Acta Universitatis Sapientiae

Social Analysis
Volume 3, Number 1, 2013

Contents

STUDIES

Employment Strategies in Harghita County, Romania: the Role of Social Networks in the Hiring Process

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Abstract. This paper aims to describe the characteristics of hiring strategies, based on three case studies. The research has been performed in small towns and their regions in Harghita County, in the Szeklerland region, Romania. We have chosen this region because it offers an excellent base for our study, since here the economic growth points towards formal recruiting methods (finding the best applicant), but the confidence-level towards institutions is very low (social networks have come to play a more important role). All the three case studies were performed on medium-sized private enterprises that perform industrial activities characteristic to the county (construction, garment industry and lumber industry). Based on international and regional researches, as well as on knowledge of the local circumstances, we set up three major research questions and hypotheses about the spread of informal recruitment and job search strategies. The hypothesis has been sustained considering all three enterprises from the employee's point of view: regarding the informal application strategies versus formal strategies, the informal methods are more frequent. In our case, analyzing the three enterprises the rate lays between 54–77%, which means a higher rate than the other measured quotas (27–64%). The employer's side sustained the hypothesis in two companies. The frequent use of informal recruitment channels is motivated by the quality of these applicants. Within the informal channels, all three enterprises emphasized the strength of the weak ties. In finding a job or in recruiting employees the professional relationships play the most important role.

Keywords: labour market, social networks, recruitment channels, job search methods

Research precedents and theme motivation

The competition on the labour market is not a perfect one. This is very well exposed by the fact that personal relationships play an important role in setting individuals into position,[1] therefore information about jobs does not spread in a large circle and the possibilities are not open for everyone (Bartus 2001). This cannot be explained by the human capital theory – that is, the capital emerging from human capabilities and productive skills of people (Schultz 1961). Social networks influence the flow and the quality of the information (Granovetter 2005), and this fact has been confirmed in labour markets as well (Rees 1966; Granovetter 1974; Granovetter 2005; Lin, Vaughn and Ensel 1981; Bian 1997; Yakubovich 2005, etc.). Consequently, an approach from the perspective of social networks reveals the role played by personal relationships in labour market.

The competition on the labour market is imperfect, since, on the one hand, a third party is able to influence the employers in the selection of the employee, and, on the other hand, employers and employees do not possess all the pieces of information needed for a perfect match. Hence there exist two essentially different answers to the question why people use personal relationships on the labour market.[2] The first answer is that employers, due to the existence of personal relationships, employ a friend, an acquaintance, a relative or acquaintances of their actual employees instead of an other, possibly better applicant – this is described as particularism. The second answer is that meritocratic selection requires evaluation of efficiency, and personal relationships may deliver information about the working capacity of the applicant – as a result, resolving the problem of intensive search (Rees 1966). The problem of intensive search is the consequence of the fact that qualification does not express exactly the productive skills of the applicant (as conceived by Becker). In educational institutions, one principally attains general skills and lexical knowledge rather than productive skills (Collins 1974), therefore certificates have a constrained validity for the employers who need workers with job-specific skills. This fact has the important consequence that employers do not rely on educational qualification in all the cases, and require further information. A number of labour market investigations (Borman 1991; Gamoran 1994; Griffin 1981; Kang and Bishop 1986; Rosenbaum and Kariya 1990 quoted by Miller and Rosenbaum 1997, 449) have confirmed that employers do not ask for educational certificates before the admission (on the account of the lack of confidence), but they rather rely on their impressions during the interview. In order to reduce unreliable information, a significant part of the employers apply two means: their own

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1   The proportion of informal job search and hiring through informal channels is very significant both in post-industrial and post-communist countries.
2   In detail see Bartus (2001, 3–7).

employees (most of the employers rely on their judgement) or they use the information acquired from their own long-term social relationship networks (for instance, reliable educators) in the process of selection (Miller and Rosenbaum 1997). This also confirms the assertion – originating from Stigler and quoted many times – that labour market information is a capital that is created by the expenses of the search (Stigler 1962, 103), however, we have to learn more about the role of information in labour market (Bills 2003). Accordingly, personal relationship networks play a significant role in the transfer of information, because they may transmit intensive, that is, subtle information that cannot be transmitted in a formal way (Rees 1966; Granovetter 1974), and they may spread information about job requirements as well (Lin et al. 1981).

Labour market information is valuable for both the employees and the employers, therefore the use of personal relationship networks on labour markets is rooted in the attitudes of both the employees and the employers (Malm 1954, 525). Similarly to employers searching for employees and evaluating them, employees search for and evaluate employers as well (Logan 1996, quoted by Bills 2003). After all, from the time when Stigler (1962) recognized the key position of information on the labour market, there has emerged a vast literature on finding a job and on the behaviour of organizations on the labour market,[3] but we know much less about the hiring strategies of the employers than about the behaviour of the employees (Holzer 1987; Nowak 1988; Marsden and Campball 1990; Marsden 1994; Fernandez and Weinberg 1997; Fernandez, Castilla and Moore 2000). Granovetter (1995, 155) expresses this in the following way: "While people are finding jobs, employers are finding people to fill them, and their behaviors, strategies, and purposes play a central but often neglected role in the process of matching people to jobs." Therefore further researches have to focus on employers, taking into consideration the market and institutional conditions within which hiring decisions are taken (Bills 2003).

The major cause of this disproportion is the lack of adequate researches in the description of recruitment behaviours of employers. As a matter of fact, the problem is that during the last half century, economists, sociologists, human resource specialists and psychologists made use of already existing databases of a limited number, in order to learn about the recruitment behaviour of the employers (DeVaro 2005).

Neglecting the investigation of recruitment strategies is moreover surprising because these research results may possibly have useful economic results for both companies aspiring for profit maximization (for instance, how long is an interval in which different vacancies could be filled up) and for the evolution of unemployment (by the distribution of working possibilities) (Holzer 1987). Search methods used by the employer (especially formal versus informal methods)

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3   For a detailed summary see Granovetter Mark S. (1995, 139–182).

have a direct result upon the admission chances of an applicant, unemployed or searching for a new job (Gorter and Van Omerren 1999).

Searching for a new job and admission are continuous activities in dynamic economies, but the intensity of searching and application changes in function of different macro-economic factors (Russo, Gorter and Schettkat 2001). Expenses concerning labour-force significantly rose in several European countries in the last years. It seems that high non-wage expenses have a negative effect upon admission (Chenn and Funkenn 2005). Furthermore, post-communist societies offer a special ground for the study of network effects, as institutional changes have created a situation in which both intensive search and particularism may function simultaneously (Bartus 2001). At the same time, informal recruitment strategies are more widespread in less developed countries (Ben-Porath 1980). Network capital plays a great part in capitalist societies as well, but during communism and especially post-communism (growing confusion, new problems, situations and possibilities, etc.) it is even more increased (Sik and Wellman 1999), and the use of informal channels is far more frequent in smaller towns and less developed regions (Pistaferri 1999). Besides these, the general lack of researches that would focus on the study of recruitment strategies from the perspective of network capital motivates the present research in an emphasized way.

The dimensions and the components of network capital are less important factors than the way these relationships work in a given culture (Sik 2002). In this sense, our paper aims at describing and interpreting those mechanisms, principles and considerations that direct hiring strategies in enterprises peculiar to Szeklerland. We obviously conceive it as a qualitative investigation.

Recruitment practices connect labour market and organizations, therefore the investigation claims a multilevel approach. An exhaustive understanding of the recruitment methods requires taking into account environmental, organizational, occupational and individual characteristics (Marsden 1994, 980); at the same time, researches have to be utmost different from a methodological point of view – case studies, ethnographic studies, surveys, etc. – through which one could investigate more intrinsically the recruitment behaviour of the employers (Bills 2003). The majority of the former researches have neglected the fact that hiring reflects not only job-specific but also organization level peculiarities (Cohen and Pfeffer 1986). That is, both befitting the job and sustaining the interests of the organization are expressed in recruitment and selection strategies. At the same time, linked employer-employee data sets are conspicuously rare, utmost rich and unique (Kalleberg 1994). Taking these recommendations as normative, the research standing at the bases of our analysis is a linked, employers-employees investigation.

In a significant lack of similar researches, our investigation tries to find an answer to several questions, thus its primary goals are description and

interpretation instead of explanation. The most important research questions are: How widespread are informal methods? How is network capital made use of in the processes of founding a company and the process of recruitment? Through which kind of networks does information about vacant jobs spread? Do strong or weak ties play the major role in finding a job? What plays a greater part in finding the employees: employee referrals or the personal relationships of the employer? Which mechanism is more characteristic, that of particularism or that of intensive search? What roles do educational credentials play in the selection?

As our research does not aim at giving explanations, as a matter of fact, we set up some minor assumptions, based on international and regional researches, as well as on knowledge of the local ground, within the framework of three basic hypotheses:

H1. In the case of medium-sized enterprises in this region, the use of informal recruitment and job search strategies is more widespread than that of formal ones.

H2. The employer(s) has/have an important role in the recruitment activity of medium-sized enterprises in the region.

H3. Particularism occurs independently of the type of channel used in the recruitment, and it happens rarely.

The utilized methods

The sociological investigation is based on case studies as research strategies. The majority of the former researches, even though representative on a national level, have investigated either the side of the employer or that of the employee. The approach from the side of the employees does not reveal much about the organizations, and the approaches from the perspective of the organizations concentrate rather on the structural differences of the organizations. This is the reason why the need for employer-employee linked investigations, also aimed by the present research, is constantly increasing. From this point of view, two further interconnected elements have also supported our choice of case study.

The first one refers to the methodological requirements of linked data sets. As Kallenberg exposes in a detailed manner, in order our linked data to be indeed useful, we have to acquit the principle of representativity, that is, our chosen sample on the individual level has to be representative when projected onto the employed population of the nation, and on the organizational level it has to represent the national structures of labour organization (Kalleberg 1994). As these methodological criteria are very complex and extensive, it is not surprising at all, that very few researches of this kind were performed.

The second element, in a strong connection to the former, is the financial background of researches. In this respect, we may refer to the work of Pahl, who

has described the so-called MARSBARS[4] phenomenon. The core of this phenomenon is that: "… there are no material means for great-scale empirical researches that do not bring obvious material benefits for those who secure the sources, therefore researchers increasingly work rather at home, without supporting personnel and collaborators. The other one has referred to designation of the sample used in his own researches, that he called determinate sample choice and differentiated it from arbitrary or fanciful sample choice" (Pahl 1995, quoted by Tóth 2004, 107). As a consequence, a large-scaled joint data sampling cannot be performed.

Even though the results of case studies cannot be generalized reliably neither on individual, nor on organizational level, they are still appropriate for linked employer-employee type investigations (Kalleberg 1994).

One of the most frequent and the oldest research strategies in the investigation of organizations is the single-case study. In the selection of a given case, the researcher's access to the organization, its geographical accessibility, or the fact that the case is particularly interesting from a given point of view play a great part. Case studies generally require a long-lasting field work, whose data are analyzed by researchers using qualitative methods. At the same time, in the case of labour market researches quantitative methods have been applied in several instances (e.g. Burt in 1992, Ibarra in 1992), when they asked the employees of the organization to fill out questionnaires. The greatest problem of single-case studies is generalization. Some theoretical specialists tend to take all organizations as basically similar; therefore an investigation of a given case is as well acceptable as that of an other one. Another part of the researchers claim that on the basis of a single-case study one cannot decide to what extent an examined phenomenon is typical or atypical. Anyhow, an unsurpassable advantage of case studies is that they serve as an utmost prolific source for the constitution of new hypotheses (Kalleberg, Knoke, Marsden and Spaeth 1994).

In order to eliminate individual peculiarities of single-case studies, multiple-case studies are used. The selection of locations has two fundamental factors: the first is the maximization of the differences, and the second one is the emphasis on the shared characteristics of a phenomenon (in order to maintain generalization). Multiple-case studies allow for comparison, consequently for some experimental comparisons, as well. Altogether, as they are extremely labour intensive, their number is very restricted; this way one cannot filter out all the potential disturbing effects, and this fact deters generalization (Kalleberg et al. 1994).

Taking into consideration the aforementioned advantages and disadvantages, as well as the available material, human and network resources, in our research we have chosen multiple (three) interpretative case studies.

The goal of the present sociological investigation is the identification and interpretation of hiring strategies (in the sense of search and recruitment methods

4   Methods Are Resembling Saloon Bar Sociology.

used by the employers, respectively the information used in selection) of the medium-sized enterprises typical to Harghita county, as well as the job search strategies of the employees of these enterprises. This research is confined to enterprises in private ownership, as in the case of enterprises in state ownership, where legal regulations prescribe the admission of employees by examination, the use of informal methods are very difficult to trace.

There were other reasons for a county-level investigation. First of all the restrictedness of resources in finances and researchers. The most important consequence of this fact is that the result of the research cannot be extended into regions with large cities. The second reason was that the delimitation of Szeklerland as a region (as a larger area comprising more counties with a Hungarian population in a compact block) is problematic, because it does not form an administrative unit, though several studies were effectuated about this area, which contain very useful cultural anthropological and sociological references. The third one was that – though a given town and its circle of gravity may represent appropriately the region – the micro-regions of this county are observably differentiated. Therefore the former reasons all argue in favour of a county-level investigation.

As we have explained in the previous section, according to our main hypothesis, the utilization of informal networks on the labour market is basically a common characteristic, but in the hiring strategies of the enterprises important differences may appear along some distinctions in, for instance, sectors, organization, reputation, etc. That is why, for the sake of comparability, the enterprises implied in the investigation have to be homogeneous from several points of view, and heterogeneous from other points of view. The selection of cases was realized in four steps.

1. The most important criterion of comparison referred to the number of the employees. As statistical data of the county also revealed, the decisive majority of the enterprises operating in the county (97.4 percent) are small enterprises and there are altogether only 25 private enterprises with above 250 employees. As in the case of enterprises employing at most 9 persons we did not consider the investigation of the research issues by non-representative methods to be relevant, and as large enterprises are not peculiar to this area, we have chosen to investigate medium-sized enterprises (2.2 percent of the county's enterprises in 2008).

2. The second criterion of comparison was the commensurability of the employed personnel. This was based on the division by fields of activity of the medium-sized enterprises (having 50 to 249 employees). According to the records of the Statistical Department of Harghita County[5], in 2008 there were 162 companies of these dimensions in the county, 56.8 percent of which perform their activity in processing, 19.1 percent perform commercial activity, and 9.9 percent

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5   Direcția Județeană de Statistică Harghita (Harghita County Statistical Office).

perform construction activity. The remaining 14.2 percent (27 enterprises) is divided between different fields of activity. As enterprises performing commercial activity have shop assistants and commercial agents as the majority of their employees, this class is not commensurable with the group of the workers – that is why we omitted them from the investigation. This is the way we have chosen the investigation of two enterprises from the processing industry and one from the construction industry.

3. In the third stage we had to decide on which of the two examined fields of activity would be inside processing industry. While according to national employment and research data both the construction and the processing industry face a shortage of manpower – therefore they are comparable – we have chosen two activities within the processing industry, most characteristic to the county: confection and lumber industry.

4. It is a known fact that the central issue of qualitative methods is validity. As exclusion of the impact of the relationships anterior to the interview can not be a simple thing in all the cases, during data recording we chose the "unknown diad" method, avoiding the sources of danger influencing validity, appropriately described by Harkess and Warren (1993). This was the reason why, with the aid of a contact person, we entered into direct contact with type 'A' (construction), type 'B' (confection) and 'C' (lumber industry) enterprises, and the field work took place in two towns from Harghita county in June and July 2008.

In our case studies we utilized the principle of triangulation: we have amalgamated the basic method of the semi-structured deep interview with that of the questionnaires and document analysis. Document analysis meant in all three cases – as there had not been made any written records neither about the applicants, nor about the interviews – aggregation and statistical processing of the information from the personal files of the employees (sex, age, address, date of employment, education, and profession). That way we obtained only the data of the successful job candidates (not of all the supply side). On the other hand, we have no reasons to presume that these two groups are significantly different.

The semi-structured deep interviews have been made with the persons who played an important role in taking the hiring decision. The interviews were centred around four major topics: 1. entrepreneurial curriculum, 2. establishment of the enterprise, 3. the role of human resources in the organization, and 4. recruitment. The questionnaires targeted the circle of the full-time employees, therefore we did not perform sampling. The questionnaire consisting of 38 questions deals with personal data, mobility within the profession, respectively the company, the source of the information about the job and the enterprise, the means applied in selection, the role of colleagues in admission, as well as the existence of strong bonds within the enterprise. The questions about the source of labour information refer to the way one joined the enterprise. The response proportion to these self-completing

questionnaires was in the case of all three enterprises at least of 60 percent (Table 1), that may be taken as a good one, taking into account the characteristics of the self-completing questionnaires, respectively those of the enterprises.

Table 1. Total of data recording methods applied in the case of the three enterprises

	Number of personal files analyzed	Number of deep interviews	Number of questionnaires filled out	Response proportion
A	136	3	115	84.6 %
B	64	4	41	64.0 %
C	91	2	55	60.4 %
Total	*291*	*9*	*211*	*72.5 %*

Consequently, all three case studies were performed on medium-sized private enterprises that perform industrial activities characteristic to the country (construction, confection and lumber industry), may presumably expect labour power problems, are set up in a town, and at the same time they differ in respect of the actual settlement, field of activity and, consequently, in the division of the employees by sex, as well as in the actual number of the employees. Data obtained by the methods of semi-structured deep interview, questionnaires and document analysis were processed by organizations, therefore the reduced number of cases did not allow for a deeper statistical data processing.

The results of the research

In this section we first summarize the main characteristics of the three organizations (the results of empirical findings), then we present the conclusions.

The main characteristics of enterprise "A"

Company "A" is a medium-sized enterprise (136 employees), its main activity is construction and it is based on the human resources of a former similar company (company "D"). Both the people in higher positions and most of the loyal workforce were already given. Although the fluctuation is significant, the labour shortage in this rashly growing branch is mainly related to the newly employed people. This labour shortage does not affect the studied company thanks to the loyal workforce, the widely spread relationship network of the employers and their personality. The employers practice a passive recruitment. The information about vacant jobs is spread in a wide area, mainly through the rich and heterogenic social network

of the employer, which reduces the role of employee referrals in the recruitment. Through this, the rate of the employees directly contacted by the employer is very high. Comparing the results of the international and national studies given in the specialized literature, in the case of enterprise "A" the rate of the employees hired through informal recruitment channels is higher than that of formal ones. Nevertheless, this is not only a particularity of the organization. The use of informal channels is motivated by finding better employees. Within the informal relations the weak ties based on professional relations are more significant than the strength of the strong familiar or friendly relations. Avoiding formal recruitment is motivated both by the great number of applicants and by the weak quality of the masses. The aspects considered at choosing the right person are: the personal characteristics, the power of work, and work experience. The awarded credentials are not significant either for choosing the candidates or for the achievable incomes at the company. Previously to hiring, the employers do not request any certificates, but in the process of selecting the right employee they use both personal information and the pieces of information brought through the relation networks of the employees. Even if particularism is not preponderate, it can be detected in a considerable part of the employments.

The main characteristics of enterprise "B"

The confection enterprise "B" has been active for almost 10 years, it is based on significant professional experiences, and it is continuously facing labour shortage. The manpower shortage has grown to such an extent that the number of employees has been reduced to half of the original number (64 employees). The reduced number of applicants can be explained by the reduced wage level in the specific sector of activity and organization. Considering the wages that can be achieved, this sector is growing old. This process is also shown by the fact that even on national level, the labour shortage and the fluctuation especially affects the workers and not the older craftsmen in higher positions. In order to cure this significant labour shortage, the employers practice an active recruitment, while the employees practice a passive one. The most relevant recruiting method is the newspaper advertisement. The personal relationship networks of the employers play a significant role in finding the right person for leading positions, while in recruiting the workforce these relationships play a minor role. The employee referrals – given especially by the craftsmen – have generated more employees, meanwhile the significance of this practice has decreased. The employees hired through referrals seem to be of much better quality from several points of view. In spite of continuous newspaper advertisements, informal recruitment seems to be more efficient in finding the reliable, loyal workforce. In the mediation of the information about vacant jobs, the strong ties play a more important role than the weak ones. The selection based on probation practically still exists, although it has lost its aim because of the increasing

labour shortage. The certificates do not play any role in the selection of workforce. The practice of particularism is rare, but the phenomenon can be detected by the analysis of the recruitment strategies of the organization.

The main characteristics of enterprise "C"

Enterprise "C", a family company, has nearly 100 employees, and it has been a furniture factory for 11 years, which shows a gradual growth. The initial economic capital was not considerable; however, on the one hand, the professional experience and relationships of the father, and, on the other hand, the entrepreneurial past of the son have constituted an optimal base for a successful company. Although the fluctuation is detectable, the company shows a gradual increase, and the unemployment that is present on the labour market does not affect it. The employers practice passive recruitment. The information about vacant jobs is widely spread in an informal way, both through the relationship networks of the employer and through the ones of the present employees. The role of the employees in the direct recruitment is little, the mediation happens in an indirect way (through the acquaintances of the employees). The rate of direct applications is considerable. Most of the employees got their jobs through informal recruitment. Within the informal networks the weak ties based on professional relations are more significant than the strength of the strong familiar or friendly relations. Avoiding formal recruitment is motivated by personal negative experience and characteristics of the employers (basic humanitarian principles). Despite of the decreasing number of job-seekers, employers still accord a huge importance to selecting the employees. The main aspects taken into consideration for selecting the employees are firstly the personal characteristics (reliability and required behaviour patterns) and secondly the professional competence. Thus the employer relies first of all on his own knowledge of mankind, experience and informal relationship networks and on one of the craftsmen in higher positions. Certificates do not play a role in the selection, except in the case of working fields where higher education is required (engineer), which supports partially the credentialism. The phenomenon of particularism is relatively frequent and is directly connected in many cases to the employer and to other people engaged in the process of decision, nevertheless, it also works indirectly (mainly through friends).

Answers to research questions and hypotheses

In the last half century several researches have been done on the importance of information on the labour market. Researches prove that social networks play an important role in this transfer of information. Although the pieces of information about labour market are both significant for the employers and the employees, the

majority of the researches focus on the employees, thus we know far less about the recruitment behaviour of employers. This disproportion, according to my opinion, is not reasonable, considering the fact that in the job seeking process the methods of recruitment used by the employers seem to be more important, because employees looking for a new job have to use the recruiting channels defined by the employers. If employers practice the informal recruitment for filling job vacancies, the employees will also find new jobs in an informal way. This is also borne out by the fact that according to several research results, they still use the informal way of employing, although informal recruitment is not advantageous for employees regarding the possible incomes or the achievable higher positions (Lin et al. 1981; Flap and De Graaf 1988; Völker and Flap 1999, etc.). Considering these facts, we think, more attention should be paid to the study of the recruitment activity, since the motivations of the employers are more significant.

At the same time, the majority of the researches have neglected the fact that recruitment reflects not only job-specific but also organization level peculiarities that can be seized in the linked employer-employee type data sets. These kinds of researches in the specific literature are conspicuously rare and unique. This paper aims to seize the characteristics of hiring strategies, based on three case studies. The location of the research consists of small towns and their regions in a Romanian county in Szeklerland, which gives an excellent base for our study, being a region where the economic growth points towards formal recruiting methods (finding the best applicant), but the confidence-level towards institutions is very low. As far as the confidence towards institutions grows weaker in a society, the social networks come to play a more important role (Lane 1998, quoted by Mellahi and Wood 2003, 371), which is a fact that points to the mechanism of intensive search and particularism.

Before answering the research questions and hypotheses, a very important work of Barron, Bishop and Dunkelberg should be mentioned. They distinguish three factor-groups which influence the recruitment behaviour of the employer: 1. the type of the vacant job (e.g. the required educational level), 2. the characteristics of the job (size of the company, economic activity, gender and age of most employees, security of the workplace, etc.), and 3. the characteristics of the labour market (unemployment rate, employment proportion, etc.). The far most important factor has been the characteristics of the organization, followed by the type of the vacant job and the characteristics of the labour market (Barron, Bishop and Dunkelberg 1985, quoted by Allaart 2005). Although many organization features (like incomes or productivity, leading style, etc.) are not analyzed in this paper, these still play an important role in analyzing the differences between the companies.

The most important research question and hypothesis refers to the application of the informal recruitment channels on the labour market. Considering these, in the case of enterprise "A" and "C", both the employer (not in the case of enterprise

"B") and the employees show that the used recruitment/job finding methods are linked with the informal channels. In the case of all three enterprises, more than half of the employees (in case of enterprise "A" even three-quarters[6]) are informed about current jobs through informal channels (Table 2).

Table 2. The use of the three major methods in finding the current job (%)

	„A"	„B"	„C"
informal channels	77	54	61
formal channels	11	44	10
direct applications (without any acquaintance)	12	2	29
Total	*100* *N=69[7]*	*100* *N=39*	*100* *N=51*

Source: *survey database*

The rate of the employees who had already used informal channels when looking for a job before coming to the analyzed enterprises are slightly lower, nevertheless the mostly used methods of searching were the informal ones. Thus the hypothesis has been sustained considering all three enterprises from the employee's point of view: regarding the informal application strategies versus formal strategies, the informal methods are more frequent.

In the analysis of the labour market, several scientists have proved that informal recruitment is more significant in the case of small and medium size enterprises (Malm 1954; Barron and Bishop 1985, quoted by Mencken and Winfield 1998; Marsden and Campbell 1990; Marsden 1994; Pistaferri 1999; Pellizzari 2004); furthermore, western European and American researches also show how widespread the method of informal job search is: according to Bartus the rate lays between 27–64% (Bartus 2001, 1), Völker and Flap put this rate between 35–55% (Völker and Flap 1999, 18), in addition, in Russia the admissions through informal channels lay between 40–60% (Yakubovich and Kozina 2000, 482). In our case, analyzing the three enterprises the rate lays between 54–77%, that means higher than the average rate.

