

# MINORITIES PROTECTION, DEMOCRACY AND CULTURAL PLURALISM

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**Abstract:** *The instauration and the maintenance of a stable democratic government within a plural society are difficult to be realized. The social homogeneity and the political consensus are considered compulsory premises for a stable democracy in which minorities rights are protected, or are considered extremely favourable factors for this one. Recognizing the cultural pluralism means to respect the principles of democracy, to instate harmonious intercultural relationships, ensuring that every member of the community can express himself and benefits of the same rights with the majority.*

**Key words:** *minorities protection, cultural pluralism, democracy, tolerance, equality.*

## 1. Introduction

Two thousand years ago the Greek philosopher, Aristotle, sustained that “*The purpose of the State is to be, within the possibilities, a society of equal human beings*” [1]. Nowadays the cultural pluralism answers the need of different cultural components of the society to express themselves.

The "cultural pluralism" concept was born in the 60s in the US, with the purpose of making it easier to understand the diversity of today's world. This is about the existence within a state or a larger region of some minority groups that are different from the majority population by elements such language, race or religion. In the work "How to compare nations", Dogan and Pelassy analyze this phenomenon. "All analysts who have seriously studied the cultural pluralism have denounced the naivety of those who expected that the industrialization and development of communications will prevent the segmentation. In reality, the economic,

social and political development usually revives the competition between rival groups that are therefore competing for new services provided by the government. The modernization brings with it an overdevelopment of the main cities, a consolidation of the political centers that control the mass-media, as a redistribution of the incomes. Such development starts the riot of suburbs - what Jean Gottmann defines as defying of the centralization. Urbanization, education and communication, far from operating a radical opening of the cultural collectivity, offer them the ability to create an elite, to develop a conscience, to transform their dialect into a real language and their legends into cultural patrimony". [2]

The authors present the content of this concept: overcoming the intercultural antagonisms, access to all forms of culture, acceptance of diversity - the basis of this concept, as a factor of individual and collective improvement, elaboration of new synthesis to overcome and eliminate

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all forms of conflict, including the latent ones, recognition of the creative force and the energy released by the interaction of differences without transforming them in conflicts.

These principles ensure the implementation of harmonious intercultural relationships, not leading to a leveling of differences, to a suppressing or marginalization, guaranteeing, on the contrary, that they will continue to exist, but without generating conflict anymore.

For a better understanding the concept is usually associated with the field to which it refers to: cultural pluralism, ideological pluralism, political pluralism, ethnic pluralism or religious pluralism. [2]

Cultural pluralism is the dynamic by which minority groups participate fully in the dominant society, yet maintain their cultural differences. A pluralistic society is one where different groups can interact while showing a certain degree of tolerance for one another, where different cultures can coexist without major conflicts, and where minority cultures are encouraged to uphold their customs. A Jewish philosophy professor, Horace Kallen, coined the term pluralism in the early 1900s. He was proud of his country, and concerned for his beliefs and the beliefs of immigrants. He did not want to be assimilated by the majority. He felt that various distinguished cultures could offer a greater contribution to progress than a single culture could. Cultural pluralism itself can break down at the practical level. Equality among men and women is one of the great accomplishments of Western society. Western adherence to cultural pluralism, and its tolerance, will break down, for example, the mistreatment of women.

Cultural pluralism can breakdown at the philosophical level as well. In order for cultural pluralism to have any application, it must itself be a belief held by all, or one

that is enforced within the society. If cultural pluralism is to be understood as a correct philosophy, then it must exist in an authoritarian manner. It is a self-defeating philosophy. Furthermore, the notion that cultural pluralism is a false concept must also be tolerated within a pluralistic society. This results in those who adhere to absolutes opposing those who disagree, and this notion again defeats the principles of cultural pluralism.

## **2. The Education and its Role in Promoting the Cultural Pluralism**

The education must make individuals aware of their own roots, so that they are able to have points of reference in order to find their place in the world, but it must also teach them the respect for other cultures.

