roumanie. Par conséquent, ces textes, outre l'information qu'ils fournissent, ont également le titre de discours identitaire.

32 Au fait, c'est l'un des stéréotypes ethniques appliqués aux Aroumains, tout comme le fait d'être riches.

33

Dans la terminologie de la parenté turque, « Avec la référence directe au principe de descendance patrilinéaire par l'os, *soy*, désigne manifestement le primat de principe agnatique. Toutefois, il faut compter avec un autre 'os', qui est du côté de la 'chair' : la mère [...] A l'os constitutif du lignage patrilinéaire viendra s'ajouter 'l'os de donneurs' qui est symbolisé par l'oncle maternel d'Ego. » [...] « *soy* englobe la totalité des agnats d'Ego, plus l'oncle maternel, ses germains et les cousins croisés matrilatéraux d'Ego. *Soy* désigne, donc la complémentarité entre deux lignages partenaires mais inégaux en statut : l'un le patrilignage d'Ego, l'autre, défini à partir de l'oncle maternel comme pôle lignager. » (Gokalp, Altan, « Population, parenté et nouvelles pratiques Matrimoniales en Turquie » in PERISTIANY, sous la dir. de, 1989, *Le prix de l'alliance dans la Méditerranée*, Ed. De CNRS, p. 151). En ce qui concerne le vocabulaire de la parenté de la langue grecque, (avec référence directe aux populations des l'Iles Mani) Margarita Xanthakou, note : « le *sōi* (plur. *sōyia*) ne recouvre pas l'ensemble de la maisonnée : elle recoupe puisque, bien sûr, la résidence étant habituellement patrilocale, le groupe des germains de référence se scinde à mesure que convolent ses membres féminins. Ainsi les femmes, à leur mariage, tout en restant évidemment de leur *sōi* d'origine (grande famille d'orientation), quittent-elles la demeure de leurs parents, frères et sœurs encore filles pour celle de leur époux et de leurs beaux-parents. » Xanthakou, Margarita, *Faute d'épouses on mange des sœurs*, 1993, Ed de l'EHESS, Cahiers de l'Homme, nouvelle série XXXII, p. 14. En roumain le terme *soi* est employée comme équivalent du sens péjoratif du *neam* (parenté), mais aussi *neam* = ethnie [et *nație* pour nation]. D'autre part, Le Dictionnaire roumain-grecque, contient pour ce couple de significations terminologiques, pour le terme roumain « *neam* » : 1. *națiune* (nation) = έθνος n., 2. *rudă* (parent) συγγενής m., 3. *gen* (espèce) γένος n. σόι : *neamul omenesc* (la race/espèce humaine) ετό ανθρώπινον γένος // *a fi de neam mare* (être de grande famille/avoir sa famille) εἶμαι από μεγάλο τῆσκι (σόι) ~ [...] COTOLULIS, Socratis, *Dictionar român-grec*, 1995, ed. Vox, București. Pour la troisième acception, celle d'espèce, ce terme est présent aussi en roumain dans l'expression : *a fi de neam bun* = *a fi de soi bun* (être de bonne famille). Pour donner un autre exemple, P-H Stahl, note avec référence à la terminologie de la parenté qu'on retrouve à Anoya (village montagnard de Crète) « *Neamul* est nommé *soi* ; la conscience de l'appartenance à l'un de ces groupes est forte. Sur le propre lignage on dit « les nôtres » ; les autres sont les « les étrangers » (*xenous*). Le lignage est divisé en « *genies* », qui regroupe les parents proches. Le mot *siggeneia* ou *siggeneioi* dénomme la parenté. » (STAHL, 2000, *op. cit.*, p. 102).

34

En roumain *neam* [parent ; l'ensemble des parents] = 1. Popor, *națiune* (people, nation) [...] 2. La totalité des personnes apparentées par sang ou par alliance ; personne qui fait partie de la même famille que quelqu'un d'autre ; synonyme = *rudă*. *Dictionarul Explicativ al Limbii Române*, 2^e éd.

1996, Ed. Univers Enciclopedic, București. Il faut remarquer le fait qu'en roumain, le mot *neam*» (lat. *nomen*), = 1. Nom [...] 2. Nom de gens d'un citoyen, interposé entre prænomen și cognomen [...]. Cf. *Dicționar Latin – Român*, 1983, Ed Stiințifică și Enciclopedică, București, n'a pas une forme verbale ou adverbiale, ces formes étant présentes seulement dans la famille du mot synonyme *rudă*.

35 Lat. = *consocer* = avec le même sens qu'en roumain et aroumain = allié. « *Cuscrie, cuscirii*, s.m. Apparentage par alliance entre les parents des deux époux », c.f. *Dicționarul Explicativ al Limbii Române*, 2^e éd. 1996, Ed. Univers Enciclopedic, București. En aroumain aussi le mot garde son sens, sauf qu'il désigne une relation qui touche non seulement les parents de deux mariées, mais aussi les deux familles élargies qui entre ainsi en relation d'alliance (*cuscrie*).

36 Il s'agit du fait que la naissance des enfants, renforce définitivement le lien d'alliance.

37 Branche des Aroumains.

38 P.-H. Stahl, mentionne à son tour dans le cas de la société albanaise contemporaine, une diminution de la distance admise concernant le degré de parenté qui peut lier les potentiels partenaires au mariage : « Cette règle s'affaiblit dans les villes où les anciennes structures basées sur la consanguinité s'estompent ou changent de caractère (Krasniqi, 1974, p. 34 sq.); elle s'affaiblit en général avec les temps qui passent : 'On ne fait pas d'alliances matrimoniales dans le *fis*. Dans les anciens temps, même si la distance entre les deux familles était de cent générations, cette alliance était interdite. De nos temps, il a été mis comme limite 6 générations pour la filiation paternelle et de même pour la filiation maternelle.' » (*Rrok Zojzi*, in *Dojaka*, 1979, pp. 79-80). STAHL P.-H., 2000, *op. cit.*, p. 45.

39 Quartier à Constantza.

40 Était de bonne famille.

41 Tel est le cas de la famille S.G.S. a été élevé par son cousin I., (le *fis* du frère du père). Aux yeux de la famille et de la communauté I. est fils de son cousin. Seulement il ne s'agit pas d'une adoption mais d'une substitution de positions dans le réseau de la parenté. G. S. devient de manière non sanctionnée par quelque cérémonial, le fils de son cousin et le frère de ses neveux. (S. A, 88 ans, E. 2).

42 « Lorsque les parents décédaient, les collatéraux avaient l'obligation de prise en charge, par ordre de degré de parenté ou même dans le cadre du même degré de parenté, à quelques différences près. Envers l'enfant mineur, l'obligation de prise en charge revenait au frère aîné, de son vivant. Si les frères n'étaient plus en vie, c'était au sœurs ou, faute de celles-ci, aux autres collatéraux /.../. Ces obligations pouvaient aller jusqu'aux parents les plus lointains /.../ » (citation selon l'informateur Th. Minda). « Un orphelin pouvait solliciter de l'aide matérielle, la veuve pouvait solliciter la prise en charge, si

elle avait des enfants mineurs, à ses propres parents aussi bien qu'à ceux de son mari. Si elle n'avait pas d'enfants, uniquement à ses propres parents ». Hasotti, I., 1983, *De vieilles traditions juridiques...*, p. 21.

43 On retrouvait et on retrouve aussi chez les Albanais et chez les Grecs des Balkans des formes différentes de regroupement territorial ordonnées par les normes de la parenté : « Les familles d'une même partie ou d'une souche commune ; en s'éloignant comme par branches collatérales du chef dont elles descendent, forment par échelons des quartiers autour d'un mamelon ou sur un plateau escarpé, de manière à pouvoir se secourir, sans cesser d'être en garde contre les entreprises des gens de leur propre phara » remarque POUQUEVILLE, F.C.H.L., en faisant référence aux Albanais en *Voyage en Morée, à Constantinople et dans plusieurs autres parties de l'empire ottoman pendant les années 1798, 1800*. 1801. 1926, III, p. 246, cité aussi par P-H Stahl, 2000, București, p. 20., qui traduit *phara* par le mot lignage. Aussi sur les Grecs de la région Mani, P-H Stahl note : « L'habitat local fait apparaître la présence des hameaux habités par un lignage ou un sous-lignage. On observe en même temps la présence des villages où plusieurs lignages (ou sous-lignages) coexistent. Mais ici, l'unité villageoise telle qu'elle est connue par exemple chez les Roumains (où le village est l'unité sociale essentielle, parfaitement soudée), n'existe pas, la séparation par lignages étant tellement forte qu'il est difficile d'organiser une vraie vie commune. [...] Pour compliquer encore le paysage social de la région il faut ajouter que les principaux lignages ont des ramifications dans plusieurs villages et que ces ramifications malgré leur séparation territoriale ne sont pas moins solidaires. » (STAHL, P.-H., 2000, *op. cit.*, p. 98)

44 Village dans le département de Constantza.

45 De même, village dans la département de Constantza. La prononciation en roumain est Panduru.

46 Carte d'identité émise dans la ville, qui donnait le droit de domicile permanent dans cette ville-là.

47 En général les gens se méfiaient de cette pratique parce que tout de suite après s'être emparés du pouvoir, les communistes ont obligé les familles disposant d'un nombre de pièces supérieur à celui des membres de la famille (espace excédentaire) à loger des personnes ou des familles étrangères chez eux. Cela se faisait non à titre temporaire, mais de permanence. D'autre part, durant toute la période du régime communiste, la prise en location de quelqu'un se faisait par "concession d'espace locatif". Le cessionnaire/locataire avait droit à s'éterniser dans la maison qui l'avait accueilli, abus qui engendrait, le plus souvent, des conflits irréconciliables.

48 Je rappelle que la population était en grande partie transhumante et les villages étaient, d'ordinaire, loués chez les *beî* turques.

49 La principale source d'information concernant la propriété sur la terre a été l'ouvrage de Ionel Hașotti, avocat aroumain de Constanța dont le mémoire

de licence « Ancien coutumes juridiques chez les Aroumains » est, tout d'abord, une description détaillée du droit coutumier qui réglait la vie de communautés aroumaines des Balkans. Mais il faut mentionner ici que dans aucun des textes publiés jusqu'à la seconde moitié du XX^{ème} siècle et qui font référence aux Aroumains, je n'ai retrouvé des mentions liées à la problématique de la propriété sur la terre.

50 « Chez les Albanais, les cousins de deuxième ou troisième degré sont appelés toujours frères ou sœurs, les personnes âgées sont interpellées par le nom d'oncle et de tante, et les jeunes sont appelés par les personnes âgées neveu et nièce (Hasluck, 1954, p. 30). Ceci nous rappelle la coutume des autres populations balkaniques qui appellent toute personne âgée de leur village oncle ou tante, tandis que ces derniers appellent les jeunes par les noms de neveu et de nièce. Mary Edith Durham (1928, p. 15) rapporte que tous les membres d'une tribu, descendants d'un seul ancêtre, se considèrent frères et sœurs. » (STAHL, P-H, 2000, p. 44)

51 D'habitude, le système est le suivant : tout d'abord on cherche, parmi les parents proches, quelqu'un qui connaisse la personne sur laquelle on se renseigne. Si on n'en trouve aucun, on fait appel à un parent faisant partie des deux *soiās*, celle de celui qui se renseigne et celle de celui visé. Ce parent, soit il trouve parmi les parents de celui visé, quelqu'un qui puisse lui fournir l'information recherchée, soit, selon le cas, il a la possibilité de le contacter directement, en tant que parent.

52 Une partie des exemples que contient ce texte sont le résultat des observations directes, d'autres, comme celui-ci, proviennent de ma propre expérience de vie dans la communauté aroumaine.

53 En turc, *taifa* signifie groupe d'amis. On retrouve le mot aussi en arabe, avec la même signification.

54 Voir *fumeal'ia*.

55 On désigne aussi par *taifa* les groupes qui accompagnent le marié et le parrain pendant les noces, la « *taifa* du marié » et la « *taifa* du parrain ».

56 Cette définition m'a été fournie par F.C., femme, 60 ans et de même par les époux M. et C., couples appartenant à des familles d'Aroumains, fort exogames.

57 Suivant les normes traditionnelles de comportement entre les belles-sœurs, l'obéissance se fait par ordre d'âge. De même, le modèle de la relation affective doit être celui d'entre les sœurs.

58 Village dans le département de Constantza.

59 Il n'a pas d'enfants. Voir *fumeal'ia*.

60 Il a fait adopter l'enfant.

61 La résidence est normalement patrilocale. Il y a des situations particulières où c'est le mari qui vient s'installer dans la maison de sa femme, mais cela ne change en rien le rapport entre les générations. Dans ce cas c'est le beau-père qui dirige la famille.

- ⁶² Comme forme d'habitation du groupe domestique, de date plus récente, P-H Stahl mentionne dans la plaine de Polog des villages albanais musulmans, des groupes des maisons à deux niveaux, entourées par de hautes clôtures, en bois massif, qui empêchent le regard. Le plus souvent ces groupes de maisons sont habités par des frères mariés. « Le travail est organisé en commun sur une propriété commune », on mange en commun, et les enfants sont élevés ensemble. L'auteur remarque encore le fait que « Les habitations des groupes domestiques nombreux, habités par plusieurs couples mariés présentent à certains égards des caractères communs à travers l'Europe, celles albanaises en se situant dans un ensemble vaste marqué par la composition du groupe domestique. » (STAHL, P-H, 2000, p. 21)
- ⁶³ Il y a encore des familles d'Aroumains à Constantza où la belle-fille ne s'assied pas si les beaux-parents ne l'y invitent. Cette attitude s'appelle « debout devant les beaux-parents ».
- ⁶⁴ Cela m'a été confirmé par un Albanais d'ethnie aroumaine, P.B., et par un Grec d'origine aroumaine de Thessalonique.
- ⁶⁵ Les Mégléno-Roumains sont une autre branche de la roumanité sud-danubienne, originaires de la région de Méglénia, près de Thessalonique. Une partie de cette population a été colonisée en Roumanie, dans les mêmes conditions que les Aroumains. Durant trois années j'ai fait des observations et des études sur la communauté mégléno-roumaine de Cerna (Roumanie), tout particulièrement sur le répertoire de chant et de danse traditionnelle.
- ⁶⁶ Les informations que je tiens sur l'historique de la relation frère/sœur ou sur le statut de l'oncle maternel sont sommaires. Elles concernent le châtement que subit la femme en cas d'adultère (et qui peut aller jusqu'au meurtre), châtement mis en oeuvre plutôt par le frère de la femme et non pas par le mari. (Hasotti, I., *op. cit.*, p. 30 ; Hâciu, A., p. 22 ; en fait il s'agit de la mort donnée à la sœur par son frère à cause d'un mariage exogame conclu avec un Grec).
- ⁶⁷ Le « droit du regard ».
- ⁶⁸ Dans les sociétés tribales albanaises « un couple stérile peut ainsi adopter l'enfant d'un frère du mari (Mitrushi, 1972, p. 135), et pas celui du frère de la femme [...] » (STAHL, P-H, 2000, p. 42)
- ⁶⁹ En roumain *familie* = famille ; en grecque *famelia*.
- ⁷⁰ Lorsque j'ai demandé à F. C. (femme, 60 ans) par quel terme on désigne un couple sans enfant, elle m'a répondu : « on ne les appelle pas, on dit : où peuvent-ils aller comme ça, ces ermites ?! »
- ⁷¹ Je ne tiens pas d'informations sur la présence de cette pratique dans le contexte de la *fâlcare*, mais on peut supposer qu'elle y a existé dans la mesure où, actuellement, dans les familles des Aroumains, elle est considérée comme une coutume.

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THÉOLOGIE POLITIQUE ET VISION BÉATIFIQUE DANS LE TRAITÉ *DE MONARCHIA* DE DANTE

Si l'année où Dante écrit *De Monarchia* reste jusqu'aujourd'hui inconnue, on ne peut établir qu'un *terminus ad quem* (1317)¹, il est cependant certain que cet ouvrage est l'œuvre d'un exilé qui se réfugie à Vérone après avoir été condamné à mort en 1302 par les guelfes noirs. C'est là qu'il conçoit ce traité de philosophie politique, avant de s'établir ensuite à Bologne².

Toute exégèse du traité *De Monarchia* ne peut ignorer son rapport avec les traités portant sur les deux pouvoirs, d'autant plus que la période où il est écrit suit de quelques années seulement la dispute entre Philippe IV le Bel et Boniface VIII.

Dans le quatrième livre du *Banquet*, écrit avant le *De Monarchia*, Dante avait essayé d'étudier la manière dont est fondée la vie politique et son rapport avec la philosophie. Tout comme dans le *De Monarchia*, il ne s'agit pas seulement d'une réflexion faite à partir d'une position seulement théorique. À notre avis, les deux ouvrages ressentent l'influence qu'ont exercée sur Dante les transformations qui ont eu lieu à cette époque-là dans les communes italiennes, changements tant juridiques que politiques : en effet, c'est la période où les communes se transforment en seigneuries, passant de cette façon sous la juridiction du pouvoir impérial. Il y a donc au début du XIV^e siècle une étroite liaison entre les villes italiennes et l'Empire.

Mais c'est juste cette façon de Dante de penser l'Empire dans le *De Monarchia* et la liaison qui existe entre ce traité théologico-politique et les autres œuvres du Florentin, et notamment la *Divine Comédie*, qui a déclenché la controverse exégétique.

Lieux d'exégèse politique

Selon Jeannine Quillet³, la thèse théologico-politique du *De Monarchia* est proposée par Dante dès le quatrième livre du *Convivio* : il faut que l'autorité soit représentée par un seul monarque à qui toute la Terre doit se soumettre.

Si la nécessité de l'existence d'un seul monarque qui détienne toute l'autorité a été une évidence pour tous les exégètes, à partir d'Étienne Gilson⁴, pour qui l'unicité du monarque est calquée par Dante selon la thèse averroïste de l'intellect possible unique, sans que cela implique l'acceptation des thèses théologico-politiques averroïstes de stricte observance, et jusqu'à Bruno Nardi⁵, Michele Barbi⁶ ou Christian Trottman⁷, au XX^e siècle on peut à peine trouver un autre repère commun aux interprétations données au traité dantesque.