The recruiting methods of the employer cannot be defined numerically; we can only rely on the significant recruiting methods identified by the employers. As we have already mentioned, this fact has been proved in case of enterprises "A" and "C", and in the case of company "B" the situation is not explicit, since the employers continuously use all given channels to solve the lack of labour

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6   The use of informal channels is higher in construction (Gorter 1996, quoted by Welters 2005, 14).
7   In the case of enterprise „A" the answers of 42 employees have not been analyzed, because – very probably – they interchanged the questions related to the current job with those related to the previous one occupied in a similar enterprise owned by the same employer and his old business partner.

force. Altogether we can affirm that in the case of medium-sized enterprises in this region, the use of informal channels for recruitment and finding a job is totally proved concerning the employees and partially concerning the employers.

The use of the informal channels in recruitment in the case of construction and lumber industry is motivated by the utmost large social networks of the employer. This also justifies the fact that these companies practice a passive recruitment. Since the important professional relationship networks at the textile enterprise seem to be significant, the main difference in the recruitment practice at the organization is not totally justified by the extent of the relationship capital. Although it cannot be shown directly from the research, the active or passive recruitment is also stated by the incomes. While in the case of the enterprises practicing passive recruitment the employees mean their income lays on the average, in the case of the "B" enterprise the employees mean their income is below the average. There are differences in job security as well, since in the case of the textile enterprise this is much weaker. Retaining the employees is also influenced by the good atmosphere at the work place and the personality of the employer. Psychological researches show that potential employees find more attractive those employers who are communicative and have a good appearance (Alderfer and McCord 1970; Harris and Fink 1987; Macan and Dipboye 1990; Taylor and Bergmann 1987, quoted by Breaugh and Starke 2000, 423). Some researches have also shown that similarities to the employer make the job seem more attractive (e.g. Turban and Dougherty 1992, quoted by Breaugh and Starke 2000, 423). The professional leaders as recruiters have a positive influence upon the possible applicants (Connerley 1997; Taylor and Bergmann 1987, quoted by Breaugh and Starke 2000, 423). Since in the case of enterprises "A" and "C" the recruiters were communicative and had a good appearance, being of the same profession and having worked in production, this might have also played an important role in avoiding the lack of work power. According to this aspect,[8] the two enterprises practicing passive recruitment are in a more advantageous situation.

Obviously, besides all these, there are several other organization or sector[9] factors that cannot be shown from these case studies. In the case of enterprise "B" it seems to be justified that the active recruitment through many channels does not bring about more satisfaction for the employer.[10] Using more searching channels simultaneously by employees when looking for a new job is not typical. A very intensive job or employee search is effective neither for the employee nor for the employer.[11]

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8   The field-work experience supported this claim.
9   The type of recruitment channel is sector-dependent (Gorter 1996, quoted by Welters 2005, 14).
10   Vecchio (1995) found the same results.
11   This is sustained by the research results of Murray, Rankin and Magill (1981, 120).

Within the informal channels, all three enterprises emphasize the strength of the weak ties (this is sustained by the research results of Granovetter 1974; Boxman, De Graaf and Flap 1991; Yakubovich 2005). In finding a job or in recruiting employees the professional relationships play the most important role. As sustained by many scientists, with the growth of the professional experience, the network capital also grows (Bridgez and Villemez 1986, quoted by Grenon 1999, 24), and with the growth of the network capital the possibility of finding a job also grows (Grenon 1999).

Within the professional networks there are three different sources of recruitment: the networks of employers, those of the actual employees, and those of the former employees. In the case of enterprise "A" the employer seemed to be the most efficient; in the case of enterprise "B" the present and the former employees were the most efficient; and in the case of enterprise "C" the former employees and the employers were the most efficient. The second hypothesis seems to be sustained partially: in the case of the enterprise "B" the employee referrals have generated more present employees than the employer's direct approach. At the same time, this proportion of employee referrals is also much lower than, for example, the one measured by Fernandez, Castilla and Moore (2000).

As a whole, employee referrals are not the most frequent informal recruitment method – as we could have expected on the basis of the international literature (Holzer 1987; Marsden and Campball 1990; Kalleberg, Knoke, Marsden and Spaeth 1996; DeVaro 2005, etc.). Theoretical approaches do not explain the very low percentage of the employee referrals in the case of type 'A' and 'C' enterprises. They are contented with their employees, the work atmosphere is visibly good, the topic of additional fees for the employees does not even arise, more expensive recruitment methods are not applied, and employees know each other well. According to the results of the case studies, the extension of the personal relationship network of the employer, at least at the level of small towns, works against the use of employee referrals: the employer's direct approach and employee referrals function rather as a replacement than a complement of each other. Therefore, when employers use their personal relationship networks in recruitment, the role of employee referrals is reduced, and on the contrary, as employers do not use their personal relationship networks in recruitment, the role of employee referrals is increased.

Summing up the advantages and disadvantages of employee referrals, respectively of direct employer approach, these seem to differ at least in three respects. Firstly, the number of persons available by direct employer approach may be more reduced than the entire relationship network of the employees; secondly, the exposition of the negative aspects that appear in the organization may possibly present a more extended image from the side of the employees; thirdly, direct employer approach may be more effective from the point of view

of loyalty, trust and ties to the organization. Of these three recruitment methods through professional relationships, it seems that direct employer approach results in more loyal employees, recruitment through former employees results in more satisfied ones (due to their anterior knowledge about the needs of the given employer), and the employee referrals method results in better matching between people and vacant jobs. It is a fact, however, that we know very little about the role in recruitment of both the direct employer approach and the former employees. Case studies indicate in any case that professional relationships of all three kinds play a very important role in recruitment.

In the frequency of the phenomenon of particularism there is a significant difference between the cases pointed out by the employers and the ones pointed out by the employees. It rarely occurred in the narrations of the employers that they had admitted someone as a favour, half of the employees of all three organizations stated, however, that they had been helped in getting the job besides the information about the vacancy. As we do not know the nature of this help, we presumed that this had not been a manifestation of particularism in all cases, especially because the helpful person could have had influenced the admission only indirectly. The phenomenon of particularism seems however more frequent than as reflected by the interviews with the employers: it is also indicated by the frequency of the strong ties within the enterprises and by the role of craftsmen in taking decisions. The use of the three basic recruitment channels is related to the help received in getting the job (besides information about the vacant job) only in the case of enterprise "B", thus my third hypothesis has partly been proven true: particularism occurs not only in the case of informal applicants, but also in the case of direct applicants and those recruited through formal channels. However, as a whole we cannot surely state anything about the frequency of particularism.

Results related to selection confirm in the case of all three organizations the previous research results according to which employers do not request educational certificates anterior to the admission, as skills utilized in the jobs can be better acquired when performing the job than in formal education (Collins 1980, quoted by Murray, Rankin and Magill 1981, 120). Selection in the case of enterprises "A" and "C" is linked to personal characteristics as well, which indicates that reliability or trustfulness are more valuable than professional competence in many cases.

The merits and limitations of the research

The method of multiple-case study is basically appropriate only for experimental conclusions, as the restricted number of the investigated cases does not allow for generalization. This is why the majority of the statements from the above

sub-section can be developed only accordingly. Furthermore, for the sake of comparability, all three case studies deal with enterprises performing industrial activity and facing manpower shortage according to national labour market analyses. Taking all of these into account, we may say that the present paper primarily answers the question how medium-sized enterprises of Harghita county respond to the challenge generated by manpower shortage. However, dealing with a region which has small enterprises as the decisive majority of its enterprises (94.4 percent) and, according to most researches,[12] amidst small enterprises recruitment through informal methods is more frequent, we think that the results referring to the use of informal networks on the labour market do not differ to a large extent from similar regions of Romania, eventually from other post-socialist regions[13].

Beside the enterprise size, we considered other two factors which could influence the extension of data obtained to similar regions. First, according to the specialized literature, the manpower shortage in the external labour market leads towards utilization of formal channels. Second, the general educational qualification from processing and construction industry may be even 8.2 percent[14] lower than the national average and that fact acts against the utilization of informal channels. Based on the available research data,[15] we cannot find out whether qualification, manpower shortage or the size of the enterprise has a larger effect on the three basic types of recruitment channels. Therefore we presume that in the respect of the two arguments besides the extensibility of the data referring to the use of informal channels (many small enterprises in similar regions and lesser manpower shortage in other economic fields) and the only one against it (higher general educational level), these three factors at least balance each other. Hence we think that the frequency of the use of informal networks (at least 50 percent) may be valid in similar regions as well.

In the lack of similar researches, the results are very difficult to compare. This has two main reasons: on the one hand, our case studies are not representative, neither on the level of employers, nor on the level of employees; and on the other hand, there are differences between recruitment methods that can be read about in the specialized literature. As in this very case we intended a qualitative, interpretative investigation, we considered it very important to distinguish among the methods that can be used during recruitment. As, for instance, the specialized literature hardly presents the method of direct employer approach, we took it as a separate method, according to our hypothesis. Furthermore, in

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12   Although in the notable part of researches the bigger companies are overrepresented – see Granovetter (1984).

13   Regions organized around small towns with small enterprises.

14   Source: Pîrciog, Ciucă and Blaga (2006, 53).

15   In the mentioned references we did not find an answer to this.

order to omit employer-employee differences in the method of direct application (walk-in), we used the term 'application without any acquaintance' instead of the generally used 'direct application'. Taking all these into account, the comparisons used just facilitate interpretation.

We consider that the utmost merit of this paper is that we investigated a topic that plays a very important role in our everyday lives, and that was noticed by the Hungarian and Romanian scientific papers to a smaller extent. Consequently, our work might be one of the sources of further investigations aiming at the elimination of deficiencies mentioned above.

As we have previously stated, studying the recruitment behaviour of the employers is extremely important, at the same time, on the basis of the investigations performed hitherto, we still know less about it. This is very well shown by the lack of an elaborated theoretical and methodological framework by which one could grasp this problem. Therefore we think that further researches should centre, first of all, on unveiling recruitment activity and motivations, mechanisms standing behind the used channels.

Furthermore, related to the previous proposal, a unique methodological conception in respect of the categorization of recruitment channels would be very efficient. Besides the most frequently used tripartite classification (formal – informal – direct), the general use of other classifications appearing in other researches would be very valuable (for instance, passive/active recruitment and networks of gift/networks of request), through which research results would become more comparable.

Case studies reflect that the size of the relationship network that can be mobilized by a person performing recruitment may influence the utilized recruitment method. This is why applying network analysis techniques may play a great part in linked employer-employee type investigations.

Even though our research succeeded only in the confirmation of the quite frequent instances of particularism and of the presence of a 'getting help' feeling in the hiring process, we continue to think that the examination of the motivation of the employers behind it is very important (for instance, if one is hired as a favour, is he paid lower wages?).

As far as the recruitment practices are concerned, it seems that the personality of the employer and the economical state of the enterprise also have an important role. This is why, according to our opinion, these questions could be easier to grasp in an interdisciplinary framework. It is also motivated by the fact that, even though the works dealing with these questions in the fields of the three disciplines are numerous, separately they do not entirely explain the recruitment behaviour of the employers.

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The Roots of Trust in Romania

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Abstract. In this article, I am going to concentrate on a particular aspect of the social capital, namely the institutional and interpersonal trust. My aim was to prove that the trust toward different types of institutions follows a specific internal structure. My further goal was to identify the correlations between the different socio-demographic categories and the types of institutions which these categories tend to trust or distrust. I find this approach relevant due to the fact that in a relatively new democratic country the changes and the acceptance of the changes both on institutional and interpersonal level can play a key role in legitimizing the current economic and political system. For my analysis, I rely on the data from the European Value Survey (EVS), where the latest wave, which includes Romania, was completed in 2008. The main finding of my analysis is that the trust in institutions – at least in Romania – as perceived by the population, does have a coherent internal structure. I succeeded in identifying five main types of institutions which share a similar variance of trust. I also managed to pinpoint a few of the variables that have a significant explanatory value regarding the institutional and general trust perceived by the Romanian population.

Keywords: institutional trust, general trust, European Value Survey, Romania

Introduction

The concept of social capital gained a central role in the current sociological literature as it is considered to be a major factor in explaining the differences in the context of economic success and development in market based economies and in the democratic political systems (Coleman 1988; Putnam 1993; Fukuyama 1995; Bădescu 2003; Farrell and Knight 2003). Moreover, the social capital is also connected to geographically identifiable regions across Europe, like North, South, East and West (van Oorschot, Arts and Gelissen 2006; Halman and Lujix 2006; Frane 2008; Voicu and Voicu 2011; Sandu 2011). Unfortunately, the majority of

the comparative studies omit Romania, mainly due to the lack of data in the different waves of the international data collections.

Accepting the key role of the social capital as a stabilizer or a motor of the market based economy and democracy, I am going to concentrate on a particular aspect of the social capital, namely the institutional and interpersonal trust. I find this approach relevant due to the fact that in a relatively new democratic country the changes and the acceptance of the changes, both on institutional and interpersonal level, can play a key role in legitimizing the current economic and political system.

Beside the general interest for trust, I think that in Romania, along with other post-communist countries, it is important to identify the interconnection between the trust and volunteer participation and the development of newly emerged democratic institutions. A previous research shows that the communist regimes had a significant negative effect on institutional and personal trust in the case of East Germany (Rainer and Siedler 2009), a situation which is considered relevant for Romania as well (Tufiş 2007).

The main concepts

The notion of trust was, and still is, a commonly used concept in the near past (Li 2012, 101), leading to a wide range of conceptualizations and interpretations. In the effort of conceptualizing the social capital, a wide range of definitions occurred, which intended to grasp the mean essence of the notion. The presented situation is further complicated by the fact that the recognition of its explanatory power led to a wide range of usage in and outside sociology. By analyzing the evolution of the concept, two main types of general approaches can be observed.

Firstly, trust was operationalized in many ways in sociology, mainly as a component or a manifestation of the social capital. In consequence, there are just a few approaches dealing solely with this notion as it is, and so it was conceptualized and operationalized as an integrant part of a higher level concept. I will present the notion of trust by drawing a parallel with the definition of social capital. On the other hand, the notion of trust is defined as a solely factor which itself has a great explanatory power in different social and economical analyses.

According to the first approach, the definition of trust is closely interconnected with the definition of social capital. From this point of view there are also two types of approaches. The first one is a continuation of Bourdieu's definition, where the social capital appears on the micro-level and functions as any other type of capital. On the other hand, Putnam raises the concept of social capital to the macro level, assuming that its positive presence not only facilitates the achievements of a singular person, but also plays a key role on a societal level. Following this theoretical approach, the majority of the comparative studies are

based on measuring social capital and classify European countries by this point of view (Freitag 2003; van Oorschot, Arts and Gelissen 2006; Frane 2006; Halman and Luijkx 2006; Baliamoune-Lutz 2011; Voicu and Voicu 2011).

The concept of social capital in Putman's book *Making Democracy Work* "refers to features of social organization, such as trust, norms, and social networks" (Putnam 1993, 167). Accepting this definition as a starting point, trust itself could be considered as a social organization and as such an independent factor which can exist in various amounts in different societies.

In this approach, the notion of norm is concretized as "norm of reciprocity" (Halman and Luijkx 2006, 70). Reciprocity, according to Polányi (1976), is an economic mechanism, and so the term of trust has a strong interconnection with the economical situation of those societies in which it is present. Analyzing the relation between reciprocity and trust, Lewis (2008) stated that the positive interconnection creates a moral frame for economic cooperation.

According to Granovetter (2005, 33), the social structure materialized in social networks has a decisive impact on economics from three points of view: information flow and quality; the social networks play an important role in informal social control, and the generalized trust in others, so then everyone will behave "right".

Focusing on this interconnection, it seems to be evident that the level of trust and the economical situation are strongly interrelated. This line of thought is present in the works of Fukuyama: "in all successful economic societies these communities are united by trust" (Fukuyama 1995, 9), "as it helps to reduce the risks and transaction costs of relationships" (Nooteboom 2007, 30).

The other importance of trust in Fukuyama's approach is that, at this level, trust gains two different attributions: firstly, trust is considered to be an independent social fact, in the Durkheimian sense which can act solely in a society; secondly, trust is raised from the individual level to a societal level.

This kind of duality of trust is signalled by Delhey, Newton and Welzle, whose analyses make a distinction between the level and radius of the trust. In their definition "…the radius of trust determines the width of the cooperation circle, while the level of trust determines the intensity of civic cooperation within this circle" (Delhey et al. 2011, 787). According to the authors, from this perspective, the "general trust …is the product of the level and the radius of trust in »most people«" (Delhey et al. 2011, 789).

The notions of norm and trust are frequently interconnected in the literature. Accepting the formal and informal social institutions as the representatives of the norms accepted in a society, the linkage between social institutions and trust is obvious. However, if one tries to define the casual direction of these two factors, the literature provides answers in both ways. In Farell and Knight's point of view, the institutions – both formal and informal – are the ones that affect the trust of

the social actors by creating incentives to behave trustworthy (Farell and Knight 2003, 541–542).

Furthermore, Farrel and Knight refer to Hardin's argument, according to which the institutions are the social responses against opportunism. Following this approach, from a functionalist perspective, it can be stated that the institutions that protect the members of a society which has created them, can be trusted. This statement is similar to Fukuyama's point of view, as in those societies where the level of trust is high, the social organizations – which are the materialization of social institutions – are created by the members of those societies without any inner or outer support (Fukuyama 1995, 16).

The conceptualizations of trust can also be categorized by the theoretical approach. Mishler and Rose (2001) make a distinction between two theoretical traditions which are dealing with the origins of trust: A. the cultural theories assume that trust is a continuum of interpersonal trust, and thus institutional trust depends rather on socialization than on its actual performance. In other words, the amount of trust towards the institutions does not depend on their actual performance. B. according to institutional theories, trust in institutions is the consequence of their everyday performance (Mishler and Rose 2001, 31).

Previous research results regarding Romania

Unfortunately, there are only a few researches that analyze Romania from the perspective of trust and/or social capital. It is not this paper's aim to search for the cause of this situation, so I am going to present the researches I could find dealing with institutional trust.

One of the first publications which dealt with institutional trust in Romania was written by Sandu (1999). Analyzing continuous data of the first decade of the post-1989 period – more precisely, form November 1990 to May 1999 –, the author identifies three categories of institutions based on the level of trust toward them: first, those institutions which were continuously loosing the trust of the citizens (such as the Government); the second category contained the church and the army, with a constant, high and positive level of trust; and thirdly there was the category of institutions which were recovering from the distrust accumulated during the socialist period (such as the police) (Sandu 1999, 74–78).

The presented evolution of trust in institutions is confirmed at a later point by Abraham and Gânju, as the church and the army possesses the highest level of trust in Romania. Even if the presented institutions are grouped differently in the table and in the text, the results show a continuously high level of confidence in the church and the army. The second category, with an "average level of trust" – meaning around 50 percent – is formed by the presidency, the local councils, justice and

police. The third group is composed by the political parties, parliament syndicates and government, registering a low level of trust (Abraham and Gânju 2000, 82–85).

A subsection of Zamfir's book (2004) presents some new data (up to 2003) regarding trust in the institutions of Romania. According to his point of view, the low and continuous levels of trust in democratic and representative institutions, like the political parties, government and parliament are the result of a moral crisis of these institutions, originated from the very first period of the new era, as in the first stage they were not capable to fulfil the citizens' enthusiastic expectations, and afterwards the political life lost its democratic character many times (Zamfir 2004, 52–54).

Searching the link between trust and democracy, Bădescu (2003) proves in a comparative study that generalized trust is a resource for democracy. In his study, Tufiş (2007) distinguishes four types of institutions in Romania: institutions of the state, institutions of the NGO-s, traditional institutions and international institutions, where the levels of trust in these groups confirm the previous results.

In my study, I intend to analyze institutional and interpersonal trust as an individual characteristic of a person, and as a dependent variable, so I am going to attempt to identify those socio-demographical indicators which present the differentiating factors in the accumulation of the different types of trust.

Data measurements and methodology

Data

For my analysis, I rely on the data from the European Value Survey (EVS), where the latest wave, which includes Romania, was completed in 2008. The EVS provides datasets from a cross-national representative sample, which includes variables regarding institutional and interpersonal trust. Due to the aim of my study, I only use the data which represent the Romanian sample in the fourth wave.[1] This includes 1489 cases, which is representative for the adult population of Romania.

Measurements

The dependent variables

The institutions and the level of trust toward them are presented in Table 1. In the questionnaire these variables were included in Q63 (A - R) "…tell me, for each item listed, how much confidence you have in them, a great deal, quite a lot, not very much, or none at all." (In some rows, not amounting the exact 100% is due to roundups.)

Table 1. The hypothesized indicators of institutional trust (EVS 2008)

Item	Frequency (valid percent)			
	a great deal	quite a lot	not very much	none at all
Church	56	31	11	3
Armed Forces	29	47	18	5
Education System	27	47	22	4
The Press	11	33	42	14
Labour Union	8	28	43	21
The Police	15	40	30	15
Parliament	6	19	44	32
The Civil Services	6	25	47	22
Social Security System	8	38	41	13
The Government	6	19	41	35
The Political Parties	4	14	41	42
Major Companies	7	28	45	21
The Environmental Protection Movement	11	38	36	15
Health Care System	14	40	32	15
Justice System	10	31	38	21
The European Union	18	43	29	10
NATO	17	40	31	13
The United Nations	18	41	29	12

The second hypothesized component of the trust is the generalized one, which was present in the questionnaire through the following variables (Table 2).

Table 2. The hypothesized indicators of generalized trust (EVS 2008)

Questions	Type of measurement	Descriptive Mean (standard deviation)
Generally speaking, would you say that most people can be trusted or that you can't be too careful in dealing with people? (Q7)	1-2 ordinal scale 1 = most people can be trusted 2 = can't be too careful	1= 16.1% 2 = 75.4% DK, NA = 8.5%
…do you think that most people try to get advantage of you if they got a chance, or would they try to be fair? (Q8)	1-10 ordinal scale 1 = try to get advantage 10 = try to be fair	3.84 (2.74)
Would you say that most of the time people try to be helpful or that they are mostly looking out for themselves? (Q9)	1-10 ordinal scale 1 = look out for themselves 10 = try to be helpful	4.49 (2.82)

According to the literature on the comparative studies, the countries are considered to be homogenous from this perspective (Oorschot, Arts and Gelissen 2006; Halman and Lujikx 2006; Frane 2008). Moreover, Fukuyama also makes distinction between the countries as they were homogenous entities (Fukuyama 1995). Accepting these theoretical bases, as the data is from a single country, form a single wave, my hypothesis is based on the findings of the previous researches describing and interpreting the evolution of different types of trust in Romania (Abraham 2000; Tufiş 2007; Nistor, Tîrhas and Iluţ 2011; Voicu and Voicu 2012), namely that institutional trust has an internal structure specific for Romania.

Beside this hypothesis, my research has an exploratory aspect in which I intend to identify the roots of the different types of trust specific to Romania.

The explanatory variables

The European Values Survey includes several variables which reveal a person's socio-demographic and economical status. In order to identify the roots of trust, I included into my analysis the following ones: age (recoded in three categories: 18–35 years old: 36.66%; 36–55 years old: 33.46%; 56 years old or older: 29.88%); gender (remained in two categories: male: 48%; female: 52%); educational level (originally recoded in three categories: lower level: 31.5%; middle level: 57.6%, upper level: 10.9%); income level (originally recoded in three categories: low: 45%; medium: 26.6%; high 28.4%); economic activity (I collapsed the original eight categories in two main categories: active: 52,9%, and inactive: 47.1%); residence (I recoded the original variable in three categories: small settlement (0–4,999 inhabitants): 34.4%; medium size settlement (5,000–100,000 inhabitants): 35.9%; big settlement (over 100,000 inhabitants): 29.7%).

Beside the socio-demographic and economic indicators, I introduced the indicator of religiosity, as it appears to be an important attitudinal component of social capital and thus also of trust. In conclusion, I collapsed the religiosity variable in a categorical indicator in the following way: religious person: 82.7%, and not a religious person: 17.3%.

Methodology

First, I am going to identify – using factor analysis – the internal structure of institutional trust in Romania, based on the specific individual trust in every single named institution according to the variables presented in Table 1. As a second step, I am going to analyze the internal structure of trust – both institutional and generalized. Thirdly, I intend to identify those socio-demographical indicators, if there are any, which play a significant role in institutional and generalized trust in Romania.

Results

Following the above presented methodological steps, firstly I used factor analysis to identify the internal structure of institutional trust in Romania. The results are presented in Table 3.

The results show the internal structure of institutional and informal trust in Romania. Two institutions presented in Table 1 were left out from the factor analysis, because their low level of extraction communalities (the trust in major companies and in environmental protection movement). Also, the variable identified as a component of generalized trust ("most people can be trusted") was left out due to its categorical character. After the mentioned rectifications, the result was the following: the factor analysis explains about 73% of the original variance of the remaining variables.

Table 3. Results of the factor analysis of the variables of institutional and generalized trust (data source EVS, 2008)

Rotated component matrix						
	Component					
	1	2	3	4	5	6
Confidence: Churches				0.840		
Confidence: Armed Forces				0.764		
Confidence: Education System				0.534		
Confidence: The Press						0.788
Confidence: Labour Unions						0.704
Confidence: The Police	0.673					
Confidence: Parliament			0.652			
Confidence: The Civil Services	0.585					
Confidence: Social Security System	0.627					
Confidence: The Government			0.825			
Confidence: The Political Parties			0.842			
Confidence: Health Care System	0.778					
Confidence: Justice System	0.737					
Confidence: The EU		0.843				
Confidence: NATO		0.900				
Confidence: UN		0.901				
Most of the time people try to be helpful…					0.878	
Do you think most people try to take advantage of you?					0.891	
% of variance explained	17%	15%	13%	10%	9%	9%
KMO= 0.881, χ^2= 9830, df= 153, p< 0.000						
Extraction method: Principal Component Analysis						
Rotation method: Varimax rotation with Kaiser nominalization						

The factor analysis reveals a coherent internal structure of the trust in Romania. Firstly, the variables of generalized trust create a singular factor. Secondly, trust in different types of institutions can be clearly identified. So the institutions in the first factor are the security and/or welfare state institutions. The second factor collects the international political institutions; the third factor resumes the democratic, decision-making institutions, the forth factor collects the traditional institutions, while the sixth factor represents the lobbying institutions.