According to the Declaration of Tolerance Principles (proclaimed and signed on 16th November 1995) the Member States of the United Nations Organization for Education, Science and Culture (UNESCO) reunited between the 25th of October and the 16th of November 1995 in Paris in the 28th session of the General Conference, regulated that tolerance is: "the respect, acceptance and appreciation of the wealth and diversity of our world's cultures, our ways of expressing our quality of human beings. It is encouraged by knowledge, free spirit, communication and freedom of thinking, awareness and faith. Tolerance is also the harmony in differences. It is not only an ethical obligation; it is also a political and juridical necessity. Tolerance is a virtue that makes peace possible, and which contributes to the replacement of war culture with a peace culture. Tolerance is not a concession, or condescendence or indulgence. Tolerance is especially an active attitude generated by the ascertaining of the universal rights of the human person and the fundamental

freedoms of others. Tolerance cannot be in any way invoked to justify the violation of these fundamental values. Tolerance must be performed by individuals, groups and States (art. 1 of the Declaration). Moreover, tolerance is related to the pluralism as follows: it is the responsibility that sustains the human rights, the pluralism (including the cultural pluralism), the democracy and the lawful State. It involves the rejecting of dogmatism and absolutism and confirms the norms listed in the international instruments with respect to the human rights. According to the observation of the human rights, to practice tolerance does not mean to tolerate social injustice, or to renounce to one's own convictions, or to make concessions in this respect. It signifies the acceptance of the fact that the human beings, naturally characterized by the diversity of their physical look, their status, way of expressing, behavior and values, have the right to live in peace and to be who they are. It signifies also that nobody must impose its own opinions on another.

### **3. Minority Protection in the Context of Multiculturalism**

The issue of minorities protection, whether ethnic, religious or cultural can be analyzed starting from two different ideologies. The issue is about the identification of the relation between the "majority culture" on one side and the "culture of minorities" as a relation of possible antagonism which, under uncontrolled conditions, can lead to mutual social exclusion, and on the other side, by the need of preserving some *particular cultural identities* within the context of a cultural pluralism, as benefic stability factor at macro-social level. [3] At this point we may examine, as an example, the situation of Romanians in the Austro-Hungarian Empire after the dissolution of

the Empire. The geographic component of most Romanians in Hungary was not a stable part of a Romanian historical province - from Transylvania or Banat, neither from the traditional "countries" or lands (Țara Zărandului, Țara Moşilor) in the close vicinity - but the Romanian ethnics have always formed small islands spread over the Hungarian territory, throughout the actual border with Romania, at the eastern extremity of Romanian territory at the south-east of the Hungarian Field. The ethnicity of Romanians in Hungary was preserved until the creation of modern Romania, by a spontaneous ethnic separatism ensured especially by the language and the Orthodox Religion and encouraged by the presence of a considerable mass of Romanians on the territory of the same political formation. The main support of the ethnic separatism was the group endogamy. Especially after the separation from Transylvania and Banat, the reduced Romanian community in Hungary was placed in the position of the cultural pluralism phenomenon, a social form of accommodation where the ethnic group keeps its distinctive cultural features and traditions, cooperating in the political, social and cultural life of the majority. In this case, the cultural pluralism is just a transition phase to integration/assimilation. The cultural and linguistic leveling, loss of traditions lead to the destruction of group identity. Preponderantly rural, the Romanian ethnic group in Hungary began to lose its identity with the raveling of the traditional existence forms. After 1920, when the Romanians formed just small enclaves in the south-east of Hungary, politically and administratively isolated from the mass of Romanians in Transylvania and Banat, the prestige of the own language and culture diminishes, especially due to the citizenship process that disintegrates the closed societies.

In the context of the post-modernism, we are confronted with an unprecedented ethnical, cultural and religious diversity. This diversity, generated by secularization, globalization and by the demographic modifications, spreads into the area of values and concepts about the world and life, of the morality and religious practices. In human communities all over the world and in schools we can find Christians, Jews, Muslims, Hindus, Buddhists, Confucianists, atheists and agnostics not only in the spatial proximity, but also in complex economic, political-social and religious cultural interrelationships.