La dispute des exégètes vise en premier lieu le problème de la continuité ou de la discontinuité des œuvres de Dante ou plus exactement entre le *De Monarchia* et les autres écrits. Quel est le rôle de l'exil pour une interprétation fidèle de l'ensemble de l'œuvre ? Si pour Ugo Limetani⁸ il n'y a aucune syncope entre la période Florentine et celle que Dante passe à Vérone et à Bologne, pour Jacques Goudet⁹, l'auteur de plusieurs ouvrages qui visent notamment la conception politique de Dante, il y a un moment de césure : le *De Monarchia* mettrait en évidence une conception extrêmement novatrice sur l'Empire qui serait complètement détachée des « anciens idéaux » de l'auteur.

L'opposition de deux autres exégètes importants de Dante, Bruno Nardi et Michele Barbi, est tout aussi tranchante. Pour Nardi, revendiquer l'autonomie de l'Empire serait une tentative de séparer la raison et la philosophie, de la foi et de la théologie. Michele Barbi, qui voit une unité d'essence entre l'œuvre poétique de Dante et le traité *De Monarchia*, croit que la séparation de la pensée politique de son fondement religieux représente une grave erreur d'exégète.

À côté de ces interprétations extrêmes, il existe une position moyenne, que nous allons présenter ensuite en détail, celle d'Étienne Gilson, qui n'accepte ni l'étiquette averroïste appliquée au traité *De Monarchia*, ce qui signifierait la reconnaissance de la séparation radicale entre le politique et le religieux, et, encore plus, la subordination du pouvoir religieux à celui politique ou la reconnaissance, selon ce que proposait Ernst Kantorowicz dans *Les deux corps du roi*¹⁰, d'une tentative d'autonomiser le politique par rapport au théologique, ni l'identification

de la pensée politique de Dante à la pensée d'un Thomas d'Aquin, identification à laquelle serait emmenés les « continuitistes » extrêmes.

Selon Marguerite Bourbeau-Kussmaul¹¹, il ne faut pas oublier que la fin du traité *De Monarchia* apporte au premier plan l'idée d'une harmonie entre le temporel et le spirituel, mais il ne faut pas non plus ignorer le repère et le guide le plus sûr qui est la raison quand il s'agit de l'idéal de l'Empire universel. Si dans le *De Monarchia* l'idéal de l'Empire universel semble être fondé uniquement sur la raison humaine, dans la *Divine Comédie* il se fonde aussi sur la liaison entre la grâce et l'amour. Marguerite Bourbeau-Kussmaul affirme qu'il ne s'agit pas d'une disjonction ou d'une opposition à cet égard entre les deux ouvrages, mais d'une tentative d'établir une union encore plus étroite.

Nous avons vu jusqu'à présent les raisons de la dispute des exégètes et l'endroit où ils ont placé les difficultés. Dans une première étape il faut analyser le rapport entre la philosophie et la pensée politique, pour voir ensuite l'importance théologique de ces questions afin d'examiner ultérieurement les implications théologico-politiques de Dante pour la doctrine sur la vision béatifique.

Philosophie et politique

Dante part d'une prémisse aristotélicienne : le bonheur humain ne peut être atteint que par la sphère du politique. Ayant le rôle de conduire les gens vers le bonheur, l'autorité impériale est liée à la plus haute des sciences, la philosophie, qui est vue dans ce cas non pas en tant que métaphysique, mais en tant que morale, selon la distinction faite par Jeannine Quillet¹². Si le terme de morale vise chez Dante les vertus, leur théorisation essentielle se trouve dans l'*Étique à Nicomaque* d'Aristote. La clé de voûte pour ces vertus nous est offerte par la vertu politique, car c'est à elle que revient le rôle de faire régner la justice parmi les hommes puisque le bonheur ne peut pas être atteint sauf la justice.

L'homme étant un *medium* entre le corruptible et l'incorruptible, il est bien évident que pour tout chrétien, et le christianisme de Dante a été défendu d'une manière convaincante par Auguste Valensin¹³, la politique est le moyen par lequel la partie corruptible peut atteindre le bonheur. L'autre but de l'homme ou de sa partie incorruptible est lié à

l'atteinte du bonheur céleste. Mais si le bonheur de la partie corruptible de l'homme est le visage humble et pâle de celui céleste, il est clair alors que le monarque ou l'empereur doit lui aussi être fait selon l'image du Dieu tout-puissant. Le régime politique qu'envisage Dante a existé dès le temps de la naissance du Christ, pendant le règne d'Auguste, sous la bien connue *Pax Romana*.

Bien que le deuxième livre du traité *De Monarchia* a été souvent négligé¹⁴, celui-ci étant la preuve de l'érudition classique de Dante et, en même temps, la troisième et la dernière tentative de répondre à une question qu'aucun traité théologico-politique de l'époque ne pouvait contourner : la question concernant la source du pouvoir impérial. Est-ce que le pouvoir impérial est-il dépendant du pouvoir pontifical ou est-ce que son origine se trouve uniquement en Dieu ?

Comme il est déjà prévisible, la réponse de Dante est la seconde et bien qu'il ne soit pas le seul auteur médiéval à la formuler, il semble qu'elle ait été suffisamment bouleversante pour déterminer le pape Jean XXII à excommunier le livre en 1329. De même, le traité *De Monarchia* a figuré dans l'Index vénitien de 1554, d'où il est passé dans l'Index romain durant le pontificat de Benoît XIV. Ce sera seulement le pape Léon XIII qui fera disparaître le *De Monarchia* de l'Index¹⁵.

Contre des papistes tels Giles de Rome ou Jacques de Viterbe, Dante utilisera, par exemple, la métaphore des deux luminaires, non pas pour montrer que la lune est dépendante quant à sa lumière du soleil, selon les papistes qui tiraient la conclusion de la subordination du pouvoir impérial à celui papal, mais pour continuer ceux qui, tout comme l'auteur anonyme de *Rex pacificus* ou comme Jean de Paris dans *De potestate regia et papali*¹⁶, avaient affirmé que la lune est dans la même mesure que le soleil la création de Dieu.

Ceux à qui s'adresse toute la dispute suivante, et qui soutiennent que l'autorité de l'Empire dépend de l'autorité de l'Église, comme un artisan de rang inférieur dépend de l'architecte, sont motivés par des arguments nombreux et divers, qu'ils tirent, il est vrai, de l'Écriture Sainte et de certains actes venant tant du souverain Pontife que de l'Empereur lui-même, en s'efforçant de faire preuve d'un peu de raison. [2] D'abord, ils disent en suivant le livre de la Genèse, que Dieu fit deux grands luminaires, l'un plus grand, l'autre plus petit, pour que l'un domine le jour et l'autre la nuit : ils entendaient désigner ainsi, sous forme allégorique les deux gouvernements : le spirituel et le temporel. [3] Ensuite, ils démontrent que pareil à la lune qui est le luminaire mineur ne possédant pas de lumière sinon celle qu'elle

reçoit du soleil, de même, le royaume temporel ne possède d'autorité que celle qu'il reçoit du gouvernement spirituel¹⁷.

La lumière propre que posséderait la lune, selon Dante, envoie évidemment à l'autonomie de l'Empire par rapport au siège papal. Le pouvoir pontifical et l'Empire, les deux institutions auxquelles Dieu a donné vie pour le bonheur du monde, doivent être pensées non seulement de manière autonome, l'une par rapport à l'autre ; en outre, le pouvoir politique doit être pensé selon une exigence maximale d'unité et d'universalité, les seules qui pourront maintenir la justice à ce niveau, étant toujours conscientes du fait que le péché essaie d'annuler la tendance vers la justice qui est naturellement présente dans l'âme humaine.

Dante et la philosophie politique moderne

Après avoir examiné les contextes dans lesquels peut être situé *De Monarchia*, c'est-à-dire le contexte historique et celui de l'œuvre dantesque dans son ensemble, nous allons essayer d'identifier les caractères du traité qui ont déterminé un auteur tel Claude Lefort de parler de la « modernité » de Dante¹⁸. Dans notre exposé ce thème fera le passage vers la question des deux souverainetés et du rapport de Dante avec la pensée politique du XIII^e siècle, et notamment avec Thomas d'Aquin et l'averroïsme, pour arriver finalement à la question des deux buts ultimes : « duo ultima ».

Selon Claude Lefort, *De Monarchia* est incontestablement un ouvrage de philosophie politique, parce que dans la manière des ouvrages classiques du genre, le traité examine « les principes des constitutions justes » ou, en reprenant Leo Strauss, on pourrait dire qu'il s'intéresse à la recherche du meilleur régime politique qu'il identifie avec celui monarchique, le seul qui, grâce à l'unité de son genre, peut assurer la paix universelle, indispensable au bonheur dans le monde d'ici bas.

(...) le genre humain se trouve bien et au mieux, quand, dans la mesure du possible, il se fait semblable à Dieu. [3] Or, le genre humain se rend le plus parfaitement semblable à Dieu quand il est le plus parfaitement un. En effet la vraie raison de l'unité est en Dieu seul. C'est pourquoi il est écrit : « Écoute, Israël, le Seigneur, ton Dieu, est un ». [4] Or, le genre humain est le

plus parfaitement un quand tout l'entier s'unifie en un seul : cela ne peut exister qu'au cas où il est soumis dans sa totalité à un seul prince, c'est l'évidence même. [5] Donc le genre humain, quand il est soumis à un seul prince, se fait le plus parfaitement semblable à Dieu, et par conséquent correspond le plus à l'intention divine : c'est là se trouver bien et au mieux, comme le début de ce chapitre l'a démontré¹⁹.

Comme on le voit, cette démonstration se fonde tant sur des arguments philosophiques d'origine aristotélicienne que sur des arguments bibliques. Le monarque universel est donc nécessaire en vue du maintien de la justice dans la société et même sa nécessité, selon l'expression de Claude Lefort, tient à une « justice transcendante »²⁰.

Voici donc le fondement philosophique des affirmations antérieures :

Je dis aussi que l'être, l'un et le bon se situent dans une progression que définit le cinquième mode d'énoncer la priorité. L'être, en effet, précède l'un par nature ; mais l'un précède le bon : en effet l'être accompli est l'un accompli, et l'un accompli est le bon accompli ; plus une chose s'éloigne de l'être accompli, plus elle s'éloigne de l'être un et par conséquent de l'être bon²¹.

À côté des arguments philosophiques et bibliques invoqués dans le chapitre final du premier livre du traité, Dante trouve un argument historique pour justifier l'excellence de l'Empire en tant que forme de gouvernement.

Une expérience digne d'être rappelée atteste tous les raisonnements précédents : il s'agit de cet état extraordinaire des mortels que le Fils de Dieu, désirant assumer la condition de l'homme pour le salut de l'homme, attendit ou établit lui-même quand il le voulut. Car, si depuis la chute de nos premiers parents, qui fut le point de départ de tous nos dévoiements, nous embrassons les divers arrangements des hommes et le cours du temps, nous ne trouverons pas d'exemple d'un état de paix du monde, sinon sous le divin Monarque Auguste, à l'époque de la Monarchie parfaite. [2] Et que le genre humain fut alors heureux dans la quiétude d'une paix universelle, ce fait tous les historiens, les poètes illustres, même le scribe de la Mansuétude du Christ, ont jugé digne d'en porter témoignage ; Paul, enfin, appela cet état très heureux la « plénitude des temps »²².

Le deuxième livre du *De Monarchia* qui, comme nous l'avons déjà précisé, a été, selon Claude Lefort, moins étudié, relie l'histoire de Rome

à l'histoire de l'humanité²³. Pour en résumer, le destin humain est le destin du droit et de la chose publique (*res publica*), le type d'organisation qui a su subordonner le bien privé à celui commun. C'est là seulement où l'individu sait disparaître devant l'intérêt de la cité, et même « mourir pour la patrie », selon l'expression d'Ernst Kantorowicz²⁴ reprise par Claude Lefort²⁵, que la thèse aristotélicienne de la prééminence que le tout doit avoir sur la partie est respectée. Kantorowicz voit dans les affirmations que Dante fait sur le rapport entre le tout et la partie non seulement l'apport de l'aristotélisme, mais aussi l'influence des juristes du temps et d'un auteur tel Remigio de' Girolami²⁶, disciple de Thomas d'Aquin, qui considérait que seulement le tout se trouve en acte, tandis que la partie est en puissance, en y tirant l'argument qu'une cité détruite ne fera pas ses habitants perdre leur qualité de citoyens, mais celle d'hommes²⁷.

Toute discussion sur le thème des deux souverainetés, celle terrestre et celle spirituelle, ne peut pas ignorer le fait que Dante exprime sa vision à cet égard dans un cadre polémique. Ces adversaires se groupent en trois catégories : le Souverain Pontife et ceux qui le soutiennent ; ceux qui, poussés par leur cupidité, considèrent que par leur haine face à l'Empire ils expriment plus clairement leur amour pour l'Eglise, et, troisièmement, ceux qui préfèrent le droit canon à la théologie et la fidélité face aux Décrétales aux textes bibliques et synodaux, se montrant ainsi ignorants tant dans la théologie que dans la philosophie²⁸. Dante va éliminer assez rapidement de la dispute la deuxième et la troisième catégorie, celle des adversaires de l'Empire et celle des partisans du droit canon, pour s'intéresser uniquement aux partisans du pape. Il essaiera tout d'abord de démontrer toute une série d'affirmations que les papistes vénéraient. Aussi, selon Dante, la double souveraineté du Christ n'implique-t-elle pas une double souveraineté du pape car le *vicarius Christi* doit suivre en tout le Christ et le Christ a refusé l'exercice de tout pouvoir temporel. De façon similaire, l'argument des deux glaives ne sera pas en faveur de l'idée que le pape détient les deux pouvoirs, car Dante considère que cette interprétation fait violence à l'Écriture. Ni même la *donatio Constantini* ne lui semble pas être digne de confiance, la prétendue donation faite par l'empereur Constantin le Grand au pape Sylvestre, éloignant l'humanité de l'obéissance commune qu'elle devait garder. Bien que le but ultime de la vie humaine ne soit pas un but temporel, l'existence de deux béatitudes, celle terrestre et celle humaine, fait de sorte que non seulement le pape est pensé selon le modèle de l'homme parfait (*optimus homo*), mais aussi l'empereur. Tout en

radicalisant, à notre avis, la séparation entre la béatitude terrestre et celle céleste, Ernst Kantorowicz voit dans le *De Monarchia* de Dante l'intention de « construire un secteur entier du monde qui est indépendant, non seulement du Pape mais aussi de l'Église, et même virtuellement de la religion chrétienne »²⁹. Pour emprunter les considérations de Claude Lefort, Dante se serait détaché des partisans modérés du partage entre le temporel et le spirituel, appelés aussi dualistes, en opposition avec les papistes monistes, parce qu'il n'accorde pas une attention suffisante à l'idée de la soumission de l'empereur dans les questions religieuses³⁰. Pour continuer la pensée de Kantorowicz, Dante esquisserait donc pour la première fois deux univers autonomes : celui de l'*humanitas* et celui de la *christianitas*. Intéressé par la sacralité du corps du roi, Kantorowicz saisit le moment où l'on attribue à l'autorité royale une origine divine.

Les arguments en faveur de la monarchie universelle

Vers la fin de son commentaire au traité *De Monarchia* Claude Lefort se demande sur la manière dont a pu naître à l'intérieur d'un royaume un projet si centré sur l'idée d'une monarchie universelle³¹. Voici la question qui nous mènera à la présentation du rapport que la pensée dantesque entretient avec ses prédécesseurs en matière de théologie politique et notamment avec le thomisme en tant que philosophie aristotélicienne par excellence. Pour le moment, en suivant Gilson, on doit préciser que le terme d'Empire n'est ni même présent chez Thomas d'Aquin³². La réflexion philosophico-politique thomiste a strictement en vue le rapport entre le pouvoir spirituel du pape et celui temporel du roi. L'idée de l'existence de deux souverainetés est présente aussi chez saint Thomas, mais chez lui, comme le remarque Claude Lefort³³, elle tient à deux ordres différents, qui ne peuvent pas transgresser leurs frontières. Si chez Thomas, le pouvoir religieux est lié au terme de *paternitas*, celui politique est représenté par celui de *dominatio*. Mais pour Thomas d'Aquin le politique a aussi à son tour une signification religieuse, tout comme une signification philosophique.

Il y a, selon Gilson – et cette thèse sera ultérieurement reprise par Jeannine Quillet, une étroite liaison entre la manière dont Dante construit son *Banquet* et la manière dont il construit le *De Monarchia*³⁴. En matière de philosophie, l'empereur du *Banquet* ne doit avoir confiance qu'en Aristote et il ne doit s'arroger aucun droit sur la philosophie, tandis que

dans le *De Monarchia* Dante essaie de convaincre les théologiens que l'empereur est le seul capable de bien gérer l'Empire.

Si, selon ce qu'on rappelait au début, la réflexion de Dante autour de l'intellect possible était étroitement liée à « l'exigence d'universalité »³⁵, cela ne signifie pas, selon Gilson, que Dante serait un adepte de la thèse de l'unité de l'intellect de la manière dans laquelle la théorise Averroès et encore moins de l'averroïsme politique. Un dominicain de Rimini, Guido Vernani, se laisse trompé par ces apparences et écrit en 1329 une *Reprobatio Monarchiae*³⁶, préparée au moins deux ans avant par un autre traité. Selon Gilson, il y a chez Dante une phrase qui peut assez facilement justifier cette interprétation.

Il est donc clair que le plus haut degré de la puissance de l'humanité en tant que telle, c'est la puissance ou vertu intellectuelle. [8] Et puisque cette puissance ne peut être entièrement et simultanément actualisée ni à travers un seul homme, ni à travers une des communautés particulières distinguées plus haut, il est nécessaire qu'il y ait dans le genre humain une multitude à travers laquelle soit actualisée cette puissance tout entière. De la même façon, une multitude d'éléments générateurs est nécessaire pour que toute la puissance de la matière première soit toujours soumise à l'actualisation : autrement ce serait admettre une puissance séparée, ce qui est impossible. [9] Averroès, dans son commentaire sur les livres *De l'Âme* admet cette opinion³⁷.