As the third step, in order to identify the roots of trust in formal and informal institutions, I used the OLS regression. The dependent variables were the above described five types of institutions, and the generalized trust presented in Table 3. Beside the factor scores, I used the socio-demographic indicators and religiosity as explanatory variables. The results are presented in Table 4.

Table 4. The results of the OLS regression analysis. Cell entries are unstandardized Beta coefficients. Variable values equal to 0 are reference categories (data source EVS, 2008)

	Institutional trust					Generalized trust
	Traditional national institutions	Decision making institutions	Social security institutions	Lobbying institutions	International institutions	
Age:						
18-35	0	0	0	0	0	0
36-55	-0.085	0.034	0.009	0.029	-0.088	0.111
55+	-0.264**	0.023	0.106	0.011	0.058	0.141
Gender:						
Male	0	0	0	0	0	0
Female	-0.054	-0.017	-0.065	0.123	0.236***	0.093
Education level:						
lower	0.170*	-0.028	-0.065	0.013	0.050	0.088
medium	0	0	0	0	0	0
upper	0.193	0.076	0.276*	-0.107	-0.207	-0.251*
Economical status:						
active	0	0	0	0	0	0
inactive	0.025	0.207*	-0.041	0.110	-0.120	-0.088
Income level:						
low	0	0	0	0	0	0
medium	0.327***	0.082	-0.231**	-0.076	-0.005	0.233**
high	0.296***	0.047	-0.362***	-0.012	-0.126	0.493***
Settlement size:						
small	0	0	0	0	0	0
medium	0.212**	0.418***	-0.080	0.007	0.025	0.097
big	0.199*	0.340***	0.052	0.127	0.103	0.064

	Institutional trust					Generalized trust
	Traditional national institutions	**Decision making institutions**	**Social security institutions**	**Lobbying institutions**	**International institutions**	
Religiosity:						
not religious	0	0	0	0	0	0
religious	-0.644***	0.124	-0.259**	0.242*	0.095	0.030
Constant	0.230*	-0.509***	0.338**	-0.395**	-0.141	-0.403***
	R^2=0.137	R^2=0.046	R^2=0.038	R^2=0.025	R^2=0.028	R^2=0.043
	F=12.191	F=3.711	F=3.001	F=1.964	F=2.202	F=3.486
	p<0.001	p<0.001	p<0.01	p<0.05	p<0.05	p<0.001
	N=855	N=855	N=855	N=855	N=855	N=855

*** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

First of all, mention must be made of the fact that I received the same results as previous researchers did (e.g. Nistor et al. 2011) in cases where the low level of the R squares shows the complexity of trust as a social phenomenon, therefore it cannot be reduced to a few socio-demographical, economical indicators and to religiosity.

Beside this result, some association between the explanatory variables and trust in different types of formal institutions or generalized others can be found.

Discussion

The factor I called *traditional national institutions* includes the church, the army and school. The trust in these institutions reaches the highest level among the ones presented in the questionnaire. Their aggregate level of trust passes well over 50%, which is in concordance with the previous findings which signal a high level of trust in the Romanian society towards the church and the army, showing also a considerable constancy (Abraham and Gânju 2000; Tufiş 2007, 2009). The third element of this group is that of the educational institutions, which have a similar confidence profile as the army in 2008.

Searching for the roots of trust in the traditional institutions, generally it can be supposed that religious and elderly people tend to trust more this type of institutions. When religiosity is used as an explanatory factor of the differences in the variance of trust, in cross-European analysis, the comparison is usually made between Catholics and Protestants. However, Van Oorschlot finds that the key factor in reaching a high level of social capital is not the denomination, but the high frequency of attending church (Van Oorschlot 2006, 163). The association between the frequency of church attendance was highly significant (^{2}=281.917; df=12; gamma=0.540) in Romania in 2008, so I conclude that religiosity is one of

the important roots of trust in traditional national institutions, like the church. These findings enforce the previous results, as it is proved that religiosity in Romania explains the high level of trust in the church and the army (Sandu 1999). In opposition, the higher level of income along with the bigger size of the settlement of residence reduces the level of trust. The lower level of education also reduces the confidence level in this group of institutions. Trust in the army had and still has a steady base among elderly people; this characteristic seems to be constant for Romania (Sandu 1999; Abraham and Gânju 2000).

Returning to the church, the high level of trust remains, even if there are some really tough attacks, mainly in mass media, against the representatives of the church (like cooperating with "securitatea") (Tufiş 2007).

These results confirm the previous results regarding Romania, as trust in the church and the army reaches a high level. This can be interpreted from the perspectives of both theories presented by Mishler and Rose: in a cultural perspective, trust towards the church, the army and school could be considered traditional and its positive adjudication can be the result of the early socialization. Additionally, I think that an important role can be assigned to the fact that these institutions showed at least a formal consistency in the past, meaning that they were present during the whole communist period.

From the other perspective, taking the performance of these institutions into consideration, I assume that even if their performance was highly coordinated by the communist regime, the church, army and school apparently did not lose their original role and aim of existence. Moreover, as the previous results show (Sandu 1999; Voicu 2005; Tufiş 2007) the – Orthodox – church and the army are considered the symbolic institutions of the state, with a strictly internal hierarchy, which is in perfect concordance with Hofstede's power distance characteristics of Romania's value orientation. I presume, the fact that the confidence in the educational system enters into this elite group of highly trusted institutions because its internal hierarchy is also a clear one, and the value of paper based knowledge – as a way of granting social mobility – has a high appreciation among the citizens of Romania.

The trust in the decision-making institutions – which include the parliament, the government and the political parties – shows a different type of trust structure. This group represents the opposite side of the traditional national institutions – they were the less trusted institutions in Romania in 2008, as only a quarter or less of the people had trust in them. In a historical and comparative perspective, a low level of trust in the government, the parliament and the political parties could be observed in the period between 1991–2000 (Abraham et al. 2000, 84), a period in which the level of trust continuously diminished, with the exceptions of the after elections periods. Between 2006 and 2008, the trust in these institutions shows an "atypical increase" (Tufiş 2009), but even so, this remains at a low level as compared to other EU member states.

Regarding the roots of trust, economically inactive persons have less trust in the decision-making institutions then active ones. The size of the residence settlement also plays a significant role, as the people from towns and cities tend to trust less these types of institutions.

Also, a plausible explanation for the low level of trust could be the moral crisis (Zamfir 2004), or a sceptical appreciation of the political institutions due to their low level of capacity (Tufiş 2007).

It also must be mentioned that a comparative study among European states reveals that the trust in the institutions of representative democracy is present at a lower level than the trust in implementing institutions (Grönlund and Setata 2012, 538).

The third group of institutions, which I called *social security and welfare institutions*, includes the police, the civil services, the social security system, the health care system and the justice system. For a historical comparison of the evolution of the trust level in the above mentioned institutions, I need to discuss the police and justice system separately from the rest, as in most cases social security institutions are presented separately from welfare institutions.

In the Romanian society in the period between 1991 and 2000 there were different types of evolutions regarding Justice and Police; while the former continuously loses citizens' trust (1991=40%, 2000=20%), the latter gained trust (1991=33%, 2000=43%) (Abraham and Gânju 2000, 82).

On the other hand, regarding the welfare institutions, the debate about the acceptance and maintenance of these, and generally about the welfare state, could be the subject of a separate paper. Now I only intend to identify the roots of trust in these types of institutions. Edlund argues that the support for the welfare state can be explained by the perspective of people's position on the labour market. As a conclusion, all the categories which could benefit more imminently form the state oriented resource allocation are positive to the idea of the welfare state. So the workers (in the blue collar sense), the employees of the public sector, the women, the singles with children, the young and the elderly tend to "restore" the welfare state in Sweden (Edlund 2006, 404). These findings were affirmed more recently by Voicu et al. based on a cross-European analysis: "better educated and wealthier people (…) are more likely to place at the level of the individual the responsibility for their own well-being. Those depending on the welfare system, such as unemployed or retired are more likely to sustain a broader welfare state" (Voicu et al. 2011, 83).

These findings are not always supported by my results. The explanation could reside in the broad range of institutions presented in this group. The roots of trust in the discussed institutions can be detected among those persons who have a medium or high level of income. Religiosity also plays a significant role, as religious persons trust the social security and welfare institutions more than

the opposite side. In concordance with the earlier findings, the upper level of education diminishes the level of trust in these institutions.

A separate group of institutions are the ones I called *lobbying institutions*, and this group includes the press and the labour unions. The evolution in time of the above mentioned institutions shows a relative fluctuation. Regarding the labour unions, in the period analyzed by Abraham and Gânju – from 1991 till 2000 – its level of trust reached the peak in 1997, when 26% of Romania's population declared that they trusted this institution (Abraham and Gânju 2000, 82). In comparison, when the confidence level reached an aggregate 36% in 2008, this meant a serious increase. The evaluation of the press is more difficult, as in the referred literature, the issue of trust was investigated separately for the different type of media (television, press, meaning printing press and radio). Generally speaking, the trust in media is higher than the trust in the labour union, as almost half of the population trust media institutions. Looking for the roots of the trust in this group of institution, I found that the only significant explanatory variable is religion, in the sense that religious people tend to trust less the above mentioned institutions.

The last separate group is the one which amasses the *international institutions*. As I mentioned in the case of the welfare state, the evaluation of this result could also be singularly the subject of a different paper. Looking for the aggregate level of trust in international institutions, it is easily remarkable that this group follows closely the national traditional institutions. As Tufiş remarked, the most trusted institutions in Romania are the apolitical institutions, followed by the international political institutions (Tufiş 2009). The question why the level of trust in international institutions in Romania is so high could also be the subject of another study. From the point of view of my explanatory variables, there is a singular differentiator factor: gender. The male population of Romania declares a higher level of trust toward the international political institutions than women.

Hypothetically speaking, I can assume that the high and constant level of trust in international political institutions has more roots. From a cultural perspective, the citizens of the former socialist countries widely accepted the idea that "Western is better than Eastern". As in Romania the church and the army are considered to symbolize the state, in an analogue way, it can be assumed that NATO, EU and UN symbolize the "west". From an institutional perspective, the performance of an institution influences its appreciation. In Romania, even prior to the accession, trust in international institutions reached high levels among citizens, despite that they had little factual knowledge about these institutions' history, structure or functions (Tufiş 2007, 136). Contrary to previous expectations, which hypothesized that the actual knowledge and experience will undermine this high level of trust, as it happened in other Central European countries (Tufiş 2007, 136), the data shows the opposite: in 2008 the trust in EU, NATO and UN remains at high levels.

Generalized trust is also a widely debated problem. Beside the trust in formal institutions, generalized trust is also considered a fundamental resource of democracy in Romania as well (Bădescu 2003, 114).

The educational level influences the general trust in other people negatively, while with the increase of income the trust in other people increases significantly. This finding is confirmatory, as the mainstream of the social capital literature proves the positive interconnection between different types of capital; in my case, the connection between material and trust capital is widely accepted.

Conclusions

The main finding of my analysis is that trust in institutions – at least in Romania – has a coherent internal structure, as the population perceives it. Due to this fact, I could delimitate five categories of institutions.

In the search for the root of trust in institutions, I found that the person's income level plays the biggest role among the determinants I used, as it significantly influences both the trust towards the traditional national non-political institutions – negatively – and the welfare and security institutions – positively.

Religiosity also plays an important role on the level of trust, showing a positive influence on trust towards the traditional institutions and the welfare and security institutions. On the other hand, religious people tend to have less trust in the lobbying institutions. Age only played a significant role in the case of traditional national institutions, meaning that the elderly people have more trust in these types of institutions. The education level plays a different role, as while a lower level of education reduces the level of trust in traditional institutions, an upper level of trust influences negatively the trust in security and welfare institutions. Gender, contrary to my initial expectation based on the literature, plays a significant role only in the case of international political institutions, as the male population tend to have more trust in them.

The size of the settlement of a person's residence also influences the level of trust in different types of institutions. Living in a medium or big size town seems to have generally a negative effect toward the trust in the institutions, as it significantly reduces the level of trust in traditional national institutions and in democratic, decision-making institutions as well.

Regarding the trust level in the analyzed institutions, I think that while there is a high level of trust towards the traditional national institutions, such as the church and the army, and towards foreign political institutions like EU and UN, the national political institutions are on the opposite side, lacking the citizens' confidence, therefore the democracy cannot be considered entirely stable and consolidated in Romania. Accordingly, the concern conceived by Tufiş (2007) remains actual.

Acknowledgements

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Educational Carrier after Compulsory Schooling from a Public Child Care Perspective

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Abstract. We have hardly any information on the life-course of young people leaving public care for children. Compared to their peers they rarely continue their studies in higher education. As higher education has increasingly become the norm, those unable to get a higher qualification will increasingly lag behind and be exposed to risk of social exclusion, as well as to all related disadvantages in terms of health status, employment, income, housing, social participation, and attainable life quality. It has therefore become a pressing necessity to keep these young people within the education system. This study has two main parts. Firstly, it shows the main findings of Hungarian and international research related to the social position and educational participation of young adults with care background. Following this, based on the Young People from a Public Care Background: Pathways to Education in Europe (YIPPEE) international research project – funded from the European Union's Seventh Framework Programme – we analyze those factors which are important for young adults with care background to participate in higher education. Finally, we present our policy recommendations.

Keywords: child protection, educational carrier after compulsory school, supporting and inhibitor factors

Introduction

We have hardly any information about those young people who live in the child protection system. Compared to their peers, they are less likely to continue their studies in higher education. Further studies have been becoming increasingly widespread. They suggest that those young people who are unable to go into higher education will increasingly lag behind and be exposed to social exclusion, as well as to all related disadvantages in terms of health status, employment, income status, housing, social participation, and attainable life quality. It

has therefore become pressingly necessary to keep these young people in the education system. The study directs attention to two main topics. First of all, we aim to show results of previous Hungarian and international research focusing on the situation of young people in care and after care, highlighting their educational careers based on literature review.[1] Secondly, we analyze the results coming from the YIPPEE international research. Here, we wish to investigate those factors that can possibly determine the higher education career of young people with child care background. We have also attempted to identify possible supporting and inhibitor factors. Thus, we have asked young people, childcare professionals, and people who encouraged young people to go into higher education in different countries, to name some of the above-mentioned factors that they experienced and considered important. Based on the conclusions of previous research and the YIPPEE international research, the study ends with policy recommendations. We will also analyze what needs to change to help more young people go to post-compulsory education in Hungary.

Literature review: results of Hungarian and international research focusing on educational participation of young people brought up in care

Numerous international studies draw attention to the social discrimination of children in care, and to their failure in overcoming difficulties resulting from their disadvantageous childhood.

In Sweden not much attention is paid to the educational results of children and young people growing up in care. Moreover, research on these children and young people in general is very restricted. Generally speaking, education dropout is the main factor that prevents young people from integrating into the labour market and the society. Quitting school usually results from the fact that children are continuously moved from one home to another. Consequently, relentless school change and adapting themselves to new surroundings both make children's situation more difficult, and prevent them from making relationships successfully. It is important to mention here, however, that the Swedish face a further problem, namely that public care professionals consider therapies crucially important and put less emphasis on the educational career of young people (Höjer, Johansson and Hill 2008; Rácz 2009a).

Similarly to Sweden, in Denmark only a few studies have been done on the situation of children in care, their school experience and their career after

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1   This research does not aim to present the child care system of each country. Information can be found on the official homepage of the YIPPEE survey: http://tcru.ioe.ac.uk/yippee.

compulsory schooling. The results of these studies clearly indicate that young people in or after care are disadvantageous in several fields of life and are more likely to have learning difficulties at school than their peers who grow up in their family of origin (Bryderup and Trental 2011). From a technical point of view, school is an important setting of development where children could be able to overcome difficulties coming from childhood memories. It is a characteristic feature of the Danish child care system that children's homes have their own boarding schools, in which teachers are more likely to develop social skills instead of educational ones. For this reason children often find difficulties in integrating themselves into the traditional school environment (Bryderup 2008; Rácz 2009a).

In Great Britain the number of young people in care who obtain higher education certificates is very low. Similarly to the Hungarian data, they are around 3–5%. Research suggests that young people with higher education qualification hardly changed homes, had someone who motivated them at school, and the parents of origin were also constantly present in their lives (Jackson 2007). A previous study, carried out in 2007, shows that students with child care background have ten times as much chance to drop out than their peers who grow up in their family of origin (Höjer et al. 2008).

Children in care believe that the state is not able to give them real parental support. A study from 2008, which is based on the quantitative method, shows that the 250 informants pointed out a huge difference between the intentions of the state and their own experiences. More precisely, children in child care institutes wanted to be loved, and those who lived with foster parents wanted to feel themselves as part of the family. Interestingly, 67% of the children who felt to be supported properly, continued their studies even after the age of 16 (Höjer et al. 2008, 41). As Jackson (2007) pointed out, the effects of child care on children are not clear. It is interesting to mention that children who get in care in adolescence have the same educational outcomes as those who get in care in earlier childhood. Jackson believes that bad school results are strongly connected to the service of the child care system. Here we should highlight the fact that factors such as unrelenting change of home, thus instability or low expectations of the child care professionals all lead to children neglecting their studies and the choice of educational goals. Sadly enough, the school does not seem to give satisfactory answers to the questions of child care either.

According to Mike Stein's theory, care leavers could be divided into three groups. The first one includes those who are able to overcome their disadvantages and 'become successful' in life. They are mostly workers with managerial or top managerial qualifications and good social skills. In Stein's opinion, these young people make strong efforts in order to get rid of negative experiences of the past; overcoming them they are able to meet successfully the requirements of their adult roles, like becoming a parent or maintaining independent living. Their life

is stable and consistent, they can successfully adapt to challenges of independent living, and they are in possession of an extended network of relationships. Their school career was consistent, and they are successful at work. When they must face financial problems, they use welfare benefits. According to Stein, however, they are the easiest to support because they are settled in other aspects of life. The second group includes the '*survivors*' whose main characteristic in life is uncertainty, instability during the public care period, at leaving and later as well. There is a high number of them who regularly receive different welfare assistance and support. They became care leavers relatively soon, mostly with no qualifications. Sadly enough, many of them even experience the reality of homelessness for a short period of time. Unemployment is common among them, and those who work are underpaid or employed only temporarily. The third group consists of the '*victims*' whose lives are marked by the feeling of being torn away from the family. Consequently, they tend to distrust everybody. It can be assumed that the above-mentioned group of young people went through serious traumas in the families of origin, which determined their life both in and after care. Most of them changed homes several times in the care system; consequently, they left early with no proper support. They are adrift in life, they avail of homeless provision, many of them become wrong-doers or victims of criminal acts, are forced into prostitution, struggle with deviancies like drugs or alcohol. The majority of the victims are desolate and friendless, and they tend to suffer from mental diseases. Leaving the child protection system, it is crucial for them to be provided with complex support (Stein 2005; Rácz 2009a).

Similarly to Great Britain, in Spain there is not much data and research available on the educational career of children in care either. In the last couple of years the number of children in the Spanish child care system has increased. According to official statistical data (www.msps.es), in 2006 there were 37 thousand children under supervision. More specifically, 48% of them in institutional care, and 52% in foster care. It is important to point out that 85% of children in foster care were looked after by a relative. Those who got into institutional care were mostly foreigners, and older, 12 year-old boys (Casas, Montserrat and Malo 2011). The results of the research carried out by Del Valle et al. suggest that 9.4% of Spanish young people with child care background were addicted to drugs, and 7.8% of them used drugs temporarily. Moreover, 10% of these young people were characterized by socially offensive behaviour. From the point of view of social integration, young people after care can be grouped into 5 categories. Young people who are considered to be deviant belong to the first group (*Group of the marginalized*). For instance, people who committed offences, abused drugs, or those who prostituted themselves. The second group (*Group of those who accept welfare benefits*) contains those young people who are slightly deviant, and mostly exploit welfare benefits. Here we can usefully point out that the latter category of

young people can be divided into three subcategories. Thus, in the present case, we can talk about individuals who are able to make a medium, sufficient or an excellent degree of change. The members of the first group (*excellent degree of change*) are not entirely addicted to welfare benefits, but they are not able to be independent yet. The representatives of the second group (*sufficient degree of change*) can be financially independent, but in case of smaller difficulties (health or family problems) they tend to ask for help. Finally, the third group (*excellent degree of change*) represents those young people who are financially completely independent, and their life is characterized by stability (quoted: Casas and Montserrat 2008, 47–48).

Similarly to Spain, in Hungary there is not much research on the educational career and preparation to life of young people in and after care. Moreover, available statistical data is also limited. However, it is well-known that certain indicators, such as unemployment, poverty and deviancy are common among socially disadvantaged groups. As early as the 1980s, the TBZ research shed light on the fact that young people with child care background run into more difficulties in the fields of social integration and making their way in life than their peers with normal family backgrounds (Rácz 2009a). Mária Novák's study (1991) points out that young people who lived in the child care system changed homes on average eight times, which is connected with their bad educational performance. The problem here is that every time they changed home, they changed school as well, so they had to adapt to new teachers and peers. It is also important to note that they chose profession on the basis of their education. Consequently, the vast majority of them became manual workers and casual workers or remained unemployed.

According to the child care statistics, in 2006, there were 21216 children and young people in the child care system. More precisely, 48% of them lived in institutional care, 52% in foster care, and 4064 individuals in after care. There are various reasons why young people used these services. 67% of them did so because they were regular students, 30% because they could not earn enough to live, and 3% (87 individuals) because they were waiting for being accepted to a social care institute.

There were 829 people in after-care (Child Protection Statistical Guide 2006, 2009). 65% of children in care finishing primary school continue their studies in a vocational school. However, there is a significant difference between the educational career of children growing up in institutional care and that of those in foster care. More precisely, children in institutional care mostly chose vocational schools (76%), 7% of them attended secondary grammar schools, 14% technical schools and only 3% chose OKJ (National Qualifications Register) training. In contrast, only 55% of children in foster care chose a vocational school, 13% a secondary grammar school, 33% a technical school and only 1% attended an OKJ training (Child Protection Statistical Guide 2006, 2009).

On the basis of the national statistical data it can be stated that children in foster care have a better educational performance than their peers in institutional care. However, we should not ignore that the intellectual capacity of children determine whether they get in institutional or foster care. In this case, children with better intellectual capacity have a greater chance to get in foster care (Neményi and Messing 2007). As far as the educational career of vocational students in care is concerned, in the school year of 2005–2006 37% of students learnt an industrial, 13% an agricultural, 24% a catering and 27% another trade (Child Protection Statistical Guide 2006, 2009). Apart from the problem that the vast majority of these students learn trades (moreover, usually not competitive ones), their educational results are also worrying. Vocational students between the ages of 15 and 18 have a very bad performance at school, moreover, 38% of them failed in several subjects already in the primary school. This is not to say that 1/3 of them had to repeat a year in the primary school. Another point is that they have a low opinion of their teachers (Hodosán and Rácz 2009). Since 2002, the national competency survey has measured the reading and mathematical skills in three years (6., 8., 10.) every school year. In 2008, 3058 institutes with 330 thousand students participated in the national competency survey.

The study has made it possible to compare the results and characteristics of students in institutional and foster care in the 8th and 10th year. The results of the survey show that the grades in reading comprehension and mathematics are strongly related to the place where the children live. Children living in a family reached 500 points (which is the national average score), while students living in children's home did 70 or 80 points less than the average. In addition, students in institutional care tend to repeat a year in all classes. In the junior section of the primary school (years 1st–4th) only 4% of students growing up in a family repeated a year. This percentage, however, is higher in case of children in foster care (17%) and students in institutional care (27%). Similarly, in middle school (years 5th–8th) the percentages are 5%, 10% and 27% (Gyarmati, Csák and Rácz 2009).

Analyzing the educational results of the previous year it can be shown that students in care have a worse performance than their peers growing up in families. The average result of students growing up in their families is 3.96, while this average is lower for children in foster care (3.47) and even lower for students in institutional care (3.15). Not only the results but also the future plans are different for the above-mentioned groups of students. 41% of young people in institutional child care chose to obtain vocational qualification. This percentage is only 11.3% in case of students who grow up in families. 55% of young people living in families would like to go on to higher education. This percentage, however, is only 26% in case of students in foster care, and even less, 15% in case of children in child care institutions (Gyarmati et al. 2009).

The results of the research show that the dysfunctions of the system, such as relentless change of homes, new schools and peers, paying not much attention to studies and choosing goals, lack of care and motivation, and leaving the family of origin out of important decisions regarding child care and education result in the fact that young people are not able to cope with the smaller and bigger problems of life. From an educational point of view, it is very important to motivate students in their studies, because this way they may avoid unemployment or getting underpaid jobs.

Main results of the YIPPEE international research project

In this section, we analyze the results coming from the YIPPEE international research. Here, we wish to investigate those factors that can possibly determine the higher education career of young people with public child care background. We have also attempted to identify supporting and inhibitor factors.

Methodology

The purpose of the international research 'Young People from a Public Care Background: Pathways to Education in Europe', which was realized by the 7th Research Project of the EU named 'Young People and Social Discrimination', was to give an overall picture of the possible helping and hindering factors that can have an influence on the higher education career of young people with child care background between the ages of 19 and 21. The research was carried out in Denmark, Hungary, Spain, Sweden and Great Britain in 2007–2010, and it was divided into multiple phases. First of all, we carried out a literature review and analyzed previously published statistical data in this field. Secondly, we interviewed the decision makers and the child care professionals. Then, we made a questionnaire survey with young people between the ages of 19 and 21 who spent at least a year in child care and who were still in care at the age of 16.

The results of the survey give us an overall picture of the educational career of young people after compulsory schooling. On the basis of these results, we carried out a series of interviews with 35 young people and with a key figure in each student's life (usually someone who encouraged the student to study). The main focus of the interviews was to show the educational path of students, to understand which the hindering factors were, and which factors determined whether students continued their studies after compulsory education or not. We have also attempted to present those people who gave students a helping hand in choosing educational goals and continuing higher education. In an attempt to investigate the latter points, we interviewed the participants one year later

in order to see whether they managed to reach their goals and what changes occurred in their short-range plans.

Young people who participated in the Hungarian survey were all in after care support, and were from 4 counties of Hungary (Regional Child-protection Agencies).