#### **4. Democracy's Role in Promoting Cultural Pluralism**

Within the Western cultural space, the democratic political regime constitutes no recent subject of debate. Twenty-five centuries ago, it stood in the middle of the debates with respect to the political life at the ancient Greeks. Nowadays, it constitutes a privileged subject. The 20th century, marked by the "war of the political regimes"[4] not only attracts the political scientists' attention, but also that of the sociologists, of the jurists, of the philosophers. The collapse of the totalitarian regimes led to the reanalysis of the ethic principles, the idea of democracy being renewed this way.

The concept of democracy is used within several universes of discourse, but in the first instance within the one of daily political life. We currently understand democracy as "the political regime in which sovereignty is exercised by the people"[5] in which every citizen has the liberty to express his convictions. At the same time, democracy stands for a concept used by philosophers, jurists, sociologists. For the philosophers, it often constitutes the occasion of making actual the issue of the political values. This way, referring to democracy, the philosophers raise issues in

connection to justice or the good governing of society. For the jurists, the concept is useful in identifying the institutional forms and in distinguishing the other types of political regimes (authoritarian or totalitarian). As regards the sociologists, they have in view the democratic phenomenon, both in its judicial dimension, and in its political and social dimension. We must not neglect the essayists' discourses upon democracy, as their influence upon modelling the social representations is not to be neglected, given the fact that, through their arguments or the media debates they entertain, they influence the citizens' perception upon the political regime.

Anton Carpinski [6] submits the compliance with the political phenomenon from the perspective of the paradigm of the whole and the part. In the framework of this model, the whole designates the dynamic unity of the generic agents of the political game: power, civil society, human individual. The whole is, therefore, the social whole, society consisting in the political society (State, parties, lobbies) and civil society (economic, cultural life etc., extra-political, individual and collective). The parts are represented, according to the submitted paradigm, by every agent of the mentioned triad, as well as by the different classes, social groups and political parties existing within a society. Democracy will be instituted when there is a dynamic equilibrium between the different parts (classes, groups, parties, individuals) and the social whole. When the competing positions and interests legally confront and conciliate, there being affected neither the interests of any minority, nor of the social whole. The free and creative individual, civil society in its diversity and legitimate political power adjust their relations in a rightful manner; the person's rights and liberties are

observed, and the State functions according to the lawful standards.

### **5. Pluralism, Democracy, Citizenship**

The instauration and maintenance of a stable democratic government within a plural society is difficult to achieve. The social homogeneity and the political consensus are considered compulsory premises for a stable democracy or are considered extremely favourable factors for a democracy. On the contrary, the profound social divisions and the political differentiations within plural societies are considered the causes for the democracy instability and its collapse. Arend Lijphart considered that only a certain form of democracy, the consociational one, makes possible the maintenance of democracy within a plural society. In such a democracy, „the centrifuge tendencies inherent to a plural democracy are neutralized by the cooperating attitudes and behaviour of the leaders of different population segments” [7]. As a matter of fact, the cooperation among the elites stands for the main distinctive feature of the consociational democracy. However, we do not have to infer that the individual’s role is minimized. Within modern democratic society, the connection among people is a political one. To live together means no longer to share the same religion, the same culture or to submit, together with the others, to the same authority, but to be citizen of the same political organization. Citizenship stands for the source of social connection [8]. Citizens’ society, through their political and social institutions, through daily exchanges, is a democratic society. Every citizen, independently of his/her religion, ethnic origin, race, gender etc., has the right to the same respect, to the recognition of his/her dignity. The relations among people are based on every one’s equal dignity.