Cette affirmation pourrait nous faire croire que, tout comme Averroès, Dante concevrait l'existence d'un intellect possible unique pour tout le genre humain. Pour donner la parole à Gilson,

Averroès concevait l'intellect possible comme un être unique, une substance intellectuelle séparée de tout corps, bref ce que le christianisme nomme un ange, et il enseignait que, pour un homme individuel, connaître était simplement participer à telle ou telle des connaissances de cet intellect³⁸.

La nécessité de l'Empire est donc justifiée à partir des thèses de la philosophie politique aristotélicienne ; en outre, Dante utilisera la doctrine de l'intellect possible, mais seulement pour l'appliquer au niveau de la société qui a besoin d'un gouvernement unique. Selon Gilson, Dante prend de Thomas d'Aquin la nécessité de l'existence d'un chef unique

pour toute communauté politique, mais il applique ce principe d'origine aristotélicienne à la société humaine dans son ensemble³⁹.

Le monarque universel est en premier lieu le garant de la paix et celle-ci représente la condition fondamentale pour l'obtention du bonheur dans le monde d'ici bas. Si elle ne représente pas le but ultime, la paix peut être l'ultime des moyens. En l'absence d'un monarque universel, la paix sera impossible⁴⁰.

L'existence d'un monarque universel garantit aussi l'application de la justice car celle-ci ne sera jamais accomplie en l'absence d'un empereur dont la volonté commande légitimement. Ceci parce que les autres volontés, à l'exception de celle de l'empereur, sont possédées par la cupidité, qui est le contraire même de la justice. Même là où la volonté est juste, elle ne réussira pas à imposer la justice, étant dépourvue de force, car seulement l'unicité du souverain pourrait garantir le fait que chacun soit récompensé selon ce qui lui est dû.

[6] Quant à la manière dont elle se manifeste, la justice peut donc trouver son contraire dans l'exercice de la volonté. Quand la volonté, en effet, n'est pas dénuée de toute cupidité, malgré sa présence, la justice n'est cependant pas dans le plein éclat de sa pureté : elle possède en effet un sujet qui, si peu que ce soit, lui résiste en quelque manière. C'est pourquoi doivent être écartés ceux qui cherchent à éveiller la passion du juge. [7] Quant à son opération, la justice trouve son contraire dans l'exercice du pouvoir. Puisqu'en effet la justice est une vertu qui s'exerce sur autrui, si on ne peut accorder à chacun ce qui lui revient, comment agira-t-on selon elle ? Il est donc clair que plus le juste est puissant, plus sa justice s'étendra par son opération⁴¹.

En même temps, Dante affirme que c'est seulement la cupidité qui s'oppose à la justice et le seul homme qui ne sera pas dominé par la cupidité sera celui qui tire sa liberté du fait qu'il n'a rien à désirer, car la justice du souverain ne connaît aucune limite.

Étant donc libre de toute cupidité, le souverain aura soin que les sujets aussi pratiquent le bien dans la plus grande mesure du possible. Mais ce type de logique ne peut fonctionner qu'au niveau de l'Empire, et non pas au niveau des Etats particuliers, qui, en tant que démocraties, oligarchies ou tyrannies, suivent un certain intérêt et un but qu'ils imposent à leurs citoyens. Le bon citoyen et l'homme bon arrivent à être dans une tension irréductible selon ce que dit Aristote dans un fragment de la *Politique* III, 5, que cite Dante.

Les attributs du monarque universel de Dante sont suffisamment forts pour donner l'impression que son portrait a comme modèle celui du pape. La dernière partie de notre étude sera consacrée aux conséquences qu'aura au niveau théologico-politique l'institution du monarque universel.

Même s'il y a, comme on l'a vu, de grandes différences d'interprétation entre les exégètes qui se sont appliqués à l'oeuvre de Dante, suivant l'historien Ernst Kantorowitz, tous ces lecteurs ont reconnu que Dante connaissait très bien les théories politiques de son temps. Mais, bien qu'on ait reconnu l'importance que la personnalité de Dante avait aux années 1300, les interprètes se sont parfois hâtés de mettre une étiquette sur son oeuvre qui ne se prête du tout à être réduite à la défense de l'Empire. Selon Kantorowitz, il est difficile d'encadrer Dante dans un courant parce qu'il utilise en même temps saint Thomas d'Aquin, sans être un thomiste, et les thèses averroïstes, sans défendre l'averroïsme ; il possède une connaissance de droit canon sans manquer parfois de critiquer les « décrétalistes ». Dans un chapitre consacré à Dante dans *Les deux corps du roi*, Kantorowitz montre que le pari de toute l'oeuvre du Florentin a été de découvrir l'homme derrière toute institution. Devant une pensée ayant une telle capacité de synthèse, on a l'impression de ne découvrir que ce qui est fragmentaire et bien que Dante ait eu l'intention de combiner le poète avec le philosophe politique pour trouver une cohérence plus profonde, il peut nous mettre encore une fois dans un embarras plus grand. En reprenant une affirmation de Kantorowitz, on dirait que la distinction que Dante opère entre la personne et l'office rend toute l'oeuvre plus claire et plus cohérente. On peut vérifier cela au cas du pape Boniface VIII, qui s'appelait Benedetto Latini avant son éléction au pontificat, qu'il décrit dans la *Divine Comédie* comme « le Prince des nouveaux Pharisiens »⁴² et qui est visé implicitement aussi dans la *Monarchie*. À l'encontre de la manière dont procédaient dans l'Antiquité les donatistes, Dante ne mettait pas un signe d'égalité entre le pape Boniface VIII et l'homme Benedetto Latini. Si dans la *Divine Comédie* et dans la *Monarchie* Dante a toujours comme termes de l'alternative l'individu et le titulaire de l'office, dans ce cas-là, celui de la fonction papale, dans le *Convivio*, Dante essaiera d'étudier à fond le rapport qui s'établit entre l'autorité philosophique et celle impériale qui devront poursuivre le bonheur dans la vie d'ici bas. Bien que le Florentin ne pensât pas qu'au cas de l'empereur on assistait aussi à un transfert de l'autorité philosophique, il était préoccupé de voir les deux autorités s'unir, car les deux devaient aboutir au bonheur présent.

Du point de vue des rapports qui existent entre l'empereur et le pape, le troisième livre de la *Monarchie* est fondamental, car c'est ici que Dante se propose de montrer que le pouvoir impérial a sa source directement en Dieu et non pas dans le pape. Il s'oppose aux hiéocrates ou « monistes » qui voyaient dans l'empereur une sorte de « vicaire du pape », n'ayant qu'un pouvoir délégué une fois que les deux glaives, celui spirituel et celui matériel, étaient en possession du pape. Par rapport à cette tendance, Dante se range lui-même parmi les modérés qu'on appelait aussi « dualistes ». Leur origine remonte au XII^e siècle, à un canoniste nommé Huguccio de Pise qui prônait l'indépendance des deux pouvoirs ou la formule élaborée par le pape Gélase qui considérait que l'empereur devait être soumis au pape uniquement pour les questions religieuses et pour certains problèmes temporels, mais qui affirmait pour le reste la souveraineté de l'empereur dans la conduite des questions du monde. Selon Kantorowitz, la position de Dante est plus extrémiste que celle des canonistes ou penseurs dualistes, car pour montrer l'indépendance du monarque universel face au Souverain Pontife, il sera amené à soustraire à l'Église un secteur du monde qu'il va construire en complète indépendance par rapport à celle-ci. Cette construction sophistiquée qu'il va élaborer justement pour préserver la séparation entre la gestion de la sphère spirituelle et celle de la sphère temporelle mènera à la reconnaissance de deux buts totalement différents de la race humaine⁴³, qui en tant qu'offices suprêmes, sont appelés aussi par lui *papatus* et *imperiatus*.

Il faut savoir qu'une chose est d'être homme, une autre d'être pape ; et de la même façon, une chose est d'être homme, une autre d'être empereur, comme une chose est d'être homme, une autre d'être père et seigneur⁴⁴.

La comparaison entre le pape et l'empereur, qui n'est pas possible sur le plan des offices, est rendue possible par Dante en vue du caractère commun de leur nature et de leur espèce, résidant dans le fait que tant le pape que l'empereur sont des hommes⁴⁵.

Si l'introduction de la notion de l'*optimus homo*, empruntée à la *Politique* d'Aristote, rend possible le rapport entre le titulaire d'un certain office et l'*humanitas* en tant que perfection qui doit représenter la norme à laquelle rapporter les gens, elle implique aussi l'illégitimité de la comparaison du pape et de l'empereur au soleil et à la lune. On a interprété parfois l'*optimus homo* de Dante comme le correspondant du

sage aristotélicien. Quant à la *Monarchie*, nous précise Kantorowitz, il importe de maintenir la dualité du pape et de l'empereur sans y introduire le philosophe-sage, afin de préserver justement « l'équilibre des deux paradis de Dante, le terrestre et le céleste »⁴⁶. La vision trichotomique est étrangère à la *Monarchie* car dans cette oeuvre Dante veut que l'empereur, en tant que celui qui conduit le genre humain vers la félicité terrestre, assume en même temps la perfection philosophique. Au cas de la *Monarchie* donc, l'empereur s'identifie au philosophe. Dante établit de la sorte un parallélisme des valeurs, avec d'un côté les valeurs morales et éthiques, et de l'autre, les valeurs appelées par Kantorowitz ecclésiastico-spirituelles⁴⁷. Tout comme les juristes de son temps qui à côté du *corpus mysticum* admettaient aussi un *corpus morale et politicum*, Dante arrive « à une dualité de corps incorporés mutuellement indépendants, l'un *humain impérial* et l'autre *chrétien pontifical*, les deux universels, poursuivant chacun ses propres fins, et doté chacun de son propre but de perfection humaine »⁴⁸. C'est justement cette présence constante de la dualité dans la *Monarchie* qui a conduit Guido Vernani à sa critique si acharnée du traité dantesque. Ce que dans sa *Reprobatio Monarchiae* le dominicain va réfuter ce sera effectivement l'existence d'une béatitude politique pouvant être atteinte à l'aide des vertus intellectuelles. Malgré cette critique tellement violente faite par le dominicain de Rimini, on est amené à reconnaître, selon Kantorowitz, que Dante était obligé d'adopter cette vision dualiste sur les buts à atteindre à cause de son désir d'instituer une monarchie universelle qui échappât complètement au contrôle du pape. La reconnaissance de la dualité des buts ne doit pas être vue comme identique à une antithèse entre les deux. L'*humain* ne s'oppose pas au *chrétien* car, pour Dante, suivre la béatitude terrestre conduit aussi à la béatitude immortelle⁴⁹. Suivant cette même interprétation, on pourrait affirmer que dans la *Monarchie* Dante illustre le mieux sa vision dualiste, notamment dans le second livre du traité où il développe l'idée que sous le règne de l'empereur païen Auguste le monde a été dans son meilleur état, et c'est dans cette époque-là que « le Christ lui-même avait choisi de devenir homme »⁵⁰.

Cette affirmation a un caractère polémique qu'on ne croyait pas à une première vue car elle semble vouloir mettre fin à toute une dispute concernant la légitimité de l'Empire et des empereurs qui étaient hors de l'Église. Guido Vernani n'hésite pas de réagir à l'affirmation de Dante à l'égard de l'empereur Auguste qui contredisait les positions des canonistes

de la fin du XIII^e siècle et du XIV^e. Selon Vernani, « parmi les païens il n'y a jamais eu une véritable *respublica* et personne n'a jamais été un véritable empereur »⁵¹. En reprenant l'expression de saint Paul pour qui le Christ s'est fait homme « à la plénitude des temps » (Gal. 4, 4), Dante reconnaîtra non seulement la république païenne du temps de la naissance du Christ, mais aussi il va définir Rome (du temps d'Auguste) comme une *perfecta monarchia*.

Dans ce contexte, la voie vers le paradis terrestre continue d'être préparée par les vertus cardinales classiques dont on doit admettre l'origine païenne : « la Prudence, la Fermeté d'âme, la Tempérance et la Justice »⁵². Ces vertus, appelées aussi *intellectuales* ou *acquisitae*, s'opposaient dans la philosophie scolastique aux vertus théologales : « la Foi, la Charité et l'Espérance, qui ne pouvaient être accordées à l'homme que par la grâce divine, donc seulement aux chrétiens, et qui étaient connues techniquement comme '*virtutes infusae* ou *divinitus infusae*'⁵³, *vertus infusées par Dieu* afin de conduire l'homme vers ses fins surnaturelles ».

Quant aux vertus intellectuelles et morales, toute la tradition théologique augustinienne les a considérées comme devant toujours être complétées par celles théologales. En d'autres mots, les actions vertueuses des païens n'avaient pas de valeur dans une perspective sotériologique. Le rapport que Dante établit entre les vertus intellectuelles et celles théologales doit beaucoup à Thomas d'Aquin qui a rétabli « la valeur pleine et appropriée qui leur revenait *secundum rationem* »⁵⁴. Dans la vision de Dante, on peut atteindre plus aisément le paradis terrestre moyennant les vertus intellectuelles et morales, tandis que les vertus théologales ouvrent la voie vers le paradis céleste.

À l'encontre des philosophes averroïstes qui voyaient le but ultime de l'homme comme résidant dans la béatitude intellectuelle du philosophe, Dante n'a jamais vu le but ultime dans la félicité terrestre, bien qu'il ait appliqué la doctrine aristotélicienne des averroïstes sur l'individu à *l'universitas humana*.

Les deux buts ultimes et la controverse autour de la vision béatifique

Selon Christian Trottman⁵⁵, la condamnation de la *Monarchie* de Dante par le cardinal Bertrand du Pouget est la conséquence de la réception erronée que le traité a eue chez un dominicain comme Guido

Vernani, selon lequel il n'y a pas de différence entre Dante et le commentateur arabe de l'*Etique* à *Nicomaque*, Averroès, qui conçoit une béatitude strictement temporelle assurée par une vie menée en accord avec la plus haute vertu. Selon l'opinion de ceux qui les ont condamnés, l'erreur des averroïstes consiste dans le fait que, partant d'Aristote, ils se limitent à la projection d'une finalité naturaliste de la vie, qui consisterait dans la contemplation philosophique, en ignorant la finalité surnaturelle que le christianisme identifie avec la vision béatifique du monde de l'au-delà.

Voyons maintenant le portrait que Dante fait aux deux béatitudes, aux deux buts ultimes, *duo ultima*, dans le chapitre final du troisième livre du traité *De Monarchia*.

[7] La providence indicible proposa donc à l'homme de poursuivre deux fins : à savoir la béatitude de cette vie-ci, qui consiste en la mise en œuvre de sa vertu propre et est figurée par le paradis terrestre ; et la béatitude de la vie éternelle, qui consiste dans la jouissance de la vision de Dieu, à laquelle notre vertu propre ne peut s'élever sans l'aide de la lumière divine, et que l'on conçoit à travers l'image du paradis céleste. [8] Et il faut parvenir à ces deux béatitudes, comme à des conclusions différentes, par différents moyens. Car à la première, nous parvenons grâce aux enseignements philosophiques, pourvu que nous les suivions en mettant en œuvre les vertus morales et intellectuelles ; à la seconde, en revanche, nous parvenons, grâce aux enseignements spirituels qui dépassent la raison humaine, pourvu que nous les suivions en mettant en œuvre les vertus théologiques, à savoir la foi, l'espérance et la charité⁵⁶.

Suivant Christian Trottman⁵⁷, nous remarquons que le bonheur du monde d'ici bas est pensé de manière aristotélicienne à partir de la pratique de la vertu. Pour atteindre la vertu, il faut avoir un gouvernement tranquille à la tête duquel soit l'empereur. Le rôle du pape serait alors celui de conduire les fidèles vers le bonheur de la vie éternelle. L'existence des deux buts ultimes soulève aisément la question : le but qui tient à la nature incorruptible de l'homme doit-il subordonner le but qui tient à la nature corruptible ? C'est justement la réponse que Dante donne à cette question qui le différencie par rapport aux averroïstes qui subordonnaient le spirituel au temporel. L'empereur doit bénéficier seulement d'un domaine où il soit indépendant.

Bien que Dante n'essaie jamais à penser l'unité métaphysique de l'intellect possible, selon ce que nous avons précisé dès le début, il importe

de voir maintenant le sens qu'a pour Dante la vertu qui assure le bonheur dans la vie de ce monde, car elle peut être pensée aussi bien prudence active que sagesse contemplative⁵⁸.

Nous avons vu que si le pape est le seul chef légitime dans le domaine spirituel, l'empereur, qui est conçu selon le modèle du pape, est l'unique détenteur légitime du pouvoir dans les choses temporelles. Par son gouvernement, c'est-à-dire par la paix et la vie vertueuse qu'il essaiera de maintenir, il donne aux hommes l'accès à la contemplation philosophique. C'est justement cette dualité des buts qui va déterminer Guido Vernani d'écrire en 1326 la *Reprobatio Monarchiae* dans laquelle il se propose de montrer qu'il y a une finalité unique de l'homme : la béatitude contemplative à laquelle peut conduire seulement une vie vertueuse⁵⁹. Mais, de l'avis de Christian Trottman, la critique de Guido Vernani n'affecte pas la construction de Dante dans la mesure dans laquelle l'éditeur du traité *Reprobatio Monarchiae*, Nevio Matteini, le pensait⁶⁰. Cela parce que Vernani réunit dans le concept de vie contemplative tant la vie d'un Socrate que celle d'un mystique chrétien. Dante ne confond pas la vision béatifique promise au chrétien dans le monde de l'au-delà avec le bonheur dans le monde d'ici bas, qu'elle soit donnée par la prudence ou par la contemplation. Mais, selon Dante, les deux buts ultimes ont une dimension contemplative⁶¹. Étant dépendante de la pratique des vertus morales et intellectuelles, le bonheur dans le monde d'ici bas est pour Dante un bonheur de l'esprit parce que lié à la philosophie. Donc ce bonheur est lui aussi naturel, bien qu'il ait un caractère que par opposition avec le bonheur éternel on pourrait appeler naturel. Mais le seul qui puisse conduire les hommes vers le bonheur dans le monde de l'au-delà (vers la vision béatifique) est le pape. Cela parce que tout comme la grâce ne vient pas annuler l'œuvre de la nature créée par Dieu, de même le pouvoir spirituel du pape ne doit pas annuler le pouvoir temporel de l'empereur, mais seulement rappeler toujours le but surnaturel vers lequel les hommes doivent se diriger.

