

## THE SOVEREIGN WITH ITS WINGS CLIPPED

Magda Simona SCUTARU<sup>1</sup>

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### ABSTRACT

*SOVEREIGNTY IS DEFINED AS THE POWER THAT A STATE POSSESSES, THE POWER TO ELABORATE IT'S OWN SET OF LAWS AND TO TRANSFER LAW INTO PRACTICE. SOVERAIGNTY IS EQUIVALENT WITH INDEPENDENCE.*

*AFTER THE INTEGRATION IN THE EUROPEAN UNION, ROMANIAN CITIZENS REGARDED THE STATUS OF ROMANIA AS ONE THAT COULD OFFER MORE FREEDOM OF CHOICE AND OF ACTION, IN WHICH THE ATTRIBUTES OF DEMOCRACY BECAME MORE ACCENTED ; THIS LED THEM TO THE FALSE IMPRESSION THAT THE ROMANIAN STATE HAD GAINED MORE POWER. IN REALITY, THE EFFECTS OF THE EUROPEAN INTEGRATION HAVE A DOUBLE MEANING. ON ONE SIDE, THERE IS THE REALITY OF PROGRESS, ON THE OTHER SIDE, THE REALITY OF SOVERAIGNTY LOSS. BY TAKING ALL THESE FACTORS INTO CONSIDERATION, THE PRESENT ARTICLE HAS THE PURPOSE OF HIGHLIGHTING THE CONSEQUENCES OF ROMANIA'S LOSS IN THE FIELD OF SOVERAIGNTY. « THE SOVEREIGN WITH IT'S WINGS CLIPPED » IS THE SYMBOL OF A STATE THAT HAS LITTLE POWER AND CONTROL OVER ITS INTERNAL POLICY AND WHOSE SOVEREIGNTY HAS BEEN ERODED AFTER THE EUROPEAN INTEGRATION AND DUE TO INTERNAL FACTORS. ONLY A SERIOUS APPROACH OF ITS OWN PROBLEMS BY THE ROMANIAN STATE CAN LEAD THE COUNTRY OUT OF THE INTERNAL CRISIS, THAT IS A SOCIAL, ECONOMICAL, POLITICAL, AND , ABOVE ALL, MORAL CRISIS.*

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**KEY WORDS :** EUROPEAN INTEGRATION, SOVEREIGNTY, CRISIS, LACK OF POWER

### INTRODUCTION

In January 2007, two years after the Accession Treaty had been signed, Romania became a member state of the European Union. Within the Union, “[...] the system made his mark on the new members in a more accented manner than the new members succeeded to modify the system. The logic of the European Club was that recent members had to adopt the Community acquis, so to obey the rules already used and to enter into a certain institutional logic”<sup>2</sup>. In 2002, when Romania did not have the status of a Member State of the European Union, it was well known among specialists in european integration the fact that Romania will not be able to comply with the requirements of the European Union and

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<sup>1</sup> PhD Research Student at « Alexandru Ioan Cuza » University, the Faculty o of Philosophy and Political Science, Iasi, Romania e-mail : scutaru\_simona@yahoo.com

<sup>2</sup> Nastase, Dorina si Maties, Mihai , *Viitorul suveranității naționale a României în perspectiva integrării europene*, (Iasi: Polirom, 2002), 65, accessed March 3, 2014  
[http://leader.viitorul.org/public/568/ro/suveranitatea\\_româniei%20in\\_ue.pdf](http://leader.viitorul.org/public/568/ro/suveranitatea_româniei%20in_ue.pdf).

that it will not succeed to circumvent the European Club logic: within the Union, “the voice of every country is being listened and most decisions in European forums are taken by consensus”<sup>3</sup>.

A change of vision over sovereignty and a new approach of this concept were viewed as being of maximum necessity for Romania. For a long period of time, national sovereignty was equivalent only with independence but, after the accession, Romania had to realize that “sharing the attributes of sovereignty with the Union is a win”<sup>4</sup>. But for the Romanian state, this win was not substantial and has not only brought benefits as expected and as political leaders and Romanian citizens wished with intensity.

