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5° ICHSS 2015

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About the Conference

The 5th ICHSS 2015 is organized in Rome by MCSER-Mediterranean Center of Social and Educational Research in cooperation with the Gregorian University, Roma Eventi and Italian Academy of Science and Education. The conference addressed all studies across the social and human sciences. In the spirit of interdisciplinary interchange, the Conference has involved scholars, teachers and researchers working in a broad range of areas including: Education, Anthropology, Applied Sciences, Behavioral Sciences, Cognitive Science, Literature, Language, Communications, History, Economics, Environmental Sciences, Health Sciences, Humanities, Interdisciplinary Studies, Law, Management, Media, Politics, Public Policy, Psychology, Qualitative Methods, Quantitative Methods, Social Welfare, Sociology, Technology, Geography and many other areas related to the social and human sciences. The conference provides an opportunity for academicians and professionals from various social and human fields all over the world to come together and learn from each other. An additional goal of the conference is to provide a place for academicians and professionals with cross-disciplinary interests to meet and interact with members inside and outside their own particular disciplines. The fifth edition of the ICHSS is held in Rome on September 25-26, 2015.

Vision of the conference

The 5th ICHSS is a global annual event with the mission of furthering the advancement and innovation in human and social sciences. The Conference serves as a means to connect and engage professors, researchers, consultants, innovators, managers, students, policy makers and others to offers an opportunity to meet and share ideas. It also inspire a new generation of global scientists and leaders in countries around the world.

Co-Partners

The Conference is organized by Mediterranean Center of Social and Educational Research in collaboration with Gregorian University, Roma Eventi and Italian Academy of Science and Education.

Publications

All papers presented in the 5th ICHSS 2014 will be published in the following Journal:

*Academic Journal of Interdisciplinary Studies*

ISSN 2281-3993 (print) ISSN 2281-4612 (online)
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Imperative: 'The More the Better' as a Danger for Proper Development of Information Society

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Abstract

Proper social development takes into account the welfare of an individual and of a community, and first of all it respects their rights and freedom in every interpersonal interaction and between culture and nature. I focus on the present stage of development of information society (information is one of the most important values in the society) in which pro-technological attitude to life and reality dominates, as well as economization and commercialization of the humanities. I express the opinion that organizing the whole social life according to the imperative: “the more the better” endangers everything that all the fields of science have achieved so far. It also deprives the new technologies of the proper sense of their existence and does not propose a positive vision of the future for information society. The situation is quite the opposite. I give examples which illustrate the fact that an individual becomes more and more disintegrated and dependent creature and, which is against common slogans, society becomes less and less creative and innovative. People often lose both the sense of reality and authenticity and the ability to evaluate and shape good value of their own life and good quality of interpersonal relations. The idea of universitas is reduced to the relation between producers and consumers/ prosumers. That is why I support introducing into life the conception of integrated man, conception based on self-restraint and so called “information hygiene”.

Keywords: information society - quantity marker – quality of living – integrated man.

In the 60s of the 20th century the richest societies with the most developed economies started to change into information societies. This notion became commonly used in that decade, because it was assumed that the notion indicates the next phase of social development after industrial society. It was the phase based on the expansion of technical means of communication. For half a century masses of conceptions and definitions of information society were created. They took into account its various aspects and forms. Today while concluding the state of research concerning the subject it may be stated that this form of cultural development of mankind possesses the following qualities:

1. the dominating role of information and knowledge in all the fields of functioning of man, society and economy;
2. common using of computers, IT programs and various means of communication;
3. constantly increasing meaning of the Internet, multimedia and media;
4. increasing compression of time and space;
5. increasing amount of information and increasing speed of its circulation;
6. multiplying of virtualisation of mental life and social and economic relations;
7. passing of new technologies to all the fields of life and increasing addiction to computers;
8. individual and social meaning of the phenomenon of digital exclusion, connected with various competences and possibilities of access to information.

All members of information society can feel everywhere the existence of technology. Such a direction of development seems to be durable, because multidimensional character of connections, influences and results gets constantly intensified. It is connected with dependencies existing between technologies and various social phenomena. Piotr Żabicki described perceptively three technological worlds, the reality of the most common electronic communication, the sphere of financial operations and the activity of the most popular mass medium, which is television. The worlds are essential in everyday life of both individuals and social groups. Like other researchers of the phenomena he decisively associated their functioning with pedagogical issues. In the conclusion of his research he asked and postulated: “in mass proportion, instead of technology of everyday routine shouldn’t we already talk about technological everyday routine, or even when we refer to everyday routine, shouldn’t we define it almost automatically in connection with technologies?” (Żabicki, 2007, 214). Shouldn’t we even formulate “demands concerning paying special attention (of users, broadcasters,
decision-makers) to using technologies, communicational education, availability and help in acquiring knowledge, in other words, to all those elements which help us understand today, but first of all tomorrow, ourselves” (ibidem).

Nowadays there are numerous conceptions of so called “new planet”, which first of all take into account the future of the Internet and information society. For example Kazimierz Krzysztofek predicts that the following phenomena will develop more and more intensely:

- increasing amount of human activity “emigrates” to cyberspace;
- increase of data and information (including technology of self-record and self-show) transforms society into Big Data Society;
- the feeling of continuity is replaced by the feeling of change: the amount of Web-native social activities and events increases;
- they have only digital character;
- activism surpasses determinism;

Undoubtedly the turning point in the history of information society was the fact that the Internet became more common. It happened at the beginning of the 80s of the previous century. One of the consequences of the fact is illustrated by Rafal Stec with numbers. Among others, he writes: “Just on YouTube we put 48 hours of material every minute. The amount of data passing over the whole Internet would fill 8.2 million of popular 4 gigabytes USB pen drives which would load 139 lorries. Since the beginning of mankind to 2003 we produced 5 exabytes of information. Today we produce that much every two days and we even accelerate, although we have produced more bytes than stars shining in the universe” (Stec, 2012, 22). The tendency of contemporary cultural development which he points out is confirmed in other sources. For example the data published by the company Intel suggests: “By 2016 the number of appliances connected to the Internet will have tripled the number of the whole population and it will be 22 billion, every three minutes the amount of information that equals all the films produced by mankind will pass over the Internet, every month only video recordings passing over the Internet will be so numerous that a single person would need 6 million years to watch it. And annual capability of the whole Internet movement will surpass 1.3 zettabytes which is 1.3 sextillion of bytes which is 1 300 000 000 000 000 000 000 (13 and 20 zeros) of bytes” (Stec, 2012, 22). So the problem of excess of information (redundancy, information noise) becomes important both for individuals and social groups.

The second new social phenomenon, apart from information excess, is specific behaviour of multimedia users, which can be called infoactivism (Miczka, 2015, 115-124). Everyday life of many people becomes similar to the life of a media maniac, for example that of Krishnan Guru-Murthy. He is a Channel 4 news presenter who describes his day as follows: “the majority of my normal work day I spend with some multimedia appliance and I understand it very well why people can get out of every day more ‘medial time’ than ‘real time’” (Krishnan, 2009). At 6.30 a.m. Guru-Murthy switches on his computer to prepare for work watching morning TV, listening to Radio 4 and browsing informational web portals. While “playing with the iPhone or BlackBerry” he keeps updated on Twitter. He also takes his headphones to the gym and watches “a bit of TV” on the go. On his office desk two computers are switched on all the time, the first one being used for work and the other one to follow Twitter and the news on TV. On his way home from work, Guru-Murthy checks the latest tweets about his programmes on the iPhone and only at 8.45 p.m. he finally spends “about an hour without media”. But as he says in his electronic profile: “if my child doesn’t filch my iPhone I use it before sleep to check front pages of newspapers” (Krishnan, 2009).

Aforementioned phenomenon of multitasking is another phase of multimedia users’ communication behaviour evolution, which has been already described by numerous researchers. It has been usually perceived as the ecstasy of communication (Baudrillard, 1988) or as communicational spasm, in other words a form of communication, which disperses the most important traditional systems of thinking and acting, deepens unlimited belief in technology, evokes unprecedented information interferences and cultural shocks (Miczka, 2002, 7-14). In other words, in information society the strategies of quick communication changes became dominating. They take all the time new forms of aggression and conquest and breach, both in life and in cultures, former rules of internal balance. They also give people the impression that they can choose among their possibilities in a way they think is the most suitable. They can also more and more efficiently change their own life and at the same time influence the surrounding world. Ecstasy and spasm can be perceived as the symptoms of abnormality and being lost but nowadays it is first of all a symptom of life in the conditions of indefiniteness intensifying itself. The life which was defined by Paul Virilio at the turn of the millennium as infected with information bomb (2000). At the same time Zygmunt Bauman perceived in the perspective liquid modernity (2000).

A little bit earlier, almost 20 years ago, David Shenk in his conception of data smog (1997) signalized
intensification of these phenomena. In the introduction of his book entitled *Data Smog* he wrote that to publish this book he had to buy 40 other books, gain copies of 575 press articles and interview people for over 80 hours. And it was just an introduction to scientific work about information smog, because later he had to browse 481 various literary items using electronic database NEXIS gathering 46.2 MB of information, which equals about 14000 printed pages. He also had to visit 1000 websites. Shenk emphasizes that he did all that just to participate in further increase of overproduction of information, because he introduced another title to American book market of 60000 new titles in 1997.

In this situation information society can be called society of risk. Researchers of this issue even today use the notion “multi risk society”. They refer to the fact that contradictory criteria cannot be removed from the process of choosing action strategies, the process performed by individuals and communities. We all feel that the process of achieving some values does not help to introduce other values into life. There is no one measure to connect different values although certainly there are some connections between them. We are under constant pressure of so called increasing risk of risk so we have to value result of a previous valuation without a perspective of getting a result which guarantees making the right decision, making the right choice.

Of course the risk, commonly understood as the possibility of an occurrence perceived as negative, as danger, in other words as the opposition to chance, has always existed in human life, it often even enriched it in a positive way. Today we know that the higher the level of social evolution is the more random phenomena and coincidences are and their role in life of individuals and communities is bigger. We also know that maximum freedom implies maximum risk in making individual and community (social) aims real. Pluralisation of reality results in the fact that in the 21st century man is forced to choose from basic decision strategies these ones which guarantee openness, in other words weaken bipolarity of relations between confirmation and contradiction, between true and untrue. Usually we chose strategy of the biggest safety according to the opinion that it is the best way of behaviour, or the strategy of the smallest disappointment, because we thought that we avoid adversities and the biggest dangers. Sometimes, not very often, we used strategy of the biggest gain, when we achieved higher level of optimism we were more eager to gamble and the level of risk was not a discouraging element. Today we have to use more and more often the strategy of not being right enough because we deal with cases in which everything should be treated as equally probable and with the rule of certain-in-uncertain because probability cannot be defined.

One of the essential sources of intensifying risk in everyday life of information society members seems to be the dogma of growth, which means using quantity as a measure of quality of the things people do, in other words the problem of actual productivity. Man constantly finds out that they should know more and more, be able to do more and more, and work longer and more efficiently and take care about quantity indicators in every form of their activity. Practically quantity became an obsession for many contemporary individuals and social groups. But natural biological and cultural and communicational mechanisms are not sufficient any more to solve coincidentia oppositorum which take place in information society. Finally it is a threat to desirable (good) development of those individuals and groups.

First of all the problem of quality of living becomes again a subject of heated debate but this time in completely new conditions. As Roy Baumeister says, information chaos causes “ego depletion syndrome” (1993). The cult of overworking and efficiency connected with using soft technology often causes effects which are opposite to what was expected. And the domination of fuzzy logic in techno everyday routine makes it difficult or even impossible to interpret information properly, while information should be transformed into knowledge. All those elements deepen the difficulty connected with the increase of creativity, entrepreneurship and innovativeness of people and social and economic entities. It is proven by scientific research. For example research carried out in 2010 by Kyung Hee Kim and his colleagues comes to a sad conclusion: “It turned out that unlike intelligence quotient (IQ) which in every next generation grows 10 points in average, creativity quotient (CQ) systematically falls down. It has been going on since 1990” (Kim, 2011, 295). The increase of IQ is caused by the fact that people are more intelligent in richer and more diversified societies. The decrease of creativity is connected with the appearance and spread of personal computers, although their introduction was supposed to achieve the opposite.

Members of the most developed information societies, both economically and technologically, more and more often become aware of the fact that being productive does not mean putting emphasis on the quantity, there is necessity of conscious limiting of techno consumerism. It is also precisely supported by arguments of anthropologists. For example Bogusław Pawłowski strongly emphasizes that it is high time to get rid of the dogma of constant and fast growth “ecological routs of our planet do not allow for endless development” (Pawłowski, 2008).

Growing gap between technical progress and morality is commonly felt, in other words it is the distance between technical abilities of technology users and the ability to judge the way they use it. That is why it is necessary to concentrate the attention of individuals and societies on introducing into life the conception of an integrated man, based on the model of self-limitation in Michael Novak’s proposition of moral ecology, which I have already written about in one of my previous texts: “It would be a sum of ideas, narrations, associations, systems of symbols, dominating opinions and
practices. In pluralist societies it would be a particular source of moral influences. Novak also thinks that such subordination of public sphere supports choosing by people morally correct actions and is positive for development of civil society. For both an individual, who should be an integral person, who has technical knowledge and uses moral judgment, and for community so called self-government is very important. It is manifested in mature use of individual freedom which simply means its reasonable limits. People lack the maturity especially in so called epoch of info-freedom offered by the Internet and virtual realities in which a social movement called cyber-libertarianism develops. It announces possibility of almost total liberation of man out of supervision of the state, of the laws and limits of physical world. In other words, moral ecology would not only be attempt of individual and group subordination of pluralist experiences but it is also an attempt to activate passive and often thoughtless users of soft technology and an attempt to create collectively the law which is morally right. It is of course a utopian conception but it is worth trying to work out positive attitude to moral ecology and first of all to self-government in frames of common, general pedagogy, binding law and various public discourses. As Michael Novak notices it is easier to complete the individual task when we are thought about it by the whole surrounding public ethos, encouraging to take it up and providing numerous examples of its completion or examples of self-destruction because its incompletion (Novak, 1999, 17 & 2004). That is why we can state that social ecology of freedom will encourage personal freedom or discourage its development” (Miczka, 2013, 337).

In this situation one of the essential tasks of general and subject education should be promoting of “information hygiene”. Probably for the first time in the history of mankind “praise of slowness” (Honoré, 2013) becomes an important pedagogical principle and “the art of idleness” (Poole, 2014) becomes the aim of teaching and upbringing. In other words “it is ability to find the difference between useful and redundant information, sticking to the point, not wasting time, avoiding stress and overload with excess information which results in losing the ability to take a decision and to find the difference between important things and rubbish” (Schnabel, 2010).

Of course the aforementioned conclusions should be confronted with the theses which are popular recently. They are announced by researchers who represent sciences and humanities and who find the first element of the antinomy “shortage – excess” particularly valuable for the development of man.

References

Proactive Coping and Professional Burnout in Special Education

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Abstract

Professional burnout is a syndrome associated with a group of symptoms such as emotional exhaustion, depersonalization and personal accomplishments. Proactive coping is considered those cognitive and behavioral efforts made to master and tolerate or reduce internal and external demands and conflicts among them. Special education teachers are in a direct contact with special needs of the students. They are more prone to experience burnout due to the way they perceive job demands and lack of personal resources to use coping strategies. The aim of this is to investigate correlations between burnout and proactive coping categories and to predict which of these correlation variables best predict emotional exhaustion as the main symptom of burnout. Results showed significant correlations between emotional exhaustion and strategic planning, preventing coping and emotional support seeking. Multiple regression analysis was used to predict which variable of proactive coping categories best predict emotional exhaustion. Emotional support seeking had statistic significance to predict emotional exhaustion for the total variances explained in this study.

Keywords: burnout, proactive coping, emotional exhaustion, emotional support seeking.