Supporting and inhibitor factors in educational career and higher education

Cieslik (2006) groups the factors influencing the student's self-image and the identity of those reaching the age of majority into three categories. Firstly, he mentions structural factors, such as insecurity factors appearing on the labour market that encourage the individual to seek new opportunities to acquire the knowledge that will enable them to find a place on the labour market. He also highlights *social factors*, more specifically, inter-personal and family relations, for instance, the supportive environment surrounding the individual. Finally, he points out individual factors, such as an interest in new topics, personal motivation, aspirations, the desire to establish daily routines (more precisely, the school that establishes a daily routine for children).

Rácz (2009b) believes that helping factors in educational career and higher education can be divided into two groups. The first group consists of 'endogenous factors' such as perseverance, strength of will, wish to break out and commitment to a secure future. It is important to note, however, that endogenous factors cover individual factors in Ciesik's interpretation.

The second group of factors that influence young people's educational career after compulsory schooling consists of 'exogenous factors'. Here we should point out the importance of having stability at the child care home, in other words, the fact that the child does not have to move a lot is essential. This is not to say that under the above-mentioned circumstances the child care professional becomes the source of emotional stability and motivation for children. Further exogenous factors can be good atmosphere at school, good relationship with peers and teachers, participation in programs for talented students, sessions with mentors. Child care professionals put emphasis on following the educational career of young people, help them choose educational goals, moreover, they provide them with financial support to start and then to continue their studies.

Supporting and inhibitor factors are present on the following five levels: 1) the level of the individual, 2) the level of the family, 3) the level of education, 4) the level of child care/welfare, and 5) the level of public politics (decision-making) (Casas and Montserrat 2009).

The following examples show some helping and hindering factors on each level.

On the level of the individual, if young people are motivated in continuing their studies, they most probably also have a positive self-image, they trust successful outcomes and they have long-run plans. "Well a secure future is important also because it clearly describes the person, whether he lives from one day to another, or has a clear idea what he will be doing in 2 years' time – more or less" (Hungarian man attending university of defense).

On this level, hindering factors can be low intellectual capacity, being behind in lexical skills, inefficiency in basic skills, and lack of self-confidence and motivation.

On the level of the family, we can say that during the period when children are in care, factors such as the inquiring attitude or emotionally supportive behaviour of the parents of origin are of crucial importance. Similarly, foster parents' setting a positive example or the good educational results of children who grow up together could encourage students to continue their studies. "So, my (foster) mum has helped me a lot in reaching my goals. I mean, not really financially, more like emotionally, by encouraging me, for example" (Hungarian man attending university of law).

Another person describes the same experience in the following way: "The family, when I grew up, was one great help, for sure. Almost everything depends on that. To be honest, I was very lucky with my foster family. Not many children are as lucky as me. (…) The other one… I think it was the support the school gave me… they helped me not only in learning the subjects. They also gave me support, which was more than simple help" (Swedish men studying at a university as a computer games designer).

On the level of the educational system, we can highlight, firstly, teachers' positive attitude towards children in care, and secondly, the importance of remedial programs. The lack of the latter can have a negative impact on the educational achievement and educational career of students after compulsory schooling.

The following example of a young woman shows the importance of a supportive school. She was sexually abused by her parents of origin, so she got into child care in infancy. First, she lived in a children's home, then with foster parents, and at the age of 14 she got back to a child care institution. Altogether, she changed homes 15 times, consequently, she had to change schools as well. As she says, she was very angry every time when she found herself in a new school. At the age of 15 (in the 11th year), however, her life completely changed. She started to get support from her school, she had a mentor and a teacher of music and drama who helped her a lot. She felt that that she was trusted and that those people recognized her talent and her potentials (Korintus, Rácz and Csák 2009). School is an important setting from the point of view of friendly relationships as well, mostly for those who live in children's homes. Educational success, motivation and career plans of foster siblings could also encourage young people to go on to higher education.

On the level of child care, it is a problem that schools are not adequately prepared to deal with students who grow up in child care. Children who live in foster care are more motivated because it is a more personalized way of care. Foster parents pay more attention to them, are better at inspiring and setting good examples to children. On the other hand, financial support is more important for children who grow up in institutional child care. As it can be seen in the following example: "Now what I am attending is a private school. There is a tuition fee, 350 thousand forints a year, nevertheless, they pay it all for me. So, I have always got maximum support from them. (…) Also, when I wanted to do sports, they paid them for me. But really, they just wanted me to do what I like, and not to quit" (Hungarian woman attending university of applied arts).

Psychosocial support given to children in care and at school is essential. However, it would be important to reduce the number of children per one child care professional in order to give a more personalized support. Similarly, more child care professionals with special expertise (psychologists, teachers specialized in developing skills) would be needed.

In order to support educational career after compulsory schooling, it is necessary for child care professionals to help children with finding motivation and goals, and to set them realistic goals which are related to their capacities and interests. "There are some long-term goals that we set to each child that can be reachable based on their opportunities and capacities. Because it is obvious: we cannot insist on sending a child with low intellectual capacity to university. For those children we search for a good manual job" (Hungarian child care professional).

On the level of public politics it is worth mentioning that intervention and prevention programs are needed in order to improve the educational outcomes of children coming from endangered families from the point of view of child care. It suggests a holistic approach to sort out the difficulties of the child and the family as well, which is based on intersectoral cooperation. Long-term planning is necessary for children who get out of their family of origin, in which education and going into higher education are of crucial importance. After coming of age, young people need further support in order to have the chance to continue their studies. With the help of this system, keeping young people over 18 in the educational system does not become only a necessary constraint (Casas and Montserrat 2009, 80–90; Rácz 2009a; Rácz 2009b).

The following table (Table 1) shows the results of the YIPPEE international research and summarizes the possible supporting and inhibitor factors in Hungary and in the partner countries.

Table 1. Supporting and inhibitor factors in educational career and higher education

Supporting factors in educational career and higher education in Hungary and in the partner countries	Inhibitor factors in educational career and higher education in Hungary and in the partner countries
Level of the individual	*Level of the individual*
– Individual motivation, self-confidence, self-estimation, high expectations (DK, UK, HU) – Long-run planning, realistic future plans, confidence in controlling their own lives (ES, HU, DK) – Personal skills, knowledge (SWE)	– Lack of motivation and self-confidence (DK, SWE, HU) – Mental and psychological problems (SWE, HU) – Lack of basic competences (UK, ESP) – Lagging behind peers, lower intellectual capacity (DK)
Level of family ties	*Level of family ties*
– Supportive family – the education of foster parents, family patterns, siblings, peers in care – Showing positive examples (HU) – Learning as a value (UK)	– Bad social environment – Abandoned families, poor network (DK) – Learning and going on to further education are not regarded as valuable (ESP, HU, UK) – Mistreatment, abandonment in family (SWE)
Level of education	*Level of education*
– Educational stability (UK, DK) – Developing basic competences, imparting practical knowledge (HU) – Supporting and following children's educational career – Preventing education dropout, tutoring (DK, SWE, UK) – Positive discrimination, psychosocial support	– Too big classes at school, lack of personal care, (DK) – Lack of external friendship – Unprepared teachers and rigidity (ESP, HU) – Lack of remedial courses and intensive support (UK, HU)
Level of child care /welfare	*Level of child care /welfare*
– Continuous help, people who are permanently present in young people's lives (DK, HU, ESP) – Financial support, promoting the conditions of social integration (HU, ESP, SWE) – Highlighting the importance of going into higher education (ESP, SWE) – Intersectoral cooperation, clear professional protocol (UK) – Providing stabile care home (UK)	– Lack of personal care, the importance of school is not highlighted – Getting in child care at a later age – over 12 (HU) – Frequent change of child care home and child care professionals (ESP, UK) – Problematic relationship with school (SWE)
Level of public politics	*Level of public politics*
– Even after coming of age support is provided to young people – Increased attention to disadvantaged children (ESP) – Providing high-quality support (UK) – More emphasis on education and higher education (DK) – Developing professional protocol, setting long-term goals to children (UK, HU)	– Lack of holistic approach to sorting out the difficulties of children – limited intersectoral cooperation – Lack of common conception of child and youth policy (HU, ESP) – Lack of financial support (UK) – Lack of early intervention and prevention programs to improve the life of disadvantaged families (ESP, UK, HU)

Source: Casas and Montserrat (2009, 80–90)

Conclusion

As previous researches and the YIPPEE international research show, we have hardly any information on the life-course of young people leaving public care for children. In sum, we can say that children and young people with problematic family background, where mental illnesses, alcohol and drug abuse, lack of resources and poverty prevent them from concentrating on their studies, are at a disadvantage compared to their peers. For this reason it is necessary to find a way to support the educational career of these groups and to compensate the lack of support coming from their families. Support can be given in many different ways, but it has to be stressed that decision makers and child care professionals must be committed to support the educational career of these disadvantaged groups. In other words, when child care professionals make a decision to send someone in child care – because the family of origin cannot provide the child with adequate care – public child care takes enormous responsibility.

As the results of previous national and international research and the interviews of the YIPPEE survey have already suggested, the state is not always successful in fulfilling *in loco parentis* (done in place of the parents) duties (Höjer et al. 2011). More attention should be paid, first, to widen the limits of public child care, and second, to make the state a 'better parent' of the child, both in the settings of institutional and foster care (Höjer et al. 2011; Rácz 2009a). As far as the participation of these children in education is concerned, child care professionals should put more emphasis on the educational progress of children. More specifically, the educational situation should be evaluated and discussed with each student. Thus, "even if we simplify this complex process we can yet say that child care professionals must be as interested and committed as the parents of origin" (Höjer et al. 2011, 88). It is not enough to concentrate only on the risks and problems that can occur in these children's lives. It is also crucial to recognize their positive qualities, ambitions and capacities. If we put emphasis on their educational opportunities and goals, we can help them create a positive self-image. In other words, they can create a self-image of a good, talented student only with the help of supportive and motivating teachers, foster parents and child care professionals (Höjer et al. 2011). It would be crucially important to take into consideration the following factors when the foster parents are chosen: whether they are able to do homework with children, their knowledge about the educational system, and finally their willingness to support children in choosing their educational goals (Bryderup and Trental 2011).

In Hungary the educational results of students, on the one hand, can be determined by intellectual capacity, traumas caused by the family of origin and disadvantageous situations at school, and on the other hand, by several other factors. Child care systems take enormous responsibility in providing children

with a stabile care home (permanency planning). It is crucially important to follow and document in a standardized form the educational progress of the child from the moment they get into the child care system. Also, a written documentation is necessary about the progress of the child, and a person is needed who takes responsibility for the educational success of the child. It can be regarded as a sort of change in child care approach, which is characterized by educational support, conscious planning of further education, and building children's future (Korintus et al. 2011). It is also important to note that teachers must be prepared in child care issues, and child care professionals must be updated in educational issues. In other words, professionals should encourage young people to obtain qualifications that, on the one hand, are based on personal needs and capacities, and on the other hand, fulfil the requirements of the labour market (Korintus et al. 2011).

Eventually, we can conclude that educational choices after compulsory education are strongly determined by whether children who are endangered in their family of origin get all possible support from the child care system to overcome their difficulties and disadvantages in education. Finally, the educational outcomes of these children also depend on their possibility of having adequate support to get over difficulties caused by being torn from their families and the traumas they went through before getting in child care (Rácz 2009a; Korintus et al. 2011).

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Legal Aspects of Juvenile Delinquency in Romania. The Reinsertion of the Juvenile Offender into Family and Society

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Abstract. The aim of the article is to present the legal aspects of juvenile delinquency and the reinsertion of the juvenile offenders into the family and society. In order to do this, it shortly presents the history of the evolution of the re-educatory system for juvenile offenders, the system of the criminal responsibility of minors, the age and conditions under which a minor can be held criminally liable, the special situation of minors who are not criminally responsible and those who are criminally responsible, and, finally, it points out the penalty regime of juvenile offenders.

Keywords: juvenile delinquency, criminal responsibility, re-educatory system, reinsertion into society

Introduction

Juvenile delinquency represents a crucial and sensitive problem for the entire society and, when ignored or mishandled, its long term consequences usually create new, even more difficult and costly issues that society has to deal with.

During the last quarter of a century, the majority of European and USA statistics constantly warned us about the growth in youth crimes and about the more serious nature of the offences committed by minors. Moreover, the legislator widened the sphere of what is to be considered a law-infringement action or inaction by including increasingly more types of behaviour which were unheard of before or whose degree of social danger was not initially recognized; these kinds of new offences were previously only sporadically sanctioned by authorities.

With these new juridical traits in mind, I intend to present in this paper the evolution of the re-educatory system for juvenile offenders and the essential aspects of their reinsertion into family and society, along with the punishment process they must undergo throughout.

Short history of the evolution of the re-educatory system for juvenile offenders

"The institution of re-education constitutes a specific implement whereby society expresses both its position towards this category of offenders and its option concerning the fundamental means that must be used in exercising coercion and during the recovery of convicted juvenile delinquents. These features weave themselves together in the content of the re-educatory institution, infusing the re-educatory measures with the substance necessary for the realisation of their purpose" (Brezeanu 1998, 3–4). Popescu-Neveanu (1978), however, draws attention to the fact that the concept of re-education, as a criminal law institution, must be differentiated from the concept of re-education understood from a psychological-social perspective, because the latter concerns the systematic process of moral and social transformation of the juvenile offender through pedagogic, psycho-therapeutic means, as well as other adequate educational methods. Nevertheless, in both of its senses, the educational dimension is two-fold: it is characterized, firstly, by the diversity of the methods and means involved in the individualizing process entailed by the execution of the penalties stipulated in the criminal law, and, secondly, by the organization of an adequate pedagogical environment according to the pressing requirements of re-educating juvenile offenders (Popescu-Neveanu, 1998).

In the following sections of the paper I will present the historical evolution of the Romanian legal framework regarding the re-education of juvenile delinquents. There are three particular phases depicted in the scholarly literature that merit to be mentioned. The first one refers to the evolution of the re-educatory system of juvenile offenders until the Criminal Code of 1936; the second phase is comprised between the said Criminal Code from 1936 and the Criminal Code of 1969, and the last one begins with the Criminal Code from 1969 and continues today (Popescu-Neveanu, 1998).

The first written laws regarding juvenile delinquents were conceived and implemented by Vasile Lupu (1646) and Matei Basarab (1652). According to these laws, age is deemed to be a mitigating circumstance which protects the juvenile offender from the harshest punishments or provides grounds for commuting his/her sentence. The documents state that children under the age of 7 were not held criminally liable for their actions, that those between the age bracket of 7 to 14 years old (for boys) and to 12 years old (for girls) were given easier sentences, and, finally, that the boys aged from 14 to 20 and the girls from 12 to 25 benefitted from the improvement of the sentencing regime. If minors committed serious offences, they received the same sentences as those who attained legal majority.

In 1818 Caragea's Law (*Legiuirea Caragea*) came into effect in Wallachia, which differs from Lupu's and Basarab's law in one single respect: within the age

of 20 to 25, the "unfledged" (*nevârstnicii*) – those aged under 25 years – had the possibility to request the ruler "venia aetatis" (literally, forgiveness, or grace, as to age) which is the privilege whereby the minor was considered to have attained majority before the age of 25.

In Moldavia, the "Criminal Register" (Condica Criminalicească) of Ion Sandu Sturza, which appeared in 1826 and had the Austrian Criminal Code from 1803 as an inspiration model, is the first legislative work that bears significant connections with modern criminal codes. The same role was played later, from 1852 onward, by the "Criminal Register" (1852) of Barbu Stirbei in Wallachia (Popescu-Neveanu).

Under the reigning of Alexandru Ioan Cuza, the first Romanian Criminal Code took effect on May 1, 1865; the code was inspired by the French Criminal Code from 1810, the Prussian Criminal Code from 1851, the Moldavian Criminal Code from 1826, the Muntenian one from 1852, as well as (partially) by the German Criminal Code. According to this new Criminal Code, minors under the age of 8 are not held criminally accountable for their deeds, whereas minors aged from 8 to 15 years old have their capacity taken into account: "minority represents either a ground for criminal incapacity when the minor acted without capability […], or a ground for sentence mitigation when he/she acted in capacity. […] In the first situation, upon judicial approval, the acquitted minors will be sent to a monastery for a certain period of time which cannot exceed 20 years. In the second situation, the court will proceed to reduce the sentence" (Popescu-Neveanu, 17). Therefore, the minors aged between 15 and 20 years old enjoy the benefit of having their sentence reduced.

The Criminal Code from 1936 performed a key role in completing the unification process of the Romanian criminal law in the wake of the political unification from 1918. According to this new Criminal Code, the minors' age is split in two phases: childhood (up to 14 years old), during which they are not accountable from a criminal point of view; and adolescence (14–19 years old), during which the minor can be held accountable only in the case of having acted in discernment at the time of the perpetration of the offence; if this is not the case, the minor is not responsible for his/her deeds. Moreover, this Criminal Code envisaged preventive-educatory, foster-care related and protection measures for minors under the age of 14 and for those aged from 14 to 19 who lacked discernment; these measures were applicable until the person in question had reached the age of 21. For the minors from the age group of 14 to 19 years who acted in discernment, the law specified safety measures, such as supervised freedom and corrective education, as well as punishments like reprimand, reformatory prison, or simple detention. Finally, it is important to draw attention to the fact that this Criminal Code stipulates that for minors the educatory measures must replace as much as possible the punitive ones.

In 1948, the Criminal Code was republished without significant modifications concerning juvenile delinquents. A year later, in 1949, only the regulations regarding the protection of minors were modified by paying more attention to vagrancy and mendicancy issues; they were subsequently retained in the Criminal Code from 1957. Nevertheless, the provisions stipulated by these criminal codes are not full-fledged innovations that emerged in those historical times, but "only adaptations of certain forms of juridical, educational, healthcare and social protection of the minor, which were already well known and which were backed by the long tradition of the Romanian protection system" (Popescu-Neveanu 1998, 29).

With the Decree no. 213 from June 18, 1960, published on the same day in the Official Bulletin no 9, the judicial procedure regarding the minors who have not committed offences was reintroduced and it had remained in force until January 1, 1969, when the new Criminal Code took over. This third Criminal Code proposed the generic concept of offence as denoting every illicit, criminal act, abandoning thus the previous distinction between crimes and felonies (délits).[1] Except for minor modifications, this Criminal Code is still in effect in Romania today.

According to the Criminal Code from 1969, minority "is not considered anymore a personal circumstance, but a transitory state in the perpetrator's life which raises a set of particular problems and which entails special provisions and a distinct approach" (Brezeanu 1998, 33).

The penalty system applied to juvenile delinquents provided regulations according to three age categories:

1. Minors under the age of 14 who committed offences (délits) were exonerated of criminal responsibility on the grounds of the conclusive presumption of lack of discernment, in the sense in which it is presumed that they did not have the psycho-physical capacity necessary for understanding the consequences of their deeds. It is important to state that in the previous Criminal Code, the minimum age limit for the criminal responsibility of a minor was 12.

2. For the minors aged from 14 to 16 who committed offences (délits), the criminal responsibility was determined by the existence or the non-existence of discernment. The rebuttable presumption of irresponsibility worked in their favour. Therefore, they could be sanctioned with penalties when the forensic examination report proved that they had perpetrated the act in discernment.

3. Minors aged from 16 to 18 who committed offences (délits) were considered to conclusively possess both the capacity needed for perpetrating the act and

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1   It should be noted that the three-tiered structure of the judiciary in European countries which promoted the distinction between crimes, délits and contraventions does not have a corresponding differentiation in the Anglo-American judicial systems. Therefore, seeing that crimes, felonies and misdemeanor do not completely cover the legal sense of crimes, délits and contraventions, I chose to specify in parentheses the French equivalent for felonies: délits.

criminal responsibility, except for the situations provided in articles 44–55 of the Criminal Code (legitimate defence, state of necessity, physical and moral coercion, irresponsibility, error *de facto*, inebriety) which constitute sufficient causes for the removal of criminal capacity and implicitly of criminal responsibility.

The penalty system from 1969 to 1977 provided in the Criminal Code for juvenile delinquents, had a mixed character: the court could either take educatory measures (reprimand, supervised freedom, admission into a special re-educatory centre, admission into a medical-educatory institute), or apply penalties.

After the implementation of the Decree no. 218/1977, the treatment and re-socialization regime of juvenile delinquents was exclusively based on educatory measures, according to which the minors were entrusted to work or attend educatory units, or they were admitted in special schools – work or re-educatory schools; thus, the jail penalty was excluded.

According to Brezeanu, in spite of being called educatory, these measures were in reality even more severe than prison punishment. Consequently, "by their extremely elliptical formulation, these provisions masked the real signification of the measure, which is that it replaces in a modern fashion the service of the penalty in jail, applied until then to juvenile delinquents" (Brezeanu 1997, 16).

After 1989, the penalty and treatment system provided in articles 99–100 of the Criminal Code was reinstated by the implementation of the Law 104/1992 (which abrogated the Decree no. 218/1977) and of the Law 140/1996, which both widened the modalities and the forms of re-socialization and re-education of juvenile delinquents without, however, requiring a deprivation of freedom and of open environment (Banciu and Rădulescu 2002). The regulations in effect during this period of time are approached further in the next section of our paper.

The system of the criminal responsibility of minors

In this section I intend to advance with the study of the articles from the Criminal Code that refer to the penalties applied to juvenile delinquents, as well as to the odds of their successful recovery and reinsertion into family and society.

The process of applying a sanction to the minor offender must take into account, in the first instance, his/her own interests, preventing him/her from committing a new offence, and his/her education in view of a better living in society and for society.

Research in the field of physiology and psychology, as well as common sense emphasize the fact that childhood and adolescence represent an important and sensitive phase in any man's life. Unlike the adult, the child and the adolescent do not have the full capacity to evaluate their own actions according to certain social and legal requirements.

The particular situation of children and adolescents, viewed from a bio-psycho-physical perspective, should translate accordingly in criminal law, which provides a special juridical status, different in key points from the provisions concerning adults: the protection of the minor's interests, the educatory system, and criminal responsibility.

In the following section, I will analyze the third item – criminal responsibility – as it refers directly to the minors who perpetrate delinquent acts. The legal responsibility of minors is approached from two major perspectives: age and the conditions under which a minor can be held liable; the penalty regime which must correspond to the age and personality of the juvenile offender.

Age and conditions under which a minor can be held criminally liable

"Until the age of 14, a natural person cannot be an active, general subject of the offence which entails criminal responsibility because the person did not reach that degree of physical and psychological development that would allow him/her to understand the dangerous character of the consequences of his/her own actions (inactions); therefore, from a criminal point of view the person does not act in discernment. The presumption of lack of discernment is conclusive because under no circumstances the opposite could be proven, that is the existence of discernment" (Godea 1998, 59).

The age of criminal responsibility is equally determined according to other factors, among which is the evaluation of the minor's criminal capacity. Criminal capacity is the ability to differentiate between a harmless behaviour, which is allowed, and a socially damaging behaviour, which is restricted or completely forbidden and which consequently entails a form of punishment.

The age limit of the capacity for criminal intent cannot be *a priori* established; but in view of sociological and psychological criminal research, certain conclusions were reached, which were equally confirmed by the judicial practice and appropriated by the legislator. Consequently, the majority of criminal legislations provide the division of minority in three periods, according to the progressive development of minors: 1. the period of absolute and unconditional non-responsibility; 2. the period of doubtful or relative responsibility, whereby the existence of criminal responsibility is conditioned by the commission of the act in discernment; 3. the period of indubitable, although mitigated, responsibility.

The capital criterion for this classification is the age of the juvenile offender and this fact confirms that during childhood there is an incapacity for acting with criminal intent that must be legally acknowledged. With growing, the sole criterion of age becomes insufficient and another, complementary one is needed: discernment.

From the point of view of criminal responsibility, according to the Criminal Code, minors are divided into two categories: those who have criminal capacity

and are held accountable for their deeds, and those who lack criminal capacity and are not criminally responsible.

Thus, article 99 of the Criminal Code states that: "A minor under the age of 14 shall not be criminally responsible. A minor aged from 14 to 16 shall be criminally responsible, only if it is proven that he/she committed the act in discernment. A minor over the age of 16 shall be criminally responsible."

In order for a minor aged from 14 to 16 years to be held criminally responsible for the commission of an act provided by the criminal law, it must be established whether he/she acted in discernment. Discernment is evaluated by the institutions of forensic medicine, through a specialized expertise conducted on the basis of clinical examinations and supplementary exams (Government Resolution no. 774, September, 2000).

Minors who are not criminally responsible

According to article 50 of the Criminal Code, the criminal character of the deed is removed if it is ascertained that at the time of its commission the minor did not meet the legal conditions for criminal responsibility. These conditions are specified in article 99 of the Criminal Code where it is stipulated that the minors under the age of 14 and those aged from 14 to 16 who acted in lack of discernment are not criminally responsible.

Minors who completely lack criminal capacity

Article 99 of the Criminal Code provides a conclusive presumption of criminal incapacity for this category of juvenile offenders. Because it is a conclusive presumption, it can never be rebutted, irrespectively of the minor's qualities or lack thereof. In these cases, from the point of view of the criminal procedure, the criminal prosecution authority must decide the release from prosecution and the court must ordain the acquittal of the minor. No sanction can be handed down to the minor who committed an offence and who has no criminal responsibility; he/she can only be subjected to the protection measures established by the specialized units of the tutelary authority, such as special supervision of the parents or the tutor, or admission into a special re-educatory school.

Minors that relatively lack criminal capacity

Minors aged 14 to 16 are also presumed by the law not to have criminal capacity; but this time the capacity is only relative, and the presumption stands as long as there is no proof that the act was perpetrated in discernment. That is why the presumption is rebuttable, not conclusive.

Between the minors aged 14 to 16 and those under 14, if the former acted in lack of discernment, there is no difference concerning the provisions of the law: the same rules apply to both categories. Their release from criminal prosecution or their acquittal does not translate onto the persons who instigated or helped them to commit the illicit deeds; on the contrary, these persons will be criminally responsible according to the degree of their contribution. Therefore, the non-fulfilment of the conditions for the minor's criminal responsibility does not equate with the non-existence of the offence.

Minors aged 14 to 16 who acted in discernment will be assimilated to those aged over 16. The notion of discernment is not defined by the Criminal Code and the judicial practice does not propose a unanimous view in this regard. There are multiple definitions of discernment, but the one that is the closest to the juridical essence of discernment is Dongoroz's: the capacity to understand and to conscientiously manifest one's will in relation to a certain fact; discernment is, therefore, the criminal capacity limited to the concrete case, not generalized to any manifestation of a person (Godea 1998).