The problem of sovereignty loss in Romania was one that raised question marks before the European integration, being regarded as an unquestionable reality after 2007. Numerous studies have underlined its double effect, but most of the focus was on the negative consequences of power dissolution within the nation state and on the loss of control over internal policy. In 2002, a comprehensive study was drafted, called *Viitorul suveranității naționale a României în perspectiva integrării europene*, whose authors, Dorina Năstase and Mihai Matieș, present a history of the evolution of the concept of sovereignty and a clear perspective on the sovereignty of member states of the European Union, concluding with providing an image over the painting of meanings that the erosion of national sovereignty could have for Romania. Another important study in the field is the book of Adrian Marino called *Pentru Europa. Integrarea României. Aspecte ideologice și culturale*. The basic concern is the affirmation, defining and popularizing in broad intellectual circles of the European idea”<sup>5</sup>. Until extensive and rigorous political and historiographic studies are being shaped, “the European idea needs, first, from us, [...] affirmation and dissemination, clarification and consolidation, solidarity and deepening in as many Romanian consciousness receptive”<sup>6</sup>, said Adrian Marino. An article which presents particularly information relevant to define the status of Romania in the years after accession is the article of Nicolae Mănescu, published in March 2013 review « Eurasia.Revista di studi geopolitici », called *Imperialism și subdezvoltare. România post-comunistă și lumpen-democrația*. The author brings a point of view less optimistic about Romania's integration in the European Union, about the real reasons which prompted the Union to accept Romania as a Member State: “Europe did not need a country where industry and agriculture operate at European parameters, which harden her economic system, but [...] a market outlet for developed countries”<sup>7</sup>.

“With the direct and unconditional subordination to the center of decision-making power from Brussels, Romania loses the attribute of a sovereign and independent state”<sup>8</sup>. The study brings to light many of the negative effects that integration in the Union has had, being underlined the inherent sovereignty loss suffered by the Romanian State.

Under the methodological aspect, rigorous research methods have imposed. It was found as a result of getting an interview from Romanian citizens and from a citizen of the Republic of Moldova, the fact that the issue of sovereignty concerns specifically on some citizens, and that, in general, the loss of sovereignty is associated with the loss of

<sup>3</sup> Năstase, Dorina and Matieș, Mihai, *Viitorul suveranității naționale*, 65.

<sup>4</sup> Năstase, Dorina and Matieș, Mihai, *Viitorul suveranității naționale*, 65.

<sup>5</sup> Marino, Adrian, *Pentru Europa. Integrarea României. Aspecte ideologice și culturale*, (Iasi: Polirom, 1995), 5.

<sup>6</sup> Marino, Adrian, *Pentru Europa*, 5.

<sup>7</sup> Mănescu, Nicolae, “Imperialism și subdezvoltare. România post-comunistă și lumpen-democrația”, *Eurasia.Revista di studi geopolitici*, 23 martie 2013, accessed March 2, 2014, <http://www.eurasia-rivista.org/imperialism-si-subdezvoltare-romania-postcomunista-si-lumpen-democrația/19043/>.

<sup>8</sup> Mănescu, Nicolae, “Imperialism și subdezvoltare.”.

independence of the Romanian state. At the question: “Is there a connection between sovereignty and freedom? , one of the respondents said: “There is an obvious connection. A sovereign state is free, a free state is sovereign. Liberties are related to decision-making, organizing the proper functioning of the policies as a whole, the right to free choice and governance.”

What vision of statehood has brought the democratic regime and transition to the integration of Romania into the European Union? Which were the harmful effects of European integration? What is the significance of the sovereignty loss for the Romanian State? The aim of this research presented in the article is to provide a picture of the situation in Romania in the pre-accession period, to capture a number of issues which outline and define this image, which not only captures the positive facts but, on the contrary, highlights the minuses and drawbacks, underlining the negative effects that an early integration has brought on various planes. During the Communist era, national sovereignty had a very important role, being considered a reality without which no state could progress and being seen as an attribute of the state that could not be alienated by the intervention of some foreign actors within the governance process. In the post-Communism, things have changed, collaboration between states has gained high value and sovereignty fell on backburner.