1. Introduction

The special education teachers have directly contact with students. They are responsible to meet their educational needs, like designing and implementing the Individualised Education Plan, evaluation and reevaluation, behavioral assessments, and other intervention plans. Students have different disabilities and the special education teacher has the responsibility to assist in every subject that these students meet some of the objectives as the same proficiency level as their general education peers. Special education teachers help general education teachers about accommodation of disabled students, about the strategies and methods they should use as they work with special needs students. The special education teacher contacts with a variety of individuals to facilitate the educational and general wellbeing of special needs students (Williams, Joy, Dikes, Catherine, 2015). Professional burnout is a syndrome associated with a group of symptoms such as emotional exhaustion, depersonalization and personal accomplishments. The main definition of emotional exhaustion as the main symptom of burnout according to Maslach is the reduced energy level or extreme fatigue. According to Williams, Joy, Dikes, Catherine, 2015, job stress begins with emotional exhaustion which is the first reaction accompanied life events changes. Depersonalization is associated with negative emotions toward students or colleagues. They may feel guilty regarding their work performance. Reduced self efficacy, is defined as negative self evaluation or minimizing personal accomplishments. Its a self evaluation process, that people use during their work. Maslach states that teacher working in special education services perceive low levels of job satisfaction and negative evaluation of job outcomes. According to Williams, Joy, Dikes & Catherine, 2015), people experiencing burnout are more cynic, stressed and see the worst in everything. Various studies indicate, teachers working with students with special needs are more prone to experience job burnout. Most teachers of special education experience high levels of depression, psychological dysfunction and role conflict. One of the most important factors of professional burnout is direct contacts with students with special needs and perceived lack of job success. Special education teachers have to complete several additional duties and responsibilities comparing to those of mainstream schools. (Zarafshan, Hadi, Mohammadi, Reza, M, Ahmadi, Fatemeh, Arsalani, Akram, 201. According to Maslach effects of burnout are widely experienced outside of work settings as well. A burnt out person may manifest these negative feeling toward his/her family members. (Williams, Joy, Dikes, Catherine, Education). There are many factors influencing teacher burnout. Lack of principals support, overload at work, lack of support resources and too many responsibilities at one time are the major factors increasing the possibility to put the special education teachers at risk of burnout. Teacher experience burnout when the their perceived stress overcomes their resources to cope with in an adequate way leading to exhaustion, cynism and low of personal accomplishments. Children of exhausted teachers struggle socially and emotionally, so they they achieve less goals in
individualized education plan, giving a negative impact on their school performance. (Brunsting, et al., 2014). According to Plana, A., Fabregat, A., & Gassio, J. (2003), coping is defined as those cognitive and behavioral efforts, developed for managing external and internal demands judged as exceeding or superpassing the individual own’s resources. They define proactive coping as those cognitive and behavioral efforts made to master and tolerate or reduce internal and external demands and conflicts among them. Some people accumulate and use resources to prepare themselves for obstacles, so stressors are seen as challenges and they are more motivated to succeed. (Mackonenë, N. Norvilië, 2012). Billing and Moss identified three methods of coping strategies a) active-cognitive assessing potentially stressful events, b) active behavioral, efforts to manage a stressful situation c) avoidance, refuse to face the stressful situation. There are significant correlations between avoidance type of coping with burnout. The greater the feelings of emotional exhaustion, the more likely these professionals were to use strategies based on behavioral and mental disconnection from the situation when facing with a difficult or stressful event. According to Gil-Monte, Peiró and Valcárcel (1995) avoidance coping increased emotional exhaustion, while control coping maintain personal accomplishments at work. Is special education services, according to Wisniewski and Gargiulo (1997), shows that stress can not be avoided, but it can be managed through social support from administrative management, colleagues and superiors. (Plana, A., Fabregat, A., & Gassio, J. 2003). Stressful situations create a discrepancy between desired state and perceived state. In this case coping may be activated in a direct and indirect way. In direct way stress activate coping directly before wellbeing has been threatened. Indirectly coping is activated after the individual wellbeing has been damaged. So, different coping strategies come before the process of burnout syndrome. Coping strategies oriented to the problem in combination with coping strategies focused to avoidance is more successful for for adaptation and wellbeing of the individuals. This is called according to as flexible coping with is more effective in controlling of work stressors. According to Schwarzer and Taubert (2002), they suggest a new conceptualization of coping, proactive, goal oriented and adaptive. Some people are more oriented to live their lives in such a way they accumulate resources and prepare themselves before stressful situations occur. They consider stressors as challenges and they are motivated to succeed and overpass them. (Plana, A., Fabregat, A., & Gassio, J. 2003). Often stress is seen as a response as a adverse situation. They say that they feels a lot of stress. According to Schwarzer (2002), Selye distinguished a stressor (stimulus) from stress (response). This response follows three stages: alarm reaction which is a fight or flight response, is an adaptive short term reaction to emergency situations. Resistance stage, is the adaptation of the body to the stressor, the organism do not functional all well. The immune system is weak and many deseases have possibility to develop. In the exhaustion stage the organism has finished the resources. It activates the parasympathetic system, which may lead to burnout, depression and other different illness or even death. (Schwarzer, R., & Taubert, S. 2002).

The stimulus based perspective aims to pay attention to the stressor causing a specific response. According to different researches adaptive efforts are necessary to cope with different situations. Characteristics of the stressors sometimes define the way how people react to that situation.

According to cognitive transactional paradigm it is important the cognitive appraisal of demands and the way of response. Our personal resources, like the social interactions with other especially in work settings, competencies, difficult situations are called antecedents according to Lazarus (2002), Schwarzer, R., & Taubert, S. (2002) proactive people do not consider situations as harmful, loss or threat. They consider risks or demands as resources to help them toward promotion and personal growth. They see challenges not demands, they see goals attainment not risks. Due to this they increase their quality of functioning. Proactive coping improves life quality and people experience positive stress, which leads to productivity and wellbeing. Different studies have been conducted in Germany, Poland and Canada to examine the relationship between proactive coping and job burnout. These studies show that proactive coping correlates negatively with job burnout in different professions. According to these studies proactive teachers perceive stress as challenging and less threatening than their reactive counterparts. (Schwarzer, R., & Taubert, S. 2002).

In special education services teachers face different difficulties. This gives them greater possibility to leave their jobs. Sometimes children including ins special education system, are more stressed and experience more emotional problems due to the way how the teachers perceive their role. (Major, E. A. 2012). Traditionally the focus of psychology has been on negative states than on positive one. Burnout represents a negative psychological state. Researchers attention now is focused on positive psychology based on well function. From this point of view burnout is supplemented by its positive antithesis of job engagement (Schaufeli, W.B., Leiter, M.P & Maslach, Ch., 2001). Maslach and Leiter (2001), considered burnout as an engagement. According to them burnout starts with the wearing out of the engagement when energy turns into exhaustion, involvement turns into cynicism and efficacy turns into ineffectiveness. Engagement is assessed by the opposite pattern of scores of the three subscales of MBI. Unfavorable scores indicate burnout and favorable scores indicate engagement. (Schaufeli ,W.B., Leiter, M.P & Maslach, Ch., 2008). If engagement is the opposite of burnout, then engagement profile is a match of sustainable workload, choice and control, recognition and
reward, supportive work community, fairness and justice and meaningful work. According to Schaufeli (2008) engagement, is the positive antithesis of burnout and it is assessed by two dimensions: activation and pleasure. So engagement is characterized by high levels of activation and pleasure. (Schaufeli,W.B., Leiter, M.P & Maslach, Ch., 2001).

2. The Purpose of this Study

This is a pilot study which anticipate the final phase of gathering data. The purpose of this study is to show levels of experienced burnout among special education professionals and to examine significant correlations between job burnout subscales and proactive coping subscales in a group of 60 special education professionals. Also this study results aims to report which are the variables that best predict emotional exhaustion.

Research question 1:
Which are the levels of emotional exhaustion, depersonalization and personal accomplishments for special education professionals participating in this study?
Research question 3:
Are there significant correlations between job burnout subscales and proactive coping subscales?
Research question 2:
Which of the proactive coping categories best predicts emotional exhaustion?

2.1 Research Methods

2.1.1 Sample

This study was carried out with special education professionals in Tirana. A total number of 60 teachers, psychologists and development therapists were included in this study, only females. The way of cluster selection is with convenience. This is the pilot phase of the final study. The final phase will include a bigger sample, and will be extended in other cities of Albania where are situated special education schools, in urban environment. Subjects variate from 5 up to 30 years of works experience.

2.1.2 Instruments

2.1.2.1 Maslach Burnout Inventory

The items for the Maslach Burnout Inventory were designed to measure hypothesized aspects of the burnout syndrome. The scale is labeled at each point and ranges from 1 (a few times a year or less), to 6 (every day). A zero value is given if the respondent has never experienced the feeling or the attitude described (Maslach, Ch & Jackson, S. E, 1981). Items are divided in three subscales; emotional exhaustion, depersonalization and personal accomplishments.

Reliability analysis coefficients are calculated for a sample of 20 subjects. Internal consistency is evaluated by Cronbach Coefficient’s alpha. The realiability coefficients for the subscales were: for emotional exhaustion 0.89, for depersonalization 0.90 and for personal accomplishments 0.85.

2.1.2.2 Proactive Coping Inventory

The Proactive Coping Inventory consists in seven scales and 55 items; one scale with 14 items measures exclusively proactive coping; the other six scales focoses on positive facets of coping that strengthen coping initiative. The other six subscales are reflective coping, strategic planning, preventing coping, instrumental support seeking, emotional support seeking and avoidance coping. Answer scoring ranges from 1 (not at all true), 2 (barely true), 3 (somewhat true), to 4 (completely true). Three items of the proactive coping subscale have reverse scoring, “I like challenges and beating the odds”, “I turn obstacles into positive experiences”, and “When I have a problem, I usually see myself in a no win situation” (Greenglass, E., Schwarzer, R., Jakubiec, D., Fiksembaum, L &Taubert, S, 1999). It was used alpha Cronbach coefficient for the reliability analysis. The reliability coefficients for Proactive Coping subscales in total is: 0.7.
3. Analysis Results

Results analysis of this quantitative research was conducted by using SPSS version 20. Descriptive analysis was used to calculate frequencies, means and standard deviation. The strength and the direction of the correlations between variables was determined using Pearson correlation.

The sample consists of 60 special education teachers, females. Ages ranked from 26 to 42. Subjects years of works experience in that position ranked between 5 to 30 years of work.

The mean scores of the exhaustion is 15. This result show a low level of burnout. Depersonalization has a mean score of 2.9. Subjects report low levels of personalization.

Personal accomplishments have a mean score of 40. They report high levels of personal accomplishments, being included in the low category of burnout.

Results show a mean score of 47 for proactive coping subscale.

In reflective coping subscale the mean is 36. In strategic planning respondents have a mean score of 13.9. Preventing coping subscale has a mean score of 30. Results show in instrumental seeking subscales a mean score of 24. 12 is the mean score for emotional seeking subscale. And 6 is the mean score for avoidance coping subscale.

3.1 Correlations among variables

Table 1

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
</tr>
</thead>
</table>
| 1.    | Personal accomplishments | 1
| 2.    | Depersonalization | -0.985** | 1
| 3.    | Emotional exhaustion | -0.897** | -0.917** | 1
| 4.    | Proactive coping | 0.298 | -0.287 | -0.143 | 1
| 5.    | Reflective coping | 0.094 | -0.159 | -0.048 | 0.485 | 1
| 6.    | Strategic planning | 0.445 | -0.529 | -0.553 | -0.375 | 0.567 | 1
| 7.    | Preventing planning | 0.656** | -0.683** | -0.654** | 0.302 | 0.609** | 0.640** | 1
| 8.    | Instrumental support | -0.179 | 0.155 | 0.297 | 0.514 | 0.542 | 0.439 | 0.043 | 1
| 9.    | Emotional support | 0.628** | -0.624** | -0.696** | 0.011 | 0.164 | 0.265 | 0.464 | -0.215 | 1
| 10.   | Avoidance coping | -0.040 | 0.173 | 0.058 | -0.476 | -0.728 | -0.449 | -0.278 | -0.631 | -0.121 | 1

**. Correlation is significant at the 0.01 level (2-tailed).
*. Correlation is significant at the 0.05 level (2-tailed).

There is a negative correlation between emotional exhaustion and strategic planning, preventing planning and emotional support. Subjects reported high levels of emotional exhaustion, scored low in strategic planning, preventing planning and emotional support.

Depersonalization also correlates negatively with strategic planning, preventing coping, and emotional support. There is a negative correlation between depersonalization and proactive coping in general. High scores of depersonalization received low scores in variables of strategic planning, preventing planning and emotional support.

Personal accomplishments correlates positively with preventing coping and emotional support seeking. Subjects which scored high in personal accomplishments and also received high scores in preventing coping and emotional support seeking.

3.2 Prediction of the variables

Table 2

<table>
<thead>
<tr>
<th>Predictor variables</th>
<th>Beta</th>
<th>t</th>
<th>p</th>
<th>Adj R²</th>
<th>Total variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emotional exhaustion</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Strategic planning</td>
<td>-0.255</td>
<td>-1.214</td>
<td>0.246</td>
<td>0.584</td>
<td>58.4%</td>
</tr>
<tr>
<td>2. Preventing coping</td>
<td>-0.253</td>
<td>-1.109</td>
<td>0.288</td>
<td>0.584</td>
<td>58.4%</td>
</tr>
<tr>
<td>3. Emotional support</td>
<td>-0.511</td>
<td>-2.801</td>
<td>0.015</td>
<td>0.584</td>
<td>58.4%</td>
</tr>
</tbody>
</table>
It was used multiple linear regression analysis to predict which of the variables explain better emotional exhaustion (method enter was used). Emotional exhaustion is correlated with strategic planning, preventing coping and emotional support seeking. The three of these variables make contribution on predicting emotional exhaustion, Adj. $R^2 = .584$. 58% of the total variance is explained by these three variables. This is statistically significant, $p < 0.05$. But only emotional support seeking is statistically significant at $p < 0.05$ level.

Results showed for strategic planning $\beta = - .255, \ t = -1.214, \ p > 0.05$ for a total variance 19.6% Preventing coping $\beta = -.253, t = -1.109, p > 0.05$, for a total variance of 17.9%, for emotional support seeking, $\beta = -.511, t = -2.801, p < 0.05$ for a total variance 45.2%. Higher levels of emotional exhaustion were linked to emotional support seeking. The best predictor for emotional exhaustion is emotional support seeking. This prediction is statistically significant at $p < 0.05$ level.

4. Discussion

Results of this pilot study reveals low levels of exhaustion, low levels of depersonalisation and high levels of personal accomplishments. This was the first aim of this pilot study, whether there are low, moderate or high levels of burnout despite of the small sample.

The second aim of the study was to investigate the correlations between the burnout subscales and proactive coping subscales. Emotional exhaustion had a significant negative correlation with strategic planning, preventing coping and emotional support. Professionals scoring high in strategic planning, that use preventing coping before stressful events occurs at their work and they are emotionally supported are less prone to experience emotional exhaustion. The same variables are meaningful for depersonalization. Receiving high scores in strategic planning, preventing coping and emotional support, makes them to not experience levels of depersonalization. Emotional support seeking and using preventing strategies to cope successfully in work settings correlated positively with high scores in personal accomplishments. Also there were found significant correlations between burnout categories and years of experience at work. It was found a strong positive correlation between years of experience and emotional exhaustion. Increasing years of experience at work subjects reported more emotional exhaustion. These correlations may be explained, by having more responsibility during years, accumulutating more stress, using less coping strategies during their work and experience feelings of tiredness facing every day for years almost the same problems and difficulties.

The third aim of this study was to investigate which variable best predict emotional exhaustion, as the main construct identifying burnout among correlated variables. The results showed that there were only three variables predicting emotional exhaustion, strategic planning, preventing coping and emotional support seeking. Regression analysis showed an adjusted $r^2 = .584$, that means 58.4% of the variance may be explained by the these three variables predicting emotional exhaustion. Emotional support seeking was the best predictor of emotional exhaustion because this prediction has a significance level, $p = .015, \ p < 0.05$, $\beta = -.511, t = -2.801$. Using less strategies for emotional support during their work predicts levels of emotional exhaustion for the subjects of the special education.

This study has various limitations. First, the small number of subjects included do not represent the all population of special education professionals. These results in this phase are not completely representative. This is one of the first efforts made in my country recently to investigate burnout in relation to coping strategies. This sample was chosen for the pilot phase of study and will be extended at the final phase. At that phase burnout will be investigated in correlation with other variables, considered important provided from the literature and previous studies. As is well explained in various studies burnout syndrome inventory is used only for research studies purposes, and it is not a clinical evaluation.

5. Conclusion

Results show low levels of emotional exhaustion and depersonalization and high levels of personal accomplishments for special education professionals included in this study.

There were important relationships between burnout subscales and proactive coping subscales. There were found significant negative correlations among emotional exhaustion and depersonalisation with strategic planning, preventing coping and emotional support seeking. There were also significant positive correlations between years of work experience and emotional exhaustion. Strategic planning, preventing coping, and emotional support seeking were good predictors for emotional exhaustion but results of the linear multiple regression analysis, show that only emotional support seeking was a significant factor for predicting emotional exhaustion.
References


Extent of a Social Base of a Political Regime as a Determinant of Its Authoritarian Nature

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Abstract

Extent of a social base of a political regime as a determinant of its authoritarian nature. Political science features one specific trend. The authoritarian nature of a political regime is measured as if the latter is independent – using Marx terms – from its social and economic base and – using a common sense language – from the recipient of its benefits which are generated by triggering of the political regime’s authoritarian component. This seems obvious in relation to political science, being the bad sheep in the family. In fact, borrowing from R. Heilbroner, political science was designed to disguise social order by the social system, to hide exploitation by exposing calculations and rational choices in the first place. For those who do not fall for the idea of political science aimed at analyzing the superstructure in isolation from the base, thereby failing to grasp the essence of the facts, it is obviously impossible to build a society serving workers’ interests without dictatorship as it supposedly requires overcoming resistance from exploiting classes. Or is it possible yet? Apparently, there is a robust theoretical basis for nonviolent methods of societal transformation. To put it into perspective, the main question is whether it is possible to forge an equal and fair society of common welfare without establishing an authoritarian political regime serving workers’ interests. Searching for the answer to this question, this research focuses on a more specific problem, namely the relation between the political regime’s degree of authoritarianism and the extent of its social base. Ancient Greek polises of 400-130 BC form the empirical foundation for this research.