Si pour Thomas d'Aquin les deux béatitudes étaient séparées pour être ultérieurement plus facilement hiérarchisées, Dante instituera une séparation des buts qui les fera en même temps complémentaires.

NOTES

- ¹ Voir Christian Trottman, *La vision béatifique. Des disputes scholastiques à sa définition par Benoît XII*, Ecole Française de Rome, 1995, p. 458. Voir aussi Carlo Dolcini, « Dante Alighieri e la Monarchia », dans Carlo Dolcini, *Crisi di poteri e politica in crisi. Da Sinibaldo Fieschi a Guglielmo d'Ockham*, Bologne, 1988, notamment p. 427-430.
- ² Jeannine Quillet, « La *Monarchia* de Dante Alighieri », dans *Pour Dante. Dante et l'Apocalypse. Lectures humanistes de Dante*, sous la direction de Bruno Pinchard, avec la collaboration de Christian Trottman, Honoré Champion Éditeur, Paris, 2001, p. 25.
- ³ *Ibid.*, p. 27.
- ⁴ Voir Etienne Gilson, *Dante et la philosophie*, quatrième édition, Vrin, Paris, 1986.
- ⁵ Bruno Nardi, *Saggi di Filosofia Dantesca*, Firenze, 1967.
- ⁶ Michele Barbi, « Nuovi problemi della critica dantesca », dans *Studi danteschi*, 23, 1938, p. 46-77.
- ⁷ Christian Trottman, « À propos des 'Duo ultima': de la *Monarchia* au Banquet et retour », dans *Pour Dante. Dante et l'Apocalypse. Lectures humanistes de Dante*, sous la direction de Bruno Pinchard, avec la collaboration de Christian Trottman, Honoré Champion Éditeur, Paris, 2001, p. 215-236.
- ⁸ Ugo Limetani, « Dante's Political Thought », dans *The Mind of Dante*, Cambridge, 1965.
- ⁹ Jacques Goudet, *Dante et la politique*, Aubier Montaigne, Paris, 1969 et *La politique de Dante*, Editions L'Hermès, Lyon, 1981.
- ¹⁰ Ernst Kantorowicz, *Les deux corps du roi. Essai sur la théologie politique au Moyen Age*, traduit de l'anglais par Jean-Philippe Genet et Nicole Genet, Gallimard, Paris, 1989.
- ¹¹ Marguerite Bourbeau-Kussmaul, « Du *De Monarchia* à la *Divine Comédie*. Un changement dans la pensée politique de Dante », dans Bazán B. Carlos, Andujar Eduardo, Sbrocchi Léonard G. (sous la direction de), *Les philosophies morales et politiques au Moyen Âge / Moral and Political Philosophies in the Middle Ages*, Actes du IXe Congrès International de Philosophie Médiévale, Société Internationale pour l'Étude de la Philosophie Médiévale (S.I.E.P.M.), Legas, New York, Ottawa, Toronto, p. 1453.
- ¹² Jeannine Quillet, « La *Monarchia* de Dante Alighieri », *art. cit.*, p. 29.
- ¹³ Auguste Valensin, *Le christianisme de Dante*, Aubier Montaigne, Paris, 1954.
- ¹⁴ Claude Lefort, « La modernité de Dante », dans Dante, *La Monarchie*, traduit du latin par Michèle Gally, Éditions Belin, Paris, 1993.
- ¹⁵ Jeannine Quillet, « La *Monarchia* de Dante Alighieri », p. 32.
- ¹⁶ Edité par Dom Jean Leclercq dans *Jean de Paris et l'ecclésiologie du XIIIe siècle*, Vrin, Paris, 1942.

- 17 « Isti vero ad quos erit tota disputatio sequens, asserentes auctoritatem Imperii ab auctoritate Ecclesie dependere velut artifex inferior dependet ab architecto, pluribus et diversis argumentis moventur ; que quidem de Sacra Scriptura eliciunt et de quibusdam gestis tam summi Pontificis quam ipsius Imperatoris, nonnullum vero rationis indicium habere nituntur. [2] Dicunt enim primo, secundum scripturam Geneseos, quod Deus fecit duo magna luminaria – luminare maius et luminare minus – ut alterum preesset diei et alterum preesset nocti : que allegorice dicta esse intelligebant ista duo regimina : scilicet spirituale et temporale. [3] Deinde arguunt quod, quemadmodum luna, que est luminare minus, non habet lucem nisi prout recipit a sole, sic nec regnum temporale auctoritatem habet nisi prout recipit a spirituali regimine » (*La Monarchie, op. cit.*, III, 4, p. 190).
- 18 Voir Claude Lefort, « La modernité de Dante », p. 6-75.
- 19 « Ergo humanum genus bene se habet et optime quando, secundum quod poteste, Deo assimilatur. [3] Sed genus humanum maxime Deo assimilatur quando maxime est unum : vera enim ratio unius in solo illo est ; propter quod scriptum est : „Audi, Israel, Dominus Deus tuus unus est“. [4] Sed tunc genus humanum maxime est unum, quando totum unitur in uno : quod esse non potest nisi quando uni principi totaliter subiacet, ut de se patet. [5] Ergo humanum genus uni principi subiacens maxime Deo assimilatur, et per consequens maxime est secundum divinam intentionem : quod est bene et optime se habere, ut in principio cuius capituli est probatum » (*La Monarchie, op. cit.*, I, 8, pp. 94-96).
- 20 Claude Lefort, *art. cit.*, p. 20.
- 21 « Item dico quod ens et unum et bonum gradatim se habent secundum quintum modum dicendi ‘prius’. Ens enim natura precedit unum, unum vero bonum : maxime enim ens maxime est unum, et maxime unum maxime bonum ; et quanto aliquid a maxime ente elongatur, tanto et ab esse unum et per consequens ab esse bonum » (*La Monarchie, op. cit.*, I, 15, p. 116).
- 22 « Rationibus omnibus supra positis experientia memorabilis attestatur : status videlicet illius mortalium quem Dei Filius, in salutem hominis hominem assumpturus, vel expectavit vel cum voluit ipse disposuit. Nam si a lapsu primorum parentum, qui diverticulum fuit totius nostre deviationis, dispositiones hominum et tempora recolamus, non inveniimus nisi subdivo Augusto monarcha, existente monarchia perfecta, mundum undique fuisse quietur. [2] Et quod tunc humanum genus fuerit felix in pacis universalis tranquillitate hoc ystoriographi omnes, hoc poëte illustres, hoc etiam scriba mansuetudinis Christi testari dignatus est ; et denique Paulus „plenitudinem temporis“ statum illum felicissimum appellavit » (*La Monarchie, op. cit.*, I, 16, p. 120).
- 23 Claude Lefort, *art. cit.*, p. 22-28.
- 24 Ernst Kantorowicz, *Mourir pour la patrie et autres textes*, PUF, Paris, 1984.
- 25 Claude Lefort, *art. cit.*, p. 27.

- 26 Voir l'étude de C. T. Davis, « Remigio de' Girolami and Dante : a comparison
of their conceptions of peace », dans *Studi danteschi*, XXXVI, 1959.
- 27 Claude Lefort, *art. cit.*, p. 28.
- 28 *De Monarchia*, III, 3.
- 29 Cf. Claude Lefort, *art. cit.*, p. 35.
- 30 *Idem.*
- 31 Claude Lefort, *art. cit.*, p. 50.
- 32 Etienne Gilson, *Dante et la philosophie*, *op. cit.*, p. 172.
- 33 Claude Lefort, *art. cit.*, p. 51-52.
- 34 Gilson, *op. cit.*, p. 198
- 35 *Ibid.*, p. 168.
- 36 Nevio Matteini, *Il più antico oppositore politico di Dante : Guido Vernani da
Rimini*, testo critico del « *De Reprobatione Monarchiae* », CEDAM, Padova,
1958.
- 37 « Patet igitur quod ultimum de potentia ipsius humanitatis est potentia sive
virtus intellectiva. [8] Et quia potentia ista per unum hominem seu per aliquam
particularium comunitatum superius distinctarum tota simul in actum reduci
non potest, necesse est multitudinem esse in humano genere, per quam
quidem tota potentia hec actuatur ; sicut necesse est multitudinem rerum
generabilium ut potentia tota materie prime semper sub actu sit : aliter esset
dare potentiam separatam, quod est impossibile. [9] Et huic sententie
concordat Averrois in comento super hiis que *De anima* » (*De Monarchia*,
I, 3, p. 84-86).
- 38 Gilson, *op. cit.*, p. 170.
- 39 *Ibid.*, p. 174.
- 40 Voir la presentation de cette question chez Gilson, *Dante et la philosophie*,
op. cit., notamment p. 174.
- 41 « [6] Quantum ergo ad habitum, iustitia contrarietatem habet quandoque in
velle ; nam ubi voluntas ab omni cupiditate sincera non est, etsi assit iustitia,
non tamen omnino inest in fulgore sue puritatis : habet enim subiectum,
licet minime, aliquantulum tamen sibi resistens ; propter quod bene repelluntur
qui iudicem passionare conantur. [7] Quantum vero ad operationem, iustitia
contrarietatem habet in posse ; nam cum iustitia sit virtus ad alterum, sine
potentia tribuendi cuique quod suum est quomodo quis operabitur
secundum illam ? Ex quo patet quod quanto iustus potentior, tanto in
operatione sua iustitia erit amplior » (*De Monarchia*, I, 11).
- 42 Kantorowicz, *Les deux corps du roi*, p. 328.
- 43 Kantorowicz, *op. cit.*, p. 331.
- 44 « Ad cuius evidentiam sciendum quod aliud est esse hominem et aliud esse
Papam ; et eodem modo aliud est esse hominem aliud esse Imperatorem,
sicut aliud est esse hominem, et aliud est esse patrem et dominum » (*De
Monarchia*, III, 11, p. 222).
- 45 Cf. *De Monarchia*, III, 12.

46 Kantorowitz, *op. cit.*, p. 334.

47 *Idem.*

48 *Ibid.*, p. 335.

49 Cf. *De Monarchia*, III, 16.

50 Kantorowitz, *op. cit.*, p. 336.

51 *Ibid.*, p. 337.

52 *Ibid.*, p. 338.

53 *Idem.*

54 *Idem.*

55 Voir à ce sujet Christian Trottman, *La vision béatifique. Des disputes scholastiques à sa définition par Benoît XII*, *op. cit.*, notamment p. 456.

56 « [7] Duos igitur fines providentia illa inenarrabilis homini proposuit intendendos : beatitudinem scilicet huius vite, que in operatione proprie virtutis consistit et per terrestrem paradisum figuratur ; et beatitudinem vite eterne, que consistit in fruitione divini aspectus ad quam propria virtus ascendere non potest nisi lumine divino adiuta, que per paradisum celestem intelligi datur. [8] Ad has quidem beatitudines, velut ad diversas conclusiones, per diversa media venire oportet. Nam ad primam per philosophica documenta venimus, dummodo illa sequamur secundum virtutes morales et intellectuales operando ; ad secundam vero per documenta spiritualia que humanum rationem transcendunt, dummodo illa sequamur secundum virtutes theologicas operando, fidem spem scilicet et karitatem » (*De Monarchia*, III, 15, p. 236-238).

57 Christian Trottman, *La vision béatifique. Des disputes scholastiques à sa définition par Benoît XII*, *op. cit.*, notamment p. 459.

58 *Ibid.*, p. 463.

59 *Ibid.*, p. 458.

60 *Idem.*

61 *Ibid.*, p. 463.

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DIE EINZIGARTIGKEIT DER PHILOSOPHIE ALS RADIKALISIERUNG DER HERMENEUTIK - EINE ALTERNATIVE ZUR PHILOSOPHIE ALS URWISSENSCHAFT

Der Ausgangspunkt unserer Betrachtungen ist die Lage der Philosophie in den 20er Jahren des 20. Jahrhunderts, als Heidegger seine Vorlesungen über die Würde des Theoretischen gehalten hat. Heideggers Betrachtungen sind von einer wesentlichen Ambivalenz gekennzeichnet:

Einerseits ist die Philosophie als ursprüngliche Wissenschaft, als strenge Wissenschaft bestimmt, deren „Strenge“ mit der „Strenge“ abgeleiteter, nichtursprünglicher Wissenschaften nicht vergleichbar ist.¹

Andererseits ist die Philosophie im Leben verankert und demzufolge liegt ihr Schwerpunkt außerhalb ihrer selbst, in der *relativen Wahrheit der Lebenswelt*.

Um in der Lage zu sein, die Frage, wie das Wissen auf einem Boden gegründet werden könnte, der durch eine herrschende Tendenz zum Unklaren und Dunklen charakterisiert ist, zu beantworten, sollten wir den Blickwinkel ändern. Die Philosophie konstituiert sich nicht als ein geschlossenes System der absoluten Wahrheiten, sondern durch eine ständige Dynamik, die sich parallel zur Lebensdynamik entwickelt. Diese neue Dynamik wird als ein „sorgendes Erhellen“ bezeichnet², als eine dynamische, diskontinuierliche, plötzliche Erhellung, die gegen die im Dasein gelegene Möglichkeit der Fehldeutung gerichtet ist.

Der Weg, den Heidegger durch die Philosophie als Urwissenschaft geöffnet hat, ist gerade durch seine wesentliche Ambivalenz versperrt, durch die Tatsache, dass er die Alternative strenge Wissenschaft – Lebensweltproblematik nicht überwinden kann. Seine Umkehrung (*katastrophé*), der Rückgang von den abgeleiteten Wissenschaften zurück zur Urwissenschaft, ist eine Gewichtsverschiebung, die das

Spannungsverhältnis zwischen Ursprünglichkeit und Abstammung, zwischen der relativen und der absoluten Wahrheit, nicht bewahrt.

Darum wird die These vertreten, dass die Einzigartigkeit der Philosophie nicht auf dem Weg der Philosophie als Urwissenschaft gewonnen wird; zumal nicht in dem Maße, in dem sie als ein Ortsversetzen, als eine Gewichtsverschiebung (von der theoretischen Einstellung zur natürlichen Einstellung) verstanden wird, sondern durch die Intensitätssteigerung, die durch die Analysen der Hermeneutik der Faktizität ermöglicht wird. Die in *Sein und Zeit* entwickelte Verschiedenheit von Faktizität und Existenz, von Geworfenheit und Entwurf wird in einen Dialog gebracht, der den reinen Vollzugssinn des sorgenden Erhellens konstituiert.

Der Versuch, diese zwei Heideggerschen Perspektiven als unwidersprüchlich zu betrachten, bezeichnet die Unfähigkeit zum Erfassen einer wesentlichen Zweideutigkeit, die keineswegs von der Schwäche eines Denkers, sondern von seiner Treue zur *Sache des Denkens* her entstanden ist.

Die philosophische Situation in den 20er Jahren des 20. Jahrhunderts war also durch das Zögern zwischen der riesigen Last einer langen philosophischen Tradition, die in Heideggers frühen Betrachtungen über die Würde des Theoretischen erkennbar ist, und einer neuen Haltung, die durch *Sein und Zeit* teilweise verwirklicht wurde, gekennzeichnet.

Aus der Krisensituation am Anfang des 20. Jahrhunderts entstand die Heideggersche *Hermeneutik der Faktizität* - eine Alternative, die Heidegger nicht völlig ausgeschöpft hat. Gadamer blieb die Aufgabe, diese Richtung zu übernehmen und alle Aspekte der Faktizität, der faktischen Wahrheit, des Verstehens, des hermeneutischen Zirkels und der endgültigen Trennung der Geisteswissenschaften von den Erkenntnisidealen der Naturwissenschaften zu entwickeln. Er hat dadurch zur Rettung der Geisteswissenschaften aus der Krise, die unabwendbar schien, beigetragen.

In diesem Zusammenhang werden wir die folgenden Punkte analysieren:

- 1) Die Idee der Universalität der Hermeneutik
- 2) Die Dimension der Geschichtlichkeit als eine zentrale Dimension im Bereich der Geisteswissenschaften, die in den Naturwissenschaften vernachlässigt wurde. Es wird die Idee vertreten, dass die Hermeneutik eine der wichtigsten

gegenwärtigen Richtungen in der Philosophie geworden ist. Dies wird ihr aufgrund einer Tugend, die im traditionellen philosophischen Raum neu ist, nämlich einer *nachholenden Bescheidenheit*, die das Statut der Vernunft als begrenzt feststellt, zugestanden. In diesem Zusammenhang werden wir die perspektivische Dimension der Hermeneutik betonen, die zu keinem Relativismus führt.

- 3) Endlich werden wir zu zeigen versuchen, wie sich ein solches hermeneutisches Prinzip (das in seinem Wesen perspektivisch, begrenzend und geschichtlich ist) vom Niveau einer einzelnen Hilfswissenschaft zu einem Kohärenzprinzip erhöht - einem Prinzip, das die Vergangenheit und die Überlieferung (in einem bestimmten Bereich der Kunst) nachholt.

1. Die Universalität der Hermeneutik

1.1. Präliminare Kennzeichnung der Hermeneutik

Die philosophische Hermeneutik stellt keine *andere* Wahrheit dar und meint nicht, dass die ganze philosophische Tradition falsch wäre, sondern sie erkennt gerade die wesentliche geschichtliche Bedingung, die Begrenzung, die die Überlieferung voraussetzt. Die Gadamerische Hermeneutik stellt eine Universalisierung von Heideggers Hermeneutik dar, indem sie den Akzent von der Dimension des Selbst (Sein-zum-Tode, In-der-Welt-Sein, Geworfensein – Existenzialien, die die ganze hermeneutische Rede Heideggers konstituieren) auf die Dimension eines allgemeinen geschichtlichen Bewusstseins verschiebt, so wie es in den einzelnen Wissenschaften (Kunst, Geschichte, Sozialwissenschaften) erscheint. Auf der anderen Seite vernachlässigt die Gadamerische Hermeneutik keineswegs das menschliche Dasein, das sich in allen seinen Entwürfen und Vorstellungen widerspiegelt.