Only within a democratic society, citizenship is, in principle, open to all individuals, beyond cultural, social or biological differences. In the name of the values of modern democracy, political order assumes as ambition the integration of the ethnic groups with the help of citizenship, through rising above their concrete diversities, their particularities. The democratic State is based on the principle of the citizens’ inclusion and of the non-citizens’ exclusion from the political practices. It includes the former ones, ensuring their equal participation to the political life; it excludes the others from the practises in direct connection to the citizenship that they dispose of within another society. From the judicial point of view, „any person has the right to citizenship” (*Universal Declaration of the Human Rights*, art. 15) and to the afferent civil rights. Democratic society has however the vocation to open itself for all those who may participate in the political life, independently of their particular features, it being more open to foreigners than any other form of political organization (for instance, French, Swiss, German etc citizenship may be obtained, through naturalization). From the fact that the right to citizenship is open, there does not ensue the fact that nationality may be unconditionally granted to all individuals present on the national territory, as this would mean the denial of difference between the nationals and the foreigners. Only the citizens of a democratic nation are fully entitled to their political rights. However, all foreigners who are legal residents, non-citizens, therefore deprived of their political rights in connection to the citizenship, are granted the same civil, economic and social rights as the nationals. Foreigners enjoy all individual liberties. They have the right to travel freely, to marry, they have the right to the presumption of innocence, in case they are

deferred to justice. Gradually, after the end of the second World War, the foreigners' judicial status in Europe was assimilated to the nationals' one, as regards the salaries, the right to work and the right to social protection. The legislation that regulates the equality of the civil, of the economic and of the social rights is based in fact on the fundamental idea of the human rights, as being inalienable and universal. In this respect, Dominique Schnapper considered that the „observance of the foreigner's rights as human being means in a way to reassert the values around whom t modern democracies were built"[8].

## 6. Education and Democracy

Education is placed at the centre of the democratic project, as it has to offer to everyone the possibility to really participate in public life.

School, either directly organized by the State, or controlled by it, is undoubtedly a democratic institution. Within the Greek democracy during antiquity, the absence of public school limited the real political participation to rich citizens. The idea that every citizen should be allowed to concretely exercise his rights is connected to modern democracy. Only since the Revolution of 1789, in France, for instance, the teachers in the schools, were no longer called „regents", turning into „institutors", their task being to establish the „nation", source of the political legitimacy, in the sense of the 3rd article of the *Declaration of the human and civil rights* („The principle of any sovereignty essentially resides in nation. No organism, no individual can exercise an authority that does not expressly derive from this one").

By establishing the bases of the public school, the republicans, starting from J. J. Rousseau's observation that the general interest cannot be confounded with the sum of the particular interests, aimed at creating the abstract citizen, destined to

embody and to define the general interest.[8] Henceforth there comes the unique and centralized organization of the system of education. The republic is aimed at emancipating people in the name of equality for all and at ensuring the promotion of the best.

The access to education for everybody means equal chances of promotion. School has to ensure the promotion of the best, to allow social mobility and to favour the equality in chances. Here there may be introduced for discussion the essential role of the study grants, which allow the endowed children, independent of their social or ethnic origin, to benefit from the possibility of promotion and continuation of study.

There has to be enhanced the fact that school has a double function. On one hand, through the content of education, there takes place the assimilation of a language, of a culture, of a national ideology and of a historic memory. The schooled persons within the same institution share not only the same language, but also the entirety of knowledge and references, implicit and explicit. On the other hand, school constitutes an integration space. In its framework, independently of their ethnic origin, of their appurtenance to a church or of their social origins, they are equally treated.

From the intercultural perspective, the school should promote the „ethnic attachment and understanding and to help pupils acquire skills and attitudes that should allow the ethnic group to acquire power of signification of the great worldwide culture [9]. It is also necessary to include the study of ethics, in the curriculum[10] in order to facilitate for the children the acceptance of the “others”.

## 7. „Cultural Rights” and Democracy

Legitimacy and democratic practices cannot be conceived outside the nation.