Keywords: dictatorship, authoritarianism, totalitarianism, democracy, liberal ideology, political science, Marxism, social and economic basis, political superstructure, Ancient Greek polities, political regime, a political regime’s authoritativeness degree, width of a social base, political regime’s social base, correlation coefficient.

1. Theoretical Framework

In this research four ideas are developed.

1. Attributes of a political regime examined without defining whose interests it protects are void.

2. Political science disregards the above mentioned idea not owing to its ineptitude to understand it or assess its accuracy but due to the public order that requires a justification to the dominance of the exploiting class. We expand on this vision below.

A class willing to transform a society is also eager to have the true idea of the society. (Indeed, in order to change something it is desirable to know for sure how it works.) This class is unsatisfied with the existing reality, whereas the class satisfied with the existing reality is rather willing to maintain the status quo. It is easier to preserve the status quo than to change it. Therefore, it is not necessary to have the true idea of the society to maintain the status quo. The idea of a society that conceals the reality is associated with more benefits. It brings a moral justification to one’s dominance and prevents the opponent from acquiring the necessary accurate idea of the reality.

When completing the public order, scientific thought does not necessarily do it consciously, more often it occurs unconsciously.

3. A political regime with a strong repressive machinery can serve humane purposes better than a liberal political regime on condition that for the benefit of the exploited class, the first improves living conditions of the larger population.

4. The binding character of the link between the phenomenon of a political regime and the dominant position of the exploiting or exploited class is another relevant issue. In other words, a political regime with a strong repressive machinery can protect the interests of both exploiting and exploited classes, whereas a liberal political regime usually benefits the exploiting class. It can still be established to serve the needs of the
exploited class but only when the exploiting class is ousted from its dominant position.

The question this research seeks to answer is whether it is always necessary to establish a political regime with a strong repressive machinery to protect the interests of the exploited class.

There is a solid theoretical basis both to support and reject this hypothesis.

With the aim to put forward the right solution, we turn to empirical evidence using methods of the general statistical theory. The degree of authoritarianism for a given political regime is represented by the variable $y$, social base extent is the variable $x$. We calculate the correlation ratio between the two variables.

In support of Idea 1 we rely on the theoretical tradition of classical Marxism.

In support of Idea 2 we rely on the concept of Robert Heilbroner (Heilbroner 1993).

To show how scientific thought unconsciously completes the public order we use examples from O. Spengler “The Decline of the West” (Spengler 1991), M. Foucault “Words and Things” (Foucault 1966), K. Marx “Theory of surplus value” (Marx 1863) and other politological works by K. Marx (Marx 2007), F. Engels (Engels 1884) and G. Duby (Дюби 1990).

According to S. Freud's theory (Freud 1927), vital interests containing in the actor's subconscious predetermine his optimal behavior and its rationalization in the conscious.

To back Idea 3 we turn to classical Marxism and T. Mommsen's works (Mommsen 1854-1856) together with politological concepts of social democracy as opposed to legal democracy.

In the theoretical tradition of classical Marxism we find the affirmative answer to the question raised in Idea 4. Theories of nonviolent transformation methods found in social and democratic movements, gandhism and its modifications, in turn, grant the negative reply.

In this research we set aside theories and get to use empirical evidence as a tool to find the answer to the question from Idea 4 by applying the methods of the general statistical theory.

2. Objectives

The main objective is to understand whether there is a correlation between the degree of authoritarianism of a political regime and the extent of its social and economic base, to define its positive or negative sign and calculate its ratio.

Should a high positive correlation ratio be established, the research achieves the following subgoals:

1. Proof of failure of opportunistic social and democratic ideas, Gandhism and its modifications;
2. Empirical evidence supporting the ideas of classical Marxism that provide for a need to set a strong repressive machinery to protect the interests of the exploited class;
3. Empirical evidence supporting the idea that a political regime with a strong repressive machinery can serve humane purposes better than a liberal political regime on condition that for the benefit of the exploited class the first improves living conditions of the larger population;
4. Empirical evidence supporting the idea that attributes of a political regime examined without defining whose interests it protects are void;
5. Empirical evidence supporting the idea that political science disregards the above mentioned concept not owing to its ineptitude to understand it or assess its accuracy but due to the public order that requires a justification to the dominance of the exploiting class.

Should the correlation ratio not be established or should it be negative, a new objective must be set, which is to develop nonviolent societal transformation methods for the benefit of workers.

3. Discussion

The concept that stipulates that attributes of a political regime examined without defining whose interests it protects are void, apparently, has not been subjected to a thorough theoretical analysis for when classical Marxism was fledgling, the political science restricting itself by dealing with substructural issues did not exist yet. Thus, attributes of a political regime were not considered as a separate topic of its own right. They received this status later with the development of theories of totalitarianism, authoritarianism and democracy embedded in political science. These theories have equated the anti-human Hitler authoritarianism with the authoritarianism of Napoleon and Stalin which brought social freedom and equality and to which to a large extent today we owe the opportunity to hold this conference. The emerged political science preferred to ignore and turned a blind eye to the social base of a political regime. Presumably, it makes our today's discussion a path breaker.

The speculation around the dominant social and political paradigm fulfilling the public order can be bottled down to
the criticism by R. Heilbroner of the liberal social and economic ideas disguising social order by the social system. Here we are in agreement with R. Heilbroner as the dominant social thought tends to disregard these matters.

The hypothesis suggesting that the public order is fulfilled by social thought at the unconscious level has not been widely discussed either. It failed to come into focus of theorists though, as mentioned above, this idea could be easily found in works by K. Marx, F. Engels, O. Spengler, M. Foucault, G. Duby. In this research the theoretical basis for this hypothesis is built upon S. Freud's idea providing for the narcissism instinct to push a subject to reproduce his occasionally successful behavioral pattern. From the class protectionist perspective, a positive reaction to the challenge posed by the time pushes the creator (of an ideology, work of art or scientific theory) to reproduce the same reaction to the challenge in the future. The motivation for such reaction can still remain unknown to the creator.

The hypothesis stipulating that a political regime with a strong repressive machinery can serve humane purposes better than a liberal political regime on condition that for the benefit of the exploited class the first improves living conditions of the larger population, - was perfectly developed by a historian of Ancient Rome, defender of the poor and, thus, a firm monarchist Theodore Mommsen. Mommsen was the first to notice the hypocritical nature of the ancient liberal ideology which benefited exclusively oligarchs and accused all proxies of the democratic party – who with no exception sought an authoritarian political regime in Ancient Rome – of assaults on republican values. At the same time, the ancient liberal ideology withheld the fact that republican values did not apply for all. Nevertheless, the ancient liberal ideology has had its followers. They are incarnated in the entirety of modern liberal thought. The voice of Mommsen arguing with them remained practically the only one to be heard. We strengthen Mommsen's voice by conducting a social analysis of ancient political regimes from the Marxist position.

Finally, the last hypothesis stipulating that it is always necessary to set a political regime with a strong repressive machinery to serve the interests of the exploited class, is supported by advocates of proletariat dictatorship and argued by adepts of Gandhism and its modifications.

The findings of this research will determine which side we take.

4. Empirical Analysis

The random sampling under our scrutiny includes 41 Ancient Greek polises (or their groups). For the purpose of this research, we ignore Greek polises where there is no information available on their political regime or the rights of unprivileged free classes. We built up the following table where each polis is examined against two characteristics:

1. social and economic base defining the scope of unprivileged classes' rights. The existence or absence of these rights among the unprivileged will characterize the polises as “democratic” or “oligarchic” respectively. It is important to note that the term “democracy” is used in its social, not political sense.

2. political regime defined as “autocratic” or “republican”.

The empirical base is presented in Table 1.

Table 1. Polises described in terms of their social and economic base and political regime

<table>
<thead>
<tr>
<th>Polis</th>
<th>Social and economic base (Democracy or Oligarchy)</th>
<th>Political regime (Autocracy or Republic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Megalopolis (from its foundation to the rise of Antipater's oligarchy in 322 BC)</td>
<td>Democracy</td>
<td>Republic</td>
</tr>
<tr>
<td>Megalopolis 322-272 BC</td>
<td>Oligarchy</td>
<td>Republic</td>
</tr>
<tr>
<td>Megalopolis 272-235 BC (Aristodemus and Lydiadas's tyrannies)</td>
<td>Democracy</td>
<td>Autocracy</td>
</tr>
<tr>
<td>Lacedaemon before Cleomenes</td>
<td>Oligarchy</td>
<td>Republic</td>
</tr>
<tr>
<td>Lacedaemon under Cleomenes</td>
<td>Democracy</td>
<td>Autocracy</td>
</tr>
<tr>
<td>Lacedaemon under Nabis's tyranny</td>
<td>Democracy</td>
<td>Autocracy</td>
</tr>
<tr>
<td>Lacedaemon under Aratus and Antigonus's occupation</td>
<td>Oligarchy</td>
<td>Republic</td>
</tr>
<tr>
<td>Aetolian League</td>
<td>Democracy</td>
<td>Republic</td>
</tr>
<tr>
<td>Achaean League</td>
<td>Oligarchy</td>
<td>Republic</td>
</tr>
<tr>
<td>Ergon</td>
<td>Oligarchy</td>
<td>Republic</td>
</tr>
<tr>
<td>Acrocorinth</td>
<td>Oligarchy</td>
<td>Republic</td>
</tr>
<tr>
<td>Argos</td>
<td>Oligarchy</td>
<td>Republic</td>
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<td>Republic</td>
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<td>Oligarchy</td>
<td>Republic</td>
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<tr>
<td>Thermon</td>
<td>Democracy</td>
<td>Republic</td>
</tr>
<tr>
<td>Thebes before 382 BC (before Spartans' invasion)</td>
<td>Democracy</td>
<td>Republic</td>
</tr>
<tr>
<td>Thebes 382-379 BC (under the Spartans)</td>
<td>Oligarchy</td>
<td>Autocracy</td>
</tr>
</tbody>
</table>
We shall now study the strength of a relationship between the two properties using an association coefficient. Table 2 shows derived indexes to calculate an association coefficient.

**Table 2. Indexes to calculate an association coefficient**

<table>
<thead>
<tr>
<th>First property (extent of a social base)</th>
<th>Second property (means to ensure a sustainable social and economic structure within a given extent of a social base)</th>
<th>Index a 'Republic and Democracy' Index value $a = 15$</th>
<th>Index b 'Autocracy and Democracy' Index value $b = 8$</th>
<th>Index c 'Republic and Oligarchy' Index value $c = 17$</th>
<th>Index d 'Autocracy and Oligarchy' Index value $d = 1$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Democracy</td>
<td>Republic</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oligarchy</td>
<td>Republic</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Association coefficient</td>
<td>$K = \frac{ad - dc}{ad + bc} = \frac{15 \times 1 - 8 \times 17}{15 \times 1 + 8 \times 17} = -0.8$</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A negative value of the association coefficient indicates a sustainable inverse correlation between the properties. Thus, there is a strong opposite relationship between democracy/republic and oligarchy/autocracy.

## 5. Results

The empirical study has shown that mostly for the benefit of the exploited class, it is necessary to set a political regime with a strong repressive machinery. The empirical studies have proven the following hypotheses:

1. Opportunistic social and democratic ideas, Gandhism and its modifications turn out to find no support of its values at certain historic stages.
2. It is always necessary for the benefit of the exploited class to establish a political regime with a strong repressive machinery.

## References

Chicago: University of Chicago (LacusCurtius).
The Role of Antonyms in Theoretical Mechanics

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Abstract

Antonymy being an important feature of everyday life, is present everywhere and occupies a place in society. In terminologies of different fields of knowledge there is a presence of antonyms, depending on the terminology of the field being studied. Antonym words are used in a scientific-technical style. In each antonym pair antonym words usually either are or appear implicit, they also meet the requirement that technical-scientific terms need. By entering a systematic link with other words of the vocabulary, antonyms perform the role of expression or of naming a thing, of a phenomenon and process, and can often serve also as the terms of a specific field of scientific and technical terminology. Such are for example anode and cathode (in the terminology of physics), concave - convex (in optics, etc.). In the field of theoretical mechanics we also come across a number of antonym terms, which will be addressed in this paper.

Keywords: the role of antonyms in terminology, antonyms, theoretical mechanics.

1. Introduction

Antonyms are different words with an opposite meaning. Antonyms are the most appropriate linguistic tools, through which man expresses the character of the opposite of things, the processes of complex phenomena in nature and society. This is the reason that led us to look at the role of antonyms in theoretical mechanics. The study of antonyms also relates to a matter of methodological character1, defined in the differentiation of words in counterpoint, which serves to observe their semantic side. Antonymy has long been treated by philosophers, psychologists, anthropologists, linguists, terminologists and lexicographers. Beside the handling of antonymy as a general lexicological phenomenon, in todays linguistics there is an increasingly prevalent trend for its deeper and finer exploration, as it appears in particular national languages in the world. Specific studies for antonymy in Albanian language are written about 1960 of the last century, when the Albanian Lexicology was created as a new science, with its true features of science.

Lexico-semantic links have one thing in common: They all have a single quality, the semantic dimension found in all languages and taught more easily through examples, rather than through theoretical explanations, such as the old-young, good-bad, top-down (alb. i vjetër-i ri, i mirë-i keq, lartë-poshtë) etc.

In Albanian Linguistics antonyms are relatively well studied. Suffice it to mention here the researchers, as H. Pasho2 for the terminology of economics, M. Samara, J. Thomas, R. Memushaj, J.. Lloshi, I. Goçi for the Albanian language3. M. Samara4 explains, that the antonym is a lexico-semantic opposite, while the opposition is a broader concept and expresses relations between words or other linguistic entities that are not Antonyms. With this definition we understand that the antonym connection between words is conditioned by their lexical meaning. Thus, for example, in the pair fill-empty (oil of machine), we are dealing with counterpoint of meanings related to actions that are performed in

1 M. Samara, Çështje të antonimisë në gjuhën shqipe, ASHSH IGJL, Tiranë, 1985.
2 H. Pasho, Terminologjia e ekonomisë në gjuhën shqip nga Rilindja deri në vitet '80 të shek. XX, ASHSH IGJL, Tiranë, 2005
opposite directions.

2. Lexical Features of Antonyms

Antonym is a universal phenomenon, but with different features in different languages. Some researchers defend the thesis of the existence of the extremities or polarity between components of antonym pairs. *M. Samara5 in his monograph states that in addition to the above features, there is also the property or the ability to have members of an antonymic pair to connect semantically the grammar and lexicon and grammatical terms they should be homogeneous; eg. the words sell (alb. shitje) and buy (alb. blej) do not belong to the same grammatical category and therefore, are not Antonyms.

Antonyms in Albanian language can be words:
- phonetically different good-bad; left-right, (alb. i mirë - i keq; majtas-djathtas);
- totally opposite in their setting up / down (ab. lart/poštë)
- expressed with prefixes ( pure-unpure, possible-impossible, important-unimportant, possible-impossible)
- phraseological units with glove-without glove (alb. me doreza-padoreza) etc.

The distinctive feature of this antonymic group is, that the opposites label quality which compare ie. quality that can be conceived, therefore dimension or the level with which the pair associates has a medium and neutral measuring point, which Samara calls normë5.

3. Semantic Features of Antonyms

Lexical features of the term antonymy are not enough to classify it without mentioning semantic features which hold a specific place.

The semantic analysis6 of antonyms guarantees the opportunity to highlight the features of the antonymic pair, as well as the degree of opposition of its components. This can be achieved by performing a semantic analysis of antonymic words as well as their relation to other words. Antonyms associate with various forms with other elements of language. Precisely, these connections prompt the antonym to create meaning through context. For example, the word book (alb. libër) and table (alb. tavolinë) are not antonyms, as their meanings have no common seme; and the words cold / hot (alb. i ftohtë/i nxehtë) are antonyms, as they belong to the same semantic field, that of temperature, and enter antonymic rapport, according to the feature ± hot (alb. ± i nxehtë).

4. The Main Tasks of Scholars of the Antonymy

Antonyms create in the consciousness of the speaker associative concepts according to contrast. Thus the word straight (straight trajectory) (alb. e drejtë (trajektore e drejtë) ) enters an antonym relationship with the word curved (curved trajectory) (alb. e shtrimbër (trajektore e shtrimbër)). The study of antonymy is closely linked to the study of polysemy, the synonymy and homonymy7.

a. The first task which must be taken into account in determining the antonym in Albanian, is not the negative, but opposite character of the meanings of words and stable compound words, ie the ability of words to oppose each other in terms of their affirmative; This element of the affirmative is in antonym words with negative prefixes. (eg washed-unwashed; the washed wheel - the unwashed wheel) (alb. e larë-e palarë; te rrotë larë - rrotë e palarë).

b. The second task is the semantic link that connects or brings together words or two limbs unites of an antonym pair with each other. Eg. words white-black, thin-thick, long- short, left-right, black – white (alb. e bardhë-e zezë, i hollë-i trashë, i gjatë- i shkurtër, i majtët-i djathtë, i zi – i bardhë) Words negative-positive (alb. negativ-po zitiv) relate antonymically by context, since the two opposite poles mark electricity (physics).

c. The third task of determining the antonym is the possibility of comparison between them from understanding; the possibility puts antonyms in an counteracting relationship. In this case we have greater clarity for adjective

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5 Samara, M. Çështje të antonimisë në gjuhën shqipe [Antonymy issues in Albanian], Tiranë, 1985 p. 40.
6 Samara, M. Çështje të antonimisë në gjuhën shqipe [Antonymy issues in Albanian], Tiranë, 1985, p. 44.
and adverb antonyms which have greater use in the terminology of theoretical mechanics.