Die Universalisierung der Hermeneutik scheint aber dem Feststellen eines logischen Prinzips, einer wissenschaftlich fundierten Wahrheit im Spektrum des philosophischen Bewusstseins, gleichbedeutend zu sein. Diese Fundierungsansprüche, die die Geschichte der Philosophie durch den Hegelianismus, Neukantianismus und logischen Positivismus geprägt haben, wurden von der Philosophie des 20. Jahrhunderts immer wieder in Frage gestellt.

Die Idee der Universalisierung der Hermeneutik scheint das Ersetzen eines Kohärenzprinzips durch ein anderes, einer cartesianischen Weltanschauung durch eine neue Weltanschauung zu bedeuten. Diese neue Weltanschauung wäre einer fragmentarischen und resignierten Perspektive, die durch die Auflösung der Denksysteme, die Dissolution der Glaubensformen und das zweitrangige Prinzip einer unendlichen Interpretation ermöglicht wurden, viel angepasster. Dieses sekundäre Prinzip wäre schwächer als das ursprüngliche, wie jede sekundäre Natur, und entspräche der Atmosphäre der „Eisenzeit“ der Menschheit, in der nur eine unendliche Reihe der Interpretationen, der epigonalen erklärenden Anhänge aufbewahrt wird.

Wie könnte sich unter solchen Bedingungen das Fragmentarische und das Einseitige zur Ganzheit erheben? Bleibt der Hermeneutik nur die zweifelhafte Aufgabe, eine Änderung des Denkens zu verursachen, deren unvermeidliche Folgen darin bestehen, das hervorragende Statut der Philosophie im Wissensspektrum endgültig zu schwächen? Ist die Philosophie als Hermeneutik immer noch zur Erkenntnis fähig, und, wenn ja, zu welcher Art des Erkennens?

Diese Fragen sind nicht zufällig gewählt. Sie bewegen sich in einem Erwartungshorizont, der durch unsere Versuche, die beängstigenden „Mirabilia“ in Bekanntes zu verwandeln, keineswegs erschöpft werden könnte. Ihre Methode besteht nicht darin, die unreflektierten, wahrheitsunfähigen Meinungen der Sinne Schritt für Schritt durch den systematischen Zweifel zur Ordnung zu bringen, um die unveränderliche Endstation eines *ego cogito* zu erreichen. Sie besteht vielmehr in diesem ständigen Explorieren des „Mirabilia“-Feldes, im Versuch, ihre Unheimlichkeit in einen „heimlichen“ Raum zu verwandeln.

Das überraschende Ergebnis der hermeneutischen Suche erweist sich, durch die Perspektivänderungen und die unendlichen Fragestellungen, in der Verwandlung desjenigen, der die Fragen stellt. Dieses Gespräch zwischen dem Heimlichen und dem Unheimlichen, dem Bekannten und dem Unbekannten, dem Frager und dem Horizont seiner Fragestellungen umreißt den ganzen Spielraum des Gesprächs unter den bestimmten und begrenzten Bedingungen seiner geschichtlichen Situation.

Die Vorteile des Gesprächs, das sich im auslegenden Raum der Hermeneutik bewegt, bestehen darin, dass es die beiden Pole der Gleichung (den Frager und das Gefragte) in Bewegung setzt, sie in einen unendlichen Horizont versetzt.

Die Hermeneutik ist praktisch unerschöpflich. Ihre starke These lautet so: *Jedes Erkennen konstituiert sich als Antwort auf eine Frage; es gibt keine endgültige, sondern nur unendlich variable Antworten, unter den zeitlich begrenzten Bedingungen der menschlichen Situation, die wesentlich geschichtlich ist.*

1.2. Das Problem des Unmittelbaren in den Wissenschaften

Die Fragen, die wir in diesem Kapitel behandeln werden, sind die folgenden: Was bleibt vom Gewissheitscharakter der Erkenntnis? Und worin besteht die Aufgabe der Erkenntnis, wenn wir über keine Gewissheit mehr verfügen?

Die Erkenntnis besitzt schon in ihrem Begriff eine wiederholende bzw. zeitliche Partikel: *Erkenntnis* (und nicht *Kenntnis*). *Kenntnis* bezeichnet ein isoliertes Stück der Erkenntnis, ohne die zeitliche Prägung. Die Hermeneutik versucht, die Gleichbedeutung *Erkenntnis-Wiedererkenntnis* festzusetzen: Die Erkenntnis selbst ist von Hause aus schon Wiedererkenntnis, sie setzt eine bestimmte Wiederholbarkeit, eine bestimmte Rekursivität, eine zeitliche Prägung, voraus.

Es gibt aber verschiedene Arten der Wiederholung. Die Methode der Naturwissenschaften setzt die Idee der Wiederholung, die Idee desselben gegangenen Wegs (durch sukzessive Verifizierungen) voraus. Die Gewissheit der Naturwissenschaften besteht in der Versicherung, dass, wenn man denselben Weg der Methode geht, man zu denselben Ergebnissen geführt wird. Das ist das Ideal der wissenschaftlichen Verifizierbarkeit, deren Wiederholungstyp anhistorischer Art ist. Die Wiederholung in diesem ersten Sinne setzt keine interpretative Deviation, keinen „zeitlichen Spalt“ voraus.

Wenn aber jede Erkenntnis Wiedererkenntnis ist, entweder in der Form des Methodenwegs oder in der Form des hermeneutischen Wiedererkennens, das jedes Mal ein *Andersverstehen* bezeichnet, bedeutet dies, dass das größte Problem der Philosophie - als wesentlicher Wissenschaft, die sich mit der Erkenntnis und der Wahrheit beschäftigt - das *Unmittelbarkeitsproblem* ist.

Für Gadamer gibt es keine letzte Wahrheit, kein letztes Wort: *„Jedes Wort verlangt nach einem nächsten; auch das sogenannte letzte Wort, das es in Wahrheit nicht gibt ... Aber ich stehe nicht gern auf einem Standpunkt. Vor solcher Präntention warnt mich meine hermeneutische*

Erfahrung, - denn was einem da geschieht, ist eigentlich ohne Ende."³ Das bedeutet, dass der menschliche Raum nur von einer zweitrangigen Sprache beherrscht ist, dass es eine Vielfältigkeit der Sprachen und der Denkensformen gibt. Wie diese Stellung Gadamers mit der Stellung einer wesensartigen Wahrheit übereinstimmt, werden wir in den folgenden Kapiteln analysieren.

Das Problem der Unmittelbarkeit war immer das größte Problem der Philosophie, weil die Rede über die Unmittelbarkeit der Erkenntnis nicht im Rahmen einer sekundären Logik der philosophischen Sprache durchgeführt werden konnte. Man setzte immer eine Meta-Sprache, eine Meta-Sphäre, einen Ort der unmittelbaren Wahrheit voraus: Die *platonischen Ideen*, der erste aristotelische *unbewegte Bewegte*, die *adaequatio rei et intellectus* von Thomas von Aquin, die sich auf eine göttliche Autorität stützte, die cartesianische Konkordanz zwischen *res extensa* und *res cogitans*, die ohne eine göttliche Ordnung nicht hätte wirken können, die ganze post-cartesianische Tradition, in der das Weltliche ständig von einer parallelen Welt, einer Meta-Welt der Wesen verdoppelt wurde, und selbst das Kant'sche Ding an sich und die Idealität des transzendentalen Ich stehen für diese Not der Verdoppelung, die von Nietzsche als das konstitutive Syndrom der Metaphysik gekennzeichnet wurde.

Ich ziehe hier den theologischen Boden einer solchen Verdoppelung nicht in Betracht, obwohl er vielleicht mit dem Modell der abendländischen Metaphysik untrennbar verbunden ist. Als ein wesentlicher Zug des ganzen europäischen Wissens kann man die Notwendigkeit einer Meta-Welt und einer Meta-Sprache feststellen, auf Grund dessen die „bloß menschlichen“ Wahrheiten und Erkenntnisse als abgeleitet, ohne Anspruch auf das Ewige und auch das Zeitliche, betrachtet wurden. Man könnte sagen, dass sich der Mensch in einem Zwischenraum befindet und daher nur über unvollkommene Werkzeuge der Vernunft und der Intuition verfügt. Seine Wirbelsäule aber befindet sich in einer Dimension, zu der er keinen Zugang mehr hat.

Mit dem Erblaffen der Meta-Welt, die die Kriterien der Wahrheit besitzt, erspürt man auch eine Krise der Erkenntniskräfte: Um die Konkordanz zwischen dem Subjekt und dem Objekt zu behalten, führt man einen Spiegel ein, der den Prozess der Erkenntnis viel komplizierter macht (Nikolai Hartmann).

Am Ende des 19. Jahrhunderts werden zum ersten Mal Zeitlichkeit und Geschichtlichkeit als die wesentlichen existenziellen Bedingungen

der menschlichen Wahrheit in Betracht gezogen (durch Kierkegaard, Dilthey, Graf York von Wartenburg). Die Meditation über die Zeitlichkeit ist aber weiter schwankend; die überkommenen Methoden der naturwissenschaftlichen Gewissheit werden weitgehend bewahrt.

Die Meditation über das Unmittelbare dreht sich um: Von der Unmittelbarkeit des Wesens wird sie zur Unmittelbarkeit des Lebens. Die Sprache aber, die hier genutzt wird, ist unvermeidlich von den Zügen ihrer Abstammung geprägt. Husserl zum Beispiel entwickelt seine Lebensphänomenologie in demselben Rahmen, in dem er seine Betrachtungen über die Philosophie als strenge Wissenschaft durchgeführt hat. Er versucht eine Kehre vom Vorrang der *episteme* (der theoretischen Wissenschaft) zur *doxa* (der praktischen Wissenschaft) durchzuführen und gleichzeitig den Boden einer strengen Wissenschaft im Leben zu begründen.

Die Hauptabsicht meiner Auseinandersetzung mit den verschiedenen wissenschaftlichen Modellen ist zu zeigen, dass die Hermeneutik und die Gadamerische Meditation über die Einzigartigkeit der Geisteswissenschaften durch die Aporien der Methode entstanden sind und einen Versuch bilden, alle wesentlichen Aporien der geschichtlichen zeitlichen Wissenschaften in die umfassendere Dimension der Wahrheit zu integrieren.

Die wichtigsten philosophischen Richtungen am Anfang des 20. Jahrhunderts versuchten, eine Alternative zur *Fröhlichen Wissenschaft* von Nietzsche, zur diskontinuierlichen Wissenschaft, zu entwickeln. *Die Hermeneutik der Faktizität*, die *Hermeneutik des Daseins* und die *Gadamerische Hermeneutik der Geisteswissenschaften* sind solche Versuche zu zeigen, dass es trotz unserer zeitlichen Begrenztheit eine kontinuierliche, konsistente Wissenschaft geben kann.

Gadamer setzt einen Abstand zwischen seine und Nietzsches Position, den er folgenderweise kennzeichnet: *“Man könne nur noch Fröhliche Wissenschaft treiben, nur noch auf überraschende, an den Augenblick gebundene Umbildungen falscher Vormeinungen setzen, durch die einem plötzlich ein Licht aufgehe, das jedoch wieder verschwindet, wenn man dieselbe Textfigur noch einmal versuche.”*⁴

Es stellt sich die Frage, wie eine Wissenschaft möglich ist, die sich auf begrenzte, punktuelle Erfahrung stützt? Gadamer setzt voraus, dass die Endlichkeit – der Kernpunkt der Hermeneutik – paradoxerweise eine Unendlichkeit von Perspektiven geschaffen hat, durch die das

geschichtliche Werden wieder neu betrachtet und interpretiert werden kann. Alle diese Perspektiven bewegen sich in einem quasi identischen Universum, das aber ein verbundenes Universum ist und sich auf die wesentliche Aporie der geschichtlichen Wissenschaften, nämlich dass sich Selbsterkenntnis auf das Verhältnis zur gegenwärtigen und zu den vergangenen Welten bezieht, die der Interpretation endgültig oder teilweise verschlossen sind, stützt.

Die Philosophie konnte Gewissheiten darbieten, solange sie, auf einfache Gründe gestützt, die Wahrheit *wesensartig* begriff. An diesen Kardinalpunkten orientierte sich der Diskurs über den Menschen und über die Welt, die ihn umfasst.

Sobald die *wesensartige Wahrheit* als Verbindung zwischen einem Subjekt und einem Objekt aber von der Hermeneutik und der Phänomenologie in Frage gestellt wurde, führte die Rede von Phänomenen zu einer anderen Art von Erkennensverhältnis. Statt einem *Adäquationsverhältnis* (zwischen dem Intellekt und der Wirklichkeit, zwischen dem Subjekt und dem Objekt) taucht nun eine Relation der *Enthüllung, der vertikalen Sichtbarkeit*, auf.

Das Medium, in dem sich dieses „Drehbuch“ der Wahrheit entfaltet, ist nicht mehr das durchlässige Medium zwischen den Menschen und den Dingen, sondern der Grad der Lichtung des Seins, *des Seinszuwachses*. Das Ziel des Erkennens ist nicht mehr das Feststellen einiger klarer, universeller Orientierungsprinzipien, einiger sicherer Wege, die gegangen werden könnten, sondern eben diese Durchsichtigkeit, die dramatische, vertikale Enthüllung des Seins. Dramatisch nicht im Sinne des Mangels an Adäquation, sondern in dem Sinn, dass der ganze Vorgang des Erkennens kein Vorgang ohne Rest, kein allumfassender Prozess sein kann, sondern durch das Unbehagen und die unendliche Suche des menschlichen Schicksals gekennzeichnet ist.

In dem Augenblick, in dem sich der Erkennensvorgang nicht mehr stiftend auf die ersten logischen Prinzipien stützt, wird die Erkenntnis scheinbar *aporetisch, zirkelhaft* und *tautologisch*. Weil es keine vorrangigen ersten und keine sekundären abgeleiteten Elemente mehr gibt, sind die wesentlichen Unterschiede verschwommen. Das führt entweder zur rein deskriptiven Theorie oder zur Tautologie.

Um aus dieser Alternative herauskommen zu können, sollten wir Gadammers Stellung weiter präzisieren und auf die Fragen antworten: In welchem Sinne haben wir *Wahrheit und Methode*? Was ist die Eigenart der Geisteswissenschaften, was der Naturwissenschaften?

1.3. Wahrheit und Methode. Wahrheit versus Methode. Das Erkennensideal in den Natur- und Geisteswissenschaften

Gadamer's Stellung hat sich mit der Zeit stark nuanciert. Ursprünglich (in *Wahrheit und Methode*, 1960) benutzte er die beiden Bezeichnungen gegensätzlich (der Grund dafür könnten die geschichtlich-philosophischen Umstände der Entstehung des Buches sein – die Auseinandersetzung mit dem Historismus, mit der Erlebnisästhetik usw.). Die *Methode*, als der Kernbegriff der Naturwissenschaften, schien den Geisteswissenschaften inadäquat zu sein. Auf der anderen Seite sind aber die Geisteswissenschaften nicht weniger wichtig als die Naturwissenschaften: „Was ist das für eine Erkenntnis, die versteht, dass etwas so ist, weil sie versteht, daß es so gekommen ist? Was heißt hier Wissenschaft? Auch wenn man anerkennt, daß das Ideal dieser Erkenntnis von der Art und Absicht der Naturwissenschaften grundsätzlich verschieden ist, wird man doch versucht sein, sie als die 'ungenauen Wissenschaften' lediglich privativ zu charakterisieren.“⁵

Nach Gadamer gehören die Geisteswissenschaften vielmehr zum Bereich der Philosophie und ihren Forschungsmethoden als zur Genauigkeit der Naturwissenschaften. Sie werden auch durch die Zugehörigkeit zu einem Vergangenheitshorizont, den sie ständig in Frage stellen, gekennzeichnet. Ihr Bereich kann nicht durch eine Methode erschöpft und eingekapselt werden.

Das Erkennensideal, das Gadamer statt dem objektiven Erkennensideal der Naturwissenschaften vorschlägt, ist das *Partizipationsideal*. Das ist „das eigentliche Kriterium für den Reichtum oder die Armseligkeit geisteswissenschaftlicher Resultate.“⁶ Schon im zweiten Kapitel des ersten Teils von *Wahrheit und Methode*, *Die Ontologie des Kunstwerks und ihre hermeneutische Bedeutung* (das Kultspiel als Leitfaden der ontologischen Explikation) wurde das Ideal der Partizipation als ein Modell der Nichtunterscheidung der erkennenden Instanzen beschrieben. 1993 betrachtet Gadamer seine eigene Position im Rückblick: „Aus diesem Grunde habe ich vorgeschlagen, das Ideal der objektiven Erkenntnis, das unsere Begriffe von Wissen, Wissenschaft und Wahrheit beherrscht, durch das Ideal der Teilhabe, der Partizipation zu ergänzen. Die Partizipation an den wesentlichen Aussagen menschlicher Erfahrung, wie sie sich in der künstlerischen, der religiösen und der geschichtlichen Überlieferung nicht nur unserer, sondern allen Kulturen ausgebildet haben ... Sie können das auch anders ausdrücken und sagen: in allen Geisteswissenschaften

steckt Philosophie, die nie ganz zum Begriff kommen kann."⁷ Das wäre das erste Kriterium für die Bestimmbarkeit der *Wahrheit ohne Methode* der Geisteswissenschaften.

Auf der anderen Seite besagt das nicht, dass die Methode der Wahrheit unangemessen wäre. Es besagt nur, dass die Methode die Wahrheit nie ausschöpfen kann, dass man sie nie mit einem festen Gewinn ersetzen darf: *„Als Werkzeuge sind Methoden immer gut. Nur, - wo diese Werkzeuge mit Gewinn eingesetzt werden können, darauf muß man sich verstehen! Methodische Sterilität ist eine allgemein bekannte Erscheinung.*"⁸

Ein anderes Kriterium für die Produktivität der Geisteswissenschaften ist die *hermeneutische Phantasie*. Das ist ein seltsamer, später Begriff, den ich auf den Spuren von Gadammers Betrachtungen über die *Verwandlungskraft des Gesprächs*, wo immer wieder neue Gesichter der Wahrheit ans Licht gebracht werden, auslegen möchte. Es ist eine Art, das Neue im Alten zu finden. Seltsamerweise (oder verständlicherweise, wenn wir uns Gadammers Stellung, die als eine *Rehabilitierung der Vorurteile* betrachtet wurde, näher aneignen) wird das Neue, das Herausfinden des Neuen zum Zeichen der Produktivität einer Wissenschaft.