The problem is if there's possibility for it to function on the supranational or infranational level. The reflections with respect to the multiculturalism and to the infranational rights, on one hand, and the new conceptions which will be elaborated starting from the European construction, make actual the connection between nation and democracy. The problem of acknowledging the special cultural rights of the ethnic groups within a nation may be also raised in connection with the cultural rights of the nations in the framework of the new political entity which is intended to be Europe of the future. Cultural rights, as well as other rights like the economic ones must be protected not only by the state, but also through citizens associative forms, because this is the only way to practice the citizens fundamental rights at a higher level. [11]

Modern democratic society managed to ensure for all citizens, including foreign citizens, legally settled, civil, economic and political rights. The question which is being raised now is how it could take into consideration the claim of the „cultural rights” of the societies which are nowadays more diversified and more open.

Any society is, through definition, multicultural, consisting in groups that differ from the cultural point of view. According to the democratic principles, it is necessary to correlate the citizens' civil and political equality with the observance of their ethnic or religious particular attachments, ensuring at the same time, the unity of society through common citizenship and individual liberty.

Interculturality implies the acknowledgement of the „cultural rights” as being an integral part of the individual rights. When we refer to „cultural rights” we do not act in the intellectual sense of the concept (the right to scientific knowledge, to reading etc.), but in the sense of the „individual's rights to possess

and to develop, possibly in common with others within a group defined through shared values and traditions, his/her own cultural life, that should correspond to a cultural identity distinct from the one of the other individuals or groups.” [12]

The assertion of the particular cultural rights implies certain risks. In the first place, there is the possibility for the individuals that belong to a certain cultural group to subordinate themselves to it, sacrificing their personal liberty and the possibility to maintain relations with the members of other groups. According to the principles of democracy, the individual does not belong to a certain group, isolated from the others; society does not consist in juxtaposed groups, to whom individuals belong, but in persons with multiple social roles. The second risk is connected to the social integration, in the sense that it is possible for the citizens to retreat within the community of origin, instead of opening towards other groups. Moreover, the recognition of the cultural rights may lead to different political, economic, social rights.

## **8. Civil Society and Citizenship**

The public space of citizenship and political participation is not limited to the political sphere, the one in which key personnel or national or international deciders express themselves. On the one hand, various kinds of public spaces appear, disseminated in the social space (that of the civil society). These are at the same time spaces of public discussion between “ordinary” citizens and participatory spaces through associative life and initiative networking. It is necessary to analyze the various forms of public space in order to examine the conditions for the emergence of a European civil society. On the other hand, a trans-national civil society certainly misses problems that are common to all

citizens, whatever their nationality. It is mainly the case of technological mutations that affect profoundly the forms of life and the conditions for civic action, both at individual and collective level. To think about the conditions for the exercise of citizenship in a trans-national society also means to measure these common ethical and political problems.

As for the first point, we will start from the clarification of the very concept of public space, in order to identify its places. The research must focus on the social and political conditions (guarantee of human rights, effective possibilities of action etc.), but also on the strictly space-related conditions (architectural, geographical, urbanistic, technical) of public space. We have to deal in particular with examining the possibilities to create and practice the public space in post-communist countries. These countries have emerged from a world where the distinction public-private has been systematically denied and the values of initiative repressed. In these countries, it is necessary to reassert the rules of public space and retrace the spatial delimitations that define the action framework, especially the separation line between private and public. At the same time, the question is to know to what extent the public space of concerted action can be freed from the profit-oriented communication system, dominated by commercial media. The European integration of post-communist countries implies the awareness of their responsibility on the part of all those who contribute to the creation of opinion (teachers, researchers, journalists, politicians). This responsibility must take into account the values of knowing and respecting the liberty of speech. We must also analyze the relationships between space and the construction of identities, between the feeling of identity and the landscape (natural, urban, industrial) as a