One of the central ideas is that according to which Romania became a member of a supranational European structure of developed countries while in Romanian society there were a shortage of “political culture and civic responsibility among the population”<sup>9</sup> and a “shortage of competent and honest politicians”<sup>10</sup>. Moreover, the economic and social development was insufficient, established itself as a categorical imperative, for the Romanian state can decipher, understand and then assimilate many of the practices of the European Union.

### **ROMANIA’S ROAD TO THE EUROPEAN UNION**

Romania has aspired to join the European Union. Since the 1970s, links have been created between the European Union and Romania. These have been formalized in 1980 by signing an agreement between Romania and CEE. This process of rapprochement has been extended until February 1, 1993, when was created an association agreement between the EU and Romania, was created and was defined the legal framework whose fundamental objective was to prepare the entry of Romania in the European Union.

On 22 June 1995, Romania has submitted an official application for membership. Finally, the two European Councils, one in Copenhagen and one in Madrid in 1995, have noted three categories of criteria for membership, to be complied with by the applicant countries. Being political, the first category does not attract too much attention, the most important being the other two. The first enlargement, in May 2004, did not include the accession of Romania, the country became a Member State in 2007.

Even if first impressions may only be subjective, has been able to ascertain, by those who have made trips to Romania, that things change pretty quickly and, hopefully, in the good sense. For example, if you consider the fact that a change of the situation, an improvement in the transport infrastructure (including those overhead) is cause and consequence of economic progress and development, modernization of Otopeni Airport in

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<sup>9</sup> Carpinschi, Anton, “Partidocratie si defincitul ideologic. S-ar putea si altfel?” , in *Voturi si Politici. Dinamica partidelor romanesti in ultimele doua decenii*, ed. Jigla George, (Iasi: Institutul European, 2011), 39.

<sup>10</sup> Jigla, “Partidocratie si defincitul ideologic”, 39.

Bucharest was a testimony of the actual capacity that Romania has to be productive and to modernize quickly<sup>11</sup>.

These first impressions are confirmed in statistically and analytically by the 2001 Commission reports- related to Romania: "Romania has continued to make significant progress in order to have a viable market economy. Putting into practice in supported manner the measures and reforms, Romania should be able to cope with competitive pressures within the EU"<sup>12</sup>.

One of the problems was that Romania had begun reforms too late, the first key measures in terms of liberalisation and reform of the enterprises being enacted in early 1997.

"Pre-accession procedures have left the impression that Romania is being granted a big favor, perhaps the greatest after the end of the Communist dictatorship. The accession was dressed in gala attire and presented as an universal panacea designed to improve the economic situation, which, after the events of 1989, was in a rapid degradation process"<sup>13</sup>.

"The sovereign with its wings clipped" symbolizes Romania as a Member State of the European Union, a state which was not sufficiently prepared to join and which, if it had been left to fight alone in order to grow, it would have become aware of the great efforts it has to make effectively in order to attain certain standards. These standards must be self-imposed, any power must come from the inside and an EU integration only with the name is not a sine qua non condition of development. "The sovereign with its wings clipped" signifies the lack of power to take the right decisions in favor of its own citizens, lack of will, and maby the dependence on a Union which only shows a way forward, but that may not act itself in place of the country in many ways.

### **THE NEGATIVE EFFECTS OF THE EUROPEAN INTEGRATION**

"Policy makers of Romania have drawn up a Constitution and have redefined a State by virtue of the attributes of westphalien and internal sovereignty"<sup>14</sup>. It was stressed in particular the internal side of sovereignty, while, in the discussions on external side, the focus fell on "freedom or independence of state power"<sup>15</sup>.

You can say things as shocking as it is true. "The lost values and vulgarity" is not just a phrase used by many people, who would say that automatically repeat what they have heard about Romania. This phrase conceals a bewildering reality which causes outrage among those who feel it and understand it: a part of the post-Communist reality.