Example:

- **Adjective antonyms:**
  - close - distant, symmetry-asymmetry, rough - soft, white - black, equal - unequal, reconcilable - detachable, restricted - unrestricted, formless - regular, right - left, balanced - unbalanced, thin - thick strong - weak, open - closed, inactive - active, deep - shallow, definite - indefinite, demand - supply, despair - hope, dim - bright, disappear - appear, discouragement - encourage, capable - incapable, clear - cloudy, decrease - increase, shortened - lengthened, damaged - undamaged, rushed - slowed, buttoned - unbuttoned, dependent - independent, breakable - unbreakable, used - unused, unprotected - protected, defined - undefined, unscrewing - screwing (alb. i afërt – i largët, simetri - asimetri, i ashpër - i butë, i barabartë - i zë, i bashkueshëm - i ndashëm, i çrregullt - i rregullt, i pajтратë - i majtë, i ekuilibruar- i çekuilibruar, i fortë – i dobët, i hapur – i mbyllur, i hollë – i trash, joaktiv-aktiv,i thellë - i cekët, kërkesë – furnizim, zhqenjim – shpresa, i errët – i ndritur, zhdukem – shfaqem, dekurajoi – inkurajoi, i aftë – i paafët, i pastër – i lurjë, i pacaktuari – i caktuari, i padëmtuar – i dëmtuar, i pambrojtur – i mbrojtur, i papërdorur – i përdorur, i pathyeleshëm – i thyeshëm, i rregullt – i parregullt, i sht whitespace – i ngadalletë, i varur – i pavarur, i zgjatur – i shkurtur, i zhduhtuar – i dëmtuar, i zhidhosur – vidhosur) etc.

- **Adverb antonyms:**
  - never - always, empty - full, inside - outside, internal - external, right - left, directly - indirectly, long - short, open - closed, early - late, thin - thick, horizontally - vertically, wet - dry, high - low, loosely - tightly, left - right, inside - outside, quickly - slowly, often - rarely, crooked - straight, vertically - horizontally, empty - full, curved - straight (alb. asnjëher ë - kurdoherë, bosh – plot, brenda – jashtë, brendazi - jashtazi, dëmtuar - i dëmtuar, i pambrojtur - i caktuar, i padëmtuar – i dëmtuar, i zhduhtuar – i dëmtuar, i zhidhosur – vidhosur) etc.

Antonymy, different from multi meanings, and synonymy characterizes terminology for systemic connections of notions and for an advanced terminology in the system:

- **Antonymic pairs that name action:**
  - open - close (of the lid of the machine) (alb. hapje-mbyllje), reduction-proliferation (of oil) (alb. pakësim-shtim i vajit), concentration-distraction (of the gear wheel) (alb. përqëndrim-shpërqëndrim (e rrotës dhëmbëzore)), blocking-unblocking (of the mechanism) (alb. blokim-zhbllokim (i mekanizmit)).

- **Antonymic pairs that name quality:**
  - maximum-minimum (of the oil level) (alb. maksimum-minimum (i nivelit të vajit)), active-passive (wheel) (alb. aktive-pasive (rotë)), retail-wholesale (oil lubrication) (alb. pakicë-me shumicë (lubrifikim vaji)), good - bad (mechanism) (alb. i mirë - i keq (mekanizëm)), small - large (Axis) (alb. i madh - i vogël (aks)), hard- soft (metal) (alb. i fortë-i butë (metal)).

- **Antonymic pairs that name phenomenon:**
  - balance-disbalance (equipment), equality - inequality, ebb and flow (alb. ekuilibër-desekuilibër (pajisje), blocking-unblocking (of the mechanism) (alb. blokim-zhbllokim (i mekanizmit)).

- **Antonymic pairs that name phenomenon:**
  - balance-disbalance (equipment), equality - inequality, ebb and flow (alb. ekuilibër-desekuilibër (pajisje), barazi-pabarazi, baticë-zbatëcë).

- **Antonymic pairs that name conditions:**
  - stability-instability, under limit - over limit, cold-hot (alb. qëndrueshmëri-paqëndrueshmëri, mbikufi-nënkufi, i ftohtë-i nxehët).

- **Antonymic pairs that name different notions in theoretical mechanics:**
5. Antonyms with Prefixes in Theoretical Mechanics

During the study of antonymy with prefixes we come across a few problems: if the opposition of lexical meanings that express antonym words with prefixes are justified on a semantic and structural side, on what level does this confrontation appear, complete or incomplete. The prefix as a formative element attaches to the theme in question, by forming a new word that makes sense opposite to that of the word without the prefix.

Antonyms formed with the prefix of opposite meaning:

- **anti-** (eng. particle-antiparticle, adiabatic-adiabatic (alb. thërmë-mantithërmë, adiabatik-adiabatik)).
- **ç-** (eng. meaning ‘1’-): i rregullt - i çrregullt (eng. regular - irregular) akord i çakordoj (eng. tune - untune), ekullibroj - çekullibroj (eng. poise-un-poise), rregullim-çrregullim (eng. adjust - un-adjust).
- **mos-barazi-mosbarazi.** (eng. non-equity-disparity).
- **pa-** (meaning ‘without’, ‘-less’ and ‘un-‘): i besueshëm-i pabesueshëm (eng. reliable - unreliable), i caktuar – ipacaktuar (eng. set/defined-undefined), i dëmshëm – padëmshëm (eng. harmful-harmless), i dobishëm – ipadjobishëm (eng. useful - useless), fuq i pafuqi (eng. strength-without strength (impotent), i fuqishëm – ipafuqishëm (eng. powerfull-powerless), i harxhur – ipaharxhur (eng. consumed - unconsumed), i konsumuar – ipakonsumuar (eng. consumed - unconsumed), i qëndrueshëm – ipaqëndrueshëm (eng. stable-unstable);
- **s-saktësi-pasaktësi.** (eng. exactly-inaccuracies.)
- **sh-fujizzo-shfuqizoj.** (eng. empower-un-empower)
- **zh-** (meaning ‘to undo smth’ using ‘un-‘ or ‘de-‘): bllokim – zhbllokim (eng. block - unblock), dëmtim – zhdëmtim (eng. injury/damage-compensation), vlerësim – zhvlerësim (eng. evaluation/devaluation).

6. Conclusion

We note that antonyms are words from the general vocabulary, but which enter the composition of the mechanical theory vocabulary and create new terms, such as: regular-irregular (regular mechanism - irregular mechanism) (alb. i rregullt-i çrregullt (mekanizém i rregullt – mekanizém i çrregullt), straight - crooked(right prong - awry/curved prong) ), (alb. i drejti - i shtrimbër (dhëmbëzor i drejtë – dhëmbëzor i shtrembër), small-large (small shaft - large shaft) (alb. i vogël-i madh (bosht i vogël - bosht i madh) etc.

Reliable and commonly used antonyms are usually words with different roots, eg **thin - thick** (thin belt - thick belt) (alb. i hollë – i trashë (rip i hollë – rip i trashë), **small - large** (small wheel - big wheel) (alb. e vogël - e madhe (rotë e vogël – rotë e madhe)), open - closed (lid of the machine) (alb. hap – mbyll (kapakun e makinës) ) etc. The opposite meanings of some of these antonyms fully exclude each other, usually in between them it is not possible to add any other intermediate limb. Some of these antonym words stand opposite one another as two half spheres, which in their negative or positive rapport form a whole (sphere), and are therefore also called complementary antonyms, eg jashtëm – i brendshëm (Eng. external - internal) (ngërthim i jasthëm external gearing/meshing– ngërthim i brendshëm internal gearing/meshing), negativ – pozitiv (pol) etc.

In view of the alignment, the phenomenon of the antonymy occurs more in words that express notions of feature, notions of time, space and quantity Well, antonyms in theoretical mechanics are adjectives and adverbs mainly.

From the view of theoretical mechanics terminology in this regard, in the emergence of semantic phenomena, it results that these lexico-semantic processes, affect the terminological lexicon as well.

References


Memushaj, R. (2004). Hyje në gjuhësi [Introduction to Linguistics], Tirana: DITURIA.
The Environmentally Conscious Consumption in Morocco: Myth or Reality

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Abstract

Morocco has adopted significant measures to enhance the social equity and people's well-being. Large projects have been launched to reduce the issue of carbon emissions and preserve the environment from pollution and deterioration. Green consumption has also been considered as a major pillar of sustainable development, as it contributes to the safeguard of the environment through friendly behavior. This article examines the environmentally conscious consumption in Morocco through the Information Display Board (IDB) method. The research aims at finding whether green buying belongs to the Moroccan lifestyle given the appropriate conditions, or only a myth that has been brought up to complete the whole picture of Moroccan environmentalism. The IDB method allows the understanding of the way in which someone (the decision maker) gathers information and uses it in his/her decision process. Through the IDB method, a so-called realistic experimental situation has been created to track Moroccans' purchase decisions regarding an eco-product versus a non-eco product. The present article has uncovered the lack of concern Moroccans have towards the environment, the products' price is ultimately the deciding factor. The implications of the results of the environmentally conscious consumption in Morocco are discussed at the end of the paper.

Keywords: Environmentally conscious consumption, Information Display Board method, Moroccans green consumption.

1. Introduction

Waste generated by human consumerism is increasing drastically; the throw-away items have appeared with the industrial revolution (Muldoon, 2006) and have been easily integrated in many peoples' lifestyles. The time pressure and other factors made people purchase new products rather than re-use (Geyer & Jackson, 2004) or make their own. Some people become aware of the dire situation, got involved in some type of environmental activities and have adopted some sort of responsible behavior. Environmentally responsible behavior has always been considered as a cornerstone in assuring better environment preservation. Responsible behavior is described as activities that contribute to the conservation of the environment (Axelrod & Lehman, 1993), and it includes recycling, energy conservation, political activism, and so forth (Kaiser & Fuhrer, 2003). The present article sheds some light on environmentally conscious consumption within the Moroccan context. Moroccan government has adopted significant projects such as water security, pollution, and desertification (Tarfaoui & Zkim, 2015), but few have realized the importance of the role played by the behavioral patterns on environmental safeguarding. Many researchers have stated that technology isn't the only way to preserve the environment (Ajzen & Madden, 1986), and through adopting a responsible lifestyle and controlling the consumption choices, the individual can foster a less polluted environment (Kaiser & Fuhrer, 2003).

2. Theoretical Framework

Environmentally conscious consumerism is “the purchasing and non-purchasing decisions based at least partly on environment or social criteria” (Peattie & Ratnayaka, 1992). It has been found to be related to many predictors; environmental knowledge (Ajzen & Madden, 1986), that’s considered as an interesting factor to promote ecological behavior. Some studies have stated that environmental knowledge is an ingredient to explain, only partially, the responsible behavior as other behavior-proximal mediators are required to better outline the responsible environmental behavior (Oskamp et al., 1991).

Motivation is also considered as an internal factor around which behavior is shaped. The motive is divided into two
types: extrinsic motives and intrinsic motives (Kollmuss & Agyeman, 2002). Motivation is described as the drive that exists either within the individual him/herself, or from outside that makes a person behave accordingly. Social and cultural factors (Boehmer-Christiansen, Skea, & others, 1991) are not to be underestimated in explaining ecological behavior and green purchasing. It has been hypothesized that cultures in highly populated and small countries seem to be more resource conscientious than people in large countries (Kollmuss & Agyeman, 2002).

Perceived consumer effectiveness (PCE) which is similar to self-efficacy (Bandura, 1986), has also been proven to be linked to green purchasing (Kim & Choi, 2005). PCE is someone’s perception about his/her ability to bring change by his/her action (Berger & Corbin, 1992), as hypothesized (Kim & Choi, 2005), “ PCE directly and positively relates to green purchase behavior. People who have higher PCE are more likely to engage in environmental consumption than are those with lower PCE.

As to the environmental attitude, it is considered as a predictor by some studies (Fishbein & Ajzen, 1975), but in most cases, has been the subject of an interesting debate (Mainieri, Barnett, Valdero, Unipan, & Oskamp, 1997). Attitude has been defined as “an enduring set of beliefs, about an object, that predispose people to behave in particular ways toward the object” (Weigel, 1983). However, in environmental attitude-behavior relationship, the question highlighted is whether environmental attitude predicts effectively the ecological behavior (Mainieri et al., 1997). Environmental consumerism studies have revealed a lag between environmental attitude and ecological behavior. This attitude-behavior gap has been mainly explained by the effect of other external variables and the inconsistencies in the ecological attitude-behavior measurements (Mainieri et al., 1997).

In Chase’s study (1991), most of the participants have reported to be ecological and have undertaken some environmental activities. However, they seem skeptical regarding the environmental claims. They stated not to be confident about the advertisers’ information about the real impact of the products. The apprehension might be justified by the widespread deceptive spin which is known as “green washing”. Some of the companies that are conscious of the increasing concern that their customers have towards the environment have started to ‘green up’ their products. This ‘disguised attempts’ (Brenkert et al., 1998) aim more often, marketing ploys to convince consumers to purchase more. Nebulous descriptions are used like ‘low carbon’ or ‘natural’ are most of the case misleading as they are unsubstantiated. For this reason, people who have reported to be ecological and have rarely or haven’t at all engaged in green purchasing have stated to be lacking trust towards these “green labeled” products. The Consumers’ perception, that a company is socially and ecologically oriented, is associated with a higher level of trust in that company and its products (Misani & Pivato, n.d.). Therefore, trust is crucial for understanding business relationships when one who trusts is in a vulnerable (high risk) position (Vlachos, Tsamakos, Vrechopoulos, & Avramidis, 2008). If consumers think that the claim is not reliable, they are likely to disregard all environmental claims, thereby avoiding any product that may in fact be better for the environment (Mayer et al., 1995).

Responsible consumption, ecological behavior, and green purchasing are all controversial concepts to talk about in Morocco. According to Tarfaoui & Zkim (2015), Moroccans purchasing behaviors seem to be affected by economic factors. They have pointed out that eco-products are usually more expensive than similar non eco-products. They are more enticed by the financial factor when it comes to the act of purchase (Aomari, n.d.), rather than any ecological related characteristic. This behavior is common in developing countries, environment matters seem to be people’s last concern (Kollmuss & Agyeman, 2002) as there are other problems that distress their wellbeing in the short term (e.g. hunger, poverty and so forth). Moroccan society doesn’t praise a friendly behavior toward the environment (Tarfaoui and Zkim, 2015), so this makes a green purchasing unlikely to happen.

3. The Aim of the Study

Many studies have been conducted to research the predictors of ecological behavior and green purchasing (Gamba & Oskamp, 1994; Vining & Ebreo, 1990; Werner & Makela, 1998). The list of theses predictors, or antecedents as it is called by other researchers (Kim & Choi, 2005), are plentiful, ranging from internal variables (e.g. motivation, attitude and awareness) to external variables (e.g. economic, institutional and social) (Kollmuss & Agyeman, 2002).

The chief task in the present article is to understand whether the green purchasing belongs to Moroccan reality or it is still a theoretical concept that is far from proving its existence among the Moroccan mindset.

The increasing environmental speeches, studies and researches haven’t revealed any disclosure about Moroccan human ecological behavior, yet very rare and practically inexistent studies have investigated the Moroccan green purchasing. The following questions come to surface to modestly enlighten the extent to which Moroccans contribute to the wellbeing of the environment while purchasing.

Do Moroccans take into consideration the environment before purchasing their products?
What is the type of criteria in order of importance, that the Moroccan consumer evaluates in his/her decision making process?
Do ecological attributes belong to the selection list used by Moroccans while purchasing?

4. Method

Ecological researchers have stated that measuring ecological behavior across various fields has been troublesome. A tracking method called, Information Display Board (IDB) (Jacoby, Chestnut, & Fisher, 1978), has been used in this study to track Moroccans' selection process to make a final purchasing decision. The objective of this method is to come near to a real life condition when making a decision. First of all, it's the only method that allows a tracking selection process and examines how consumers use the available information to make a purchasing decision. The second advantage of this method is that, it's not affected by social desirability, that in most ecological behavior measurements induce an unintentional bias and less reliable data.

An introduction of the study is provided to thirty nine participants. A scenario is presented to the participants where they are asked to choose a product/alternative from the matrix presented. At each intersection between column and row, there's information that can be checked. The matrix is presented using an array of face down paper cards. The participants are asked to consult the information that seems to be important. Each of the participants flipped the card to consult the information then puts it back face down. The participants viewed as many cards as they wanted until they made a final decision. The Matrix was completed by an open question about the green purchasing and the core factors that can lead to adopt such purchasing. Secondary sources information have been used to choose the product category and the attributes. The choice of attributes (eco-product/non eco-product) was refined based on consumer magazines, websites and forums. A double entry table (matrix) was presented to the subjects of the experiment. In rows; there are different products, and in the columns, attributes of those products. The product category is “detergent”, and in the columns; product ingredients (contains synthetic dyes or not), price, package (recyclable or reusable), cleaning power, company names, country of origin, and the ecological safety. The presentation of the matrix is most often in symmetrical form. Thus we have presented as many products' alternatives as attributes, seven in total.