Diese Produktivität ist ein Kennzeichen der Geisteswissenschaften (im Gegensatz zu den Naturwissenschaften, die die Umwelt beherrschen und umbilden, damit der Mensch in dieser „zweitrangigen Welt“ besser leben könnte als in der „primären Welt“, der Welt der Natur).

„Was macht einen Ernst Robert Curtius...? Daß er die Methoden seines Fachs beherrscht? Das tut auch der, der nie etwas Neues herausfindet, nie eine Interpretation von wirklich aufschließender Kraft zustande bringt. Nein, - nicht schon die Methodenbeherrschung, sondern die hermeneutische Phantasie ist die Auszeichnung des Geisteswissenschaftlers! Und was ist hermeneutische Phantasie? Das ist der Sinn für das Fragwürdige und das, was es von uns verlangt."⁹

In demselben Sinne der *hermeneutischen Phantasie* würde ich Gadammers Rede über die Vorurteile entziffern. Man sagt, Gadamer habe die Vorurteile in der Erkenntnis rehabilitiert, da wir uns seiner Ansicht nach nicht in einem willkürlichen, sondern in einem von der ganzen Überlieferung bestimmten Horizont bewegen. Hier nimmt Gadamer eine mittlere Position ein. Er unterstreicht: *„Wer sich auf Autorität und Tradition beruft, hat keine Autorität ... Wer sich auf solche [Vorurteile] beruft, mit*

*dem ist nicht zu reden. Aber wer seine Vorurteile nicht in Frage zu stellen bereit ist, mit dem ist auch nicht zu reden.*¹⁰

Meiner Meinung nach besteht die Rolle der hermeneutischen Phantasie, die Gadamer vorbringt, darin, einen medialen Sinn zwischen dem Alten und dem Neuen, zwischen der Bestimmung der Vergangenheit und der Auslegung der Gegenwart, zu finden.

Das Interessante an Gadammers Stellung ist, dass er von einer *möglichen Hermeneutik* in den Naturwissenschaften spricht, von einer hermeneutischen Struktur, die in den Wissensfeldern der Naturwissenschaften steckt. Der Grund dafür ist nicht, wie in den Geisteswissenschaften, die Geschichtlichkeit und die zeitliche Begrenztheit, sondern die Tatsache, dass, selbst wenn es endgültige theoretische Regeln geben könnte, die Verbindung von Theorie und Praxis einer bestimmten Auslegungskraft unterworfen wäre.¹¹

In anderen Worten wirken die *hermeneutischen Kräfte* des menschlichen Verstehens ständig, sowohl in den Geisteswissenschaften als auch in den Naturwissenschaften, als eine Vermittlung der Geschichte zur Gegenwart und der Theorie zur Praxis.

2. Die Dimension der Geschichtlichkeit als eine zentrale Dimension

2.1. Die drei Paradigmen der Geschichtlichkeitsdimension

Der Punkt, an dem über den Unterschied zwischen den rein theoretischen Wissenschaften und den Geisteswissenschaften entschieden wird, ist die Weise, in der der zeitliche Horizont, die Zeitlichkeit, als ein Störfaktor oder als eine zentrale Dimension der Analyse des Phänomene gekennzeichnet wird. Die theoretischen Wissenschaften fragen nach der Möglichkeit des Konstituierens des Forschungsobjektes und nicht nach der Geschichte. Ihre „absolute“ Gültigkeit entsteht durch die Begrenzung des zeitlichen Horizontes. Die geschichtlichen Wissenschaften beginnen ihre Untersuchungen dagegen mit einem bestimmten *Situationshorizont*. Sie ziehen die Endlichkeitsbedingungen des menschlichen Schicksals in Betracht.

Radikal formuliert könnten wir behaupten, dass der Bereich der theoretischen Wissenschaft genau dort endet, wo die eigentlichen Fragen

des menschlichen Seins (Endlichkeit, Geschichtlichkeit, Schuld, Tod, Grenzsituationen) erreicht werden.

Die große Absicht Gadamers dagegen ist zu zeigen, dass das Ziel jedes geschichtlichen Erkennens nicht in der bloßen Kenntnissammlung besteht, sondern völlig der Selbsterkenntnis dient: *„Was wir geschichtlich erkennen, das sind wir im letzten Grunde selbst. Geisteswissenschaftliche Erkenntnis hat immer etwas von Selbsterkenntnis an sich. Nirgends ist Täuschung so leicht und so naheliegend wie in der Selbsterkenntnis, nirgends aber bedeutet es auch, wo sie gelingt, so viel für das Sein des Menschen.“*¹²

Dieses Selbsterkennen, das sich in jeder Erkennensbemühung wiedererkennt, führt keineswegs zur Subjektivierung, sondern es geht davon aus, dass das Wesen des Geschichtlichen in der individuellen Zeitlichkeit der geschichtlichen Geschehnisse besteht.

Viel prägnanter hat sich Nietzsche in seiner *Zweiten unzeitgemäßen Betrachtung* über die Gefahr der Trennung geschichtlicher Erkenntnis vom persönlichen Interesse des jeweiligen Forschers ausgedrückt. Nach Nietzsches Meinung haben sich die Konstellation und das Verhältnis zwischen dem Leben und der Geschichte dadurch geändert, dass die Geschichte dazu neigte, sich als strenge Wissenschaft zu konstituieren. Die Maxime dieser Erkenntnisart ist: *fiat veritas pereat vita*. *„...denn aus uns haben wir Modernen gar nichts; nur dadurch, dass wir uns mit fremden Zeiten, Sitten, Künsten, Philosophien, Religionen, Erkenntnissen anfüllen und überfüllen, werden wir zu Etwas Beachtungswerthem, nämlich zu wandelnden Enzyklopädien.“*¹³

Und vorher, noch stärker: *„Ein historisches Phänomen, rein und vollständig erkannt und in ein Erkenntnisphänomen aufgelöst, ist für den, der es erkannt hat, todt.“*¹⁴

Der Ausgangspunkt der folgenden Analysen artikuliert sich in folgender Frage: Wie kann man ein geschichtliches Phänomen in seiner Entwicklung, in seiner Variabilität erkennen, ohne es in ein Archivsdokument zu verwandeln, ohne es dem verkrusteten Gedächtnis der enzyklopädischen Kenntnisse auszuliefern? Wie kann man zum lebendigen in ständiger Bewegung befindlichen Kern der Geschichte Zugang haben, ohne ihn in eine bewegungslose Materie zu verwandeln? Oder kurz: Wie kann man das Leben in einem Erkenntnisakt anders als von der Todesperspektive fassen?

Wir werden zunächst drei hermeneutische Modelle analysieren (Günter Figal folgend) in ihrem Versuch, sich auf die zeitliche Distanz, die den

Forscher vom Objekt seiner Forschung trennt, zu beziehen. Sie versuchen je unterschiedlich den Abstand zwischen der Gegenwart und der Vergangenheit nachzuholen: (1) die *Hermeneutik perspektivischer Integration* (Nietzsche), (2) die *wirkungsgeschichtliche Hermeneutik* (Gadamer), und (3) die *Hermeneutik sich ereignender Konstellationen* (W. Benjamin).

Im Verhältnis der Gegenwart zur Tradition gibt es drei mögliche Einstellungen:

1. Die Tradition ist nicht endgültig gezeichnet; sie ist noch ein Forschungsfeld unendlicher Möglichkeiten, das erst durch die Vermittlung der Gegenwart einen Sinn und eine Bedeutung bekommt. Das Ganze der Tradition wird erst durch die Gegenwartsvermittlung konstituiert (Nietzsche).

2. Die Tradition ist wirksam, sie ist der Spielraum des Textverstehens, immer wieder durch die Gegenwart ins Gespräch gebracht. Die Tradition ist kein Selbstverständliches, das wir von Zeit zu Zeit neutral, objektiv wissenschaftlich, als einen Bereich der Neugierde und der Sprichwörter, öffnen. Die Tradition, abgesehen von der Gegenwartsbestimmung, entfaltet immer neue Gesichter durch die Fähigkeit der Gegenwart, Fragen zu stellen, die das Selbstverständliche der Tradition aufbrechen.

Es handelt sich erstens um eine *Entfremdung* und zweitens um ein *Nachholen* der Tradition durch das Gespräch mit der Gegenwart. Was die Tradition mit der Gegenwart verbindet, entweder in einer diskontinuierlichen oder in einer integrierenden Weise, ist die *universale Dimension des Verstehens*. Das meint nicht, dass die Tradition unwirklich wäre oder erst durch die Perspektive der Gegenwart einen Sinn bekäme, sondern hebt eine Perspektive unendlicher Interpretationsmöglichkeiten der Tradition hervor. Dies ist die hermeneutische Perspektive Gadamers vom *wirkungsgeschichtlichen Geschehen*, die hauptsächlich durch das Gespräch gekennzeichnet wird. *Das eigentliche Gespräch* bewahrt die Würde der beiden einbezogenen Termini auf. Sowohl die Tradition als auch die Gegenwart bewegen sich gleichmäßig im Horizont des geschichtlichen Verstehens. In diesem Zusammenhang bedeutet Erkennen (1) Selbstverstehen, (2) Verstehen der Vergangenheit, und (3) Verstehen des gespannten Verhältnisses zwischen Tradition und Gegenwart durch die Entfremdung und das Nachholen des Zeugentextes der Vergangenheit.

Während die Hermeneutik Gadamers durch die Tugend des Gesprächs bezeichnet werden kann, wäre Nietzsches Haltung als ein Monolog zu

charakterisieren, der in einer sinnlosen Vergangenheit Akzente und Bedeutungen bestimmt.

3. Im Vergleich dazu setzt W. Benjamins Stellung (*Hermeneutik sich ereignender Konstellationen*)¹⁵ die Diskontinuität der Tradition voraus. Diskontinuität bedeutet hierbei zum einen, dass bestimmte Texte in bestimmten Epochen sinnvoll wirken und in anderen dunkel bleiben; zum anderen in einem diskontinuierlichen Sinne, dass das radikal Neue in der Geschichte möglich ist, dass der Sinn der Gegenwart nicht nur durch die sukzessiven Interpretationen des Alten ermöglicht wird (Gadamer) oder, umgekehrt, das Alte erst durch die Gegenwartsvermittlung wirklich wird (Nietzsche). Es gibt eine „Spalte“ in der Geschichte, die einen radikal neuen, atemporalen Sinn einführt. *„Der Sinn der Geschichte ist die zeitlose Präsenz ihrer Deutungen.“*¹⁶

Dieser atemporale Bruch führt einen freien Spielraum ein in die Geschichte: zwischen dem Eigenen und dem Fremden, zwischen Gegenwart und Vergangenheit, aus deren Konstellation ein neuer Sinn aufbricht.

Diese Denkweisen des Verhältnisses Vergangenheit – Gegenwart gehören natürlicherweise zu einfach erkennbaren kulturellen Typologien. Walter Benjamin, als ein christlicher Denker, eignet sich die christliche Perspektive an. Die Geschichte ist endlich und sie wird sinnvoll nur unter dem göttlichen Reflektor des Unveränderlichen. Die Geschichte hat einen positiven Sinn, der die Metaphysik der Geschichte ermöglicht hat.

Für Nietzsche, dessen Ideal *„der Versuch, die Wurzel der europäischen Kultur hinter der römisch-alexandrinischen Epoche, in den anhistorischen Zeiten der Griechen, zu finden“*¹⁷ war, ist das Modell, das die Veränderung vom Festen (der Ordnung) aus betrachtete, griechisch. Das Modell ist die Natur, die kosmische Ordnung, die sich in ewiger Wiederkehr erneuert. Selbst wenn die feste Ordnung als absolute Voraussetzung fehlt, führen die ständigen Metamorphosen der ewigen Wiederkehr eine dynamische Ordnung ein, die von dem ständigen Wechsel zwischen dem Historischen und dem Anhistorischen abgeleitet wird. Sie werden nicht als zwei Seiten der menschlichen Natur, sondern als *„die plastische Kraft eines Menschen, eines Volkes, einer Kultur“*¹⁸ betrachtet.

Nietzsche stiftet die historischen Bedeutungen vom Willen zur Bildung einer zweiten Natur: *„Ein Versuch, sich gleichsam a posteriori eine Vergangenheit zu geben, aus der man stammen möchte, im Gegensatz zu der, aus der man stammt ...“*¹⁹. Er betrachtet die Geschichte kritisch,

im Vergleich mit den Betrachtungsweisen der monumentalen antiken Geschichte.

Gadamer's Stellung zeichnet sich genau durch ihr non-volitives Moment, durch die Annahme der wesentlichen Begrenzung als ein Moment der Wahrheit, aus.

2.2. Die innere Begrenzung der Vernunft – eine Voraussetzung des geschichtlichen Verstehens

Die Gadamer'sche Radikalisierung der Hermeneutik drückt sich im Sinne der Bescheidenheit der Vernunft aus. Die Vernunft, meint er, sei von Innen begrenzt:

1. Das geschichtliche Verstehen bewegt sich in einem Spannungsverhältnis zwischen der Geschichte und der Gegenwart.

2. Die Vernunft ist durch die Vielfältigkeit der Ausdrucksformen begrenzt.

3. Wir sollten die ständige Bewegung der drei Instanzen, die im geschichtlichen Prozess einbezogen sind, in Betracht ziehen: das Phänomen, das menschliche Dasein und die Sprache.

Der Anspruch der strengen Wissenschaften war, das Willkürliche der subjektiven Erfahrung durch das objektive Erkennen zu überwinden, die Sprache einer vielfältigen Symbolik durch die Einheit des Begriffes zu überschreiten und die kontextuelle Aura eines Phänomens durch die endgültige Koagulation in einem fest bestimmten Objekt aufzulösen. Gadamer dagegen meint, dass die Sprache den Zugang zu einem Unobjektivierbaren in virtuell unendlichen Ausdrucksformen vermittelt.

Gadamer denkt die geschriebenen Texte als einen Zugang zur Vergangenheit, eine Weise, durch die die Vergangenheit sich bewahrt und ans Licht kommt (durch die Auslegungen der Gegenwart). Das Modell des geschriebenen Textes ist aber nicht die einzige Vermittlungsweise der geschichtlichen Wahrheit. Auch das Kunstwerk kann uns vergangene Epochen öffnen und uns hineinversetzen in die Zeit, in der sie entstanden sind. Die Phänomene der Sozialwissenschaften können ebenfalls hermeneutisch verstanden werden. Auf diese Weise kommt Gadamer Heidegger näher, für den in der Enthüllung der Wahrheit fünf wesentliche Geschehnisse ins Spiel gekommen sind: das Kunstwerk, die Stiftung eines Staates, das Ereignen des Seins des Seienden, die Fragestellung des Denkens, die dichterische Sprache²⁰.

Auf der anderen Seite gesteht Gadamer seine Zugehörigkeit zu einer Tradition, in der die Hermeneutik durch das Modell der Textinterpretation auf einem theologisch, philologisch oder juristisch motivierten Boden entstanden ist.

Für Schleiermacher war die Hermeneutik eine „Kunstlehre des Verstehens“²¹, in der die Missverständnisse beseitigt werden sollten, um den eindeutigen Kern des Verstehens zu gewinnen. Die gegenwärtige Hermeneutik schließt aber eine solche Möglichkeit aus, dass ein solcher Kern gefunden oder eindeutig ausgelegt werden könnte. Das Verstehen entsteht in einem bestimmten Situationskontext, aber erschöpft ihn nicht.

Gadamer zufolge heißt Verstehen immer *Andersverstehen*. Dies ist das Paradoxon von Gadamers Hermeneutik, das sich auf das Paradoxon jeder menschlichen zeitlichen Entwicklung stützt. Das, was die Endlichkeit und die Begrenztheit bestimmt, ermöglicht gleichzeitig die virtuell unendliche Vielfältigkeit der Erscheinungsformen.

Die Vernunft ist dadurch begrenzt, dass man ihren einheitlichen, festen Boden nicht feststellen kann. Das führt zur unendlichen Variation der Ausdrucksformen. Gleichfalls ist die Vernunft dadurch begrenzt, dass sie an einen bestimmten historischen Kontext, von einem Gelegentlichen und Willkürlichen her, gebunden ist. Die Vernunft kann das aber nicht ausschöpfen, da es ständig ein Unobjektivierbares gibt, das in keiner Sprache verwirklicht wird.²²

Das ist der Grund, warum die Wahrheit durch die verschiedenen Auslegungen nicht erschöpft werden kann. Sie ist eine *Participations-Wahrheit*. Wie schon erwähnt, haben wir es hier mit demselben Problem des Unmittelbaren zu tun, das in Gadamers Analysen des Kunstwerks (basierend auf dem Modell einer religiösen Kommunion) auftaucht.

Die Sprache ist ein Zeichenspiel, das nicht nur verhüllt, sondern auch enthüllt. Die Tatsache, dass jedes Erkennen über seinen eigenen verschiedenen Sichtpunkt verfügt, führt keineswegs zu seiner wesentlichen Relativität. Man kann diese verschiedenen Sichtpunkte, die unter einem einheitlichen Reflektor stehen, integrieren.

Gadamer schreibt: „Es kann keine Aussage geben, die schlechthin wahr ist.“²³ Und anschließend: „Jede Aussage ist motiviert. Jede Aussage hat Voraussetzungen, die sie nicht aussagt. Nur wer diese Voraussetzungen mitdenkt, kann die Wahrheit einer Aussage wirklich ermessen.“²⁴ Dadurch hebt Gadamer die Positivität der Vorurteile hervor. Die Vorurteile

begrenzen nicht nur unser Verstehen, sie *be-grenzen* gleichzeitig den Horizont, im Rahmen dessen unser Verstehen sich konstituiert.

Das zentrale Problem der Hermeneutik wäre also die Vermittlung des Unmittelbaren: „*Wir leben ständig in Mitteilungsformen für solches, was nicht objektivierbar ist, die uns die Sprache, auch die der Dichter, bereitstellt.*“²⁵ Die Hermeneutik könnte man also als die *Philosophie der begrenzten Vernunft* bezeichnet werden. Aber eine Philosophie der begrenzten Vernunft ist überzeugend nur in dem Maß, in dem wir zeigen, wie die begrenzte Vernunft immer noch *Vernunft* ist, wie der hermeneutische Perspektivismus nicht zum Relativismus führt und wie die Bedingtheit das geschichtliche Erkennen nicht beeinträchtigt, sondern sich als Moment der Wahrheit konstituiert.