The lack of discernment is not conditioned by certain circumstances and does not conceptually have any connection with the notion of irresponsibility provided in article 48 of the Criminal Code. Irresponsibility is due to certain causes which alter or disrupt the normal functioning of psychological faculties, whereas the minor who lacks discernment is usually, from a psycho-physical point of view, an entirely normal person.

At the same time, the idea of discernment employed to delineate the category of persons who, because of their age, did not reach the full functional use of their psychological faculties, must not be mistaken for the concept of guilt. Thus, if a 16 years old minor acted in discernment, this does not necessarily mean that he/she committed the act in guilt; this is a situation that the minor in question can prove to be the case.

The proof of the existence or inexistence of discernment is not an issue bereft of divergent points of view. Accordingly, one perspective considers that the only conclusive proof would be the forensic-psychiatric expertise. The judicial practice, however, rejected this opinion on the grounds that the expertise is not the only proof needed and in many cases it is not even necessary. Thus, the Supreme Court of Justice shows that "for the assessment of the discernment of the minor aged 14 to 16, the court must examine not only the psychological state of the minor, but also the nature of the deed, the concrete circumstances of its commission, the possibility for the minor to assess, in view of his/her education and of the influences sustained from the social environment, that he/she commits a harmful deed and that it can entail penalties."

When assessing discernment, the nature of the act is very important; some acts are known from childhood as having an illicit character (stealing, hurting,

destroying), but there are also deeds that require a greater life experience (perjury, deceit).

An essential role is played by the obligatory social enquiry conducted in cases where the discernment of minors is at stake, and by the minor's behaviour in court.

Minors who are criminally responsible

According to article 99, paragraph 2 of the Criminal Code: "A minor aged from 14 to 16 shall be criminally responsible only if it is proven that he/she committed the act in discernment," while paragraph 3 states that: "A minor over the age of 16 shall be criminally responsible."

In this section, I will present the second category of minors: *those who have absolute criminal capacity*. The category comprises all minors aged over 16. A 16 year old minor is deemed to have committed the act in discernment, and although there is no difference from the point of view of criminal capacity between him/her and the adult offender, the former profits from a juridical treatment that is qualitatively different.

The conclusive presumption of discernment does not exclude, however, the possibility to prove that minors are irresponsible according to article 48 of the Criminal Code.

The penalty regime of juvenile offenders

Article 100 of the Criminal Code stipulates that: "With regard to a minor who is criminally responsible, one can take an educatory measure or apply a penalty. In choosing the sanction, one shall take into account the degree of social danger of the act committed, the physical condition, the intellectual and moral development of the minor, his/her behaviour, the conditions in which he/she was raised and lived, and any other elements likely to characterize the minor's person. The penalty shall be applied to minors only if it is deemed that educatory measures would not be sufficient for correcting the minor's behaviour." In this way, the legislator envisages a special criminal regime for the minor offender by introducing educatory measures as criminal sanctions.

According to article 101, paragraph 1 of the Criminal Code, there are two kinds of criminal sanctions established for juvenile offenders: certain sanctions have the nature of educatory measures, whereas others are penalties.

The Criminal Code provides the following educatory measures: reprimand, supervised freedom, admission into a re-education centre, admission into a medical-educatory institute.

Reprimand is stipulated by article 101 of the Criminal Code and is defined by article 102 of the same code as the educatory measure which consists of scolding

the minor and of showing him/her the degree of seriousness of the committed act; moreover, the minor is advised to behave in such a way as to show correction and not to perpetrate any criminal offences; if not, the court takes more severe measures. Reprimand, therefore, is more than a simple scolding; it forces the minor to realize and understand the fact that he/she committed a forbidden deed and that in future he/she must conduct him/herself better. "Practice proved that a reprimand which suits itself to the personality of the minor and which applied in such a way that the minor is not only affected by the scolding, but also stimulated to adopt a better behaviour due to the trust showed to him/her by the court, the trust that he/she can better him/herself, that he/she can obtain positive and lasting results" (Godea 1998, 94).

Supervised freedom is defined by article 103 of the Criminal Code: "[…] giving freedom to the minor for one year under special supervision. Supervision can be entrusted, as the case requires, to the minor's parents, to the person who adopted him/her or to the legal guardian. If they are unable to ensure satisfactory supervision, the court shall entrust the minor's supervision, for that period, to a trustworthy person, preferably a close relative, upon request from the latter, or to an institution legally charged with the supervision of minors."

Upon ordaining this measure, the court establishes a set of obligations, duties and responsibilities that the persons legally entrusted with the minor's supervision must comply with; these persons must warn the minor about the consequences of not abiding by certain interdictions and they must also notify the school the minor had attended or the unit where he/she was hired in order to contribute to the betterment of the minor, to the re-educatory activity that the juvenile delinquent must undergo (Banciu and Rădulescu 2002).

The court can demand the minor to observe one or several of the following obligations: not to frequent certain places established; not to come into contact with certain persons; to carry out an unremunerated activity in an institution of public interest decided by the court, from 50 to 200 hours, for no more than 3 hours per day, after school and during holidays.

If during the term of one year established by the court the minor eludes supervision, behaves inappropriately, or commits another criminal deed, the court can revoke the measure of supervised freedom and, instead, take the measure of admission of the minor into a re-education centre.

Admission into a re-education centre is an educatory measure, which according to article 104 of the Criminal Code, is taken: "in order to re-educate the minor, who shall be provided with the possibility to acquire the necessary education and professional training according to his/her skills." This measure is consequently "[…] taken towards minors regarding whom the other educatory measures are insufficient."

This educatory measure is undertaken for minors who committed more serious offences (délits), who manifested structured delinquent behaviours, or who

committed offences (délits) in an organized group, as well as for minors towards whom the application of the first two educatory measures proved to be inefficient.

The admission measure is taken for an indeterminate period, however, it can only last until the minor reaches the age of 18; nevertheless, the court can ordain the prolongation of admission for no longer than 2 years, if it is necessary in order to achieve the purpose of admission (the pursuit or the completion of the minor's school or work education).

Admission into a medical-educatory institute is an educatory measure defined by article 105 of the Criminal Code: it is "[…] taken for minors who, because of their physical or mental condition, need medical treatment and special education." This measure has a mixed nature – medical and educatory – and the medical-educatory institute has the purpose of ensuring offenders with physical or psychological deficiencies a particular medical treatment and a special educational regime which are adequate to their state of mind and to their bodily condition.

According to article 109 of the Criminal Code, the penalties that can be applied to criminally responsible minors are fines or imprisonment. They receive these penalties only when the court evaluates that other educatory measures are insufficient for their proper re-education. The limits of these penalties can be reduced by half, but in no case shall the minimum of the penalty exceed 5 years. The criminal law in effect stipulates the measure of conditional suspension of penalty service applicable to delinquent minors; the trial period consists of the length of the penalty of imprisonment, to which 6 months to 2 years are added, as the court ordains. With conditional suspension of penalty service, the court can decide to take the measure of supervised freedom towards the minor in question; this measure can last until the minor reaches the age of 18 (Banciu and Rădulescu 2002).

According to Lăudatu and Tolstobrach (1995), the reintroduction of the imprisonment penalty in the Romanian legislation for juvenile delinquents was based on the following argument: 1. seeing that the admission into a re-educatory school could be established only for a period of up to 5 years, during which some of the minors overran the majority limit; keeping them into a collectivity constituted prevailingly of minors has proved to be inadequate for their development; 2. juvenile delinquency did not decrease, but on the contrary, its numbers kept being relatively high during the time when this penalty has not been yet introduced.

"The penalties applied to delinquent minors must be, as much as possible, educatory and not punitive; the measure of imprisonment must be considered *ultima ratio* and applied only in the case of minors who committed very serious offences (rape, homicide, robbery) or of recidivists. For this reason, in the Romanian juridical practice, two types of alternative sanctions to the imprisonment measure were introduced: carrying out community service and the institution of probation" (Banciu and Rădulescu 2002, 224).

The choice of the sanction (educatory measure or penalty) applicable to the juvenile delinquent, must, according to article 100, paragraph 1 of the Criminal Code, take into account two principles: 1. the degree of social danger of the committed act; 2. the personality traits of the offender (the physical condition, the intellectual and moral development of the minor, his/her behaviour, the conditions in which he/she was raised and lived, and any other elements likely to characterize the minor's person) (Vasiliu et al. 1972).

The necessity of this kind of mixed penalty system regarding the juvenile delinquent is supported by the following facts: until he/she reaches majority, the minor is undergoing a process of ongoing transformation; during this period, his/her education and preparations for life have the best chances of success; in order to correct his/her behaviour and to educate him/her in the spirit of moral and social values, punitive measures that might deform and disrupt his/her personality, are most of the time not needed. Therefore, the legislator gave priority within the penalty system applicable to juvenile offenders to those educatory measures which seem to be, through their effect and goal, the most adequate to achieve the proper correction of minors.

After the commission of the offence, the educatory measures are the first forms of sanctions to be taken into account; if these are not applicable for whatever reason provided in law, then penalty measures can be taken. It is important to notice that it is much easier to deal with the prevention of the offence than with the subsequent consequences of actually committing the offence. Especially for juvenile delinquents, the consequences are more complex, severe and often less predictable.

In conclusion, I deem extremely important to concentrate the efforts of competent authorities and of society at large in the prevention of minors' delinquent behaviour.

Seeing that juvenile delinquency is a multi-layered issue (social, legal, educational, psychological, etc.), for its prevention certain measures are needed to be taken by social and socio-educational instances. Juvenile delinquents develop forms of affective immaturity and are more aggressive and hostile towards themselves and others. This critical situation underlines the role of bio-constitutional factors in the life of children and adolescents. The causes of juvenile delinquency are multiple: the more causes the minor has to sustain, the more certain it is that he/she will become an offender.

According to Mitrofan (1994), if the socio-economic and affective-educational family measures are negative, then it is very likely that the minor will drift towards delinquency.

Therefore, by thoroughly discovering and researching these precarious, socio-economic and affective-educational conditions, the removal of the minor from this type of family would constitute a primary preventive measure in fighting juvenile delinquency.

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Celebration of Pedagogy. Symbolic Use of Space and Time in the Pedagogical Photos in 1960's Hungary

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Abstract. This study is based on the analysis of the visual corpus of Hungarian educational periodicals in the 1960s. The journals are: Család és Iskola (Family and School), Gyermekünk (Our Child), Köznevelés (Public Education), Óvodai nevelés (Nursing in the Kindergarten), A Tanító (Elementary School-Teacher), A Tanító munkája (Work of the Elementary School-Teacher) and Úttörővezető (Pioneer-Leader). The analysis needs an interdisciplinary approach and a mixing methodology of the traditional history of education, anthropology and iconography. I have made a database from the periodicals' visual sources, which contains about 4000 photographs. There are several images and narratives of children, schools and teachers in the corpus, with a complex relationship of the elements of worldviews in the background. In these images a dominant role was played by different stereotypes – the Hungarian educational research has not examined this field of pedagogy yet. The periodicals and photographs have different functions, related to many pedagogical discourses. One of the functions is to shape a group's identity by numerous visual representations, for example photos about the Teachers' Day. That day is a celebration and an important event to determine the self-concepts and outside images of the teachers. This day extends the borders of conventional pedagogy into a symbolic space and time. The teacher as a representative of the state is a formal role, a stereotype, connected with the building of the Parliament, the classroom and a specific celebration-time.

Keywords: history of education, iconography, anthropology, images of teachers, celebration

Introduction: theoretical background

There is a dynamic progress in the Hungarian educational sciences and the history of education, turning into the fields of anthropology. The representatives of the trend (for example Géczi 2006, 2007, 2008; Németh and Pukánszky 2004; Pukánszky 2001, 2006) consider the phenomena of schooling in a historic-sociological context, applying non-traditional methodology. The anthropological orientation is rooted in the Anglo-Saxon and the German pedagogy (to summarize, see: Kuklick 2008), with different methodologies and conceptions about society, science and culture. Naturally, every concept is strongly connected with variant notions of child, school and teacher – the latter is an important actor of the pedagogical world (Géczi 2004). This study is concerned with the visual imagery of teachers in 1960's Hungary.

Fieldwork, ethnography, local communities and cultural practice were the keywords in the foundation of American anthropology, which influenced the social sciences in France and in the UK. This kind of anthropology constructs binary opposites, like 'us' and 'they', to reflect and interpret the western civilization. Researchers create unique and special meanings by analyzing the activities of individuals and groups, which leads to a universal image of the human. In opposition to this, German anthropology draws the general conditio humana, with a strong philosophical and historical interest. The theoretical mentality is disposed to abstraction, and describes the development and genealogy of human thought and ideas (Wulf 1997).

In this essay, I would like to harmonize these two directions: I interpret the Teachers' Day symbolic space and time dimensions in a concrete historical-sociological and cultural context. We get multiple interpretations this way to select, organize and construct everyday life cultural meanings. Some of the researchers (like Wulf 2011) suggest this method too: we should elaborate the cultural-symbolic signs by empirical-sociological approaches.

Internal and physical images are very important in the history of educational anthropology: our knowledge about us, others and the world is constructed and transmitted by pictures, graphics, photographs, etc. Conception of the worldview includes mental imagery, expressive symbols, signs and practice, producing a network of cultural meanings grounded on the mutual linkage of images and its consumers (Wulf and Zirfas 2005). Western culture was established upon verbalism, we have not got so much experience about dealing with pictures and visual literacy (see Collier and Collier 1986). Up to now, several directions have been developed by studying images anthropologically (Pink 2009), some of these are useful tools for the history of education (Mietzner and Pilarczyk 2010). Teachers' Day as a celebration of a profession gives an opportunity to understand the figure of the formal educator deeper, with the anthropological ideas of space, time and feast. After this, I outline the historical reality of the educational policy in 1960's Hungary and the roles and stereotypes of the printed media.

Space, time and feast

Space and time provide the background of every feast – that is an axiomatic sentence. Without these coordinates we cannot visualize any human event or people. The ideas of space and time seem to be self-evident, but these are actually cultural constructions. "What then is time? If no one asks me, I know what it is. If I wish to explain it to him, who asks, I don't know" (Augustine 1995, 175). The famous quotation of Saint Augustine reflects to the problem of time, which we can expand to the idea of space, too. Since Kant, space and time have lost their self-evidence, and were transformed into subjective ideas with different meanings to us (Zerubavel 1976; zur Lippe 1997). Space and time are inseparable ideas – Bakhtin's (1976) term of chronotope (first used in the relativity theory by Einstein) phrases this coherence. None of them exists on its own, categorization and separation are helping tools for orientation and partition of things. By the 21st century, many educational researches have been born to draw attention to the importance of these ideas – see the spatial turn, influenced by the architecture of schools, organization of spaces and the psychology of environment, or the consumption of time in sociological, economical and institutional dimensions (Bocsi 2009; Dúll 2009; Hercz and Sántha 2009; Kemnitz 2003; Low and Lawrence-Zúñiga 2003; Meleg 2005; Németh 2010).

The meaningful, existing space and time are simultaneously unique and repetitive, linear and circular. In the world of everyday life and activities there is an important role of the periodical cycling feast, which recalls men their origin. A feast is a primarily sacral event, which is tied to a definitive location and date (for Kerényi's terminology of feast, see Bircsák 2007). Since 1952, the profession has celebrated Teacher's Day on the first Sunday of June in Hungary (see Cabinet Council's registers, edited by Vass 2006, 113). The feast has some old elements of traditional worldviews too – despite the declared socialist ideology. This Sunday actualizes and retains the imagery, renews and fixes the individual and collective cultural memory. Images of teachers in the photographs have dual meanings: they represent the persistent attributes of the universal teacher and reflect the contemporary reality in a given period.

Educational policy in 1960's Hungary

The period's starting and finishing dates signify symbolic events: from the Educational Act in 1961, to the 5th Pedagogical Congress in 1970. The decade can be characterized by various reforms, started from 1958, when the Hungarian Communist Party, called Magyar Szocialista Munkáspárt, made a decision to reshape the educational system (see *MSZMP's General Principles of Cultural Policy*, July 25, 1958; Vass and Ságvári 1973, 243–272). The government stated

a Curriculum Committee then to work out proposals for the reform processes (Sáska 2007, 180). The results manifested specific dichotomy: first of all, the Committee stressed the importance of the ideological struggle and training, secondly, the educational control wanted to undertake the tasks of modernization of the society and to configure the next generation's multi-faceted, up-to-date literacy. Progressive reform-attitude, professionalism on the one hand, central Party-direction and ideology on the other, were the reasons why Kelemen (2003) named the outcoming Educational Act a "pseudo" or "fake-reform". In other words: a utopia came into existence, such as voluntarism, foredoomed to failure. The law was prepared by the secretarial leadership of Valéria Benke (1958–1961), but when the Parliament passed the proposals on October 12, 1961, the minister had already been Pál Ilku (1961–1973) (Mann 2002, 95–96).

After 1961, secondary education became common and compulsory, school age raised up to the age of 16 and the school-system got differentiated – secondary grammar, trade, technical and 3-years vocational schools. The educational expansion was connected with the growth of the population, which was increased by approximately 361.000 people from 1960 to 1970 (Klinger 1992, 3). Conceived goals of the jurisdiction defined to bring the worlds of work and education together (see polytechnic, a.k.a. 5+1 training: five days of learning, one day of working, weekly), to underline the moral and socialist education. The achievements did not meet the requirements, so the policy corrected the Educational Law in 1965, in the fields of 5+1 training and secondary vocational schools, for example. Pál Bakonyi (quoted by Sáska 2007, 196), participant expert in these processes said in his retrospectives that in a broader context, the law fitted in a reform-tendency in the Eastern-Block, as Khrushchev said: "bring the school closer to life!"

Although the goals were not realized in their original forms, they affected many aspects of education positively – such as teacher-training (Ladányi 2008), selection and organization of curriculum, new syllabuses in 1963 and 1965 (Ballér 1994). New subjects emerged and supported the central purposes, like "Világnézetünk alapjai" ("Basis of our ideology") and "Honvédelmi ismeretek" ("National defence"). Professionalism influenced Hungarian pedagogy at that time: new associations were organized with less direct governmental leading, like Országos Pedagógiai Intézet (National Pedagogic Institute, 1962). Magyar Pedagógiai Társaság was reconstructed (Hungarian Association of Education, 1967), many scientific scopes flourished, for instance psychology (Szokolszky 2009), didactics, behaviourism, technology of teaching and programmed learning (Falus 1980). After 1965, elaborating a new educational policy began, covered with experts, but the propaganda of the Communist party repressed the interests of the profession (Pukánszky and Németh 1996). A symbolic event closed up the decade: the 5th Pedagogical Congress in 1970, for the first time after 1948, the year

of change into communism (Kelemen 2007). This year another important event happened: MSZMP (the Communist party) planned its annual, 10th Congress.

Th decade starts with an Educational Act, in 1961, and it ends with a Congress, in 1970 – from this historical outline, we can draw the decade's liberal atmosphere in education, compared to the 1950's Hungary. Reform-experiments followed restitutions, with the fixed maintenance of the central direction and ideology. The interpretation of the images should take notice of the political context and the journals' publication mechanisms.

Media and stereotypes

Visual information was mediated mainly by the printed media at this time in Hungary – from Köpeczi's synthesis (1977, 28) we can find out that 8% of the farmer households had television in 1965, this percentage was 46% in the working, and 59% in the intellectual professions. It may be hypothesized that the most relevant mass media were radio and press at this time (80–100% of households were supplied by radio in 1965). Only the journals carried and spread visual contents widely, under the control of the State and the Communist Party (Kókay, Buzinkay and Murányi 1994, 216–217). The analyzed educational periodicals were managed by the Művelődésügyi Minisztérium (Ministry of Culture).

There were six educational journals with image-publications in this period, which can be subject of an anthropologic-iconographic study: Gyermekünk (Our Child, 1968–1970), Köznevelés (Public Education, 1960–1970), Óvodai nevelés (Nursing in the Kindergarten, 1960–1970), A Tanító (Elementary School-Teacher, 1963–1967), A Tanító Munkája (Work of the Elementary School-Teacher, 1968–1970) and Úttörővezető (Pioneer-Leader, 1960–1970). Some of them existed only for a few years; some had longer terms, as we can see from the dates. The full historical description of Hungarian journals is still lacking – this analysis will have to be interdisciplinary, adapting to the circumstances of the sources (Bernáth, Cserhalmi, Elek, Farkas, Földes, Horvát and Szigethy 2008, 29). The journals differed on the basis of audience, editing mechanism, concept of the photographs' applications and possible roles.

Család és Iskola (Family and School) and Gyermekünk (Our Child) were similar to a magazine, a paper with a lot of images, pictures and reports – the latter was published as an illustrated appendix of Család és Iskola (Family and School), from 1968 only Gyermekünk (Our Child) existed. Photographs had a primary role in the journal, which is shown by the number of the pictures, their central place, denomination of the photographers and pictures (names and titles). The relation between text and photos is just the opposite of the traditional one – usually the pictures have been only illustrations, but in these papers images

occupied central positions. The rest of the journals are more conventional: the images have additional, illustrative role, they supplement and explain the written words. The secondary education teachers' press, Köznevelés (Public Education) mediated particularly ministerial information to the broader public. The image-selection mechanism and editing practice of Köznevelés were inconstant and inconsequent during the period, in the middle of the decade there were only a few photos in the columns, but in opposition to this, at the beginning and at the end there were many. Changes in the editorial staff were a reason for this, but the question needs a wider study to explore. In the name of Óvodai nevelés (Nursing in Kindergarten) the editorship assigned the main topic of the journal, and the circle of the possible readers. Numerous pictures were published, without exact data – it was a routine that all authors of the images in a number were marked by 3–4 names, as a collective work. Titles are often absent as well. The next two periodicals (A Tanító – The Elementary School-Teacher and A Tanító munkája – Work of the Elementary School-Teacher) were based on the same principals; the first one was published from 1963 to 1968, the second one from 1968. Issues helped elementary school teachers regarding didactics and methodology, usually with an accurate image-selection and publication (names, titles included). Úttörővezető (Pioneer-Leader) represented the movement; it had the fewest photos, with only limited information about the photographers.

Educational press is an institution (Carvalho 2003) which disseminates a special knowledge and legitimates experts. It produces a group's identity (for example the teachers' identity) and the borders of the profession – this knowledge is a topic of this study. Education and pedagogy have got organized lately in the system of disciplines (Németh 2004), so the self-reflection and knowledge of this field gained much importance. Academic sciences always have professional communication and journals, which form the scholar community (Géczi 2005, 83–84). Different worldviews and anthropologies can be figured out from the writings and visual sources of these papers, behind the surface of the images (Géczi and Darvai 2010), by interpreting photographs. Recently the roles, meanings and existence of images have been questioned (for example, Ross and Lester 2011), their relations to narratives, group-symbols and different signs have been recognized. Messages with images are more powerful and direct for the perception than words or texts – but interpreting the former one is a verbal problem, with multiple, pluralistic semantics. Visual communicators (publishers, editors) often use stereotypes to transmit their messages, they clarify and simplify their intentions – these generalizations and expectations influence images of teachers as well. Visual thinking and communication (Moore and Dwyer 1994) utilize prejudices, self-concepts and outside images to create discourses about teachers and a collective mental imagery. Teachers' Day, the celebration got some visual conventions, references, symbolic meanings, therefore we called them stereotypes.

Celebration of pedagogy – education and society

The first photo stands for a typical situation: kindergarten teachers who won awards on the occasion of the feast can be seen in front of the Hungarian Parliament. Suits, flowers and location implicate the event's significance at the same time; these things are the recurring elements of a festivity. There are two different readings of this image, existing simultaneously. Before any explanation, it is necessary to make a previous remark. Worlds of education and pedagogy, dimensions of space and time have been checked only in formal-institutional frames yet, which is a comfortable way to analyze. The forthcoming pictures mean an extension, conversion from a formal to a non-formal sphere, into an outside educational environment. We can hardly find any photos like these in the corpus, teachers in civil roles are much more extraordinary. Teachers' identification on a picture needs some requisites (like blackboards, uniforms or teacher's desks) mainly referred to the formal educational classroom.

Photo 1. Óvodai nevelés, 1961/6, Cover I. (Unknown author)

State, power and authorities dominate the meanings of this picture. Behind the educators the building of the Hungarian Parliament rises, an important aspect which calls our attention to the fact that pedagogy appeared here in a political field. The three kindergarten teachers arrived to take over the medals on Teachers' Day ('Prominent Educators'), this is a concrete interpretation. It is obvious that the photograph does not only show this particular event – the composition of the image allows for two hypotheses (mentioned above).

According to a traditional idea, teachers have been the representatives of the government. Socialism centralized and submitted the profession to an ideological-political will and transmitted the ordinance to the local circumstances. All kinds of teachers (in kindergarten, elementary, secondary schools and colleges, universities) received their reputation and prestige from an underlying abstraction, the abstraction of the state. Their appreciated status manifested itself in the Education Law in 1961: "28. § The state receives the highest honours to the highly responsible working educators, for their results in the cultural revolution, in youth-education, in the framing of the future socialist generation" (Fragment from the III. Law in 1961.The Education System of People's Republic of Hungary).

We can evaluate the cover from an opposite view as a proof of teachers' emerging independence. I emphasize here the extension of the educational place – the educators occurred in this case in the public scene, a considerable factor of the society. The profession of the teachers could assert their interests more and more (Kelemen 2007). Dynamics of power, the pressure of the dominant ideology established a monolith system, but inside the system the actors had little or more freedom for their actions. The symbolic extension of the pedagogical space ended at the 5th Pedagogy Conference in 1970, when teachers sat on the benches of the Parliament, instead of the Members of Parliament (see Photo 2).

Participation in public affairs and the ruling of the country was a single section in the law: "Contribution of the society in the pedagogical work. 30. § Execution of the law's aims is the task of the whole society: workers of the educational institutions, assigned ministries, factories, mass organizations and parent-teacher associations have to work together" (Fragment from the III. Law in 1961. The Education System of People's Republic of Hungary).