A pre-test is performed to acquaint the participants to the method before the final implementation.

The results of the experiment are measured by:
- The amount of information used (the number of turned cards), expressed as a percentage of the total number of cards.
- The identity of information (the nature of information), by calculating the average on each attribute.
- The acquisition method: alternatives strategy; going along the lines (columns) when consulting the card or attribute strategy; going along the attributes (rows) when turning the cards.
- The processing sequence (the order of cards used/turned).

The table is presented as shown below:

<table>
<thead>
<tr>
<th>Product 1 (contains synthetic dyes or not)</th>
<th>Package (recyclable or reusable)</th>
<th>Cleaning power</th>
<th>Company names</th>
<th>Country of origin</th>
<th>Ecological safety</th>
<th>Price</th>
</tr>
</thead>
</table>

Figure 1: Information Display Board as presented to the participant

5. Results & Discussion

In this realistic experimental situation, Moroccans have assessed, in this order of importance, the following criteria: price, cleaning power, and companies name to reach their final purchase decision. The attributes that constitute the ecological features of a product (an eco-product): packaging, ingredients, and the ecological safety have been the least and the last important factors listed in the Moroccans' decision making process. Even if the concept of responsible buying is gradually taking hold in Morocco, the results seem debatable. Despite the great number of consumers reporting their ecological
behavior in the open question asked, only a few people have chosen “ecological” products or have engaged in “green purchasing”. The lack of trust toward green companies and products has been observed in most of the participants. Moroccans have shown their lack of enthusiasm towards green labels (ecological features) and stated that those features are only used as marketing technics in most cases. As expounded earlier, there are companies that ‘green up’ their products to fool the consumer. The price seems the ultimate motivator for Moroccans, as per Mandese (1991), even with green consumers; financial barriers are still an issue as they are extremely price-sensitive while buying ecological products.

A study of Arnot, Boxal, & Cash (2006), has examined the price sensitivity comparing the response of fair trade coffee consumers and non-fair trade brewed coffee consumers to price variation. The study is undertaken in a real context market. The results showed that fair trade coffee consumers are much less price sensitive than those of other coffee product. The study disclosed that true ethical consumer don’t care about the price as long as the product features carries the planet welfare in mind. However, the study was held in a first world country, where people’s wellbeing is assured at high standards of living which affords those people the luxury to care about the safety of the environment as well.

The present article has uncovered the lack of concern Moroccans have towards the environment. The reality of environmental consumerism in Morocco is overshadowed by the high importance of the pricing factor. Consumerism reality in developing country can only reveal pseudo-ethical consumers, who care about the environment, would like to act to preserve the nature, but get limited by some variables (financial barriers mostly) that prevent the good intention from translating into action.

6. Research Limitations

As per any research, this study has its limitations. The limitation is particularly regarding the implementation of the IDB method. The automation of procedures is considered better than the original IDB method, because the experiment is identical for all the participations, and the experiment can be conducted by several people at the same time, and getting instant results. The automation of the method is a time and energy saver, it’s more reliable than a manual data entry and the tedious observation of each subject (Lallement, 2008). However, a search for a ready-to-use software to implement the IDB method has been unsuccessful (Lallement, 2008). In the USA, there are some programs that can perform the information processing, called ‘Deal Search’ (Schurr & Brucks, 1991), and can certainly be used for IDB method but the cost is very expensive and advanced knowledge in computing programming is required to use it. Thus, we used the original method, employing paper cards and two observers to observe and take note in the experiment process.

There is another limit to this article; a preliminary study has not been conducted in choosing the attributes of the product or the product category. Using only secondary sources information to refine the list of attributes used in the research hasn’t been as interesting as would have been the usage of primary data.

7. Future Research and Conclusion

Trust helps people make the ‘leap of faith’ into action because it embodies feelings of security about the object of trust (Harrison McKnight, Choudhury, & Kacmar, 2002), such that one can move forward without fear in spite of the risks or uncertainties in a situation (Holmes, 1991). Moreover, it allows consumers to overcome perceptions of risk and uncertainty and to engage in specific behaviors (Mayer, Davis, & Schoorman, 1995). Besides all that, the literature assumes that trust when present, is translated into a consumer’s intention to act. For that reason, we believe that trust is a relevant variable to investigate and measure its effect on explaining the Moroccan green purchasing and ecological attitude behavior Gap. Adam Smith (1997) observed notable differences across nations in the ‘probity’ and ‘punctuality’ of their populations (Zak & Knack, 2001). We take it as granted that populations of some countries are more trusting than others. According to Bjørnskov (2006), social polarization in the form of income inequality and ethnic diversity reduces trust, also protestantism and being ruled by a monarchy increases trust, while post-communist societies are less trusting than others. Therefore, we can hypothesize that more trusting Moroccan consumers are more willing to engage in green purchasing that less trusting ones.

References

Micro Enterprises and New Trends Towards their Development

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Abstract

SME treatment is a topic not widely applied in new Albanian economy. It is a new sector and consequently the basis on which rises are still fragile. In this treatment, what I want to tell and study has to do exactly with the importance of SME, their role in our economy and the importance of the future of SME. This sector is one of the sector of the economy which creates job vacancies, especially new jobs. Liquidity in these companies is too low, one of the characteristics of SME. The presence of SMEs in the market increases flexibility and promotes a specific information for small business needs. Thanks facilitating registration procedures and other factors that would refer to the following, there has been a marked increase in this sector in recent years. Strengthening the financial sector is the most important issue for the successful operation of small and medium enterprises (SME).

Keywords: Analyze of SME, Wald Statistic, Operations, Ratio Tests, SME investments, business plan.

1. Introduction

One of the issues currently plaguing the "world" of SME is their low financing depending on factors such as: the high level of interest, high collateral requirements and the lack of credibility on business plans. Finally, the pleasure it gave to me this topic to everyone who would like to transmit to everyone conveyed to pick up this topic.

Hypothesis: Economic development of a country like Albania depending on SME. Research question: Are SMEs one of the factors that directly affect the economic growth of a country? Does the development of the economy depend on a country’s level of development, distribution, financing and encouraging SMEs?

2. The Role of SME in Economy

SME constitute the backbone of the economy. The SME sector has an important contribution to the process of economic development of a country. They are the engine of the economy, important source of employment and an important factor for industrial growth. They are a key factor in creating entrepreneurial spirit and innovation, thus making an important element of competitiveness and local economic development. For more SME sector in Albania accounts for about 80% of GDP, which is an important part of its total.

- Generating new jobs: SME contribute to the growth of employment in a larger scale than big business. Also in transition country, as well as Albania, SME in the long term could provide the bulk of employment. SME in Albania currently cover about 71% of the employees. (Albanian Progress report 2011)
- Flexibility: Flexibility has to do with changing activity of companies depending upon market conditions change and the quick adaptation to these changes. Small businesses are more inclined to be more flexible organizational forms. They can take on new workers when the demand for their products increases and to remove when demand falls down. This would be difficult for large businesses because of pressure from workers’ organizations. (Albanian Progress report 2011)
- Presentation of various innovations: Small businesses are often very innovative company. They can submit
new products, new management styles and new promotional strategies. A large part of the new products are created precisely by small businesses. On the other hand, a growing number of small businesses make economy and society more flexible. This can facilitate technological innovation, provide opportunities and new ideas, as well as enable the development of skills to implement these ideas.

- Stimulation of competition: Given that entry into the market for SME is relatively simple, due to the fact that the legal and administrative obstacles to the creation of a small business are very small, the number of enterprises operating in this sector recently has been increasingly growing. For this reason SME managers need to increase their skills and performance to meet the demands of customers better than competitors, in order to succeed in the market.

- Production of goods and efficient services: The transition from a centralized economy to a market economy was accompanied by large enterprises replacing former state-smaller enterprises and private firms. In this way significantly increases the number of owners, who represents a group of people with a commitment and greater accountability in the former centrally planned economies.

Considering that this group of persons are themselves the owners of the business units, this caused them to be more responsible and strive with all the means that you use the most efficient way possible own resources. This is because what do they benefit or fail of their business entity falls directly on them. Produces domestically (inner market), using mainly national sources. In this way it helps to technological developments and the development of professional skills within the country and in its regional development.

Graph 1: Flexibility to changes in demand and supply

- Self-employment can play a major role in the campaign to fight poverty, social exclusion and legitimizing informal sector activity.
- A dynamic economy sector needs a strong and independent medium business that offers stability, variety and performing sharing economic power, social and political one. So the absence of the element "medium" is a key issue for economic development.

3. Literature Review and Hypotheses

The approach via logistic regression is done to study the results of the students after the first semester according to the variables mentioned above. Results of the students are divided into two groups: less than 30 credits, which mean that they have not taken all the provided courses, and more than 30 credits, for those who have.

Studies on SMEs and economic growth, Raport of SME on economic growth

A number of studies have tried to explain SME and how they affect the economic growth. These studies mainly derived role of SME as an engine of economic growth but connected with perfection of the market and institutional role. While various skeptics question the efficiency of SMEs and their role speaking in favor of large firms (Biggs, 2002).

According to them, the growth of GDP per capita and the ratio of employment in manufacturing SME, show a strong positive correlation during the 1990’s regressions applied clearly and detailed control to the opposite causal relationship and simultaneous bias or prejudice in the relationship between SME and growth. So the results do not necessarily lead to the conclusion that SME do not bring economic growth. In addition, they fail to reject the hypothesis certainly SME do not show a causal effect on the growth of GDP per capita.
3.1 Research Goal

Until now the business environment in Albania did not allow the private sector to lead the economic growth in the country. This is largely because law enforcement is not in act and weak economic infrastructure and social services and administrative inefficient bureaucratic barriers that do not allow to use competitive advantages and benefit from the free trade regime.

On the other hand, the lack of competitive advantage is the result of deficiencies in the process of learning the owner / manager. These deficiencies or gaps in knowledge, expertise and technical skills needed, generate a mismatch between current performance and desired performance or necessary for the firm in a competitive environment.

Graph 2: SME development and management capacity of economy growth.

Too often, education and professional training of entrepreneurs in the past was not related to the business they started. The practice has been the best teacher for them. But today, when competition is strong and growing market opportunities are dwindling, often the experience of managers / owners of SME it is not sufficient to continue business growth.

This affects not only the growth opportunities in international markets but must take into consideration the fact that globalization brings international competition at the Albanian enterprises in their domestic markets. Various international reports, including the Progress Report by the European Commission note that the business environment for SME in Albania got good improvements, particularly with regard to the registration of companies and access to finance.

However, significant gaps remain in terms of human capital development and technological capacity, preventing Albanian companies' ability to compete properly with EU SMEs and thus survive the competition of the EU market.

It is known that technological developments in recent years have progressed by leaps galloping and small and medium enterprises in Albania are not of itself sufficient to qualify resources for adapting to these changes. This is reflected in the productivity and quality of products Albanian SMEs, compared with those of the EU leaves much to be desired.

Another factor worthy of mention is e-commerce. During recent years we have added internet users in Albania, especially the younger generation, but still can not speak of a massive use of internet among small and medium. Infrastructure generally is being considered very poor, limited use mainly in Tirana and much less in some of the major districts, while it is almost non-existent in other districts of the country.

3.1.1 Financial barriers, legal and institutional

Becket al. They have shown that higher barriers actually translated into slower growth. Financial barriers to small firms have almost twice the impact on annual growth have is these financial barriers to large businesses. This difference is even more powerful in the case of barriers related to corruption and the legal system, where small firms are "suffering" the consequences about three times more in terms of growth, than large businesses. So small businesses not only report higher barriers, but also these barriers affect more in the case of these businesses.

Source: EBRD (2012)
In general, institutional development is the most important characteristic in various countries that explains the differences between countries in terms of financial barriers. Firms in countries where higher institutional development report for lower financial barriers than firms in countries with lower institutional development. The positive effect of the financial and institutional development can be observed and in the use of external sources of funding.

4. Sample and Data Collections

The purpose of logistic regression is to correctly predict the outcome category for special occasions using logistic regression model. To achieve this goal, it has been created a model that includes all predictor variables that are useful to predict the outcome. (Ramosacaj, M, Hasani V, Dumi A "Application of Logistic Regression in the Study of Students' Performance Level (Case Study of Vlora University)" Journal of Educational and Social Research, 2015

2. Test: The hypothesis arises if there are sufficient evidence in the sample to refuse the null hypothesis and therefore to accept the alternative one, that the coefficients are different from zero. Confidence intervals can be used for hypothesis testing and for regression coefficients as well.

There are a variety of reasons that explain the low level of lending to the private sector in Albania and in certain periods of time have operated with different intensity.

Macroeconomic instability. Despite the results achieved in this regard, we still have to do with unconsolidated structure;

Monetary policy and banking regulation. For years, it is implementing a tight monetary policy trying to reduce inflation. It certainly has its negative side as far as restrict lending to the economy. While due to the high risk of surveillance rules are such that affected the credit (lending/loans) limit, eg demand for regulatory capital; limiting commercial banks that hold more than 20% of outstanding loans in time to make loans;

Regression equation form would be:

$$\theta = \frac{e^{(0.34 - 0.01 \text{P1} + 0.47 \text{P2} + 0.62 \text{P3} - 0.43 \text{P6})}}{1 + e^{(0.34 - 0.01 \text{P1} + 0.47 \text{P2} + 0.62 \text{P3} - 0.43 \text{P6})}}$$

By applying the method of correlation analysis, we noted that there is not a significant correlation between the type of school and results of exams (around 0.02), as well as between other variables, which shows that it is less likely to have(collations) between independent variables.

<table>
<thead>
<tr>
<th>DATA TYPE</th>
<th>DATA TYPE</th>
<th>VALUES</th>
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<tbody>
<tr>
<td>Dependent Variable</td>
<td>Taken credits</td>
<td>Passing</td>
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<tr>
<td></td>
<td></td>
<td>Failing</td>
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<tr>
<td>Independent Variable</td>
<td>P1 Gender</td>
<td>F</td>
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<td>M</td>
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<tr>
<td>Independent Variable</td>
<td>P2 Type of school</td>
<td>Public</td>
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<td></td>
<td>Private</td>
</tr>
<tr>
<td>Non-binary</td>
<td>P5 High school points</td>
<td>1- 5000-4000</td>
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<tr>
<td></td>
<td></td>
<td>2- 4000-3000</td>
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<tr>
<td></td>
<td></td>
<td>3- 3000-2000</td>
</tr>
<tr>
<td>Binary</td>
<td>P4 Taken credits</td>
<td>0- Less than 30 credits</td>
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<tr>
<td></td>
<td></td>
<td>1- More than 30 credits</td>
</tr>
<tr>
<td>Independent Variable</td>
<td>P3 School location</td>
<td>Village</td>
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<td></td>
<td></td>
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<tr>
<td>Non-binary</td>
<td>P6 Social environment</td>
<td>1- stressful</td>
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<td></td>
<td></td>
<td>2- not stressful</td>
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<td>3- very stressful</td>
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Source: (Ramosacaj, M, Hasani V, Dumi A "Application of Logistic Regression in the Study of Students' Performance Level (Case Study of Vlora University)" Journal of Educational and Social Research, 2015

Problems with property titles and registration. This has limited the opportunities for businesses to borrow because they could not offer sufficient guarantees to obtain a loan;

Informal economy, corruption, tax evasion, factors that reduce the reliability of businesses to obtain loans from...
banks, as reduce transparency; The lack of tradition in bank-client relations. Albanian businesses, are generally young and as such does not create confidence for taking loans from banks;

5. Conclusions

On the basis of the theory of duality small businesses realize different activity than large businesses, small businesses avoid dealing directly with large businesses which means that there are great business competitors. BM are better at producing new technologies, basic ones while BV are best to transform them into new products to market.

Large businesses are more successful in large-scale activities, more efficient production and marketing of products, while on the other hand BV are specialized in (Nietzsche study) markets and in creating additional markets for the products at the end of their life cycle.

So, these theories are based on the fact that these two categories of businesses have different approaches in some limited production factor, this factor may be associated with entrepreneurial skills or (the theory know-how) in any natural resource SB and SME are not always competitive, but these two businesses often operate and depend on each other.

SME in many cases sub-contract activities and supply intermediate goods to small businesses, so these can operate in many areas such as. SME can supply raw materials BM and intermediate products, also BM are the one that establishes conditions for the growth of industries in which SME are in greater numbers.