Membership of the European Union has not changed very much the direction that Romania would be headed as a country, because Romania, gaining new rights, had lost from some points of view. In the year 2013, during an interview for Radio Vocea Rusiei, Professor Phd. Nicolae Țăran, an expert in economics, said: In Romania, "at this point, compared to the moment of accession, gross domestic product is lower by about five percentage points.[...] in the year 2013 we live worse than when we walked in the European Union. This is a very painful problem.[...] If at the time of accession the poor population [...] was about 20%, now this segment has doubled: over 40% of people are living below the poverty line. These are very serious things"<sup>16</sup>.

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<sup>11</sup> Manoury, Jacques, Sarpe Daniela, *L'elargissement de l'Union Europeenne et la Roumanie : problemes et perspectives*, (France, Publications des Universites du Havre et Rouen, ,2004), 45.

<sup>12</sup> Manoury and Sarpe, *L'elargissement*, 46.

<sup>13</sup> Manescu, Nicolae, "Imperialism si subdezvoltare."

<sup>14</sup> Forika Eva et al ,*Suveranitate nationala si integrare europeana*, (Iasi: Polirom, 2002), 58

<sup>15</sup> Forika et al, *Suveranitate...*, 58.

<sup>16</sup> Taran, Nicolae, "Consecințele aderării României la UE în vizunea unui expert roman", *Radio Vocea Rusiei*, 16 octombrie 2013, accessed February 27, 2014, [http://romanian.ruvr.ru/2013\\_10\\_16/Consecintele-aderarii-Romaniei-la-UE-in-viziunea-unui-expert-roman-6508/](http://romanian.ruvr.ru/2013_10_16/Consecintele-aderarii-Romaniei-la-UE-in-viziunea-unui-expert-roman-6508/).

Even before integration, the issue of corruption has been one vast and unsettled the European institutions and the United States, especially because Romania has always wanted to be a loyal ally. "In an unprecedented diplomatic offensive, European and American missions in Bucharest also condemned the widespread corruption, which constituted a major obstacle to the accession of Romania to the EU"<sup>17</sup>. It has been argued that "is part of Romania's destiny itself, both vis-à-vis its integration into NATO and the EU, to solve this problem"<sup>18</sup>. Behind a reinforced legislation and concrete opportunities to punish violators, we are talking about a national political battle which had to start. Obie Moore's opinion, President of the Romanian and American Chamber of Commerce from Bucharest, was as follows: "In Brussels, Romania is seen with the microscope. If it will not propose a serious project before the next EU report, it risks to no longer be included in the EU timetable in 2007"<sup>19</sup>.

Despite numerous pressures exerted on the Romanian State, it answered difficult and slow to European demands. This finding is stark and unsettling. The aim of the European construction is to contribute to the construction of a community, it's understood that the exclusion of Romania and of other nations that want to join the EU would be a great injustice, even if there is corruption. In Brussels, the problem of corruption in Romania is seen as one that can be solved if the necessary measures are taken<sup>20</sup>. Seen from within, the problem is very serious and hard to solve.

Corruption began to take their toll at all levels of the socio-political life and has come to be regarded as the only way to climb the social ladder. Integration in the Union was understood by many Romanian citizens a gain of freedom, as acquiring new rights, which also led to a loss of a sense of measure. This problem has been persistent during the years before the accession and after the acquisition by Romania of EU membership, it seems to have gained momentum, the political environment became increasingly more tense because of the multitude of divergent interests of politicians, many of which do not have a direct link to the real problems of the Romanian state.

### **A VISION OF SOVEREIGNTY BEING ERODED**

Due to a certain social origin, to an ideological and cultural formation of a particular type and, especially, because of its aspirations and interests that are not of among the noblest ones, the Romanian political class is far away from an alignment to European standards. Ruling class is required, however, by the new realities that make their way to Europe and the world, "to simulate, to mimic false endorsements at all or as many principles, European institutions and courts"<sup>21</sup>. [...] In Romanian post-Communist society, which has not fully consumed modernity, parties and ideologies are, formally, the Western counterparts, but function informally, after local customs, so in reality we are confronted with political involvement and ideological deficit "<sup>22</sup>.