Dafür werden wir die wichtigsten Begriffe Gadammers erklären: das *Spannungsverhältnis* zwischen der Geschichte und der Gegenwart sowie das *wirkungsgeschichtliche Bewusstsein* und die *hermeneutische Mitte*.

2.3. Die existenziale Wahrheit und die Überwindung des Relativismus

Das *Spannungsverhältnis* setzt zuerst eine zeitliche Entfremdung, die Entfremdung der Gegenwart von der Vergangenheit, voraus. Auf der anderen Seite handelt es sich um das Nachholen der Entfremdung, ohne die wesentliche Verschiedenheit der beiden einbezogenen Termini zu vergessen. In dem Spalt, der sich zwischen den beiden Tendenzen auftut, wird das Ziel nicht die Überwindung des zeitlichen Abstands, der die zwei Momente trennt, sondern die Bewahrung der geschichtlichen Spannung. Die Beziehung zur Vergangenheit ist deswegen ein *diskontinuierliches, gebrochenes Verhältnis*, das das Verstehen und das Nachholen der Vergangenheit ermöglicht. Ein vergangener geschichtlicher Inhalt kann nur in dem Maß verstanden werden, in dem er von seinem Selbstverständlichen entfremdet wurde, so dass er in einen neuen interrogativen Kontext, zu dem die Gegenwart gehört, gesetzt wird. Das heißt, er sollte in einen synchronen Horizont versetzt werden.

Der Begriff von *Gleichzeitigkeit*, der von Kierkegaard eingeführt wurde, bildet das größte dialektische Problem und gleichzeitig das grundlegende hermeneutische Prinzip, das unsere Beziehung zur Vergangenheit kennzeichnet. Jede Behauptung über die Vergangenheit setzt den Vorrang einer gegenwärtigen, aktuellen Frage, einer Frage, die uns unmittelbar angeht, voraus.

„Der Primat der Frage vor der Aussage bedeutet für die Hermeneutik, dass man jede Frage, die man versteht, selber fragt. Verschmelzung des Gegenwartshorizontes mit dem Vergangenheitshorizont ist das Geschäft der geschichtlichen Geisteswissenschaften. Sie betreiben aber damit nur, was wir immer schon tun, indem wir sind.“²⁶

Anders gesagt, wird derjenige, der sich mit der Geschichte beschäftigt, von der Tatsache, dass er selbst die Geschichte erlebt, bestimmt. Die Geschichte ihrerseits wird dadurch, dass die Gegenwart uns ständig herausfordert, immer wieder (neu) geschrieben. Die hermeneutische Frage hat gerade diese Rolle des Aufbrechen-Könnens in einen geschichtlichen Kontext, der in seiner Bedeutung versiegelt schien.

Der Wahrheitsbegriff, der von der Hermeneutik vorgeschlagen wird, steht nicht mehr unter den kanonischen Bedingungen der wissenschaftlichen Wahrheit. Es geht hier um eine *existenziale Wahrheit*, deren grundlegende Voraussetzung nicht mehr der Beweis, sondern ein *commercium* zwischen Existenz und Existenz, ein Zugang zu einer vergangenen Existenz auf Grund ihrer Zusammengehörigkeit, wäre.

Gadamer unterstreicht immer wieder die Idee, dass dieser Perspektivismus keineswegs zum Relativismus führt, dass man sich von der Relativität zur Totalität erheben kann, dass die Wahrheit mehr als diese Rekonstruktion ist und dass es eine Intelligibilität jenseits von den Grenzen der Völker, des Individuellen und der Zeit gibt. *Die Hermeneutik wäre in diesem Zusammenhang das maximale Verstehen angesichts des Unverständlichen.*

Die Idee des *Situationshorizontes*, in dem die virtuell unendlichen Vermittlungen des Unmittelbaren erscheinen, taucht wieder auf. Der Agent (und Patient) dieser Interpretationen und Perspektiven ist das, was Gadamer das *wirkungsgeschichtliche Bewusstsein* nennt. Der Zugang zu dieser Wahrheit, die mehr als die geschichtliche Rekonstruktion ist, wird durch die Kunst und das Kunstwerk illustriert: *„Die Fruchtbarkeit einer geisteswissenschaftlichen Erkenntnis scheint der Intuition des Künstlers näher verwandt als dem methodischen Geist der Forschung.“²⁷*

Diese kurze Behauptung offenbart die Art, in der Gadamer die Wahrheit der Geisteswissenschaften, die sich im Kunstwerk, im geschichtlichen Verstehen und im Selbstverstehen (Autobiographien, Memoiren) darstellt, begreift. Wir dürfen nicht vergessen, dass die Geschichtlichkeit der Wahrheit auf der wesentlichen Endlichkeit unseres Seins gründet, aber auf der anderen Seite gerade diese Bedingung und Begrenzung sich als Moment der Wahrheit konstituiert.

Der letzte Begriff, den wir analysieren werden, ist die *hermeneutische Mitte*. Er wird uns klarmachen, wie sich eine punktuelle Wahrheit vom Kontextuellen und Relativen zur Ganzheit steigern kann. Natürlich handelt es sich hier nicht um jede punktuelle Wahrheit, sondern um die entscheidende, bedeutungsvolle, bildende Wahrheit, die von jedem individuellen Leben auftauchen kann.

Hier werden zwei bedeutende Begriffe, die Karriere gemacht haben, nämlich der Diltheysche Begriff vom Erlebnis und der Kierkegaardsche Begriff vom Augenblick eine wichtige Rolle gewinnen. Der Sinn eines menschlichen Schicksals besteht nach Gadamer in einer Totalisierung, die nicht von der Idee der Beendung eines historischen Vorgangs, sondern von einer bestimmenden und sinngebenden Mitte ausgeht. Das Wesentliche ist nicht das, was einen historischen Vorgang beendet. Das wesentliche und wahrheitsoffenbarende Erlebnis ist das, was die Bedeutung des Ganzen bildet. Ein Augenblick kann für eine ganze Existenz entscheidend sein: *„Totalität ist nicht das vollendete Ganze der bis zur Gegenwart abgelaufenen Geschichte, sondern baut sich von einer Mitte, von einer zentrierenden Bedeutung her auf.“*²⁸ Die Geschichte ist also Daimon und Kairos, Prädetermination und konkrete Situation, Realität und Sinn, Aktion und Bedeutung.

Der geschichtliche Prozess wird immer wieder durch neue geschichtliche Stiftungen unterbrochen. Die gesamte überlieferte Metaphysik glaubte, dass es ein absolutes Ende der Verwirklichung des Selbstbewusstseins in der Geschichte gäbe (Hegel), ohne geschichtliche Brüche. Das geschichtliche Bewusstsein und dadurch die Hermeneutik bezeichnet das *Ende der Metaphysik*. Die Voraussetzung der Endlichkeit hat aber paradoxerweise eine Unendlichkeit von Augen geöffnet, durch die die Welt, das Selbst und das geschichtliche Werden betrachtet werden können.

3. Das Modell der Kunst als ein vorrangiges Modell der hermeneutischen Wahrheit

3.1. Die Kunst und die Erkenntnis

„Nie verstehen wir etwas ganz, nie kommen wir mit dieser Welt ganz zu Rande, jede Wahrheit ist stets eine halbe Wahrheit, alle Versicherungen sind provisorisch, aber in dieser Zwielfichtigkeit ereignet sich nun einmal

alles menschliche Verstehen. Verstehen ist sozusagen ein flackerndes Wachsein in der Nacht, die umgreifender ist als jede Helle."²⁹

Sowohl die Heideggersche als auch die Gadammersche Stellung gehen von der wesentlichen Entfremdung des Seins aus und versuchen die Eigentlichkeit (Heidegger) und die Wahrheit (Gadamer) zu erreichen. Der Unterschied zwischen den beiden Denkern besteht darin, dass Gadamer annimmt, diese Lichtmerkmale begleiteten die Wahrheit, während Heidegger zu Beginn ein (er-)hellendes Verstehen für möglich hält³⁰, sich mit der Zeit davon aber zunehmend entfernt, um zu seiner späten Meditation über die Seinsvergessenheit im abendländischen Denken zu gelangen:

*„Sie zielte unmissverständlich darauf ab, die Seinsvergessenheit in der uneigentlichen Zeitlichkeit des Daseins zu verankern. Es galt also, die Seinsfrage im Dasein selber wachzurufen. Der spätere Heidegger entdeckt aber sehr bald, dass die Seinsvergessenheit viel vertrackter mit der Geschichte, ja mit der Verfassung der Metaphysik selbst zusammenhängt.“*³¹

Gadamer wählt das Modell der Kunst als das Modell der hermeneutischen Wahrheit. Ist aber das Statut der Kunst nicht ein unklares Statut in Bezug auf die Erkenntnis?

Um die radikale Neuigkeit von Gadammers Position zu verstehen, sollten wir sie mit der Subjektivitätsästhetik vergleichen, der er am Anfang von *Wahrheit und Methode* einige Kapitel widmet.

Wir gehen von der Voraussetzung aus, dass die Kant'sche Ästhetik, die (in der *Kritik der Urteilskraft*) die Begriffe von Geschmack und Genie in ihr Zentrum stellt, die extreme Subjektivierung der Ästhetik darstellt. Dadurch erklärt sie sich als der Anfang einer nostalgischen Ästhetik, eines enttäuschten Bewusstseins, das von einer zunehmend größeren Distanz zwischen Wirklichkeit und Illusion geprägt wird. Die Kunst und das Kunstwerk werden zu einer schönen Illusion, einem verzauberten Traum, der mit dem Aufwachen endet. Der Erkenntniswert der Kunst wird verleugnet, und die Kunst wird zum Vertreter einer zerbrechlichen und halluzinierten Freiheit.

Die exzessive Ästhetisierung des Kunstwerks, seine Trennung von den Wahrheits- und Erkenntnisansprüchen, bezeichnet die Wurzel der Unterwerfung der Künstler unter die Ideologie. Die eigentliche Freiheit des Künstlers geht nicht aus seiner Extravaganz hervor, sondern aus der wesentlichen Haltung eines Wissensabenteurers (ein Begriff Kierkegaardscher Abstammung).

Wenn die Kunst und die künstlerische Schöpfung als ein Elfenbeinturm, als ein Bereich für das Spiel der Subjektivität und der persönlichen Phantasie betrachtet werden, wenn sie sich ausschließlich auf die ästhetische Qualität, auf die ästhetische Unterscheidung und nicht auf den existenzialen Inhalt stützen, werden sie zu einem schönen Spiegel fremder Inhalte.

„So verliert durch die ästhetische Unterscheidung das Werk seinen Ort und die Welt, zu der es gehört, indem es dem ästhetischen Bewusstsein zugehörig wird ... Der freie Künstler schafft ohne Auftrag. Er scheint gerade durch die völlige Unabhängigkeit seines Schaffens ausgezeichnet und gewinnt daher auch gesellschaftlich die charakteristischen Züge eines Außenseiters, dessen Lebensformen nicht mit den Maßen der öffentlichen Sitte gemessen werden.“³²

Was genau diese ästhetische Unterscheidung bedeutet und was ihre Geschichte ist, werden wir im Folgenden analysieren. Das erste Glied dieser Gleichung ist die *Kritik der Urteilskraft* von Kant, die die Möglichkeit einer Kritik des Schönen auf das Prinzip des Geschmacks gründet. Dies wird als ein wirkliches *a priori* konzipiert, selbst wenn es in Beziehung zum Lebensgefühl, das jeder Epoche eigen ist, steht. Es ist ein subjektives Prinzip, das mit dem Gemeinsinn gleichbedeutend ist. Auch im Bereich der Ästhetik (Kritik des Schönen) ist es Kants Absicht, das empirische Einzelhafte mit dem Allgemeinen zu vereinigen. Die kognitive Bedeutung des ästhetischen Aktes wird aber dadurch geopfert. Das Geschmacksurteil kann schwerlich als eine *cognitio sensitiva* betrachtet werden.

Auf der anderen Seite zeichnet sich der Geniebegriff dadurch aus, dass er alle wesentlichen Merkmale des ästhetischen Geschmacks (das sorglose Spiel der Sensibilität, die Intensivierung des Lebensgefühls) versammelt. Während der ästhetische Geschmack die Marke der Variabilität und der Relativität der menschlichen Werte trägt, versucht der Geniebegriff das Unveränderliche, das Endlose, das Notwendige, die transzendente Fundierung nachzuholen. Für Kant gilt als Prinzip der Ästhetik „Die schöne Kunst ist die Kunst des Genies“ (*Kritik der Urteilskraft*).

Nach Kant erhebt die Kunst keinen Anspruch auf Erkenntnis (das ist nicht negativ zu verstehen, weil Kant der Kunst unbedingte Freiheit einräumt gegenüber der Erkenntnis, die immer empirisch bedingt ist). Sie kann aber als eine Stufe, als ein Übergang von der Sinnenlust zum moralischen Gefühl, betrachtet werden. Der nächste Schritt ist die Schillersche Verwandlung des Ästhetischen in einen moralischen

Imperativ: „Verhalte dich ästhetisch!“ klingt Schillers Imperativ (*Über die ästhetische Erziehung des Menschen*).

Die Folge besteht darin, dass an Stelle der Kontinuität Kunst – Natur, Wirklichkeit – Schein durch den Imperativ Bruch und Diskontinuität eingeführt werden. Statt einer Erziehung durch Kunst haben wir die Erziehung für die Kunst an sich, das Ideal eines „ästhetischen Staates“.

Die ästhetischen Begriffe, die von Schiller eingeführt wurden (Nachahmung, Schein, Illusion, Zauber, Traum) setzen ein Unterscheidungsverhältnis zwischen der ästhetischen Wirklichkeit und der Realität an sich voraus. Diese ästhetische Unterscheidung bezeichnet eine Erfahrung der Entfernung und der Enttäuschung, die einer Epoche der ästhetischen Nostalgie eigen ist.

Der Begriff des ästhetischen Scheins führt einen Hiatus in die Realität ein. Die Realität, von der Perspektive der Kunst betrachtet, stellt eine Entmaterialisierung, eine Entzauberung, das Aufwachen vom Traum, dar. Die Wahrheit der Kunst schließt die Wahrheit der Wirklichkeit aus; sie ist eine zerbrechliche Wahrheit, die so lange dauert, wie wir die Realität des Scheins nicht bezweifeln, und mit dem Aufwachen zur Wirklichkeit verschwindet.

Die ästhetische Unterscheidung ist der Zentralbegriff des ästhetischen Bewusstseins. Sie setzt eine Trennung zwischen der Qualität und dem Inhalt, zwischen dem Original und seiner Darstellungsweise (in den darstellenden Künsten). Sie betont die Subjektivität, das ästhetische Erlebnis des Kunstwerks, das eine absolute Punktualität einführt, die die Einheit des Kunstwerkes als eine Gesamtheit der Individualerlebnisse der Kunstgenießenden bildet und die Identität des Künstlers gleichzeitig auflöst.

Die exzessive Subjektivierung der Kunst, die von Kants Nominalismus ausgeht, führt zur Aporie des Erlebnisses in der Kunst, deren Folge die diskontinuierliche, heraklitische Struktur des Kunstwerkes ist. Es wird zu einer leeren Form, zu einem Knoten in einer unendlichen Verschiedenheit von ästhetischen Erlebnissen. Das Kunstwerk übernimmt die Rolle eines chemischen Katalysators (Valéry).

Kierkegaard war der erste, der die zerstörerischen Folgen des extremen Subjektivismus und die Auflösung in Aporie der ästhetischen Unmittelbarkeit empfunden hat. Der Kierkegaardsche Begriff der Kontinuität des Ethischen kann mit der hermeneutischen Phänomenologie des Daseins parallelisiert werden. Die Aufgabe der hermeneutischen Phänomenologie des Daseins wäre die Koagulation der Diskontinuität

des ästhetischen Erlebnisses in der hermeneutischen Kontinuität unseres Seins. Natürlich werden die Kierkegaardschen Begriffe hier in einen hermeneutischen Kontext versetzt, aber sie haben dieselbe Absicht: das Nachholen des Ontischen (Heidegger) oder der „schmerzlichen Wahrheit der Hermeneutik“ (Gadamer).

Wir werden im nächsten Abschnitt die Weise, in der bei Gadamer das Nachholen der Diskontinuität der Erlebnisse und der verschiedenen Interpretationen in der Kontinuität der menschlichen Wahrheit gelingt, analysieren. Dafür wählt Gadamer die Erfahrung der Kunst, um die Art der Wahrheit, die uns in der Kunst begegnet, zu ergründen: „Wir sehen in der Erfahrung der Kunst eine echte Erfahrung am Werke, die den, der sie macht, nicht unverändert lässt, und fragen nach der Seinsart dessen, was auf solche Weise erfahren wird.“³³

3.2. Das Modell der hermeneutischen Ästhetik Gadamers: der Seinszuwachs und die Überwindung der Ära der Nostalgie

Die Gadamersche hermeneutische Ästhetik gründet die Kunst auf das Modell des Spiels. Das ist nichts Neues, es gab auch früher Interpretationsversuche von Kulturtheorien, die auf das Spiel zentriert wurden (Huizinga). Es gab auch Denker, die das Spiel als eine der wesentlichen menschlichen Handlungen betrachteten (etwa Schiller oder E. Fink), weil es der natürlichen Notwendigkeit ausweicht.

Für Gadamer ist das Spiel gleichbedeutend mit allem, was ausgelegt und interpretiert werden kann, und mit der ständigen Variation, die auf verschiedene Weise ein Modell der Wahrheit wiederbelebt. Es ist auch ein interpretierendes Modell für das, was an einer Wirklichkeit, die es überschreitet, teilnimmt. Es vermittelt den Zuschauern diese übertreffende Wirklichkeit. Das Spiel hat Vorrang vor den Spielenden und vor dem Gespielten. Jedes Spielen bedeutet gleichzeitig Gespielt-Werden. Gadamer unterstreicht diese gleichzeitige Verwandlung, die in einem medialen Raum (zwischen dem Aktiven und Passiven) Platz findet.³⁴

Das Kunstwerk gründet auf demselben Modell des Spiels. Der Vorteil eines solchen Modells besteht darin, dass es die Dualität Subjekt - Objekt durch eine sie übertreffende Wirklichkeit überwindet. Das Wesen des Spiels ist unabhängig vom Bewusstsein derer, die spielen, ja selbst von ihrer Anwesenheit. Damit haben wir den empfindlichen Punkt von Gadamers Hermeneutik berührt, die eine wesensartige Wahrheit ins Gespräch bringt.