Photo 2. A Tanító, 1970/10, page 3. (Unknown author)

The dual-approach of the teachers (employee of the state and professional, competent worker) expresses the theory of plural (or multiple) identities: our self-understanding always depends on the adequate situation and activities (Kahane 2009). We can produce other narratives from the corpus, beyond the narrative of the power. The reasons for this are: first, narration, as a tradition, is inevitable in the history of education, second, the visual research is based on several interpretations of the same facts (Rury 2006; White 1973). Meanings of pictures are necessarily multi-layered, because we can only translate them from the direction of our present and our questions, which is the starting position of Gadamerian hermeneutics, as well. If we question the relations of photographs and reality, we might not achieve our aims, because the pictures do not reflect or map directly the world of entities. It is much more interesting to inquire the images' functions, modes of their reception and usage. The education is a human activity which is constituted by everyday life stories, situations, and these narratives are linked to politics, economy and culture (Levinson 2000). One of the typical narratives reflects the connections of power and identity. The parliament is a symbolic space, where the individuals are integrated in a collective sameness: the nation. There are only few examples in the photographs, which operate national or direct ideological symbols – the images usually stress the universal elements of education. School acts as an integrative function, like the Parliament, as the Law stated: "School is based on the socialist worldview and morals. It has to train real patriots, ethical citizens, who love the country and the people of the country from their heart; who serve the cases of socialism, peace, and brotherhood of people; who construct and protect People's Republic" (Fragment from the III. Law in 1961.The Education System of People's Republic of Hungary).

Photo 3. Óvodai nevelés, 1967/6–7, page 207. (Unknown author)

Another important original function of teachers and schools is nation-building by mass education. This idea was conjugated with ideological internationalism in the socialist era: the Nation and the Soviet Block were in dialectical connection, but the internationalist attitude often oppressed the patriotism. There are other examples of the individual and collective identity put together in a figure: the profession of pedagogy and the honoured, representative kindergarten teachers. It is very rare to find the name of a given teacher in the educational journals in the 1960s – except the reports about Teachers' Days. The pageant was the canonized version to show the prize-winner educators (see Photo 3).

The status and location are substantial – as the titles (supervisor, senior kindergarten teacher, and head of postgraduate courses) and names of institutions (all over the country) showed. The homogenous clothing symbolizes the unity and power of the profession – an opposite trend besides individualization, at the same time. The figures stand for themselves and every teacher (the duality of presentation and representation), which underlines the situation's scenical character. Deep inside, the image includes a festive ritual which was repeated for a long time, its composition and order stabilized and supported the education system (Wulf 2004). Culture theory speaks in the same sense about "everyday life's stages" (Niedermüller 1994): the teacher has lived through this performance day by day, but the stage act is more conscious and reflective on the images. The feasts are constant and trustworthy – my last example shows a classic type of Teachers' Day-pictures.

Celebration of pedagogy – teacher and child

We can see a trivial scene here, children give flowers to their female teacher – acknowledgement is a familiar image in the history of schooling. The picture contains an axiomatic, tacit knowledge, which determines the attendants' possible types of behaviour, words, overall the whole situation, and discredits the non-accepted cultural practices (Anderson-Levitt 2006). Every viewer and participant knew this pragmatical epistemology, a non-discursive knowledge – how to give and take a gift, how to dress on this occasion, etc. Bourdieu (quoted by Stafford 2002, 272) called it habitat (or habitus), which is a result of an experimental, senseless learning. Anthropology interprets everyday images from a distant position, outside the situation, utilizing the researchers' own experiences (Pink 2009). Due to this attitude, the idea of culture has expanded and it consists of various fields, several modes of working, communication and lifestyle, or the traditionally analyzed arts (Wulf 2011).

Many similarities and differences can be found between the cover of Köznevelés (Public Education) and the former ones. The context – visual presentation of Teachers' Day – creates the basis on which we are able to compare the images.

Time-frames are the same, but spatial circumstances are diverse: politics, society, public affairs, and classroom. Spatial organisations and contexts effect different teacher roles: representative of the government, lobbyist, and professionals; but here: preceptor in a community. The children's appearance creates the most important discrepancy: they are quiet observers of the scene. Interactions express subordination, the solemnity of the moment, and mutual respect. This photograph is full of emotion (first of all, love), which is not so typical in the other three photos.

Photo 4. Greetings to our Readers on the occasion of Teachers' Day. Köznevelés, 1970/10, Cover IV. (Unknown author)

The problems of the gendered teacher (Cammack and Phillips 2002) and the debate about feminine professions should be an interesting research-field – my chosen examples are all females, too. The Teachers' Day-corpus contains thirty pictures, among which there are four portrays of male teachers, twelve of them present only female teachers, and the rest of the images are 'co-educated' and female-orientated. Status inconsistency in sociology is a very useful term in this aspect. It describes that between women's qualification and position (salary) a special bias has existed (Fényes 2010). Against the proclaimed equality, women have got less payment and less prestige than men in the same division. It is a widely known fact that women are over-represented in the professions of kindergarten and elementary teachers – because of this, these professions have got loss of prestige and autonomy. Old worldview elements incorporated in everyday practices – two examples: flowers are traditional presents for women; the end of the school year coincides with fruiting. In 1994, UNESCO established the date of Teachers' Day worldwide on the 5th of October, but the Hungarian Pedagogical custom observed the celebration in the early summer.

Conclusions

We create cultural meanings in our heads or during common activities, and sometimes these meanings are manifested in different material works – for instance, in a photograph (Anderson-Levitt 2006, 286–288). The interpretation of a photo depends on either the researcher's point of view, or the narratives constructed by us.

Hungarian history of education has been renewed since the 1990s, complemented by iconography and anthropology. Tibor Péter, Nagy (1991) assigned two new, interdisciplinary ways to investigations, beside the conventional historical-philosophical direction. The first one is the history of pedagogical thought, the second is educational policy in a broader sense – my analysis develops both of them. I agree with Tenorth's (2000, 27) statements that we should not write a linear, evolutionary story of education, or verify an ideology in the name of some wanted ideals. There are several possible goals of the history of education, instead of the progressive narrative and the voluntarist model: one is to reveal the socio-historical factors in the past, which determined the world of pedagogy and education. With this help, we can better understand the complex structures and processes, and their expressed forms, the images. The pattern of Teachers' Day is a good example for studying these questions, and for drawing the roles of stereotypes and worldviews in the identifying mechanisms.

On the grounds of my hypothesis, we can draw a specific worldview about the socialist pedagogy in Hungary. In this worldview there are several old and some new elements. Teachers' Day celebrations reproduce the traditional professorial roles and the new functions of the teachers in the public and political life. The educational expansion was a main tendency in the 1960s, underlined by the legislation and policy. The aspect of corporate being (guaranteed by pioneers, parent-teacher associations, camps, and so on) determinate the reflections about the children's upbringing, schooling and the profession of educationalists and teachers in this era. The socialist type of man lived in multiple communes, like local organizations, profession, nation and the most important: its class, which connected the person to the whole world, by the idea of internationalism.

There were other directions of the above mentioned expansion: history and profession pointed out these. Socialist pedagogy created its past, the progressive and Marxist development of the pedagogical thoughts. Teachers' Day was a symbolic event, it legitimized socialist pedagogy and its representatives. It provided prestige to the profession – the new associations, professional interests and scientific effects emphasized the importance of education and the central position of teachers in the new society. The shaping of socialism grounded on old elements of worldviews, too; think about the habit of giving presents, flowers, and the idea of motherhood, thanks to the domination of women

teachers in kindergartens and elementary schools. Old and new, universal and concrete characteristics of pedagogy and teachers require a complex approach and a broader context. The image of the teacher has been a mental and visual spectacle – this statement is valid to the pictures of schools, children and parents as well. Education has belonged to the anthropological dimensions of mankind in different social-historical circumstances. Analyzing this phenomenon is an important task of the history of education.

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Sociology Looks to History

Gentry or Bourgeois? The Social Statuses and Roles of Gyula Justh[1]

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Abstract. One of the many manifestations of Hungarian embourgeoisement in the second half of the 19th century was the amalgamation of the social roles of both the traditional landed gentry and the emerging bourgeoisie. As a consequence, a new social group was born with plural identity and a set of roles. Along with many others, Gyula Justh, an influential politician of the opposition, was also a member of this new social group and therefore will be used here as an example to present this social phenomenon. Although Justh's social descent was determined by the 8,000 acres of land and the half a dozen mansions owned by his family, the influence of embourgeoisement becomes apparent as we outline his career. The flat he rented, the upper-middle class Jewish (Szitányi/Ullmann) origin of his wife, the profit-oriented management of his estate, his share subscriptions, the support of foundations and the demand of universal suffrage determined Justh's social status just as much as the phenomena of the landowners' traditional lifestyle.

Keywords: Austro-Hungarian Monarchy, embourgeoisement, social modernization, plural identity

Introduction

In Hungary the process of embourgeoisement began in the first half of the 19th century and it really got under way after the Austo-Hungarian Compromise of 1867 and the formation of the Austro-Hungarian Monarchy, when it covered various classes of society. As far as the process of this transformation is concerned, in Hungary, in accordance with the characteristics of Middle-Eastern Europe, the number of citizens and intellectuals was not really significant, which made it possible for the liberal nobility (landholders of noble origins and the so-called genteel middle class)

to take an active part in the spread of embourgeoisement in a political, economic and social respect as well. Consequently, at least part of the nobility adopted more and more modern roles and as a result, due to the active involvement of the traditional social classes, the process of embourgeoisement cannot be described exclusively either by the development of the bourgeois classes, such as the upper-middle, middle, lower-middle and the working classes, or by the immobility and narrowness of the traditional social groups, namely the aristocracy, the medium landowners and smallholders, the (Hungarian) gentry and the peasantry (Halmos 1991).[2] When exclusively great social theories are considered, the process of change, which took place in the course of bourgeois modernization, can indeed be characterized by the temporary coexistence of the bourgeois and traditional social classes. However, if we focus on groups and individuals, we do not experience interruptions and rapid changes but the amalgamation of different structures and also the coexistence and continuity of the roles related to these structures (Merton 1980, 27; Veliky 2008; Sennett 1998, 39–57, 165–212, 212–237). Embourgeoisement in 19th century Hungary was a general phenomenon which affected every layer and class of the contemporary society. Therefore it would be a mistake to demonstrate its extent and spread based solely on the increase of the number and proportion of burgesses. The process itself can be viewed as a fundamental phenomenon and a leading motif of social modernization, which therefore influenced the aristocracy, the landholders of noble birth, the intellectuals of peasant origin (called honoracior in Hungary), and certain members of the wealthy peasantry as well. The direct consequence of modernization cannot be described primarily by the sudden increase in the number of burgesses, but by the parallelism of bourgeois and traditional social structures and roles on the level of individuals and groups. Consequently, it can also be characterized by the appearance and spread of multiple or plural identities brought about by this parallelism (Hanák 1977; Benda 2006, 343, 345; Bódy 2007, 12).

The so-called noble "holders of a thousand acres" or, as they were previously called, the 'bene possessionati' were the social, political and cultural determinants in the Dualist Era between 1867 and 1918. Without rank or title they did not gain entry to the still fairly exclusive world of the aristocracy. However, there were several links which tied this group to the process of embourgeoisement. On the one hand, since their estates made them interested in the market, they introduced a somewhat capitalist type of estate management. On the other hand, due to their expertise, they became state bureaucrats and entered regional and national public life and politics. In terms of status this group appears to be quite multi-coloured and this phenomenon also presumes the application of a multi-

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2   In 19th century Hungary the word 'embourgeoisement' did not primarily apply to the bourgeoisie, but it was used to describe the progress of civilization and it was more closely related to the concept of citizenship and to the process of becoming a citizen of the state.

layered and complex set of roles (Merton 1980, 88–89; Veliky 1999, 46; Estók 1999, 167–170, 172).

Therefore history might show some interest in some leaders of the contemporary political life, not only because of their leading role, but also because of their multiple social statuses, lifestyles, identities and cultural relations. Such notable prime ministers as Kálmán Széll (1899–1903) or István Tisza (1903–1905 and 1913–1917) who later in his life became an aristocrat, and for instance Gyula Justh, a significant politician of the opposition, are only some of the most remarkable politicians of the era who belonged to this group. Of course, the present study will not focus on the political activity of Justh, but on his "not yet fully bourgeois, but no longer exclusively noble" identity and social roles. Justh's correspondence and the papers he left behind served as the basic sources of this investigation. The first half of the study focuses on the mixed (partly traditional and partly bourgeois) social roles of the politician, whereas the second half provides an insight into Justh's duels, which can be interpreted as a characteristic symbol of the traditional social role.

The social background and roles of Gyula Justh

Although there are relatively few documents or reminiscences related to the lifestyle and social habits of Gyula Justh, we can state that, for example, the maintenance of two residences (one in Tornya and another one in Budapest) in line with his social roles (as a landed gentry and as a bourgeois) reflect his multiple identity. Justh could easily reconcile his rural mansion, his estate of several thousand acres, his "patriarchal" attitude toward the peasantry and the acknowledgement of the institution of duelling related to the traditions and customs of the noble class with the upper middle class Jewish origin of his wife, the apartment he rented in the capital near Kiskörút boulevard, the coffee-house culture, his share subscriptions, a profit-oriented management of his estates, the support of foundations and, last but not least, the pursuit of universal suffrage as a political objective.

The Justh family was first mentioned in a charter issued by King Sigismund at the end of his reign in 1437. According to this charter, an ancestor of the family – and presumably their first ancestor in Hungary – called Jwsth of Fankwsoo was granted the castle of Cserép (Cherep) and several royal villages in Borsod county for his services (Borsa ed. 1991, 118). In 1507 they started to use the name 'of Neczpál' referring to the centre of their estates in Turóc county, but their lands stretched sporadically across several counties. As far as social status is concerned, the family belonged to the wealthy nobility throughout its half-millennium long history. Certain members of the family regularly held various positions in their county (district administrator, deputy-lieutenant, lord-lieutenant of Turóc county, etc.) and also political and other types of positions

at a national level (member of parliament for Turóc county, royal councillor, assessor of the royal court, etc.). Over the centuries, the family built and maintained several mansions in Turóc county, for instance in Piribóc, Kostány, Necpál, etc. In the 19th century, one branch of the family moved from Turóc county to the south-eastern corner of the Great Hungarian Plain and settled down in Békés and Csanád counties. Gyula Justh's father, István Justh played the most crucial role in enlarging the family estates in the Great Hungarian Plain. During the Hungarian War of Independence in 1848–1849, István Justh was the chief constable of Turóc; then he moved to Szentetornya (Békés county) with his family.[3] At the end of the 19th century, the Justh estates on the Great Hungarian Plain spread across Arad, Csanád and Békés counties covering approximately 2,500 acres and had two major centres, one in Szentetornya (Békés county) and another one in Tornya (Csanád county). The manor house in Szentetornya, called Justh-manor, was built in several phases and was finally completed in 1889/1890 with the construction of the upper-storey. Zsigmond Justh set up his famous 'peasant theatre' in this latter centre. The mansion in Tornya, the home of Gyula Justh and his immediate family, was built in 1807.

In his youth, the lifestyle and living conditions of Gyula Justh did not differ much from that of contemporary young wealthy landholders. He attended the secondary school of the Piarist monks in Szeged as a private student. Then, from the middle of the 1860s, he continued his secondary school studies in Pest at the local school of the Piarists. Finally, in 1868, he graduated in the capital from a Calvinist secondary school in district 9 (MOL Bequest of Gyula Justh, AI/1. 14540). Then he enrolled at the Faculty of Law at the University of Pest where he received his degree in 1872 (MOL Bequest of Gyula Justh, AI/5, 14540). In the middle of the 1870s he entered the service of Békés county first as a deputy clerk, then he served as the chief constable in the town of Gyula, but because of his political sentiments – he was a supporter of political independence – he left his office after a few years. At the turn of the 1870s and 1880s, he travelled abroad on several occasions with the intention of gathering experience. He visited the Austrian (Hereditary) Lands and Germany several times, but travelled to France, Switzerland and Great Britain as well. During his travels he became acquainted with the political system and structure of several European states with developed political, social and economic cultures. From the middle of the 1880s, after his return to Hungary, he became a prominent member of regional and later national politics as well. Between 1884 and his death in 1917, he was elected member of parliament on eight occasions, and between 1905 and 1909 he was the speaker of the House of Representatives (Szendrei 2008). Justh was even nominated for

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3   István Justh's first son, Gyula was born in 1850 in Necpál, whereas Gedeon, who died an early death, was born in Szentetornya in 1859. Zsigmond Justh, a celebrated writer at the turn of the 19th and 20th centuries, was also born in Szentetornya in 1863.

the position of Minister of the Interior and for the position of prime minister as a possible means to solve the crisis of the coalition in 1909 (Szendrei 2006).

According to the data of the 1893 Directory of Landholders, the estates of the Justh family on the Great Hungarian Plain were held by four individuals: István Justh had 484 acres in Oláhlécska (Arad county), 155 acres in Pusztaszenttornya (Békés county), 154 acres in Szentandrás-Csabacsüd (Békés county), 126 acres in Dombegyháza (Csanád county), and 320 acres in Tornya (Csanád county). Mrs István Justh possessed 374 acres in Pusztaszenttornya (Békés county). Gyula Justh owned 476 acres in Nagyvargyas (Arad county) and Matild Justh had 393 acres in Kurtics (Arad county) (Belussi Baross and Németh eds. 1893, 137, 138, 187, 188, 29, 19). Altogether, the estates added up to 2,482 acres. According to an article which was published in *Pénzvilág* [Financial World] in 1913, after the death of his parents, Gyula Justh inherited the majority of the estates amounting to 2,103 acres, and the Hungarian National Central Savings Bank burdened these with 6,631 crowns (Szamuely 1913). Based on the *Makói Újság* [Makó Newspaper] we can state that the annual tax levied on the family's estates exceeded 6,000 crowns, which more or less equals to the amount of debt accumulated on their lands (Makói Hírlap, 1906.03.23.). István Justh, in virtue of his estates registered under his name, figured 29th in the 1901 list of the highest tax-payers and wealthiest people of Csanád county, and was the 28th wealthiest in 1902 (Makói Hírlap, 1901.09.15.).

The estates of the other branch of the family in Upper-Hungary were confined to Turóc county, but on the whole, these estates covered twice as much land as the previously described ones on the Great Hungarian Plain. The estates in Turóc were in the possession of György Justh and Kálmán Justh, and altogether amounted to 5,406 acres. According to the Directory of Landholders, the only notable estate of the county specializing in animal breeding was in the possession of György Justh in Necpál, where he bred Simmental cattle (Baross Belussi and Németh eds. 1893, 769, 7688, 766).

The other branch of the Justh family with approximately 2,500 acres on the Great Hungarian Plain was, of course, lagging far behind those noble families which possessed the most significant estates. Considering the structure and quality of their lands, however, their estates were of very good quality and they usually yielded crops well above average. The family did not have any stock-farm or agricultural firm, but by selling their products, such as grain, corn, tobacco, various vegetables, etc. they did have connections with the market-based capitalist economic system. Although we do not know the exact ratio of these agricultural products within the whole production of their estates, we can tell that the majority of their lands yielded wheat, barley and corn, and besides these cereals their tobacco and grape production was also outstanding. What we know for certain is that Gyula Justh, together with the most significant landholders of Csanád county (for instance Forster, Eckhardt, Prugly, Návay and others), was

among those who were awarded at the national exhibition organized for the Millennium, and Justh even received a certificate for his achievements in tobacco production. Later, as a member of the board of directors, together with many great landholders of the county, he took part in the work of the cooperative society of Makó, which was set up in 1900 to support local onion producers.

A letter received by Gyula Justh in 1909 proves that he had a thorough knowledge of modern market economy, since according to this letter he was enquiring about the introduction of vegetable production and truck farming on his estates (MOL Bequest of Gyula Justh, FbIII/76, 14542). Unfortunately, we do not have certain proof that the introduction of these special farming methods did take effect. The sources do not say much about the technical equipment and mechanisation of the estates, but some letters bear testimony that he occasionally considered the use of tractors or steam ploughs to cultivate his plough-lands. These letters point to the fact that Justh, who had influential government connections, tried to make certain stages of agricultural production more efficient by borrowing machines and by relying on the instrumentality of the Agricultural Under-secretary of State (MOL Bequest of Gyula Justh, FbIII/99, 14542). Moreover, in 1916 he asked for the assistance of the same Under-secretary of State to purchase a steam-engine produced by Stock (MOL Bequest of Gyula Justh, FbIII/126, 14542).

The distribution of the peasantry, as far as nationality is concerned, was in many ways different on the Justh estates than in the surrounding region. On the estates around Szentetornya and Magyarpécska and in the settlements, which served as the centre of these estates, the proportion of Hungarians within the whole population was higher than the average in the surrounding county or district. This is especially true in case of the lands in Arad county. However, on the estate of Tornya, which is located at the Eastern end of Csanád county, the proportion of nationalities within the whole population was higher than the average of the county or the district. Hungarians were in a clear majority on the Justh estates, but the number of Romanians and Serbians was also significantly high in Tornya.

Apart from the information regarding the estates of Gyula Justh and his family, a few details are also known about some of their investments and their funds in cash. The above mentioned article published in 1913 also reveals that the dowry of Vilma Szitányi, the wife of Gyula Justh, amounted to 200 thousand crowns, and even years after their marriage it was still kept intact in a bank in Makó, most probably in the Savings Bank of Makó. According to contemporary news, the family also had a deposit in the First Domestic Savings Bank of Pest amounting to 1 million crowns (Szamuely 1913). Compared to Justh's salary, which was regarded as quite significant even in European standards, this was considered to be a fairly solid financial background, because as a member of parliament he received 6,400 crowns and he was paid 24,000 crowns when he became a Speaker of the House (Gerő 1988, 161).

In April 1904, after his brother's death, Gyula Justh gave over the publishing rights of the deceased Zsigmond Justh's literary works to the Franklin Association for 1,000 crowns. In view of the above discussed financial situation of the family, it is obvious that he did not do this because he was short in cash, but to prepare the publication of these works (OSZK Manuscript Archive, 2/742). The volumes of Zsigmond Justh were therefore published by the Franklin Association in the following order: *A pénz legendája* [The Legend of Money] (1905), *Gányó Julcsa* (1905), *Fuimus* (1906).

To get a more complex picture about the financial situation and social position of the Justh family, it is important to remark that, similarly to other wealthy landholders of the era, they also maintained bourgeois apartments in Budapest besides their rural mansion(s). Being permanently settled in Budapest was not pertained to Gyula Justh's occupation as a member of parliament, since his parents, István Justh and Matild Pákozdy also had a fixed residence in the capital, just like Zsigmond Justh, who spent a considerable time in Budapest as well (Dede 2004). In the middle of the 1880s, Gyula Justh, as a newly elected member of parliament, and Zsigmond Justh, the literary man, rented a luxury flat in the capital together with their parents at 13 Esterházy Street, district 8 (nowadays Puskin Street in district 7). Due to the lifestyle of the younger brother, they set up a parlour in this flat which was highly valued in fashionable circles (Janszky ed. 1885–1886, 520; Kozocsa ed. 1977, 732). At the beginning of the 1890s, Gyula Justh rented an apartment at 13 Lónyay Street (district 9), from where he moved into 4 József Boulevard (district 8) and finally, at the beginning of the new century, he rented a luxury flat at 4 Wenckheim Palace built in Reviczky Street in district 8, where he stayed for around one and a half decades. When the Wenckheim Palace was under reconstruction in the middle of the 1910s, he usually rented an apartment in Hotel Hungaria on the corner of Mária Valéria Street (nowadays Apáczai Csere János Street) and Türr István Street. After being elected a member of parliament in 1906, his son, János Justh lived at 3 Bálvány Street, district 5 (nowadays Október 6 Street) (Janszky 1891–1892, 566; 1896–1897, 700; 1902–1903, 1162, 1908, 1362).

The Justh family probably rented these luxury flats for a long period of time; no evidence suggests that the apartments were owned by the family, and in the case of the Wenckheim Palace it would be impossible to talk about ownership. The buildings regularly visited by Gyula Justh were not far from his apartments in district 8 (also called Joseph Town). These buildings include the following: the former house of representatives in Sándor Street (nowadays Bródy Sándor Street), Café Balaton with its eclectic interior on the corner of Rákóczi Street and Szentkirályi Street, which served as a regular haunt for Justh and many other politicians, such as Dezső Szilágyi. After the opening of the Parliament House on the bank of the Danube, Justh continued to live in district 8 and usually travelled to his "workplace" by hansom cabs.

When discussing the assets and investments of Justh, we need to touch upon the dealings in shares, which was a modern method of money and capital management exercized by the wealthy landholders and members of the aristocracy, although for Justh this was rather a necessity. All data that can be found unexceptionally refer to the shares of a significant oppositional daily paper entitled *Magyarország* [Hungary]. These shares are related to the last years of Gyula Justh and also to his inheritance. The first letters written in the autumn of 1913 testify that Gyula Justh, similarly to other members of his party, became a shareholder of the newspaper in return for his previous loans, although he regarded the transaction overseen by Count Tivadar Batthyány with mistrust (MOL Bequest of Gyula Justh, BeXI/31, 14542).[4] The correspondence related to the issue was continued by János Justh and Tivadar Batthyány five years later, and revealed that at his death Gyula Justh held at least 25 shares issued by *Magyarország,* and the total face value of these shares at the time amounted to 25,000 crowns (MOL Bequest of Gyula Justh, BeXI/31, BdX/50; 14542). This block of shares was sold in July 1918 and was bought by Count Mihály Károlyi. Hence Justh did not subscribe these shares as a form of investment since they came into his possession by political/financial necessity. All similar phenomena can be considered almost typical to the assumption of financial risk and certain transactions of contemporary political elite.

Gyula Justh married Vilma Szitányi at the end of the 1870s. The Szitányi family was a Christianized branch of the originally Jewish Ullmann family from Bavaria. Their first ancestor in Hungary was ennobled in 1825 and was the founding vice-president of the Hungarian Commercial Bank of Pest established in 1841. The Szitányi family did not play a significant role in the economic life of the Dualist Era, but the other branch of the Ullmann family was the founding owner of the General Hungarian Credit Bank, which was the fundamental monetary and investment institution of the era (Varga 1993). Oddly enough, there are not even slight references to the financial or capital connections between the Justh and the Szitányi and Ullmann families. What is more, as we have seen, the Jusths did not keep their cash in the bank of the distant relatives or take out loans from their bank.