This is an unacceptable reality, that persisted prior to European integration and that is true today, when Romania has membership of a union of developed states, in whose political frameworks there is a certain honesty and a high level of interest accorded the national status and good development.

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<sup>17</sup>Manoury and Sarpe, *L'elargissement*, 49.

<sup>18</sup> Manoury and Sarpe, *L'elargissement*, 49.

<sup>19</sup> Manoury and Sarpe, *L'elargissement*, 49.

<sup>20</sup> Manoury and Sarpe, *L'elargissement*, 50.

<sup>21</sup> Marino, Adrian, *Pentru Europa.*, 20.

<sup>22</sup> Jigla, "Partidocratie si deficitul ideologic", 40.

What is the secret of good state of Europe? The secret lies in people's attitude towards life. It is important that some things should be regarded with utmost seriousness, and confidence in its own forces and enthusiasm can be felt every day. So it is possible for a state to be lifted from poverty even by its own citizens, who are building a future. Here's a desideratum of many Romanians: " a civilized and constructive country, organized and productive, in which daily existence is no longer a curse, or suffering, or waste of time, energy and health"<sup>23</sup>.

" The sovereign with its wings clipped " not only express the loss of sovereignty as a result of European Union integration, but also as a result of the action of certain factors that have eroded the sovereignty from the inside, these factors being related to the inability to understand certain visions of European states on the various realities - legal, political, social- , to the lack of fairness of romanians which led to the blossoming of corruption, to indifference and lack in interest in addressing the truly impornat matters of the state. A pretty sad picture: the real values were uprooted, cut, destroyed; culture seems something forgotten among citizens. The concern for material gain has acquired a greater importance than ever before.

"The conception of the State which must *give* [...] was assumed and consolidated by communism, but not entirely invented by this system. The State is seen as an institution half-philanthropic, a charity institution, who maintains clerks, [...], parasites"<sup>24</sup>. In terms of economic attitude towards Europe, it consists of a vision of a source that consistently grants credits. Both before and after European integration, this vision has remained the same, well rooted in the mentality of the Romanians.

"It all boils down, fundamentally, a major difficulty: any form of participation, any alignment to European standards [...] strikes a fundamental obstacle, invincible so far: the state should give up [...] a part of its powers and its sovereignty"<sup>25</sup>. It's not about a waiver when the European Union and the laws developed within it are understood correctly, when there is a serious and full of interest to everything that means Union. One aspect worth mentioning is the one according to which a certain approach, a certain attitude and a certain vision of the ruling class in Romania can change the internal situation for the better. It's about the need for a more serious approach, about a very high degree of interest in the real problems of the Romanian s tate and about a certain attitude towards the Union, which must be one of deep understanding of the mechanisms that support its policies, the motivations which animate and make it progress.

## CONCLUSION

The shadow of iron chains can still be found on the cold hands of the sovereign. The Romanian state is still marked by the desperation with which all individuals, larger or smaller, go into the soul, but also by that desire which all feel to something new, superior, to finding happiness in small or abstract things. Who can show the correct way? Maybe just a true catastrophe, or the return to the chaotic state before civilization can make the Romanians to realize the value of life in a state that themselves can rebuild , which only they can give a new lease of life. The value of Justice: this is also a reality, that honesty can get to light and can give positive meanings.

"Sine justitia, nulla libertas"(without justice, no freedom). The illusion of greater freedom had been offered the Romanians through European integration. About the sovereign's wings can be heated discussions. That would have been? In which direction

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<sup>23</sup> Marino, Adrian, *Pentru Europa.*, 16.

<sup>24</sup> Marino, Adrian, *Pentru Europa.*, 20.