Gadamer behauptet: „Das Kunstwerk hat vielmehr sein eigentliches Sein darin, dass es zur Erfahrung wird, die den Erfahrenden verwandelt. Das Subjekt der Erfahrung der Kunst, das, was bleibt und beharrt, ist nicht die Subjektivität dessen, der sie erfährt, sondern das Kunstwerk selbst.“³⁵ Gadamers Stellung identifiziert sich nicht bloß mit der essentialistischen Stellung, sondern sie bringt die klassischen Begriffe, die er auf eigene Weise auslegt, ins Gespräch.

Das wesentliche Kennzeichen des Spiels ist die Selbstdarstellung als ein universaler Aspekt der Natur. Die wesentlichen Modelle, die Gadamer in Betracht zieht, sind das Kult- und das Schauspiel, in denen die Teilnahme der Zuschauer am dargestellten Ereignis eine totale ist.

Das dargestellte Ereignis erschöpft sich völlig in der Teilnahme der Zuschauer einerseits und der Darstellenden zur dargestellten Wirklichkeit andererseits. Diese Wirklichkeit umfasst und übertrifft sie. „Sie stellen offenkundig nicht in demselben Sinne dar, wie das spielende Kind darstellt. Sie gehen darin, dass sie darstellen, nicht auf, sondern weisen zugleich über sich hinaus auf diejenigen, die zuschauend daran teilhaben.“³⁶ Das Spiel setzt den Zuschauer an den Platz des Spielers, so dass es ihm seine eigene Welt enthüllt. Das Ziel des Spiels bedeutet nur nachträglich die Virtuosität der Darstellung. Zuerst bezeichnet es die Selbstwahrheit der Teilnehmenden.

Die Welt des Spiels ist eine in sich geschlossene Welt mit ihren eigenen Gesetzen. Das bedeutet nicht, dass sie eine parallele Welt ist. Der Schwerpunkt der Rede über die Wahrheit, die sich im Kunstwerk als Spiel enthüllt, ist, dass durch das Kunstwerk zum ersten Mal die Wirklichkeit ihre eigene Wahrheit zum Vorschein bringt. Das Spiel und das Kunstwerk, hermeneutisch verstanden, sind diejenigen, die in ihrer Einheit alle Möglichkeiten des Realen umfassen. Was man in ihnen erfährt, ist keine rein subjektive ästhetische Freude sondern die Freude des Erkennens.

Um das hermeneutische Modell des Kunstwerkes sichtbar zu machen, müssen wir die wesentlichen Begriffe Gadamers in die Gleichung mit einbringen: die Verwandlung ins Gebilde, die ästhetische Nichtunterscheidung und den Begriff der *mimesis* in Gadamers Übersetzung.

Die „Verwandlung ins Gebilde“ stellt die Erfüllung bzw. das Ziel des Spieles dar. Die Verwandlung ist das, was am Ende des Spieles übrigbleibt, was sich als sein wiederholbares und endloses Modell von ihm löst. Die Unterscheidung zwischen dem Spiel und seinem verwandelten Bild

ist mit der klassischen aristotelischen Unterscheidung zwischen *ergon* und *energeia* gleichbedeutend. Das verwandelte Gebilde des Spieles hätte den Charakter vom *ergon*, vom Werk.

Das Werk aber, das am Ende des Spieles (des Schaffensvorgangs) dasteht, hat eine bestimmte Eigenständigkeit. Der Sinn dieser Eigenständigkeit ergibt sich aus der Idee der Verwandlung. Die Verwandlung setzt ein ursprüngliches Element, das verwandelt wird, voraus. Sie hätte aber keinen Sinn, wenn dieses ursprüngliche Element nicht völlig anders würde, wenn sein Sein nicht völlig aufgelöst würde, damit daraus ein ganz anderes Sein entstünde. Gadamer vergleicht den Begriff der Veränderung, der die qualitative Änderung voraussetzt, mit dem Begriff der Verwandlung: „Mit Veränderung wird vielmehr immer gedacht, dass das, was sich da verändert, zugleich als dasselbe bleibt und festgehalten wird. So total es sich verändern mag, es verändert sich etwas an ihm ... Verwandlung dagegen meint, dass etwas auf einmal und als Ganzes ein anderes ist, so daß dies andere, das es als Verwandeltes ist, sein wahres Sein ist, dem gegenüber sein früheres Sein nichtig ist.“³⁷

Diese Verwandlung setzt keine subjektive Veränderung, keine Veränderung in der Persönlichkeit des Spielers, voraus. Sie bedeutet ein völliges Versetzen in die dargestellte Welt, die paradoxerweise keine andere, äußere, fremde Welt ist, sondern die Welt selbst, in ihrem Seinsgrad gesteigert. Die wirkliche Welt wäre also eine ungespielte Welt, eine Welt, die ihre unendlichen Möglichkeiten nicht gespielt hätte. Das Spiel der Kunst hat diese dynamische Kraft, die Möglichkeiten der Welt aufzuwecken und sie in eine Einheit zu bringen, die dem Willkürlichen ausweicht. Diese Einheit ist gerade das Kunstwerk. Der Sinn der Verwandlung ins Gebilde ist der Sinn der Verwandlung ins Wahre, die Erlösung und Rückverwandlung ins wahre Sein. Diese Verwandlung hat ihrerseits einen nachholenden, anamnetischen Sinn gleich der platonischen Wahrheit, die eine Wahrheit der Wiedererkenntnis, der Wiederholung und des Wiedergehens ist. So wie im platonischen Modell führt der regressive Weg ohne Zögern zum Ziel der Erkenntnis, zur Freude des Erkennens. Die Anamnese ist nicht von der Nostalgie des Bruches, von der Nostalgie der unüberwindbaren Entfernung von der Wahrheit und vom Vergessen des Seins, sondern von der Wiederkehr zur Wahrheit geprägt.

Die Freude der Teilnahme an Tragödie und Komödie des Lebens (oder anders: die Freude an der Bühne) ist die Freude des Erkennens. Sie ist die

Möglichkeit, uns den Zwängen der Natur durch unser Verstehen zu entziehen.

Die Realität im Sinne von unverwandelter Wirklichkeit steht im Horizont der noch unentschiedenen Möglichkeiten, von denen nur einige in Erfüllung gehen. Die Zukunft stellt die Dimension der Eigentlichkeit dar, aber sie wird unvermeidlich in die Realität verwandelt, die hinter unseren Entwürfen verharret. Bei Heidegger hat die mögliche Welt Vorrang vor der wirklichen. Das ist der Sinn der Kategorie der Möglichkeit in der existenzialen Logik von *Sein und Zeit*.

Im Kunstwerk weist Gadamer der Möglichkeit jedoch einen anderen Sinn zu. Die Tatsache, dass er die Dimension der künstlerischen Wirklichkeit betont, beweist, dass er eine Formel gefunden hat, in der das Uneigentliche und der Schein als Einheit einbezogen sind, in einer verwandelten Welt, die das Ende des Nostalgiezeitalters bezeichnet. Derjenige, der die Tragödie und die Komödie des Lebens erkennen kann, kann auch die Wahrheit des Kunstwerks erkennen. „Die Welt des Kunstwerks, in der ein Spiel sich derart in der Einheit seines Ablaufs voll aussagt, ist in der Tat eine ganz und gar verwandelte Welt. An ihr erkennt ein jeder: so ist es.“³⁸

Diese Formel der Regression, des Nachholens (Anamnesis) bezieht auch den Begriff der Mimesis ein, dessen Sinn das Wiedererkennen ist. Das Wiedererkennen hat aber keinen Sinn, wenn das Wiedererkannte keinen Zuwachs zum Schon-Erkannten darstellt. Es bedeutet ein Aufbrechen der Tautologie, der Identität, durch die Annäherung an das Wesen einer Sache. Der Sinn von Mimesis (Aufbewahren des Wesens in allen seinen Darstellungen) ist mit der Erleuchtung durch das Wiedererkennen einer Sache jenseits vom Willkürlichen und Veränderlichen gleichbedeutend. Die ursprüngliche mimetische Beziehung setzt gerade die Tatsache, dass das Dargestellte ein Zuwachs an Sein durch jede seiner Darstellungen bedeutet, voraus. Das Wiedererkennen ist keine bloße Wiederholung, sondern eine Hervorholung.

Der Begriff von Mimesis findet keinen Platz in einer ästhetischen Theorie, so lange die Wirklichkeit der Kunst agnostisch definiert wird (Kant). Hier bringt Gadamer den Begriff der „ästhetischen Nichtunterscheidung“ zur Sprache, der die hermeneutische Kontinuität zwischen dem Material des Lebens und der dichterischen Verwandlung (oder der nachträglichen Reproduktion des Kunstwerkes) voraussetzt. Es geht hier um eine doppelte Mimesis, die des Künstlers, der die Realität

darstellt, und die des Schauspielers, der etwas aufführt. Die Hauptidee ist, dass diese doppelte Mimesis eigentlich eine einzige, und das, was in den beiden Akten zum Sein kommt, dasselbe sei – die Sache selbst in der Wahrheit ihres Wesens, mit einem Seinszuwachs, der das Erkennen und die Wahrheit, die durch das Kunstwerk entsteht, darstellt.

Schlussfolgerungen

In unserer Auseinandersetzung mit den klassischen Aporien im Versuch einer Feststellung des Status der Philosophie haben wir ihre Einzigartigkeit als Radikalisierung der Hermeneutik betrachtet. Auf der anderen Seite wurde die Hermeneutik als „Philosophie der begrenzten Vernunft“ gekennzeichnet, deren Wahrheit eine existenziale und wesensartige Partizipationswahrheit ist.

Sowohl die Heideggerschen als auch die Gadammerschen Gedanken über die Hermeneutik entstanden aus den Aporien der Methode: Wie kann man auf die Fundierungsansprüche der Erkenntnis verzichten, ohne ihre Kontinuität und Wahrheitsdimension zu beeinträchtigen? Wie kann man auf den Gewissheits- und Beherrschbarkeitscharakter der Naturwissenschaften verzichten, ohne die Wissenschaft in eine punktuelle, ungenaue Lebenserfahrung zu verwandeln? Wie kann man die Voraussetzung einer unmöglichen letzten Wahrheit mit einer wesensartigen Wahrheit vereinigen?

Heideggers Antwort ist in seinen frühen Betrachtungen von einer wesentlichen Ambiguität geprägt. In seinen Meditationen über die Seinsvergessenheit im abendländischen Denken scheint ihm später zunehmend, diese sei dem Nachholen der ursprünglichen Entfremdung der Wahrheit unangemessen. Gadamer dagegen wählt mit seinem Modell des Kunstwerkes, das die Unterscheidung der erkennenden Instanzen durch die ästhetische Nichtunterscheidung auflöst, das Partizipationsideal als Erkennensideal. Die übertreffende Wirklichkeit, die durch die Partizipation ins Spiel gebracht wird, bezeichnet eine Überwindung der Dualität von Subjekt und Objekt bzw. von Dargestelltem und Selbstdarstellung.

Der Gadammersche Begriff der Wahrheit setzt den Begriff der Verwandlung voraus: Die Verwandlung hat eine Koagulations- und Orientierungsfunktion, durch die das Diskontinuierliche nachgeholt wird. Das Gelegentliche, das Willkürliche, das Bodenlose haben Zugang zur

wesensartigen Wahrheit durch die verwandelnde Kraft der Kunst und des Gesprächs zwischen der Vergangenheit und der Gegenwart. Jedes Wiedererkennen der Wahrheit, jeder anamnetische Erkennensvorgang bedeutet aber eine Hervorholung, einen Seinszuwachs.

Philosophie als Hermeneutik kann die Wahrheit nie erschöpfen. Durch die Begrenzung des Situationshorizontes, wird sie die Bedingtheit und das Faktische (dank der hermeneutischen Phantasie) in die existenziale Wahrheit integrieren. In diesem Zusammenhang bedeutet – nach Gadamer – Philosophie als Radikalisierung der Hermeneutik das maximale Verstehen angesichts des Unverständlichen.

NOTES

- ¹ M. Heidegger, *Die Idee der Philosophie und das Weltanschauungsproblem*. In: *Zur Bestimmung der Philosophie*, GA 56/57. V. Klostermann, Frankfurt a.M. 1987, S.110.
- ² M. Heidegger, *Phänomenologische Interpretationen zu Aristoteles*, GA 61, V. Klostermann, Frankfurt a.M. 1985, S.185.
- ³ C. Dutt (Hrsg.), *Hans-Georg Gadamer im Gespräch*, Universitätsverlag C. Winter, Heidelberg 1993, S.41.
- ⁴ a. a. O., S.43.
- ⁵ H.-G. Gadamer, *Hermeneutik. Wahrheit und Methode*, GW I. Mohr (Siebeck), Tübingen 1990, S.10.
- ⁶ C. Dutt (hrsg.), *Hans-Georg Gadamer im Gespräch*, Universitätsverlag C. Winter, Heidelberg 1993, S.15.
- ⁷ a.a.O., S.16.
- ⁸ *Ibid.*
- ⁹ a. a. O., S.17.
- ¹⁰ a. a. O., S.19.
- ¹¹ In C. Dutt (Hrsg.), *Hans-Georg Gadamer im Gespräch*, Universitätsverlag C. Winter, Heidelberg 1993, S. 17, drückt sich Gadamer in diesem Sinne aus: „In der neueren Wissenschaft ist das seit Thomas Kuhn mittlerweile zur Sprache gekommen, und zwar vor allem deswegen, weil die vernünftige Anwendung naturwissenschaftlicher Ergebnisse auf die Praxis des Lebens nicht von den naturwissenschaftlichen Methoden geleistet wird, - wie Kant gesagt hat: Es gibt keine Regel, wie man Regeln richtig anwenden lernt.“
- ¹² H.-G. Gadamer, *Wahrheit in den Geisteswissenschaften*, in: GW 2, *Hermeneutik II*, Mohr Siebeck, Tübingen, Taschenausgabe 1999, S.40.
- ¹³ Fr. Nietzsche, *Unzeitgemäße Betrachtungen*, II, in : *Kritische Studienausgabe* (KSA), Hrsg. Giorgio Colli, Mazzino Montinari; de Gruyter, Berlin, New York 1988, S.273.
- ¹⁴ a. a. O., S.257.
- ¹⁵ W. Benjamin, *Über Sprache überhaupt und über die Sprache des Menschen, Die Aufgabe des Übersetzers*, in: *Sprache und Geschichte*, Reclam, Stuttgart 1992.
- ¹⁶ G. Figal, *Der Sinn des Verstehens*, Reclam, Stuttgart 2001, S.29: „Der Sinn der Geschichte ist die zeitlose Präsenz ihrer Deutungen“.
- ¹⁷ Fr. Nietzsche, op. cit., S.295.
- ¹⁸ a. a. O., S.251 benennt Nietzsche das Anhistorische „die plastische Kraft eines Menschen, eines Volkes, einer Kultur“.
- ¹⁹ a. a. O., S.270.
- ²⁰ M. Heidegger, *Originea operei de artă [Der Ursprung des Kunstwerkes]*, Humanitas, București 1995, S. 88.
- ²¹ F. D. E. Schleiermacher, *Hermeneutik und Kritik. Mit einem Anhang sprachphilosophischer Texte Schleiermachers*, Frankfurt a.M. 1977, S.75.

- 22 H.-G. Gadamer, *Was ist Wahrheit*, in GW 2, *Hermeneutik II*, Mohr Siebeck
Tübingen 1999, S.49.
- 23 a. a. O., S.52.
- 24 *Ibid.*
- 25 H.-G. Gadamer, *Was ist Wahrheit*, in GW 2, *Hermeneutik II*, Mohr Siebeck
Tübingen 1999, S.49.
- 26 H.-G. Gadamer, *Das Problem der Geschichte*, in GW 2, Mohr Siebeck
Tübingen 1999, S.55.
- 27 H.-G. Gadamer, *Wahrheit in den Geisteswissenschaften*, S.38:
- 28 a. a. O., S.31.
- 29 J. Grondin, *Von Heidegger zu Gadamer. Unterwegs zur Hermeneutik*,
Wissenschaftliche Buchgesellschaft, Darmstadt 2001, S. 76.
- 30 in M. Heidegger, *Ontologie. Hermeneutik der Faktizität* (GA 63, V.
Klostermann, Frankfurt a.M., 1995, S.16) besteht das Ziel der Hermeneutik
der Faktizität darin, „eine wurzelhafte Wachheit seiner selbst auszubilden“.
- 31 J. Grondin, *Von Heidegger zu Gadamer. Unterwegs zur Hermeneutik*,
Wissenschaftliche Buchgesellschaft, Darmstadt 2001, S.90.
- 32 H.-G. Gadamer, *Hermeneutik . Wahrheit und Methode*, GW I, Mohr
(Siebeck), Tübingen 1990, S.93.
- 33 a. a. O., S.106.
- 34 Die mediale Dimension ist nicht willkürlich gewählt: Der mediale Sinn des
Spieles entspricht der medialen Form im Griechischen. Im Unterschied zu
den modernen Sprachen verfügt das Altgriechische, außer der aktiven und
passiven Form, über eine Zwischenform, die das Passive darstellt, aber in
einer feinen Weise eine. subjektbezogene Handlung suggeriert - zwischen
Entscheidung und Schicksal: peíthomai (gehören), polemón poíesthai
(einen Krieg führen), paideuomai (erziehen), gaméomai (sich verheiraten-
nur für die Frauen gültig).
- 35 H.-G. Gadamer, *Hermeneutik . Wahrheit und Methode*, GW I, Mohr
(Siebeck), Tübingen 1990, S.108.
- 36 a. a. O., S.114.
- 37 a. a. O., S.116.
- 38 a. a. O., S.118.

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