territory that is constituted and occupied by people. It is not only the historical legacy, the culture and the values of a given society, but also the environment, its resources, its aesthetic dimension which need to be considered. The complex question of identity will thus be tackled through concepts (like the one of landscape) that concentrate historical, aesthetic and sociological approaches. As for the second point, we have to analyze the transformations of civil society brought about by the scientific and technical mutations. These mutations operate an in-depth modification of civil society and of the possibilities of action that are open to citizens. They affect to an equal extent the perception and the expression of identities. The technological process is manifested mainly through the computerization of the society, a fact that misses a number of questions concerning the protection of private life (like practical means of communication, the guarantee of fundamental rights). The progress in the fields of biology, genetic engineering, etc., puts into question the perception of individual identities, the relation to the body, personal integrity, and leads to the growing involvement of the political power in the fundamental issues of health, reproduction, nutrition, aging. The issue of the democratic control of this "bio-power" is raised particularly in all the fields that are linked to the relationships between life, technology and political power. It is a question common to all members of the emerging "international" civil society, especially in Europe.

It is necessary to identify this bio-power, by analyzing the way it functions and the representations on which it relies. The questions that arise are: What does an organism mean nowadays and how can we define its physical integrity? Is one the proprietor of one's body, within which limits, and how can the political body

decide upon legislation or the history of a body? How does an individual think and insert him/herself in his/her personal history, with the appearance of realities such as organ grafts, donations and trafficking, the techniques of assisted reproduction etc.? What becomes of the definition of an identity once science and technology raise the problem of the control or absence of control an individual has over one's own body? Starting from these questions, it will be possible to dwell on the analysis of the conditions for exercising citizenship in a society where the question of identity is also affected by the progress of science and technology. Only this will allow us to circumscribe the principles of ethical evaluation and the conditions for the political control of the decisions pertaining to the life and the integrity of the human person.

### **9. Identities and Communication in the Context of the European Community**

The central hypothesis in the matter of citizenship and identities is that the issue of identity cannot be reduced to the problem of social and cultural determinism. This is based largely on the diversity of historical experiences and social worlds. This diversity creates a "horizon of expectations" versus the European Union that varies from one country to another. The plurality of horizons and expectations and of points of view is not in itself an insurmountable obstacle, as certain principles can be adjusted, thus leading to consensus — at least a partial or provisional one. Nevertheless, the diversity of historical experiences opens up the possibility of misunderstanding. In certain cases, it can block the whole discussion process. It can render impossible the elaboration of a common interpretation of problems, which creates a prerequisite for all collective decisions. Consequently, a reciprocal

understanding of the "social and cultural worlds" of the diverse European nations is a necessary prerequisite for all possibilities of political cooperation. This reciprocal comprehension implies joint historical and linguistic analyses — linguistics here being considered in the sense of discourse analysis. On the one hand, we aim at better understanding the history of Europe and its contemporary political reverberations. We will resort to political history, but also to social and cultural history. From this perspective, we will try to replace the construction and the issue of European identity in the context of a theory of history that would take into consideration both the end of the metaphysics of history and of the plurality of historiographies (especially from the point of view of each nationality). On the other hand, we aim at examining the conditions for the possibility of communication of the lived experiences, especially the collective ones. From this perspective, we need to focus on the history of ideas and cultural practices. We must examine, for example, the reception of great authors, of new models and concepts in Europe; we must study how the ideas have circulated and transformed representations in key periods of European history: Middle Ages, Renaissance, Reform, Enlightenment, Industrial Revolution, the two World Wars etc. The principle of such research is that there is no specific European thought, if this concept is understood as a thought that would be specific to Europeans in opposition to all other civilizations. What exists, though, is a European practice of thought, which we can circumscribe by analyzing the history of intellectual practices and the circulation of scientific, aesthetic, philosophical ideas in Europe. European identity does not rely on predetermined ethno-cultural characteristics, but on the history of these practices, the way in which the ideas and

ideals have been forged, transmitted, received and re-interpreted from a nation to another. At this point it is important to mention also the role of long life learning especially in higher education. [13]

### 10. Conclusions

In the communitarian law, which is the core of the European Union, the principles, which are granted the same power as the communitarian treaties by some people, are characterized by their active involvement in the daily communitarian law, in the enforcement of the norms and competence system within the European Union. Their role is essential to transmit a cultural pluralism respectful to the traditions and basic values of Europe.

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