<sup>25</sup> Marino, Adrian, *Pentru Europa.*, 18.

would wold have Romania headed if it had been left alone on the edge of Europe? A rock which could have been climbed carefully would have appeared in front of a seemingly fragile state, which, by gathering forces, would be headed with hope and courage to the heights of European Paradise, with hands on each rock of progress. Out of necessity or out of desperation? Perhaps out of the ambition not to remain behind the developed countries, with a higher degree of civilization. There is not, however, any certainty of the fact that, left outside the Union, Romania would have progressed more than it did as a Member State, but I consider that an essential aspect remains valid: forced to fend alone, fenced, maybe even marginalized, the state would have folded on the development of more consistent policies, clearer, more useful to the state. Comparing with the individual who is left to fight alone in order to achieve a goal, it can be seen that the state behaves the same on the international scene. To follow ... the state is a heterogeneous mass of individuals, whose aspirations, needs and visions coincide at some point. These can liven up a state that lacks internal life, void of the necessary development power, power that resides in the verticality of individuals, in seriousness, in the best interest for the real issues of life.

“Reality, extremely hard, of the current era, must be regarded with lucidity. Only in this way will we effectively integrate Europe, sometime, but effectively and without illusions”<sup>26</sup>. Respecting the rules imposed by the European Union in various fields, striving to attain certain standards, developing further, more or less, under the close supervision of the Union, are just some of the aspects that characterise Romania as a Member State of a federation of European States. Apparently, the European laws and rules have come to strike off the momentum of a state that seemed to “fly” in a wrong direction, seemed to be heading towards a precipice of powerlessness to progress, to develop their own laws, to respect itself as a state. What would have been a sovereign state, which had been based only on its own forces? Surely, over a longer period, it would have been a master of their own policies, more responsible and aware of the need for sustained efforts to obtain optimum results on the political, legal, economic or social plan. The rejection came from the European Union would not necessarily have been unbearable for the Romanian state, but would have revived among the citizens and political leaders the ambition to achieve real and meaningful progress on multiple plans.

“Nothing was built during these years of wild liberalism similar to Phanariot reign. The reaction of the state was not one of social protection through the creation of jobs, as was natural, but of permanent and massive layoffs of active labour, enslavement and indebtedness of population by the most severe charges and taxes in Europe. And this, in order to ensure the maintenance and prosperity world financial body, the International Monetary Fund and the World Bank. Modern Romania’s appearance is desolate, as after the bomber”<sup>27</sup>.

The result of research leads to the conclusion that, in Romania, the effects of European integration were most of all negative than positive. Cession of sovereignty was concomitant with a loss of a sense of measure among citizens, with an increase of the degree of corruption and with an apparent loss of honesty of many of its citizens, who have come to the view that democracy means “everything is permitted”. Here's a portrait of how Romania should be like in the future, into a Union with which it is hard to keep up at the moment: looking and taking the example of developed States, effectively and properly fighting to achieve self-imposed standards and not imposed by the Union, recognizing the need for progress and the for the construction of a state in which to dominate social justice, where corruption does not reach dangerous levels, in which politicians are interested in the

<sup>26</sup> Marino, Adrian, *Pentru Europa.*, 12.

<sup>27</sup> Manescu, Nicolae, “Imperialism si subdezvoltare.”.

real leadership of society, society in which the citizens do not ignore true values and are not being carried by a vast smoothing wave, which has a vast expanse, planetary, and behaves as a factory of ignorant and machine-like individuals, only interested in the material gain. Freedom has to be seen not as an infringement of the rights of other citizens, but as an affirmation of individuality and an opening to knowledge and civilization.

“The sovereign with its wings clipped“ is an expression of a vulnerable, fragile state, whose sovereignty has been restored to a supra-national structure with the noble aim of development on multiple plans, goal that was not reached until now. The cause of the failure of the Romanian state is still at the level of mentality: lack of interest, dishonesty, sometimes the lack of competence or vision, but above all, the lack of involvement and understanding of the functioning of the European Union and the values that it promotes. An undeniable truth remains that the Communist past has made their mark in the collective mentality in a decisive manner, that Romanians can't pluck old concepts and a certain way of looking at life as a whole.

Romania does not lose sovereignty until it's grounded, from the inside, by factors which escape the direct control and which are far too rooted in the system to be able to be removed. So it comes down to a weakening of state power, which becomes fragile and unbalanced and which it is increasingly difficult to keep up with a growing European Union, while remaining a true “sovereign with its wings clipped“.



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