References

Alemn & Ruth Taplin, Risk Management and Innovation in Japan, Britain and the USA , Routledge, Milton Park, Abingdon, Oxon 2005, faqe 155;
Bobek Shuklev dhe Veland Ramadani, Biznesi i vogel dhe ndermarresia, UEJL, Tetove, 2013
Carl L. Pritchard, Risk Management- Concepts and Guidance, 2001;
Christopher L. Culp, The ART of Risk Management, 2002;
Dumi A The SME Advanced analyze, ISBN: 978/928/196231 pp 335,399,3405
Matthew Leitch, Intelligent internal control and risk management, Published by Gower Publishing Limited, Hampshire, 2008
Michel Crouhy, Robert Mark, Dan Galai, Risk Management, McCraw-Hill, New York, 2000, faqe 622;
Moto Widow, S. J., "Orientation toward the job and organization", Effects of human resource systems on manufacturing performance and turnover, Academy of Management Journal, VOL. 37, Nr. 3.
Ramosacaj, M, Hasani V, Dumi A "Application of Logistic Regression in the Study of Students' Performance Level (Case Study of Vlora University)"), Journal of Educational and Social Research, 2015
The “Symbolic-identitarian” Policies: The Case of Naples, Italy

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Abstract

Italian political scene and policy-making process, at local government level, have profoundly changed over the past 20 years. In the context of the Italian reforms of the 1990s, the most glaring manifestations of the so-called “direttismo” were: the crisis of political parties; the personalization of politics; the fiscal crisis of the state; the need for activation of the processes of accountability. All these factors have been reflected in the role of the mayor, who because of regulatory constraints and policy needs, indulges in the use of symbolic policies. This paper attempts a more systematic definition of symbolic policies. In particular, the hypothesis which has to be developed puts emphasis on the socio-political-professional background of the mayor as a variable that can explain the level of success of symbolic policies. A first test is attempted in relation to the case study of Naples.

Keywords: local policies, mayor, personalization, symbolic policies, leadership, Naples.

For several decades, Italian politics has already been affected by the wind of change, since the second half of the 70s of the last century (Donolo 1977). It has been insistently discussed about "Italian transition", almost such as a permanent condition (Pasquino 2000; Tranfaglia 2003; Ceccanti, Vassallo 2004). The only political-administrative level where the transition has effectively accomplished is the local one: especially in the communal context, even from a regulatory point of view, some changes occur in roles, functions, and relations between the political and institutional actors and, consequently, the degree of accountability. To the demo-elected mayor there were attributed all levels of responsibility in local politics, in a dynamic of enhanced "direttismo" that hardly manages to be balanced with the needs and administrative constraints (Vandelli 1997; Vandelli 2014; Caciagli, Di Virgilio 2005). The issue is part of the most comprehensive debate on urban reform and local government, which has always been particularly fervent in the United States of America (Lowi 1964; Dahl 1961; Hunter 1953; Welch, Bledsoe 1988; Svara & Associates 1994).

The recent experience of local government in Italy has undoubtedly highlighted the new dynamics of policy making which should be viewed in the imbalance between research and consolidation of consent on one hand, and the ordinary administrative management on the other hand (Baccetti 1999; Cilento 2000; Catanzaro et al. 2002; Morello 2007; Canzano 2012). Agenda-setting; composition of policy-making typologies; articulation of the policy cycle: these are the slopes of policies that have seen the most significant changes at the local level in recent decades. Equally significant were the innovations of politics introduced in the local government in Italy since the 90s of the last century, or that arose spontaneously in the local socio-political context: party deconstruction; new role of political and institutional actors; new rules and standards; innovative models of decision-making. In the analysis of the abovementioned processes, the two levels (politics and policy) intersect and overlap in an increasingly controversial causative dynamic (Easton 1953; Lowi 1972; Cotta 1989). It has been developed a little the role of leadership as a variable of agency in the change of local policies (Capano 2009). Local policies are increasingly characterized by the prevalence of symbolic elements, with different levels of effectiveness. Can the effectiveness of so-called "symbolic policies" (Edelman 1976; Cilento 2000) be traced back to the different profile of elites who are ranked at the top of the municipalities?

The paper aims to articulate, although partially, the abovementioned hypothesis. The first part analyzes the local policy change, in particular the type of symbolic policies increasingly common - and used - by the demo-elected mayors as a means of consolidation of consent. The hypothesis that, parameterized all variables of politics, the effectiveness and success of the symbolic and identity policy of the new mayors may be related to the leadership profile of the latter, and the different potential of their being political and / or policy entrepreneurs, is just outlined in reference to the case study of the charge of the Neapolitan Mayors Bassolino (1993-1997) and De Magistris (2011-): in the same socio-political context, at a distance of about twenty years, the major / minor success policy initiatives of two mayors in comparison can be traced back to the profile of the elite that they embody. This is just a mentioned hypothesis that requires other analyses and verifications to find any possible validation.
The Policy Making of “New” Mayors: The Symbolic Policies

With the reforms introduced since the 90s, the local policy making has seen many changes to develop and take shape on various levels: the agenda-setting; the composition for functional areas of policy; the articulation of the policy cycle; the impact and feedback. Concerning the agenda-setting phase, compared to the past it has clearly failed the function of aggregation and structuring of political demand, once exerted by the parties (Calise 1992; Cotta, Isemina 1996; Ignazi 2002). The increasing volatility and deconstruction of the parties has determined their inability - or surrender - to perform the role of "flywheel" and the transmission belt between the institutions and the society (Mény, Surel 2001; Mair 1992). Locally, the pressing process of personalization and unrestrained "direttismo" (Venturino 1995; Melchionda 2005) has exasperated, both in political and normative terms, the exposure of the mayor in terms of responsiveness and accountability. The absolute priority of strengthening the consensus induces the mayor to bypass all levels of mediation and to act as sole interpreter of the changing trend of the public opinion, through the massive use of new media, in the first place of the survey as well as of social media (Marletti 2010; De Rosa 2013; Bentivegna 2014). The polls replace in all respects the "intelligent terminals" represented by the political parties "the media replace the parties both as mechanisms for the selection of the political class and as tools to mobilize the public opinion or the definition of the political program" (Mény, Surel 2001, 111). The phenomenon of "mediatization" of politics in contemporary era should be identified on the basis of two different perspectives: the impact on electoral competitions, certainly the most studied side in the political science literature and sociology; the conditioning of government processes at all levels. The boundaries between campaigning and moments in which it governs, however, have gradually dissolved: "the problem of maintaining or buying popularity through strategies of image is already present also in non-electoral periods, in the constant effort that politicians and consultants who assist them make to try to obtain the approval, the popularity among the citizens and the consent around their policies "(Grieco 1997).

For what concerns the types of policies increasingly recurring locally after the reform, it should be provided that the decline of the politics in collective terms has ousted completely even the persuasive-pedagogical function of parties and groups. If in the past, on the particularly negative and punitive effects of some public policies, were established the guarantees of parties and groups, which enjoyed a high reputation among the public, in the post-reform era, the "material" policies (redistributive and distributive) and "at no cost" (redistributive) (Lowi 1972; Calise 1988) are superseded - in number and effectiveness – from the "public opinion" policies (Castells 2009; Pasotti 2010). The "mother" of all the reforms at the local level should have been the reorganization of the Municipal administrative machinery, to adapt to the new governance mechanisms introduced by Law 81/93. Such a reform, to use the classification scheme of Lowi, cuts across most areas, being able to be identified as a redistributive, regulatory and constituent policy. The categorical imperative of popular consensus to be achieved on the basis of the beneficial effects for the community of municipal politics, led the "new" mayors to give up the intentions of reform and rationalization of the administrative municipal, and to avoid, insofar as possible, those policies to higher incidence and administrative characterization. This belief is not determined immediately in the minds of mayors but matured at different stages depending on the different experiences of government to which the new leadership of local governments had to cope, especially in major Italian cities. Nevertheless, there were initial attempts in the sign of the reorganization of the bureaucratic machine. For example, it is the singular emphasis with which Antonio Bassolino, Mayor of Naples from 1993 to 2000, in February 1994 told the first results achieved by the disciplinary committee, established after four years of empty, examining more than a thousand cases of absenteeism to the City of Naples: they were 42 dismissed, 150 suspended and 700 employees to which was applied the reduction in salary; furthermore it was decided to mobility for 1729 employees redundant (Brown 1996). Valentino Castellani in Turin, mayor from 1993 to 2001, initially pointed to a reordering of the vertices of the municipal bureaucracy, reducing its seats from 87 to 22, but then realized that more profound impact in that area would be extremely long and expensive (Vandelli 1997).

More generally, it must be said that the dynamics of consensus politics have changed radically: they do not refer anymore to ideological factors neither to constraints of party affiliation or class, having lost at the same time its traditional character of stability (Lakoff 2008). The joint effect of the personalization of the political leadership and the introduction of new electronic media has determined a strong link between the level of popularity and consent (Calise 2010). The extreme volatility and immediacy of new mechanisms of consent led to give importance primarily to emotional and symbolic factors in the mode of entry into a political leader or in a issue with this proposal: more often, the manifest intention of solving a particular issue can get feedback in terms of popularity and consensus, that is greater than the direct effect of the policy itself. The decision process is charged, therefore, with symbolic characterization. It has established, gradually, a communication strategy consisting in the attempt from the political leader to impose his/her own image, security and optimism, as well as his/her point of view before the citizens, through a scientific use of media and
techniques of political marketing. It is, however, a complete emptying of the contents of politics, its progressive spectacle, where an emotional attitude - sympathy, for example - the symbols and the images are much more than the actual results that a political leader obtains. It has emerged, increasingly, a policy of appearances and inauthenticity (Fabbrini 1990). The situation developing in the local arena, after the reforms of the 90s, in greater measure highlights the preconditions - and effects - of personalized policy: direct election of the mayor, a tyrannical concentration in the sense of power and its authority. It has established a direct relationship between the mayor and all the citizens, no longer mediated by the parties. In addition, the close proximity between the mayor and his community of reference has helped to characterize in terms of confidence-responsiveness-control, the above mentioned relationship, giving particular importance to the symbolic aspects and charismatic leadership of the mayor.

In the new political conditions locally determined, the mayor is increasingly aimed at the consolidation of his/her arena of political-electoral consent than attentive to the constraints constituted by the organization of which he/she is the head; accordingly, especially at the beginning of its mandate, the mayor tends to enter the agenda potentially universalistic institutional issues, above the lines of partisanship and traditional cleavages (Pasotti 2010), accepted as such by the media and recognized as a priority by the public. It is decisive, in this context, also the time variable, which will deepen later: the mayor should primarily look after consolidating their consent in view of confirmation to the guide of the town, within the span of the five-year term provided. Therefore there will be preferably activated policy interventions with immediate political impact and rapid and effective implementation. The immediate politically unprofitable policies - with high costs and long-term results - are postponed compared to interventions at immediate effect and politically profitable for the administration in charge. The policy making which have been promoting by the "new" mayors prefigures a new category of public policies, which can be defined as symbolic (Cilento 2000). In the case of local governments at direct populist investiture, the symbolic policies do not seem to designate a class of its own policy, but are symptomatic of a new mode of politics: they are transversal, going to connotate regulatory areas traditionally belonging to other categories of policy. The first who introduced the concept of symbolic policy was Edelman (1976): he referred to public activities whose essence lies not in acting, but in saying, in knowing and believing who acts or who is concerned to intervene. The symbolic policy "indicates a positive fact, an intention or a prescription of a particular type. The important thing is that the decision has been taken. If any application does not intervene, if there is no implementation, this is due to the fact that the stake is - for the public authority concerned – in obtaining a declaratory effect towards the community or to specific recipients "(Mény, Thoenig 1991, 209). Initially the Edelman's thesis was assimilated to the classic strand of the political deception and of the exploitation of the emotions of the masses and their suggestibility in front of myths, for instrumental purposes and interest. Conversely, Edelman has often pointed out that "although the symbolic policies are misleading, however they are not a deliberate deception. In fact, the most effective political symbolisms are propagated by people who believe in themselves. The point is that the effective governments' acts and statements are rarely simple in their consequences and in their meaning "(Edelman 1976, 479). The actuality of Edelman comes from the fact that the aggregation of interests and policy-making related to the formation of public policies follow pattern of development rarefied and sophisticated; and they are averaged and concerted following logical mostly incomprehensible outside the narrow circle of insiders. The emergence of this logic of symbolic mediation, as emphasized Marletti (1986), can be explained only in part with the classical hypothesis of political deception, i.e. the intention on the part of governments to manipulate the governed. The symbolic policies have a dual function: to the broad public they are presented as hortatory speech, that dramatizes some issue bringing public attention on possible alternative solution, allowing the political process of role taking, recruitment of public responsibility, in order to reassure the public that in the face of a crisis or an emergency it is working on a political solution, it is taking steps effectively (Marletti 1986). Therefore the functions of dramatization and reassurance move in symbolic form outside determining the maximum level of consent.

The consolidated practice locally hitherto in two decades of experimentation of the reform, highlighted new features that enrich the three already identified at the base of the definition of symbolic policies. The first three defining characteristics of symbolic policies were thus shown (Cilento 2000):

1. Politically not-divisive, ecumenical, policies that do not involve transfers of material resources (both economic and in kind) for the benefit of a particular field of citizenship or to the detriment of others and that, therefore, involve a low level of public conflict ;
2. low administrative policies, both in the sense that have relatively little impact on the operation of the bureaucratic machine, and in reference to the fact that imply a more limited amount of production and administrative activities;
3. They imply high exposure and visibility of the mayor and council, with strong media coverages.

The other two aspects that have been consolidated as characterizing the symbolic policies in their declination in the local area, have a bearing, in the first case, with the “brand politics” (Pasotti 2010): these policies, particularly focused
on the enhancement of the historical and cultural territories, encourage feelings of civic culture and belonging, through the identification of citizenship in the person of the mayor and his/her policies initiatives. Such policies could more appropriately be defined "identitarian": through a deep action of persuasion, the mayors get from citizenship strong legitimacy that can create the preconditions to activate, at a later time, policy interventions more unpopular and controversial (transport, urban development). The second innovative aspect of these symbolic-identitarian policies, closely linked to the previous one, is the time: they are short-term policies, the effects of which do not have a long life. This leads us to consider the time factor, deepened by Capano (2009a). The different elements that make up the temporal dimension of policies (timing, time span, temporality, intensity, duration, sequence), for our analysis to be relevant is certainly the timing. "The concept of timing also refers to the temporal contingency that may be favorable or unfavorable to certain policy choices. In this sense, for example, the diversity of the timing between public policy and the political dynamic (think of the logic and the sequence of the political and electoral cycles) can be a significant constraint for reforms ('it is not the right time to groped to do certain things')" (Capano 2009a, 16). According to the perspective and strategy of the "new" mayors, the timing of local policies is an independent variable: the choice of actions to be initiated is strongly influenced by the need, politically and electorally, to consolidate, within the span of five years of mandate, their level of consent by initiatives taken quickly and effectively. So the priority should be given to interventions that strengthen the bond of trust between the mayor and the citizens and enable dynamic participation/civic identification functional to a more general revival of the municipal context (Fung 2004). Such policies require constant attention of the media to keep alive the mobilization of consciences and the public but, if not accompanied by initiatives that put in place material resource, tend to fade over time the positive effects of their action.

From the empirical analysis of the types of policies locally adopted, and their level of effectiveness, there are three groupings: the more substantial improvements were noted in the urban environment and public green, relations with citizens, organization of the municipal machine, school and culture; follow health policies, social policies, home, transport, roads; finally, urban planning and economic development. The first set of policies are characterized by a high visibility, strong symbolic component, relatively inexpensive interventions in terms of economic and less confrontational in terms of relationship with the groups of interest: they are also called "easier policies." The other categories of policy are more expensive in terms of financial and require an effort of relations with institutional levels higher and partly with users and with the private sector, in particular the interest groups whose choices are crucial for achieving significant results (Trigilia 2002). The mayors with strong leadership, both in terms of personal qualities and political experience gained previously, have carried out a more innovation policies. The climate of greater confidence and growth of positive expectations proved to be an important ingredient, but not sufficient, to take steps forward in more complex and difficult policies. The depoliticization of the traditional cleavages is linked to the role of culture in politics: according to a negative view, culture would produce consensus, marginalization of dissent, activation of soft power through pride; a positive reading identifies culture with the promotion of the empowerment of citizens, equal participation, civic-mindedness (Pasotti 2010). Generally, in analyzing the political choices and voting behavior, emotions and rationality are opposed (Calise 2010). The new local symbolic-identitarian policies combine, however, the two levels: in order to initiate reforms in the city plagued by corruption, apathy and lack of development, the mayors offer a radically opposite perspective to the usual one in which citizens must identify themselves. While the bonds in the politics of patronage are based on expectations of exchange, public policy relies on the activation of the emotions (Pasotti 2010; Kavaratzis 2004). It appears to be more important the process of identification and self-esteem that the considerations of income, more relevant analyzes of cognitive psychology than those of the economy. And it is strong, in such cases, the representation for identity (Pitkin 1967), the voter must understand the candidate as "one of us".

To conclude the analysis of changes in local policy making, the last two aspects - the articulation of the policy cycle, the impact and feedback - are strictly consequential to what has been described above. About the articulation of the policy cycle, the symbolic-identitarian factor - so strong at local level - determined that the phases of the relevant policy are certainly to be found in the formulation and agenda-setting by the decision maker, moved by the need - and constraints – to consolidate the consensus; in these conditions, given the low impact, in administrative terms, related to the "new" mayors policies, the implementation phase plays a marginal role. Regarding the impact/feedback phase, the dominant emotional-cognitive matrix minimizes the material impact of the policy in question and implies a positive feedback in terms of consent in the short term, then requiring the use of intervention strategies less persuasive and more substantial, in order to maintain a high level of consensus.