Matild was the first-born child of Gyula Justh and Vilma Szitányi, and was followed by János, Elza, Lajos, who died an early death, and finally Margit.

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4   Because of the poor financial situation of *Magyarország* [Hungary], it was inevitable for the newspaper to found a joint-stock company. At first Justh did not intend to subscribe shares with interest rate of 3 percent, but wanted to get back his credit which amounted to more than 20,000 crowns. Since this transaction would have ruined the daily paper and its general editor, Lajos Holló, Justh finally accepted the offer. Batthyány tried to convince Justh to bring him around by saying: "*If you do not join this standpoint but demand the reimbursement of your twenty odd thousand crowns from Holló in cash, you will probably make Holló and Magyarország bankrupt and by doing so you and all of us will lose the whole amount of money we invested in Magyarország for good.*"

János Justh graduated as a lawyer from the University of Budapest, and then became a deputy clerk at the royal court of justice in Pest county. In 1906 and in 1910, he stood for elections in the constituency of Hajdúszoboszló as a member of the Independent and Forty-Eighter Party, and after winning the election he represented his constituents in Parliament. Between 1917 and 1918, he was lord-lieutenant of Csanád county, and after 1920 he became a prominent figure of the Hungarian Party in Arad. Only one of Gyula Justh's son-in-laws needs to be mentioned: the first husband of Matild Justh, János Purgly was a landholder in Arad county and the brother of Margit Prugly, the wife of Miklós Horthy.

Duel as a feature of traditional social role

Since the nobility played an important role in the spread of embourgeoisement, the tradition of duelling in Hungary at the turn of the 19th and 20th centuries was not only characteristic of the traditional social classes, but as a typical element of gentlemanly lifestyle it also became widespread in bourgeois and intellectual circles. However, duelling can definitely be considered as a traditional social role and, of course, this rule applies to Gyula Justh as well. Several sources related to Gyula Justh tell us about his points of honour, many of which, complying with the traditions of contemporary landed gentry, ended in a duel. Both his political position and plural social identity (being a bourgeois and a nobleman at the same time) inspired him not only to accept the institution of duelling, but to comply with its rules as well (Kocka 1995, 51–53).[5] Based on the surviving sources, his first case could be traced back to 1892 when the passionate parliamentary quarrel of Justh and Dániel Thold, a liberal member of parliament (Ságvári ed. 2002, 319), ended in a sword duel, in the course of which Justh suffered a serious mouth injury (Ságvári ed. 2002, 319). The next case is also dated from 1892, when Endre Zsilinszky, the editor of *Békési Közlöny* [Békés Bulletin], insulted the Independent and Forty-Eighter Party and its local Members of Parliament. Gyula Justh, accompanied by the other insulted Member of Parliament, Elek Papp objected to this insult and, as a result, Zsilinszky published a correction in his paper and made the following statement in the minute-book: "*it could not have been and it was not his intention to use the word arrant to comment on either*

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5   Although it had been forbidden by law since 1874, duelling continued to be a spectacularly distinctive feature of noble ethos and a sign of belonging to the middle-class. Members of the middle-class with bourgeois origin tried to emphasize their middle-class status by collectively adopting certain properties previously held exclusively by the noble landholders, such as possessing estates and rural mansions, hunting and duelling. By doing so, these properties became part of the identity of the upper-middle and middle classes, which was already characterized by mixed roles. The social function of the duel played a similar role in German social history as well.

the political performance or the personal character of Gyula Justh and Elek Papp MPs in a derogatory way" (MOL Bequest of Gyula Justh, BbI/24, 14540). Therefore the parties agreed to dispense with the duel by mutual consent. Justh's next point of honour in May 1893 also ended in a duel. This time he was provoked by János Cseresnyés, who was at that time the head of the police department in Makó and later in 1905/06 became lord-lieutenant of the county. Justh was presenting a report at the general meeting of Makó when Cseresnyés unequivocally queried the trustworthiness of his report by saying: "*He is lying!*" After this incident the two men faced each other in the Návay Mansion in Földeák (Ságvári ed. 2002, 319). Based on a short account of a contemporary, we can conclude that Justh was considered to be a skilled fencer and seriously wounded his opponent on three occasions. Nevertheless, his arm and face also got seriously injured. As a consequence of his injuries, he was in a critical condition for several days, stayed in bed for weeks, and the wound on his face served as a reminder of this duel for many years (Ságvári ed. 2002, 319). Gyula Justh was still recovering when he was elected president of the Independent and Forthy-Eighter Party in May 1893, and with regard to his condition his absence from the election was "validly" excused. One of Zsigmond Justh's letters mentions his brother's injury as well (Kozocsa ed. 1977, Letter 213). The point of honour of Nándor Horánszky, a member of the oppositional National Party and prime-minister Dezső Bánffy was an overtone of the parliamentary quarrels in 1899. This was such a complex and entangled affair that altogether fifteen politicians and two generals got involved in it. The most significant participants were the prime minister, the minister of defence Géza Fejérváry and István Tisza, son of the former prime minister. Gyula Justh was involved in the affair as a second of Nándor Horánszky. This indicates that Justh must have been regarded as an acknowledged and experienced duellist, since, as a "confidential gentleman", he could take part in this accepted concomitant of political quarrelling, in which members of the highest circles faced each other with swords or guns in their hands (Ságvári ed. 2002, 354–356).

In the series of duels at the turn of 1898 and 1899 Justh was in the company of such contemporary experts or perhaps even heroes as Gusztáv Elek and Ferenc Bolgár MPs, who were victors of tragically ended previous duels, which, in a quite grotesque way, contributed to the establishment of their future career. The subsequent affair happened in 1907 when Justh was already the Speaker of the House; "*the assignees of Mr Gyula Justh demanded explanation, or perhaps satisfaction from Mr György Szmrecsányi for the expressions he used today on the corridor of the House in reference to Mr Justh*" (MOL Bequest of Gyula Justh, DbIII/60, 14542). Eventually, the affair did not end in a duel because the statements rested on mutual misunderstanding, and the minute-book also helped to clarify the issue. Two years later, a similar event took place when, yet again, the assignees of Justh demanded explanation from the assignees of

Gyula Andrássy, Minister of the Interior regarding the meaning and intent of the minister's statements, which were said in a private conversation on the corridor of the House. The misunderstanding was officially clarified by the following explanation: "[Andrássy] *thought that Justh doubted the seriousness of his very often declared intention to leave his ministerial position*" (MOL Bequest of Gyula Justh, BbIV/104, 14540). Once the minister's assumption was proved groundless, and neither party insulted the other, the affair was closed in the minute-book.

Conclusion

When examining the social roles of Gyula Justh, the amalgamation of certain elements and roles of both traditional noble landowner and modern bourgeoisie lifestyles are apparent. However, it also needs to be emphasized that, as the years went by, modern bourgeois elements became more stressed both in his social status and in his political approach. This obviously correlates with the transformation of the general phenomena of the social and political environment as well.

It would not be wise to present the situation of Justh and other people with mixed/multiple social identities and statuses as an identity crisis or a disorder. An argument against such a measure is that this phenomenon was characteristic of an easily-distinguishable, fairly large and significant class, which could also be categorized as a determining element of the political elite (Pap 2007, 51–31). On the other hand, the picture of the lifestyle, status and role of the bourgeois middle and upper-middle classes is also mixed, because these social groups also used certain elements of both modern bourgeois and traditional noble landholder lifestyles simultaneously.

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Discussion article

Moral Standards in Business Environment or How is Corporate Ethics Possible?

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Abstract. The corporation is a legitimate subject of philosophical inquiry. Economics has always had a background including a philosophical content and in construing its patterns of economic cooperation, it implicitly carries ethical (moral) assumptions. In order to succeed in their activity, both individuals and companies must necessarily behave according to moral requirements, although experience often shows phenomena of "bounded ethicality". This means a moral failure caused by lack of the ability of "practical wisdom" (*phronesis*): corporate leaders under pressure of conflicting motifs are unable to develop solutions acceptable for the long run or compatible with the perspective of „good life". Building out corporate ethics can only take place in a conscious and deliberate manner. Therefore, besides formulating the company vision, the main task of the ethical corporate governance is to develop the company's culture in which the management can relay on several means and procedures (organizational structures, "ethical documents", "organizational ethics policy and procedures", internal ethics trainings). Each company should have its own ethical management and value communication features according to its various fields of activity, its different structure and the corresponding business environment as well. Understanding this plurality and adopting the appropriate perspectives the ethical management requires is, above all, a philosophical issue.

Keywords: moral standards, business environment, corporate ethics, homo oeconomicus, bounded ethicality, practical wisdom (*phronesis*), corporate credo, code of ethics, ethics policy and procedures, ethical auditing, ethics training

Introduction

Usually everyone agrees that the acceptance of and the adherence to moral requirements is the condition of fruitful collaboration among people, but the answer to the question of whether it is possible and necessary to have a moral

point of view in the activity of enterprises, will not be an unanimous yes, and even less people will have an idea of how such a stand could be developed in corporations. In order to get closer to dillucidating the components of this issue, first of all, we should clarify if moral thinking affects the moral praxis in any way and what other factors influence it. To put it in another way, is the moral behaviour of individuals influenced merely by their thinking and character, or also by their daily social relations? Thinking in these terms we aim to investigate the character of corporate collaboration, to find out whether or not there is a place for moral values and social goals in the system of corporate collaboration, respectively, how could such a collaboration be developed, and why is it that even those corporations that accept this eventuality, carry it out with different means and in different manners.

The ethical view of social institutions

The sphere of moral action[1]

Applied ethics is not a mere appendix of general ethics, but an attempt to interpret the functioning of real moral life, which traces the emergence of moral considerations in some domains of people's everyday life (e.g. in their professional or private life). If we aim to understand the operational conditions of moral relations among people, in the interpretation of the occurring of an act, or more generally, the human action, it is important to decide in what sphere, environment or in which spheres' meeting point can the action be located. In the following, according to this (namely to the emergence of moral considerations characteristic to the given sphere), those essential factors can be defined that influence its outcome decisively and by the regulation of which we could have control over it. In this way, if we consider the action as emerging exclusively from the personality, from spiritual and psychological faculties, then it will be of major importance to decide whether to interpret it with conscious or unconscious motives, and what kind of factors we consider determinative in the evolving and emergence of the above mentioned motives. For instance, we could consider the actors' character, their moral belief and self-image, or what moral conviction has guided them, were they motivated by selfish or altruistic motives in their action. Nevertheless, if among the conditions of the action we set store by both the inner and the external, e.g. "foreign" or "comunitarian", respectively "institutional" incentives, then the person's moral relations, their moral socialization and the

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1   I treated the topic of this subsection in my studies several times (Ungvari-Zrínyi 2004, 281-294 and Ungvari-Zrínyi 2005, 106-125), accordingly, the following train of thought is mostly the reiteration of my further ideas.

social and institutional ambiance of their activity will gain more and more importance. As it ensues (from this), in the study of morality the emphasis would not be on the interpretation of individual acts, but on the social, institutional milieu of people's everyday actions.

Thinking about the complex system of conditions of moral action, moral philosophy slowly leaves the sphere of individual motivations and abstract ethical considerations interpreted in isolation, and is forced to seek the guidelines of its acts in the everyday world of human, social relations. In this endeavour it finds an important spiritual background in a theory of social construction of reality coming from the social phenomenology and the sociology of knowledge, in communitarian moral and political philosophy, and also in the communicative conception of social and moral relations (more precisely in the works of Alfred Schütz, Berger and Luckmann, respectively in the theories of Charles Taylor, Alasdair MacIntyre or Jürgen Habermas). Though in their own ways, all of the mentioned conceptions understand man as whose identity has social origins, accordingly, bonds to intersubjectively created intellectual universes, and, respectively, stems from linguistic, cultural and communicative interactions. Linguistic-communicative relations among human creatures signify continuous interactions in the course of which, through social situations and conversations occurring in them, the individual participates in the further weaving of the "thick webs of meaning" (Geertz). During this process the individual, step by step, acquires the linguistic competences for the interpretation of his acts. In the end, it is action and language usage, communication with peers and communication through tradition, maintained with those far away in time that introduces the persons in the understanding of their social roles and also in the view-points of their judgment. This way the communication of people living in the same cultural tradition produces a sphere of togetherness that could become the basis of corporate identity and common thinking and acting.

The corporation as subject of philosophical inquiry

Part of the everyday activities of people's lives take place in a corporate environment. The corporation is a complex social organization that pursues specific goals, due to the fact that a certain group of people share its objectives and take part in their realization. The organizational system conceived like this raises many complex problems in the interpretation of which the philosophical and ethical considerations can play an important role. According to Alex Oliver, the co-founder of The Forum for Philosophy in Business at Cambridge University, problems that include such philosophical questions are: What kinds of properties do corporations have? How are these corporations related to the individual human beings who make them up? Who belongs to the corporation

and what is the relationship of the corporation with the people who form it (with shareholders, board of directors, employees), with different groups of collaborators and those impacted by its activity (subcontractors, consumers, competitors, local communities)? What does it mean that a corporation can act rationally based on reasons, motives and what things can be considered results of its acts? If the singular individual is the subject of the action and consideration, how will his act/activity and consideration be added to the activity of the broader unit, the corporation? Do the organizations have some sort of cast of thought (mentality) which passes (transcends) the cast of thought (the mentality) of the singular people (Edmonds and Warburton 2008)? Peter Pruzan, professor of the Department of Management, Politics and Philosophy of the University of Koppenhagen, similarly, asks: Could organizations have consciousness, respectively, values, virtues and visions (Pruzan 2001)? Others, like Kenneth E. Goodpaster and John B. Matthews simply ask: Can a Corporation Have a Conscience (Goodpaster and Matthews 1993, 118)? All these questions occur if we want to form an idea of the corporation's activity in the sense of capacity of action or in terms of taking effect, but even more complicated questions will arise if we want to interpret the corporation's capacity of action in the sense of capacity for moral action.

Difficulties in building out corporate ethics

Corporate (business) ethics and economical education

It is rather obvious that all company employees and even those role-players who cooperate or are involved in a given business activity have prior moral lifestyle assumptions, i.e. certain convictions about how to lead their lives. However, it is by far less obvious whether the said prior assumptions are shared by such role-players in their position as interrelated parties in the economical process, or whether an inherently harmonious relationship prevails within the said convictions. Thus, it is self-evident that both in the best interest of individual economic agents and in the best interest of the entire business process operation, it is absolutely necessary to have some kind of "higher" ethical consideration. Such an ethical consideration should be valid for the broader community of cooperating parties to synchronize concepts about the meaning and reason of work in such a way that the best interests and the welfare of each and every participant in the process are provided for to a reasonable extent. For this purpose, a gap must first be bridged, which is mainly conceptual and allegedly shows that economical and ethical-philosophical viewpoints are fatally disparate and incompatible, moreover, disseminates the same as such in the economic higher education to prospective business managers and role-players in a future business

environment. The theory of economics has always had a background including a philosophical content and even construing patterns of economic cooperation implicitly carries prior ethical assumptions.

In the 20th century, starting with the 70s, the neoclassical theory of economy has dominated both the thinking of business academies and the teaching disseminated thereby, just as Herbert Gintis and Rakesh Khurana concluded in their study on corporate decency and business education. Beside the significant results achieved in the field of interpreting competitive products and financial markets, this approach produced a highly substantial damage in understanding the motivational background of the economic conduct, since it proliferated the *homo oeconomicus* model as being the only explanatory principle thereof. The basic idea of the homo oeconomicus model is that economic actors are motivated only by selfish material interests and, therefore, a company board of directors can most efficiently enforce their shareholders' interests only provided that it is treated as being made up of commissioners who are definitely prone to ignore any person-related appreciation and corporate responsibility of a non-material nature, and whose main interest is gaining profits just as shareholders do. Although several facts contradict this uptake, its approach has dominated for quite a long time the way of economic thinking, insomuch that it made a great number of managers deem that increasing the market value of the company equity is the only requirement for their professional success, since it confirmed their own way of thinking driven by self-interest (Gintis and Khurana 2006, 1). Although the above mentioned authors do not posit that the academically influenced business environment is responsible for the increasingly great number of managerial omissions and outrageously irresponsible, selfish corporate governance cases which are wide-spread nowadays, their implicit idea is that economic education is to be rebuked at least for some indirect spiritual / intellectual complicity as soon as it fails to find a proper alternative to the *homo oeconomicus* model. The same conclusion was reached by Eberhard Schnebel and Margo A. Bienert, according to whose opinion the Schumpeterian capitalist value theory,[2] which exclusively relies upon economic and egotistic individual standpoints, has outlived itself, the more that material benefits can be reached not only by individual efforts and efficiency, but rather also by distorting rules according to our own needs with a view to overcome market competitors (Schnebel and Bienert 2004, 204).

If we take this later possibility into account, too, the assertion according to which capitalism extorts a rational behaviour holds no longer true, since it is the very

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2   A concept in Joseph A. Schumpeter Nobel prize winner economist's book on *Capitalism, socialism and Democracy*, which relies upon the assumption that the entire trading and industrial society is cast into economic molds and is of an economic nature in all its details, starting from its bases through its sustaining structure and up to its signal system. Thus, it is about a society where all assessments, prizes and retributions are expressed in financial terms.

form of rationality identified with the selfish individual pursuit of interests, which destroys all those traditional values and requirements upon which this system of economic and social cooperation relies (such as, for instance, according to which invoices have to be paid, agreements must be fulfilled, all contractual or legal rights to which employees, shareholders, competitors, suppliers and consumers are entitled to be provided). Endangering these minimum requirements calls into question the legitimacy of capitalism itself, including its basic institutions. Therefore, it is not only desirable but rather absolutely inevitable to review the ethical aspects of economic activities and corporate relations, since society cannot just stay aside and inactively watch how everyday practices undermine its basic fundamental values and institutions. Theoretical approaches and means in support of implementing the same in practice have to be found, so that the above mentioned processes can be avoided, stopped and decelerated. First of all, the concerned parties have to demonstrate that taking ethical aspects into account is a basic and inevitable prerequisite from the viewpoint of social cooperation. In its turn, the ethics of economics must show that morality, as a way of behaviour, is beneficial both for the present society and for the micro-economy of entities and institutions (Schnebel and Bienert 2004).

Value perception differences in private life and business management

Although it is obvious that both individuals and companies must necessarily behave according to the moral requirements, it seems somewhat contradictory, even schizophrenic as shown herein above, that most people – including social scientists and philosophers – are lecturing about corporate foresightedness, goals and responsibilities on the one hand, however, they are willing to acknowledge intents, reflections, assessments, learning and judicious choice only as personal skills, on the other hand. Following this train of thoughts, in the economical ethics literature specialists attribute only to individuals the propensity to behave according to their own conscience and a system of moral requirements accepted by them – as Peter Pruzan warns us – however, they are compelled to speak about corporate values, code of ethics and corporate social responsibility (shared by the members) in the case of companies. This conflict of terminology is even more clearly reflected in the typical Anglo-Saxon approach of teaching business ethics, where special attention is paid to make individuals aware and capable of coping with the conflict of interests deriving from the joint requirements set forth by economic efficiency and a morally acceptable conduct (Pruzan 2001, 271). As to the value differences encountered with first line managers and corporations, Pruzan reports, also relying on his own experience, that in a representative Danish multinational company 49 chief executive officers were found to show significant differences in terms of these two core value choices during the '90s.

Company managers participated in teams of 7 in a corporate training program, where each team had to choose from values (such as success, love, confidence, excitement, respect, economy, freedom, health, professional competence, peace, efficacy, charity, progress, safety, compassion, patience, and so on) included in a 50-item list. First they had to select those items which – according to their opinion – were the most important ones from the viewpoint of their everyday coexistence with their families, friends and their own kind selves, then they had to discuss within their team the importance of the selected values and jointly specify five such items upon which the team members unanimously agreed, so that the same can be presented to all the other participants in the training. Next, they had to choose from corporate values other than the ones listed in company brochures, namely such values that might reasonably be referred to in support of their decisions, for instance in cases of recruitment or layoffs, new investments, acquiring or waiving market segments, advertisements and lobbying. By way of analogy, they had to present the top five important items unanimously accepted within the team to be subsequently interpreted by all participants. The outcome – as Pruzan described it – was shocking and carried an important message for the company management: there was no concordance whatsoever among the most important groups of individual and corporate values chosen by the seven teams, in either of the cases. While individual values included items such as honesty, love, peace of mind, justice, the mostly preferred corporate values were success, efficiency, power, competitiveness and productivity. Revealing such schizophrenic situations warns us that corporate relations may irreversibly get separated from the human values observed in private relations, so that the company may actually become a monster created and sustained by managers at different corporate levels, who are otherwise still clinging to a certain set of human values in their private lives.

"Bounded" ethicality in corporate environments

Company managers at different levels prefer yet other values when thinking of the long-term interest of their private lives as compared to the values upon which they rely when taking decisions in terms of important matters related to their professional activity and career within the company. This is a shining example of the fact that in the case of formulating private life options, they apply moral requirements without constraints, unlike when, for career options, they observe the same only superficially, subordinated to aspects of business profit generation and successfulness. This rather broad-line statement can easily be supported both by studies related to factors (information, information-assessing and processing capacity, time), which represent a constraint in terms of rationality and moral aspects in sophisticated decision situations, and by the so called "*bounded*

rationality" and, respectively, "*bounded ethicality*", which make up an entirely separate chapter in the „decision-making ethics" literature (see the studies of Herbert Simon, László Zsolnai and Max Bazerman in Zsolnai 2000). Accordingly, rationality is bound only in cases where someone cannot pursue his/her prior clear-cut goals in actual situations of action, and similarly, we can speak about "bounded ethicality" (constrained by other bonds) when we wish to examine what other patterns (constraints) result in cases where, for instance, a company manager shows a demeanour which is incompatible with his correctly admitted and expressed ethical perspective. The above mentioned phenomena, as already shown by Hans-Georg Gadamer in his interpretation of Aristotle's *phronesis* concept (Gadamer 2006, 219–220), is a human „self-management" disability, i.e. a typical handicap in properly recognizing the goals and abide by the right goal, in cases where a person is unable to assert his/her virtues as required by the circumstances. Not only choice is missed under such circumstances but also his/her capacity of "correct vision" is lost due to the disharmony of his/her moral capacities (such as lack of harmony between deliberation, judgment, perseverance and specific virtues).

Although experience shows that decision-makers are frequently prompted and compelled by the complexity of the issues and by the overwhelming aspects of personal affectedness to take so called "suboptimal"[3] decisions both in terms of expectable rationality and in terms of ethicality, the expression "suboptimal" is rather euphemistic. It is commonly known that philosophy has been providing since Aristotle's virtue ethics strong points in support of choosing among conflicting motifs and, respectively, in support of deliberations acceptable for the long run since they take into account the perspective of "good life". The ability of "practical wisd*om" (phro*nesis) is the basis for recognizing the intrinsic interaction of different kinds of virtues among themselves and with life situations corresponding thereto. Thus any virtuous *man (phron*imos) who is properly educated from a moral point of view, can by his own wise deliberation "bring into play" those very virtues which provide the right action under the given circumstances.

Virtues as emotions, capacities and particular composite features of formed states of character typically "react" to corresponding circumstantial "challenge". It is the very individual, properly found reaction adapted to place, time, occasion and person, which reveals the excellence of an individual, namely the excellence which provides the fulfilment of his/her purpose, which is prevalent and which, according to his/her "virtue of life", is expectable from him/her. In this sense, no "suboptimal" solution is acceptable since it would mean that the person proved to be unworthy of his/her role, i.e. beyond all his/her education and self-education, he/she failed as soon as he/she encountered a decisive turning point in implementing his/her life-plan. Nevertheless, the „bounded ethicality" phenomenon, as already

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3   At most "satisfactory" but neither "optimizing" nor "maximizing"; faulty, incomplete, insufficient in ethical terms.

mentioned, is an unsatisfactory reaction to complex circumstances, it is also a fault of the person's self-assessment, and can in no way be identified with the cold-calculating practical knowledge "specialists'" (*deinos: knaves*)[4] case. On the contrary, it rather draws the attention to the complexity of the moral conduct to be expressed in actual situations and to the difficulties encountered under such circumstances, than to what Kant believed about the "radical evil" in human nature.

Prerequisites for building out corporate ethics

Our reasoning on the issue related to the initial question examining corporate ethics possibilities can now be supplemented with the above mentioned Aristotelian concepts and reworded as follows: what are the conditions required to ensure that the company management and personnel use their abilities for carrying out their job tasks not artificially separated from their moral beliefs, i.e. not deprived of the moral direction of their own moral being, but rather exercizing their skills pursuing moral targets. Till now, our train of thoughts definitely revealed the fact that generalizing moral attitudes is a must for each and every human collaboration – namely the greater the number of persons to be involved is, and the more sophisticated the tasks for which we wish to provide human collaboration are, the greater the extent of this need for moral attitude generalization gets – however, in a corporate setting one cannot expect that personal moral convictions fostered by individuals assemble (also) into a functional corporate ethics all by itself. Building out corporate ethics can take place only in a conscious and deliberate manner, provided that company managers assume an active role in it, just as in other issues of organizational development.