Anxiety and the urgency of the consolidation of the consensus that has often led mayors to resort to the "short-cut" symbolic-identitarian policies is not always proved to be an effective way. The evidence of such political paths varies depending on the experiences and contexts in which they developed. In the last part of the paper we will try to point out some hypotheses to explain the differences in impact determined by the policies in question; reference will be made, in
The Symbolic-identitarian Policies in Naples: Bassolino and De Magistris in Comparison

The administrative experience of Antonio Bassolino (1993-2000) and Luigi De Magistris (2011-) at the head of the City of Naples were characterized, although after almost twenty years, for some common traits and other totally dissimilar. The mandates of the two mayors were part of a policy framework, national and local, very special and, in several aspects, similar. Bassolino settled at Palazzo S. Giacomo in 1993, during the height of the storm of Tangentopoli and the wave of anti-politics: the former mayor, the Socialist Nello Polese, had been placed in handcuffs just in the headquarters of the municipality, with allegations of malfeasance and receiving stolen goods. De Magistris was elected, in 2011, after a decade in charge as the mayor of Rosa Russo Iervolino that even in this case, had ended with notices of investigation and arrest against some assessors for criminal conspiracy. Both administrative experiences were part of a context of profound party deconstruction and strong anti-politics wave: it should be emphasized the fact that De Magistris was also attempted a parallel between the two elections, 1993 and 2011 (Amoretti, Musella 2011).

"The part that unites both experiences, by far the most significant differences, would be in fact the strong skepticism and dissatisfaction of traditional politics. And, above all, a form of expression and exercise of leadership which in leveraging strategies and communication resources would activate circuits of mobilization and creation of "neoplebiscitarian" consensus. The cross-appeals and the almost messianic expectations of which are charged newly-elected mayors would be nothing but the coherent manifestation of correspondent adopted model of (anti) politics culture. Not by chance, in many interviews, there are the same Bassolino and de Magistris who have to defend themselves from the accusation of populism" (Amoretti, Musella 2011, 3).

At this point, we can briefly describe some of the policies that have characterized the two municipal administrations and that are still in the imagination of the citizens of Naples. The goal is to identify differences in approach and policy management in the subject that could, in theory, justify the different outcomes in terms of consensus and effectiveness.

Regarding the Bassolino administration, we must quote Aurelio Musi (2004, 20): "The first analysts reach their target when, for the first phase of Bassolino’s mandate, underline that not just the politics of major projects, as the small steps, the "virtuous minimalism", a new collective identity for the city constitute the figure of the new Neapolitan administration". The closure to traffic of Piazza Plebiscito in Naples, wanted by Bassolino, is the most effective confirmation of what has been reported, as Bassolino told himself in an interview to Corriere del Mezzogiorno (15 May 2014): at the conclusion of G7 that was held in Naples in July 1994, it was precisely the then-Mayor of Naples, at night, who resumed the barriers that had fenced the area of the institutional summit, having decided the full closure to traffic of the square. The next day he informed the Municipal Junta of his decision, but the idea had been already long taken, in agreement with the Prefect and the Superintendent for artistic and historical heritage. At the base of this initiative there was the idea that the square, symbol of the city, would be returned to citizens, became the agora enjoyed by all Neapolitans, hosting initiatives of great collective attraction. The reconquered public space opposed the massacre represented by private vehicles, which until then had invaded the area of the square. It is clear the identitarian connotation behind this policy: the Neapolitan citizen who regains the possession of an area particularly full of cultural and historical value is reinforced in his civic sense of belonging to the local community. All this came through a quick, short administrative process (Mayoral Decree and Junta Resolution), with a very low impact on the municipal administrative resources but with a high media visibility: still the called "Neapolitan Renaissance" started by Bassolino during his first mayoral term (Geremicca 1997) has as its own symbolic image the "sitting room" square of the city full of Neapolitans who are walking. And this image has been conveyed, also thanks to the coincidence of the G7, somewhat in all latitudes of the planet. Although initially the total closure of the square had been challenged by traders of neighboring streets, worried about the negative relapse that this would have had on their business, the success in terms of tourism and media that the "new" square has determined ended up by putting all in agreement. Another particularly innovative public policy that was put in place in 1995 by Bassolino, then imitated by other mayors of Italian cities, was the issue of City Ordinary Vouchers (BOC) on the US financial market at Wall Street, in the amount of 300 billion lire, an operation...
aimed at the purchase of 425 new buses. The initiative was agreed with the then Assessor for Finance Roberto Barbieri and was a great success. The determination of the rating, ie the level of reliability municipal entity, was entrusted to Moody's and Standard & Poor's; the US investment bank Merrill Lynch was commissioned to place the Neapolitan BOC on the international market. The operation was a huge success: the mayor and his administration were able to take advantage of the positive wave, internationally, created following the G7 in July 1994, to enable a fair process for all citizens, that is, the renewal of the means of local public transport. The Administration of Naples was able to take advantage of the financial difficulties besetting the common result of previous management policies, and took advantage of the positive image that in the meantime the city had gained in the international media arena. Again the administrative impact turned out really minimal, both in financial terms - the resources came from private overseas - and in terms of human resources. The creative originality of the initiative aroused the envy of the opposition in the City Council, to the point that at the instigation of Senator of Forza Italia Emiddio Novi, the public prosecutor of Naples began an investigation in 1998, against Bassolino and 11 of his former Assessors for abuse of office. In 2000 there was the acquittal with full formula of Bassolino and his assessors with the "not to prosecute because the crime does not exist." The prosecutor decided not to appeal: the policy in question was a success both politically and legally. The measure on the BOC is the most obvious example of a policy that, taking advantage and putting its assumptions about the intangible dynamics - regained positive image of Naples in the world, high visibility of the administration in office - determines consequences and effects to high material and financial funds for the purchase of new buses.

Moving on to examine the most significant policy initiatives implemented by the Administration of De Magistris, still in office, it should be emphasized that in about a year after the elections of May 2011, the coveted "orange revolution" seemed to have all but vanished. The fiduciary relationship between the mayor and citizenship is cracked: De Magistris has not proved capable of imparting the revolutionary breakthrough that allowed him to win the election hands down; after a few months, it was found entangled in the "swamps" of trading party and blackmail of groups and social sectors - typical situations of the old politics. The innovative and anti-political nature of his election has quickly faded making his image and his profile leaders increasingly homologous to those of traditional politicians. His inability to follow a linear political strategy, and keeping promises to the electorate that had so many hopes on, it has considerably weakened at the political level: after three years from the election, he has lost most of the majority in the city council, which is based on his vote and that of the President of the City Council; with the exception of the Deputy Mayor and the Assessor for Education, in two years all the members of the junta have resigned or have been "dismissed" by the mayor. His current junta is composed primarily of representatives of parties, having lost its initial technical and innovative aspect. Moving on to examine two policies of the De Magistris' junta, the first reference is to the organization of the preliminaries of the America's Cup in Naples from 11 to 15 April 2012. Even De Magistris wanted to focus on the major international events to boost the image of Naples in the world, overshadowed by the garbage crisis that for years had tarnished reputation. The procedures followed to fund the initiative were the traditional ones: the investment was 12.2 million euro, of which 7.2 from European funds and the remaining between the Region, Province and Municipality. From an analysis of the economic impact of the event, presented about a year later by the University Parthenope, resulted triumphant data: it estimated 36 million euro of economic return - 16.2 of direct effect and 19.8 of indirect effect. Popular participation in the event was undoubtedly, significant: between 530 thousand and 775 hundred spectators. All of which helped to revive the brand of Naples worldwide. But soon after the problems came to the surface: first the organization of the event did not lead to the implementation of infrastructure and maintenance of permanent benefits to citizens; the only consequence of the event was the decision to close to traffic permanently the seafost, arousing the protests of the sellers in the area, primarily the hoteliers, who would have preferred the closure only on weekends and public holidays. Second, the significant funding behind the initiative put the De Magistris' administration under the lens of the judiciary, with the subsequent investigation of the June 2013 that, on several occasions, involving the leaders of the three public institutions bells, including De Magistris and the mayor's brother, Claudio, consultant for Great Events of the City of Naples, the president of the Industrial Union Paolo Graziano for the entry of Confindustria Naples as private partner of Acn (America's Cup Naples), the company created for the purpose of the event; President of the Chamber of Commerce, Maurizio Maddaloni. The investigation speculated the crimes of bid rigging, abuse of office and fraud. The policy in question, although it has got a strong media impact, came across in the "quicksand" of public contracts and concessions: that initiative was based on processes of outsourcing to private and it has triggered judicial levers, casting shadows on what today is recognized as the most successful initiative of the De Magistris junta. The other example of De Magistris' policy that we also considered falls in the category of major events: the organization of the Forum of Cultures, a trademark of the city of Barcelona entrusted, for 2013, the former member of the Bassolino’s Junta Nicola Oddati. It should have been a great opportunity for bringing Naples to the glory of the G7 in 1994, a sort of Olympics of culture. One would expect a rain of state funding, up to 150 million euro, to carry out also infrastructure works. However Nicola Oddati, in order to
prepare the event, began to travel over the world, spending much and reporting little. Meanwhile, the government
declassed the Forum of Cultures from national demonstration to regional one, gradually cutting the funds. De Magistris,
after he took office, wanted to mark the difference from the previous phase: he first appointed Roberto Vecchioni the
President of the Forum, that soon resigned; the same fate interested Ambassador Francesco Caruso; finally Sergio
Marotta, university professor, grandson of Gerardo, soul of the Italian Institute for Philosophical Studies. Also Peppe
Barra, an icon of Neapolitan music, left the Scientific Committee: he complained of a total vacuum of projects, employees
were missing, the case was short of money. In the mid-2013, the organizers were forced to move the event from spring to
autumn 2014: a real flop for an event included in the calendar as far back as 2008. Caldoro, President of the Region, and
De Magistris decided to take to the “strong manners” appointing a commissioner at the head of the Forum and entrusting
full powers to the accountant Alessandro Puca but the latter, after a few weeks, resigned. In May 2014 it was the turn of
the last Commissioner, Daniel Pitteri, one who organizes cultural events, has been appointed Commissioner: it's up to
him to spend 16 million euro allocated for the event, 11 million euro for Naples and 5 million euro for the rest of the
region, but the real budget is 2 million euro. The result was that the Catalans were so irritated by how the Forum of
Cultures’ brand has been abused that they decided to seek damages. The story of the Forum of Cultures is emblematic,
unlike the previous policy, of a wasted opportunity: the negative feedback that the image of the city of Naples has
suffered from this experience should certainly be charged to scary organizational limits shown, in the first place , by the
De Magistris Administration. The claim to be able to organize an event of such international scope has resulted in a
series of disastrous decisions as well as the result of apparent lack of planning and strategic capacity. Not having been
able to activate the appropriate synergies, institutional and private sources, in order to attract adequate funding, once
again put out a sign of sloppy management of public affairs. The policy on the Forum of Cultures is probably one of the
lowest points touched so far by the De Magistris Administration.

As it is clear from the summary of the policies’ framework above reported, charisma and communication skills, by
themselves, are not sufficient for mayors to administer properly the local authority. "Fundamental to this effect are
revealed more specifically political and social skills, especially the experience gained in activities of a political nature,
valuable in dealing with subjects that affect decision making. The "new mayors" that can be perceived as the most
innovative are actually "old politicians" freed from the constraints of the previous institutional model, but with sufficient
experience in dealing with bureaucracies, local councils, the majority parties and opposition, organizations of interest
"(Triglia 2002, 586). How to translate everything in local policies? In the Conclusions we will try to focus on this issue and
to identify the leadership model best suited to strengthening the effectiveness of the policy making and consolidation of
popular support for the mayor.

Conclusions

As already illustrated, dramatic changes have been witnessed in the Italian local government in recent decades, as in no
other political-administrative level. Roles and functions of organs and actors, institutional and non-institutional, have been
redesigned. Even the local policy making has undergone a profound transformation that had to take account of more
political than purely administrative factors: the entire cycle of policy has assumed a new definition, highlighting instances
of legitimacy more on the political supply side than on the demand one. We have previously emphasized how radical was
the communicative, emotional, irrational significance and therefore, cognitive-identity of the new local policy making; all
strongly characterized by a high degree of personalization and unconditional adherence to the leader: someone spoke
also of bio-leadership (Esposito 2004). The most obvious fact is definitely the political overexposure of demo-elected
mayor, the true “flywheel” of all processes involving the local administration, the attribution center of all levels of political
responsibilities related to the management of the local authority.

The empirical evidence that has been more than twenty years of “municipal political laboratory”, leads us to the
conclusion that a more positive result would depend not only on institutional and administrative reforms but also on
changes in the actors’ culture, in their decision-making styles, in their ability to be in relationship. In conclusion, let's try to
outline some, albeit brief, response. In order to be effective in his/her top actions of the local government, the mayor must
be able to play the role / function of innovator / promoter of policy initiatives, acting mainly cognitively through a
reformulation and a new interpretation of problems, maybe already old, the so-called re-framing: that is the “policy
entrepreneur” (Roberts, King 1991; Giuliani 1998). On a more typically operational side, the mayor must also be able to
build strategies and networks of actors, alliances at various levels needed to meet the policies in their new redefinition: in
other words, the “political entrepreneur” (Capano, Giuliani 1996; Blyth 2002; Hwang, Powell 2005). In the empirical
survey of the experiences of post-reform mayors, the two levels were not always conjugated. In particular, the decision-
maker exasperation / illusion has connoted the performance of some early Italian mayors, has proved to be counter on
the side of the construction of collective inclusive action strategies, more effective also from the point of view of limitation of the conflict degree. The accentuation of the levels of personalization of politics locally has not brought, by itself, a greater capacity for solving collective problems: on the contrary, in cases where the mayor was unable - or unwilling - to establish a constructive dialogue and discussion with local interests outside the political machine and municipal administrative, the final result was the crack of the "honeymoon" between the mayor and the civil society of reference. In general, the leadership profile of the “first citizens” can be considered, if not an independent variable, at least an intervener one, for the ability to administer with the continued support of their community. The mayors of more technical profile - for the original deformation - underestimate the problem of the relationship with groups of interest and get overwhelmed by the “decision-maker illusion”, feeling to be directly understood by the popular will. In fact, the design of the reform of 1993 – as well as the political climate, the majority-plebiscitarian one - tended to feed, at least in its initial impact, the “decision-maker illusion”. The mayors, however, of a more typically political origin, should be more able to play the role of political entrepreneurs which, as noted above, is essential for the success of a policy; the ability to mediate and to be "synthesis" of several positions and points of view widens the basis of consent and it is undisputed the fact that this attitude ensures easier and organic phase of implementation of a policy.

The reported examples relating to the policy of the two Neapolitan administrations headed by Bassolino and De Magistris is a clear, albeit partial, confirmation of the above suggested. There is no doubt that Bassolino was more skillful and able to set the conditions, and the right reference networks, to establish the policy initiatives that can intercept the attention - and satisfaction – of citizenship; the consequence of this is translated in a high level of consent. De Magistris, in contrast, failed to create the necessary synergies with the relevant socio-political-institutional actors significant in the Neapolitan scenery, adopting a "decision-maker" style that is scarcely functional to the activation and consolidation of consent. It is not a coincidence that Bassolino embodies the typical example of professional politician, with a motivated and long party militancy, while the current mayor of Naples, De Magistris, is an expression of civil society, as magistrate (Public Prosecutor) with low level of party-political socialization. The hypothesis that the type of elite, connected to specific profiles of leadership, may - albeit only partially - help explain the results of the new local policy making, give new shine to the interpretation of the contemporary political processes for too long denied.

References


Protection of Human Rights and the Role of the Albanian Rule of Law in their Respect and Implementation, Particularly in the Right to Fair Trial

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Abstract

This paper reflects a picture of the legal changes that have occurred in Albanian state, the reforms that have been under taken in law and in particular in the field of human rights. The establishment of democracy has required fundamental changes not only in recognition of the rights and fundamental freedoms, but also the sanction of real guarantees for the protection and enforcement of these rights, without the existence of these guarantees, the recognizing would not have any value and would be utopia. Issues raised for discussion in this paper are: Protection of human rights in democracy and their implementation. Guarantees that the Albanian Constitution provides for the recognition and protection of human rights. The role of law enforcement bodies in the implementation of protective mechanisms and in particular the justice system to ensure respect for the right to due judicial process. Through analysis of the legal and judicial practice in the field of protection of human rights, we aim to bring out the challenges faced by the Albanian institutions, whether nationally as well as internationally. A state that respects and protects human values testifies a healthy society that has consolidated basis and that stimulates economic, social and cultural prosperity.

Keywords: change, democracy, reform, pluralism, protection of fundamental rights and human freedoms, the right to due judicial process.