Ethical company management

The conduct of people cooperating within the framework of corporate activities is mainly influenced – beside their own everyday moral-cultural standards – by the quality of company management. Such jointly working participants would primarily like to see how their managers master the knowledge of the value and goal content that directs the joint work, how their managers are committed to

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4   In Gadamer's interpretation Aristotle designated like this that person who "has all the natural prerequisites and gifts for this moral knowledge, a man who is able, with remarkable skill, to get the most out of any situation, who is able to turn everything to his advantage and finds a way out of every situation. But this natural counterpart to *phronesis* is characterized by the fact that the deinos is 'capable of anything'; he uses his skills to any purpose and is without inhibition. He is *aneu aretes*. And it is more than accidental that such a person is given a name that also means 'terrible'. Nothing is so terrible, so uncanny, so appalling, as the exercise of brilliant talents for evil" (Gadamer 2006, 320).

accomplish the goals to be achieved, how their managers assign roles to the cooperating parties and how managers have confidence in them. Leadership – as seen by Harold Geneen, former CEO of International Telephone and Telegraph (ITT) – is a person's ability to inspire others to work together as a team under his/her direction, with a view to attain common goals. The ability to lead others is not only a trait of the intellectual, rational side of personality as a whole, and thus needs the auspicious contribution of several other features. Among personality components found in the most successful company managers, an important role is played by clairvoyance in terms of goals, keenness on profession and righteousness, which inherently involve self-awareness, openness and maturity. In attracting parties to cooperate, righteousness is of a special importance since – beside purposefulness and expertise – this is what confidence relies upon, and it would be incomplete and in some respects unauthentic without the above-mentioned traits. Self-awareness is not tantamount to only being aware of one's strong points and weak points, but also involves the clear-cut knowledge of what one wants to do and why. Openness is indispensable if it is the expression of a fair thinking and action, showing a definite commitment to the principles. As far as maturity is concerned, it simultaneously means working experience and the ability to cooperate with others and to learn from the same. "Only when a leader finds these attributes in himself/herself will he/she be able to exhort others to do so" (Hamlet 2004, 1–2).

Of course, one cannot capture in just a few characteristics all the aspects that are important in terms of a good corporate leader's personality, however, both social ability researchers and economic ethicists make efforts to provide an inventory and a description of such character traits. According to psychologist Daniel Goleman, who discovered the importance of emotional intelligence, the main trait to define a good leader would be the leader's emotional intelligence which involves five components: self-awareness, self-regulation, internal motivation, empathy and social skills. These components are especially important to be detailed here, the more that manifestations hallmarked thereby are deemed to be such reserves and, respectively, active forms of building relationships, which lead from individual personality traits to the community relations system. All this specifically illustrates that ethical corporate governance is not only a matter of managerial personality traits, but rather an issue of community values prevalence. Thus, by way of example, self-confidence, realistic self-assessment and self-depreciating sense of humour in social interactions emerge as significant resources, just as reliability and honesty, the capacity to bear uncertainty, openness to changes and strong drive-related promptings, optimism and organizational commitment, which derive from a self-regulating ability. Conversely, empathy and social skills, which by definition mean the capacity to understand the emotional makeup of others and to treat other people as subject to their emotional reactions on the one

hand, and managing relationships and building networks, as well as having an ability to find common ground and build rapport, on the other hand (Goleman 2004, 4), inherently involve community attitudes which rely upon already built-out moral relationships, as a background.

From an economic ethics viewpoint, the issue of ethical corporate governance, the leader's character traits and the core values are no longer regarded distinctly or within a social rapport, but rather in a close relation with corporate and social ethical values, since this is the framework within which the corporate governance and the cooperation of the concerned parties take place. Edward Freeman, professor at the Virginia University Darden Business School, top manager of the Business Roundtable Institute for Corporate Ethics, as well as Lisa Stewart, program manager at the institute, examine in their study on *Developing Ethical Leadership* the corporate manager's character traits from a company core values viewpoint (Freeman and Stewart 2006). Therefore, those abilities are brought to the foreground, which make the person suitable for featuring by his/her conduct the organizational goals and interests, not only by conducting real-life dialogues about these values and about how to apply the same in creating values for those concerned, but also by creating the mechanisms for validating divergent opinions and for supporting talented people inspired by their own creativity. Representing core values and moral requirements means, above all, their implementation in practice, the ability to best suit one's and others' activity to ethical terms. This presupposes such a communicative attitude that does not come from a power and authority standpoint, but is well aware of the limits of the validity of its own values and ethical principles and is ready to beneficially accept other people's values. All in all, he/she relates the assertions about the company core values in support of and subject to the social legitimacy of those concerned. The enumerated character traits prove that in the above mentioned authors' opinion, which is the result of several years of business ethics experience, ethical company managers construe their own managerial role as an ethical task. "This entails taking seriously the rights claims of others, considering the effects of one's actions on others (stakeholders), and understanding how acting or leading in a certain way will have effects on one's character and the character of others" (Freeman and Stewart 2006, 7). This is the very reason why ethical company managers' activity does not involve anything non-moral, why they always think in terms of corporate strategy and why they do not separate business from ethics.

As shown herein above and in accord with other economic ethicists' standpoint, the following can be ascertained: ethical company management is subject to a certain kind of managerial vision where employees, customers and the community are always included. According to this approach, they define such company core values and standards, which support only actions suiting the ethical attitude of the company. Therefore, the utmost basic question in the

case of each and every company refers to how an ethical corporate culture can be built up, so that to encompass the entire company and cover the members of each group which is concerned with it by way of its activity. In other words, how can one achieve a situation where the ethical perspective is embedded into the company operation inasmuch that no significant business decision is made unless its prospective effect upon employees, customers and the community is taken into account (Bellingham 2003, 15).

Tools in building out corporate ethics

It is obvious that, no matter how important the role played by the ethical company managers in the company's life is, they can preserve their position throughout the sophisticated sequence of managerial decisions, only provided that they consider the company not solely from the owners' and a few top level managers' viewpoint, and that they are able to develop an ethical corporate approach which is valid for the entirety of the company. In his study on the conditions related to developing corporate awareness, virtues, core values and visions, Pruzan arrived at the conclusion that for a value-conscious and responsible company operation it is necessary, above all, to define the *corporate identity* (Who are we?), the company *vision* (Which are the main ideals which express the meaning of the corporate existence?) and the company *core values* (What measures are used, according to which standards we measure, assess and account the extent to which we live according to the ideals of life chosen by us?). This means that the following shall be taken into account: „under what circumstances can a community develop a self-referencing ability so that to ensure that the expression of the cognitive and emotional expression of its ideals and goals is integrated with its vocabulary as well as with its identity" (Pruzan 2001, 277)?

In the modern approach of an ethical company, the traditional owner – top manager (principal-agent) relationship approach is replaced by an approach where the emphasis lays upon all "stakeholders", those concerned within or by the company. All those concerned means anybody having an impact upon the corporate conduct or anybody affected by the corporate conduct. This means everybody having an "interest" in the company. Among them, mention must be made about employees, customers, owners, suppliers, competitors, local communities, financial institutions, but according to several others, nature and future generation must be included here, as well. The members of all these groups are affected jointly, not individually.

By virtue of the above description about the relationship among self-identity, vision and core values, the list of the ethical corporate values cannot leave out the reference to the core values of company stakeholders (in the sense of the

preservation and enrichment thereof), however, corporate core values are not to be imagined as barely a sum of the values cherished by each and every such stakeholder. The task falls upon the management to organize in the spirit of the ideals as described in the company vision, the constructive-reflective dialogue oriented towards revealing the jointly shared values in terms of the company identity and the company relationships with their stakeholders. Core values shared by the company and by all the concerned stakeholders can be derived only from such dialogues.

For companies, in order to be able to align themselves in their activity to the prior set of human expectations, ideals, own values and values jointly shared with stakeholders, it is necessary that the company management reveals, describes, learns and disseminates the same to the employees and, respectively, to all collaborators. Should either of the given group of values prevail and become present as an unnoticeably operative force in all business activities, rules and demeanour, then one can speak about corporate culture. Therefore, beside formulating the company vision, the main task of the ethical corporate governance is to develop the company culture (Bellingham 2003, 15–16).

Developing the corporate culture is a time-consuming process, where an important role is played by the ethical company manager's personality, the relationship he/she has with each group and his/her using the organizational communication in a suitable manner, which involves yet other particular possible aspects to be taken into account in the case of each and every corporation, though several general descriptions of the corporate "ethical management" toolkit are available nowadays. One such description was provided by Carter McNamara, Leadership Development Consultant, who actually speaks about the managerial ethical "toolbox". Albeit we do not find it felicitous to contemplate such a complex problem only from an instrumental viewpoint which might be suggested by the "toolbox" expression, it is worth finding out what such a "box" may contain. By all means, for a more flexible interpretation of the "toolbox", philosophers can rely upon Wittgenstein's concept, according to which it is such a function of various words, which can be assimilated to the tools in a toolbox whose utilization, however, is not clearly seen by us. At least not when we are philosophizing (Wittgenstein 2009, 9–10). Just as Wittgenstein's thought is not an argument in support of the linguistic instrumentalism, but rather a criticism of all kinds of instrumentalism – since it is the professional socialization of a lifetime and the elusive gift of a special talent that separates an excellent tool from the user thereof –, neither does the technicist knowledge of the ethical management toolkit make any company manager become an ethical manager, so that the availability of the described „tools" does not develop an ethical corporate culture all by itself, either.

By virtue of the above described toolkit, for building out an ethical corporate culture, the company needs an entire range of institutional "ethical tools", among

which mention must be made about the "ethical organizational structures", the "basic ethical documents", the "organizational ethics policy and procedures", the "internal ethics trainings" and several other prerequisites to be created, such as, for instance, the ones in support of the "responsible behaviour" and, respectively, the "self-determination". The above mentioned toolbox parallelism also warns us that including each tool and subordinate tool-group related thereto in a list, just as creating the ethics committee and the ethical management committee (at the board of directors level) or basic documents, such as: *corporate credo, code of ethics and code of conduct* as might be necessary, as well as implementing a *company policy and company procedures* system, or systematically organizing *trainings* (McNamara 2003), does not reveal anything whatsoever about whether we achieve the desired ethical corporate culture or not. Neither is it a support in this respect if we regularize audits and make repair and remedy works mandatory in the case of any possible defects, even if the *ethical balance sheet reports* and the assessments thereof are yearly submitted in an irreproachable manner and if periodically company-external expert firms are involved in the *ethical inspection (auditing)* of the company, and the so obtained results are widely discussed with the employees.

The unique style of corporate ethics regulations

Differences in terms of value-communication encountered with companies are convincingly highlighted by Eberhardt Schnebel and Margot A. Bienert, who presented some relevant examples. Each and every such example listed by them relies upon individual facts of corporate communication, which under the given circumstances either confirm or reject the commitment to ethical values. Among these examples, three refer to well-known international giant corporations, namely the organizational ethics of *Boeing*, who are mostly concerned with value issues in a traditional way (focusing first of all on legal and administrative rules), the value management developed by *Siemens* using its own tradition and relying upon informal relationships and the ethical management of *SAP (Systeme, Anwendungen und Produkte in der Datenverarbeitung)*, which is somewhat vague in terms of its value content, being rather spontaneously organized according to just a few rules of cooperation. The differences are mainly due to the various fields of activity (aircraft manufacturing, electronic items production, computerized business management software development), as well as to the different structure and business environment of these three corporations.

Ethical management with *Boeing* is a basically pragmatic and business-oriented one. Above all, they strive to filter conducts (waste, fraud and abuse) which contravene to the legal provisions in force and would endanger the company's state purchase orders. The most important topics of its value management are

as follows: ethical business conduct, proper marketing procedures, giving and receiving gifts, conflicts of interests, proper relationships with suppliers, conduct towards prior American Government officials.

The most important viewpoint, which defines the ethical practice of *Siemens* is integrating people of different cultural and conceptual origins into the Siemens family, a purpose for which the company also widely uses the possibilities offered by informal communication, and even provides for developing informal structures. The most important topics of its peculiar value-orientation called the „Siemens tradition" are: output-focusing severe financial control, strategic and technical management independent from value concepts, focusing upon the individuals' personal development, full Siemens career being an essential viewpoint in appointing top managers (Schnebel and Binert 2004, 206). Although the authors do not mention it, in the recent years an outstanding role has been given within the Siemens corporate responsibility to the concept of sustainable development and topics such as values of a decisive importance, legitimacy, as well as prohibition of corruption / bribery, respecting the employees' human rights, prohibition of employing children, the employees' health and security, as well as environment protection, which have all been included in its code of ethics.

The authors deem that *SAP (Systeme, Anwendungen und Produkte in der Datenverarbeitung)* has not defined a clear corporate value. However, social communication about core values plays an important role in the company, since the *SAP* team work takes place under somewhat indistinct circumstances, namely because teams are set up free from hierarchic constraints. Within *SAP*, the basic organizational structure is sustained by offering and supporting team-values. Both the managers and the teams are frequently changing team members in a self-organized manner. Cooperation within the team is mainly defined by customer projects. Employees are supposed to feel good within their team, otherwise they are free to leave the team. Thus, *SAP* does not have a value system to encompass the entire company and to structure individual behaviour, however, it recommends basic rules for the purpose of cooperation. Topics covered by the basic rules are as follows: quality (solving quality-related issues), development process (IT optimization within own company), cooperation and communication (constructive co-working with a view to find the best solution), one single big team (they do not care much about hierarchical structures and procedures related to hierocracy), long-term partnership. Beyond the above mentioned rules, all managers and employees must find their own rules of cooperation (Schnebel and Binert 2004, 207).

Each company's own ethical management and value communication features a peculiar character, the more that they get farther away from the traditional solely profit-oriented type of companies, and the more that their activities are determined by social expectations and approaches relying on core values. To this respect, a special attention is worth to be given to those companies which

(at least in one or another phase of their development) handle meeting social expectations with high priority and even promoted the formulation of novel social expectations. Among others, the Ben and Jerry's American ice-cream company, the Johnson and Johnson giant company (producing heath and baby care products and medicine), Aveda (commercializing cosmetics products) and the first-line English cosmetics company, *The Body Shop International*, who once were a pioneer of corporate responsibility, belong to this group. It is due to its great number of well-known projects with a widespread international impact, that we treat the ethical management of this latter company separately.

The statement of The Body Shop, bearing the title *Values and missions*,[5] committed the company to social and environmental changes. Its *Trading Charter* defines *principled profit taking* as being the basic principle of its commercial activity, which required the implementation of a supervision, inspection and reporting system with a view to provide for its own accountability, i.e. to ensure that its activity meets all its proclaimed principles. At the same time, this system also proved that the company is confident in the principled, fair and transparent conduct of business opportunities, since it was not the business success by all means they abode by, but they rather observed their own ethical principles when they decided to set a clear measure both for the company and for the customers and let all those concerned know about obeying to the same measure. The Main Board of the company periodically met the *Head of Values* director belonging to the Executive Committee for consulting purposes, and supervised the company core values, while the Head of Values systematically reported to the General Manager on how the corporate social and environmental schedule has been fulfilled. This kind of operation was possible only because the strategic target values and the business values of the company were in full accord, and the managers were provided with up to date information both in terms of the functional outcome and in terms of how all those concerned received these outcomes and what their expectations were. In one word, in its organizational structure and operation, the company followed the principles laid down by its founders and creators (Anita and Gordon Roddick) and was, for a while, extremely successful both in terms of pursuing its business targets and in terms of pursuing its social goals: in 61 countries, it opened an overall number of 2400 shops and worked alongside with the Friends of the Earth, as well as with Greenpeace in organizing great-impact campaigns, for instance, but not limited to human rights, tightening the environmental legislation, saving the rain forests, against stereotyping women. In 2002, the founders waived their operative management rights and kept about a 18% share in the company, then in 2006 they accepted the L'Oreal offer to buy the

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5   A review of The Body Shop ethical management was presented in an earlier study (Ungvári Zrínyi 2006), relying upon the data regarding the year 2004 presented on the company's webpage.

company under the condition that The Body Shop is entitled to autonomy and to the right to have a say in decisions in order to preserve its ethical profile. This acquisition was vehemently objected by environmentalist and fair trade activists. One of the most important objected issues was the fundamentally different nature of the ethical management in the two companies, which did not seem to guarantee the survival of pioneering The Body Shop ethical business concepts.

Thus the conclusion can be drawn that companies are able to influence to various degrees both the goals and the conducts of stakeholders who make up the company and are affected by the activity thereof, and the development of the corporate culture oriented towards ethical perspectives as well. Developing a corporate ethical culture using the above mentioned tools or any other specific solutions will further remain a highly time-consuming individual process where the most important motif is the dialogue about the corporate core values and the requirements of the code of ethics. Thus, the ethical management of the company, including its entire sophisticated toolkit, can be regarded as constructing the desired reality by communicative ways[6] so that the communicative company management and the persuasiveness of the commitments for the core values adopted thereby are equally important. These factors are, however, highly different subject to the nature of the companies and of the ethical management policies thereof inasmuch that there is no way to devise a uniformly valid prescription for every company. This means that there can't be used an imaginary joint pattern for the "accountability" of various companies, since whatever is acceptable and proven for one company, it may be unacceptable, inefficient or even resulting in damages for the other.

Corporate ethics and ethical thinking

In terms of issues concerning the core values governing the company, as well as the nature of the ethical management related thereto, the owner of the company has a pre-emptive right to decide, however, even in the case of a favourable decision, much depends on the management, on the cooperating parties and, last but not least, on the chosen ethical approach. Understanding this is a philosophical issue, above all. No ethical approach can provide a universally confirmed knowledge which – once grasped and understood – would suit each and every real case and person in such a way that an explicit conclusion could be drawn as to the clearly right or wrong nature of all possible actions. This is mainly due to the fact that the ethical approach does not rely on establishing facts, but rather on choosing core

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6   Details related to this complex process cannot be provided here; however, some relevant studies are referred in the following: Pruzan and Thyssen (1990), Schnebel and Bienert (2004), Ungvári-Zrínyi (2009).

values. But even if core values (chosen by everyone) are mutually accepted by the members of an organization, there still remain unanswered questions concerning their agreement upon their *ethical worldview* (for instance, in terms how core values interrelate among themselves and with other phenomena in the world), their *practical moral presuppositions* (for instance, in terms of how the given core values relate during their implementation to certain cases and persons), and questions concerning their *moral-teaching and action-modelling notions* (for instance, in terms of how people acquire abilities and landmark approaches which enable them to act in keeping with the above mentioned core values and relations at all times). (Such strong points may include raising awareness as to the intended purpose of the activities, looking for opportunities which are "the best for the great majority of the people", raising awareness in terms of the absolute duty-designating force of human dignity, fitting in our own value-producing activity into the order of "eternal values" revealed by emotions, the requirement to care for people, and so on, or any combination thereof.) All these questions are subject to the doers' primary motifs, which will obviously be yet different. In short, ethical thinking preserves here, too, its basically philosophical nature, it cannot be built using objective-scientific or technical formulas, it does not become a barely complementary component of the economic-business approach system, but on the contrary, choosing core values in themselves, however mainly the ethical approach as a whole requires that the meaning of economic and business activity is rethought. Perhaps this more thorough approach can provide a support in avoiding the one-sidedness in thinking and the uncontrolled cognitive impulses, which played a decisive role in the development of the current crisis.

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Book review

Robert Boutilier:
A Stakeholder Approach to Issues Management.
New York: Business Expert Press, 2012

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Robert Boutilier is a Canadian organizational development consultant. His study, first published in 2011, combines traditional stakeholder management methodology with network analysis. Aimed rather at helping practitioners, *A Stakeholder Approach to Issues Management* is a well structured, clearly explained action research methodology on how to map organizational actors, how to measure their level of involvement, and how to assess their relationship patterns by using network analysis tools, for a more effective issues management.

With the rise of network theories and methodologies in the 21st century, a multiplayer approach to social reality is nowadays part of the mainstream theorizing. In the field of organizational studies, stakeholder theory – conceptualized by Freeman in 1984 – is the first systematic multiplayer approach with practical outcomes (Freeman 2010; Freeman, Harrison, Wicks, Parmar and De Colle 2010). Although stakeholder analysis is currently used by managers as a strategic planning method, the theory behind it does not lack controversy (Elias, Cavana and Jackson 2002; Fassin 2009; Simmons and Lovegrove 2005). The main area of clash has developed around the issue of business ethics: if stakeholders are defined narrowly as shareholders, the concept of business success jeopardizes an ethical approach to organizational actors' values.

Boutilier defines a stakeholder in a broader, more practical way as "someone who is either affected by a company or can have an effect on the company" as an individual, group or organization (2012, 4). The impact, either received or delivered, can be positive or negative, meaning that the best customer is just as much a stakeholder as a thief who empties the warehouse overnight. If we define stakeholders narrowly as shareholders, we leave outside the picture a whole range of organizational actors, such as competitors or civil society groups which oppose our initiatives.

The author broadens the concept of *focal organization* – the one whose key actors are under scrutiny – from companies to civil society groups and governmental agencies, as compared to most management literature approaches that restrict stakeholder analysis to the business world. Stakeholder analysis can be defined even broader, by zooming in or zooming out on more general or specific aspects, such as an organizational project or operation. The view of the focal organization as "possibly an emergent, self sustaining network contrasts with the corporate-centric view" (Boutilier 2012, 6).

Given the controversial nature of organizational issues, a stakeholder approach to issues management will necessarily involve value judgements on what is fair or unfair, legitimate or illegitimate, ethical or unethical. However, stakeholder theory is not a business ethics theory per se, Boutilier warns us: it states that focal organizations have responsibilities to their stakeholders, but "it does not say what those responsibilities might be" (Boutilier 2012, 8).

Chapter 1 addresses the relationship between stakeholder analysis and business ethics, and clarifies the key concepts of the study: what a stakeholder is, and why a stakeholder approach to issues management is productive.

Chapter 2 explains where issues come from, with an emphasis on stakeholder networks that convey issue legitimacy. It introduces the concept of social licence to operate, used in business ethics and environmental issues management to describe the agreement of affected communities.

Chapter 3 is focused on stakeholder network pattern analysis, a tool that can be used to diagnose the social dynamics of issue management. This is the most practical and useful part of the study.[1] The nine patterns of stakeholder networks help identify issue management strategies. *Chapter 4* deals with data collecting techniques on both organizational stakeholders and their issues, in an easy-to-grasp and practical manner.

Chapter 5 shows how data can be aggregated into meaningful sets of information by grouping stakeholders in relation to issues relevant to them. *Chapter 6* guides the reader towards applying stakeholder network and issue network information for strategic management in organizations.

Chapter 7 summarizes the benefits of a stakeholder network approach to global and local issues management.

Chapter 3 presents a practical guide to identifying key configurations of stakeholders, based on network analysis techniques. Measuring the social capital of an organization is a key factor in successful issues management. Boutilier integrates Nahapiet and Ghoshal's (1998) and Adler and Kwon's (2002) definitions of social capital into a broad scheme, as shown below (Boutilier 2012, 39).

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1   Reviewer's opinion.

Table 1. An integrated definition of social capital, based on Boutilier's Figure 3.1.

Sources	Core	Manifestations
Structure of network		Influence in network
Quality of relationships	Goodwill	Solidarity, norm adherence
Shared understanding		Access to information

If we look at social capital patterns in networks on a two-dimensional model, the horizontal axis represents the core-periphery or bridging, whereas the vertical axis depicts the closure structure or bonding relationships between actors. The core-periphery dimension shows the extent to which a person has monopolized all the flows of influence and information, while the closure shows the level of connectedness between the actors (see Boutilier, figure 3.3., page 46, below).
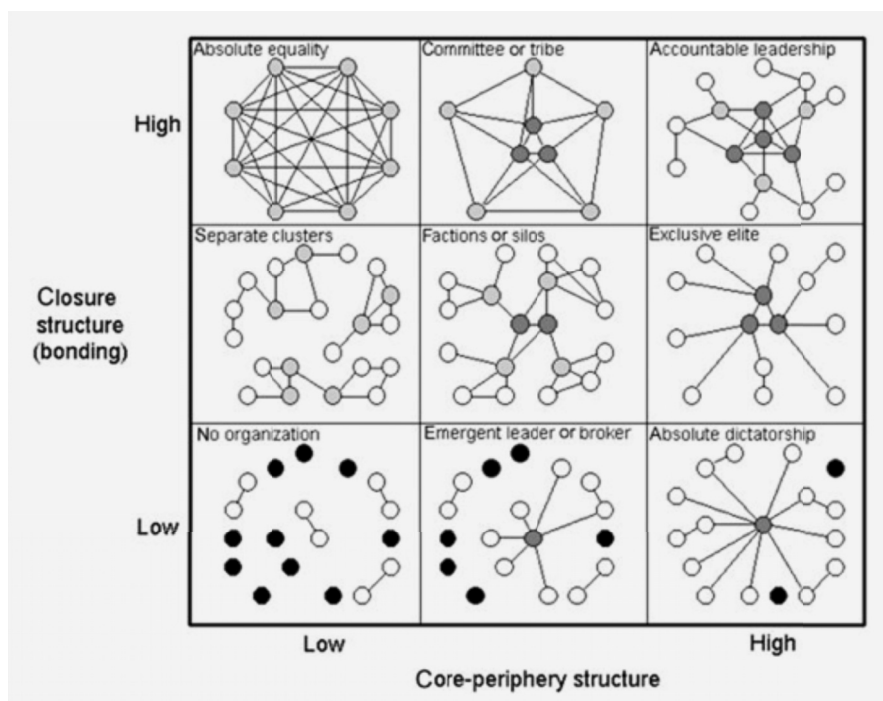
Figure 1. Stakeholder network patterns according to bonding and bridging social capital

An effective stakeholder network approach to issues management requires mapping key organizational actors, defining core issues they deal with, and visualizing relationships between actors and issues. The patterns presented in Figure 1 serve as guidelines to identify the closest configuration to the ideal-

type[2], in order to adopt the most appropriate strategy. *Absolute dictatorship* (low bonding, high bridging capital) is on one end of the scale, with a central actor monopolizing all the influence and having access to unfiltered information from multiple sources. It is a highly operational structure in terms of quick response, and a highly dysfunctional one in terms of resource allocation, solidarity and motivation. For issues management, a central figure is enough to be convinced, as s/he acts as an information filter, a gatekeeper in the network. Dealing with such an actor is always efficient, but not always ethical. On the other end of the scale, *absolute equality* shows quite the opposite, with an even access to resources, high solidarity, but total conformity, a lack of innovation due to strong normative pressures. It is hard to convince such a closely knit group from the outside. In-between patterns show different degrees of centralization and solidarity – key aspects when it comes to solving an issue and reaching agreement in a complex, fragmented social reality.

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2   Network patterns resulted by using specialized software, such as UCINET, are close to these patterns, but never similar, as the model in Figure 1 presents ideal combinations of structures (reviewer's note).

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Acta Universitatis Sapientiae, Social Analysis
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Email: acta-social@acta.sapientia.ro

Printed by Gloria Printing House
Director: Péter NAGY

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