1. Introduction

After a long period of complete isolation, Albanians felt the need to change the governance system transitioning to a new democratic system. Student Movement of December 1990 the first protest began as a termination of electricity, to the difficult economic conditions in those moments was Albania, as well as the very difficult conditions that have students in dormitories and schools. In addition to meeting the requirements for living conditions later they asked permission of pluralism accompanied by the phrase "We want Albania like Europe". This movement had a hidden dream of many Albanians. The arrival of democracy together with very good also brought a lot of chaos and disorientation. Disorientation reasons are unknown. Here begins the gray areas termed as the Albanian transition, which is more like a long calvary that tired mostly Albanian people in achieving those standards necessary for a European country. The process of "transition" should be a normal process through which we must pass to consolidate democratic model. Opening the borders resulted in a large influx of immigrants, which in search of a better economic life were willing to sacrifice everything, those few savings income. Democracy brought a new era brought political pluralism and the development of the first elections free. But it didn't encourage the desire to work and to develop the enterprises that Albanian state already possessed. Labor shortages brought economic decline of Albanians, who saw emigration as the only solution. No doubt that these developments were also reflected in political and social life. The democratic changes that occurred in the early 90s marked important turning point in the history of the Albanian state and its institutions. Democracy can come in different ways, in different contexts, but never comes easily. Democratic orientation requires the performing of a deep institutional reform, which should give way eventually to democratic transformations for the construction of the rule of law and respect for human rights. The basic principles that led the democratic changes in the law was originally announced in the law number 7491 date.29.04.1991 "For the main constitutional provisions", then in the law nr.7561 date.29.04.1992 “On amendments and additions to Law No. 7491 date 29.04.1991 "On the main constitutional provisions".
2. The Notion of Rights and Fundamental Freedoms in Albania

"All men are created equal; Creator has endowed them with certain unalienable rights, in which part of the right to life, the right to freedom and the right to be in search of happiness. To secure these rights, people form governments, whose power derives from the consent to give her the governed. "

Unalienable rights include freedom of speech and expression, freedom of religion and conscience, freedom of assembly and the right to equal protection before the law. This is not the whole list of rights that citizens enjoy in a democratic state. Democratic societies also protect the civil rights such as the right to fair trial. However the above rights constitute essential rights that should protect a democratic government. The democratic government is formed to protect these rights that every individual enjoy by virtue of his existence. The universal principles of democracy are: majority rule and respect for minority, restricted government by the constitution, respect for human rights and the sovereignty of law. The rights and freedoms are criterion and fundamental measure for the position and role of man and citizen in society, on one hand and for the democratization of the system, on the other. They are an instrument for limiting the power and prevent arbitrariness and bad usage of power. Every democratic society has the duty of building the constitutional, legal and social, to ensure the protection of these rights.

These principles are embodied in the Constitution of the Republic of Albania. The rights and freedoms are fundamental value of the constitutional order, which in its preamble states: "to guarantee the rights and fundamental freedoms in the spirit of tolerance and religious coexistence, with the commitment to protect the dignity and human personality", making it an integral part of these commitments. The Constitution lists a number of rights which must be guaranteed, as individual rights, freedoms and political rights as well as economic, social and cultural. In addition to an extensive catalog of human rights and fundamental freedoms, The Constitution has given priority to international instruments on human rights facing the domestic legal order, in case of conflict. The Constitution specifies that the rights may be limited even when they are absolute. Moreover, it identified those institutions such as the courts and the ombudsman, who will be responsible for the implementation of human rights.

3. Recognition and the Importance of Protecting Human Rights

The degree of emancipation and development of a society depends on respecting and enforcement of individual rights and the rule of law. The affirmation of the right would be a formality if there are no security mechanisms for their implementation. Only human beings who understand human rights can work to secure and protect them from themselves and from the others. To do this it is necessary to be informed. Effective education for human rights has two fundamental goals: teaching about human rights and teaching for the human rights. Only by respecting the principles of human rights, our lives may present the foundations for coexistence and respect of the rights of others.

Legal protection of human rights and fundamental freedoms. We distinguish two types of legal protection of the rights and freedoms of man and citizen: internal and external. Internal protection shall be realized through positive law in the country, while the second (external) with the help of international law. There are different forms of protection of freedoms and judicial rights as the basic form, the ombudsman as an organ for the protection of human rights and freedoms when they are violated by the state administration bodies, protection from common courts, and protection from the Constitutional Court. Ombudsman's Office, as governmental bodies of human rights is the main institution for the promotion and implementation of human rights. The Ombudsman has the authority to inspect preventive detention

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1The preamble of the Constitution of the Republic of Albania
facilities and prisons and to initiate cases where the victim cannot come themselves. The Ombudsman acts as a monitor for violations of human rights and reports to Parliament once a year.

The Parliament has a committee for the legal affairs, public administration and human rights. Cases of discrimination can be brought before the government commissioner against discrimination issues. However, the office of the Commissioner was focused mainly on support and awareness campaigns put very few sanctions against government officials. Anti-discrimination law allows the commissioner to testify as a witness in the appeals issues, that the Office has refused. Two issues were presented to the court that tested the application of the law. The court ruled that there had been discrimination in one case, which was an appeal by the end of the year, and by October the court had not taken any decision for the second.

International protection of human rights and freedoms flows through observation and control, as well as through sanctions against countries - member states to the UN in case of wide and heavy violation of the human rights and freedoms. Besides the United Nations system, to protect these rights there is the Council of Europe system, which has its source in two treaties:

European Convention of Human Rights and the European Social Charter. The first serves as a basic document for the decisions taken by one of the most important European institutions with the role it plays as a judicial body in conflicts between states, and even in conflicts between states and individuals. Of course we are talking about the European Court of Human Rights.

Since Albania's adherence to the European Court of Human Rights, the Albanian citizens were given the opportunity to access for the different violations, which they claim for not respecting from the national authorities. About 230 issues are under review against Albania in this Court. Most of them related to the infringement of property rights or the principle of fair trial, due to non-execution of court decisions final.

4. The Right to a Fair Trial as Constitutional Right

Human rights are different and change their nature. One of the most basic rights that is provided for in Article 42 of the Constitution is the right to a fair trial. The right to fair hearing is constitutional right of individuals, through which they seek implementation of procedures and fair legal rights. On the one hand, this constitutional right is presented as a guarantee for the citizens against unjust actions of state authorities and, on the other hand, it is an obligation for the latter not to infringe the rights and freedoms of citizens without providing them with respecting regular legal procedures.

European Convention for the Protection of Human Rights and Fundamental Freedoms in its Article 6, entitled "The right to fair trial", has sanctioned the right of citizens to be heard fairly, publicly and within a reasonable time by an independent court and impartial tribunal established by law - as one of the fundamental rights of citizens.

In the Constitution of Republic of Albania, the right for the fair legal process specifically is mentioned in her two articles. Article 42 of the constitution rule this right in addition to the rights and freedoms of citizens, while Article 131 letter "f" determines it as a matter of jurisdiction for the Constitutional Court. In both provisions this important principle appears as constitutional guarantee to every deprivation that the state through its decision-making bodies can violate the basic right of individuals. Article 42 of the Constitution sanctions the protection of all the rights recognized in the Constitution and the law, highlighting as main rights freedom, the right to property, which can be restricted if is applied the necessary condition of respecting the legal process, only in this case may be permitted the constitutional limitations.

What the Constitution does not give, it is trying to solve the practice of the Constitutional Court, which is typically oriented the jurisprudence of the European Court of Human Rights and of several other European constitutional courts. The Constitutional Court has attempted in its case to make a substantial difference to its role as the authority that guarantees respect for the Constitution, the function of giving justice which is an attribute of judicial power bodies. The execution of court decisions is an important element of the right to a fair trial, because a right acquired remains worthless unless implemented through the execution of the decision. The execution of a final decision of the court is considered as the final stages of law enforcement. Only after completion of this phase can be considered that the individual has fully established its right.

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2 Executive Summary of the Annual Report on Human Rights of the US Department of State
3 The decision of the Constitutional Court of the Republic of Albania no. 49, dated 21.11.2011
4 The decision of the Constitutional Court of the Republic of Albania no. 11, dated 03.02.2012
5. Cases of Judicial Practice of the European Court for Fair Trial Against the Albanian State

States have an obligation to execute the decisions of the European Court of human rights occur as liability arising from the ratification of the European Convention of human rights. European Convention addresses to the institutions and organs of the EU and Member States (Article 51 (1)) only when they are "applying" the right of EU. This general obligation creates other special obligations, namely the obligation to execute the obligation breached, to end the international wrong act, to repair and to prevent similar violations in the future; all these measures imply the adoption of special and general measures.

The European Court was set up in order to "ensure the observance of the commitments undertaken by the High Contracting Parties in the present Convention" (former Article 19).

These commitments include the undertaking to "abide by the final judgment of the Court in any case to which are parties". Court’s jurisprudence covers a wide range of issues, based on individual applications and restricted to specific problems raised by applicants.

Article 6 of the European Convention on Human Rights (ECHR) guarantees the right to a fair trial in both civil and criminal proceedings. This has been interpreted as providing for a general requirement of some measure of “equality of arms” between the state and the individual or between the parties in the case.

According to her, the exhaustion of domestic remedies is not absolute and cannot be applied either automatically. An application may be submitted by either Contracting State (State application) or any individual who claims to be victim of a violation of the rights represented by the Convention and Protocols.

The right to a fair trial ultimately does not only involve the acceptance and progress of the process, but also the execution of the decision. Execution of the judgment is considered to be an integral part of the fundamental human right to a fair trial. The Court has its own mechanism to protect human rights but don’t have jurisdiction to re-open domestic legal proceedings or to substitute the decision given by the domestic courts.

The European Court has delivered 6 judgments in 2014, concerning Albania, which found at least one violation of the European Convention on Human Rights.

The European Court, in a decision dated November 18, 2004 Qufaj Co against Albania, number. 54268/00, addressed the issue of non-enforcement of court decisions in Albania. In this case, the Municipality of Tirana had granted permission to a company for a building, but no construction permit for some residential apartments. As a result of significant losses in its commercial activities, the company sued the Municipality of Tirana in Tirana District Court seeking a compensation of 60 million leke. After the rejection of the request by the court, the company appealed to the Court of Appeal which ordered the Municipality of Tirana to pay the company the amount 60,000,000 ALL. As a result of the absence of recourse to the Supreme Court, the above mentioned decision became final. Since this decision was not executed, the company complained to the Constitutional Court which rejected the request on the grounds that the execution of court decisions was outside its competence. Delays in execution of a decision cannot be justified if it is detrimental to the essence of the right protected in the sense of Article 6 § 1 of the Convention.

The information of this table about the applications to the Court was taken by the internet site of ECHR.

In another case Driza against Albania, The Court notes that, as in the decision Beshiri, authorities did not offer to the
applicant the opportunity to receive appropriate compensation in accordance with the previous decision of the court of final. These facts are sufficient to enable the Court to conclude that the failure of the measures necessary to execute the final decision\(^9\); the upload Albanian authorities with responsibility for non-compliance of Article 6 § 1 of the Convention.

In another case, Gjyli against Albania, the European Court notes that the domestic decisions of the Constitutional Court determine that there is a violation of decisions of domestic courts. However their findings were declaratory, so the Constitutional Court did not provide any adequate reparation. Furthermore it does not make any compensation for damages and immaterial material, and nor could it offered a clear perspective to prevent the violation claimed\(^{10}\).

So far the ECtHR decisions, should serve as encouragement for the execution of judgments of the Constitutional Court, with the object of finding a violation of due legal process in order to avoid as much as possible of the Albanian state financial punishment by the ECHR. From the above analysis of the issues subject to a finding of violation of due legal process due to non-execution of final court decisions, will suggest changes in the organic law of the Constitutional Court, determination of rules that define a complete and clear compensation for individuals in case of finding a violation of their rights. The creation of a special monitoring body for the execution of the decisions of this nature, but also other decisions that can display non-execution problem.

6. Challenges Facing the Albanian Society in the Field of Human Rights and the Improvement that are Made in this Field

Over the last decade, Albania has made significant progress in the development and approval of laws which are in accordance with international standards of human rights and the Acque comunitare, but there are still problems in their implementation. The legal infrastructure is generally in compliance with the European and international standards, but still has a problem in its application in practice. This is due to the lack of human and financial resources, lack of professional expertise and sometimes administrative obstacles due to lack of political will on the other side. The effective implementation of laws requires greater financial support, human resources with sufficient expertise professional as well as greater efforts in coordination, cooperation and information sharing between key actors who are responsible for drafting and implementing laws. Effective implementations of laws reflect the effective implementation of human rights. The issue of implementation of relevant human rights and is conditional upon the effective implementation of laws. In general, poor implementation of laws is the major obstacle to the protection, promotion and enforcement of human rights. Other problems of human rights during the past year included several cases of physical mistreatment in police detention centers, domestic violence and discrimination against women and children, abuses and discrimination based on ethnic minority status and sexual orientation or gender identity. There were also reports of trafficking in persons cases. The government has not always taken steps to prosecute officials who committed abuses. Many government officials enjoyed immunity from prosecution, while those who had powerful business interests were often able to avoid prosecution. The reasons that are behind this situation should be clearly understood and required a commitment to to be improving in the future.

The guarantee of rights and freedoms, recognized in the Constitution, and the forecast of measures to put them in should be aimed at improving and enhancing human rights standards (see decisions no. 31, dated 18.06.2010, No. 9 dated 26.02.2007, No. 34 dated 20.12.2005 of the Constitutional Court). The legislator can not unreasonably worsen the legal situation of individuals, to deny the rights acquired or to ignore their legitimate interests. To really understand and apply this principle is required, on one hand, that the law in a society to provide security, clarity and continuity, so that the individuals direct their actions in the correct order and in accordance with and on the other hand, that the law itself can’t remain static if necessary to shape a concept, such as that of justice, in a rapidly changing society (see decision no. 36 dated 15.10.2007 of the Constitutional Court). In addition, consistent with the premise that the Convention is a living instrument, the Court’s Article 6 jurisprudence has developed progressively over the years to encompass an ever increasing variety of legal proceedings.

The Court reiterates that this principle cannot prevail in any case. This means that if there is a case of a different legal regulation of a relationship which is directly affected by the public interest, with all its essential elements, such interest, naturally, will prevail over the principle of legal certainty (see Decision no. 26, dated 02.11.2005 of the Constitutional Court).

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\(^8\) Beshiri and other against Albania, 22 August 2007 (Application no. 7352/03)

\(^9\) Driza and other against Albania, 17 November 2007 (Application no.33771/02) The Court finds that this problem persists despite the conclusions given in Qufaj Co. sh.p.k and Beshiri.

\(^{10}\) Gjyli against Albania, paragraph 58
Albanian Parliament after the democratic changes approved a set of laws, with the aim of repairing the injustices inherited from the previous regime, regarding the guarantee of human rights and fundamental freedoms, particularly the right to private property. Strands of legislation are laws 7652, dated 23.12.1992 "On privatization of state housing" and law No. 7698, dated 15.04.1993 "On restitution and compensation of property to former owners."

Rights in general are closely related with essential changes in the system of governance of a state, it is the transition from totalitarian to a democratic regime and reforms in the political, legal and economic. Social rights distinguish by social objectives, as these are the ultimate expression of state goals and principles of its policy designed to guide the activity in general and, especially, social policy.

Albania, as a NATO member and EU candidate strongly supports the respect of human rights and their universality. Albania’s membership in the Council of Human Rights of the UN is first of all a responsibility for further democratization of our society. This membership is also an expression of our achievements in the area of freedom and democracy that almost a quarter-century ago, seemed impossible.

7. Conclusions

Democracy can come in different ways, in different contexts, but never comes easily. State democratic orientation require performing a deep institutional reform, which should open the way to democratic transformations for the construction of the rule of law and respect for human rights.

Over the last decade, Albania has made significant progress in the development and approval of laws which are inconsistent with international standards of human rights and the Acque comunitare, but still has a problem in its application in practice. This is due to the lack of human and financial resources, lack of professional expertise and sometimes administrative obstacles due to lack of political will. In a great number of cases are seen lack of enforcement of final court decisions, citing cases Gjyli, Driza or Beshiri against Albania, for this reason the European Court in this cases found violation of the rights of the European Convention and punish the Albanian state.

8. Recommendations

The reasons that are behind this situation should be clearly understood and required a commitment to shape the future. In the framework of one of the fundamental human rights, the right to fair trial, would recommend changes in the organic law of the Constitutional Court rules that determine the full and clear that give her the right to reparations for assignment finding individuals in cases of violation of their rights. The creation of a special body monitoring the execution of the decisions of this nature, but also other decisions that may show non-execution problem. Albania needs to find people who have real managerial skills.

References

The Constitution of the Republic of Albania
European Convention for the Protection of Human Rights and Fundamental Freedoms
Law Nr.9359, dated 24.03.2005 "On accession of the Republic of Albania to the Convention" On relations with children ";
Law nr.9443, dated 16.11.2005 "On accession of the Republic of Albania to the Convention" On jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children ";
Law no. 9446, dated 24.11.2005 "On accession of the Republic of Albania to the Convention" On civil aspects of international child abduction"
Qufaj Co. against Albania, 18 November 2004 (Application no. 54268/00)
Driza and other against Albania, 17 November 2007 (Application no.33771/02)
Beshiri and other against Albania, 22 August 2007 (Application no. 7352/03)
The decision of the ECHR in the case "Maria Atanasiu and others against Romania ", dated 12.01.2011
Decision no. 34 dated 28.05.2012 Constitutional Court
Akdivar and Others versus Turkey, judgment of 09.16.1996
Executive Summary of the Annual Report on Human Rights of the US Department of State

11 The decision of the ECHR in the case "Maria Atanasiu and others against Romania ", dated 12.01.2011
12 Decision no. 34 dated 28.05.2012 Constitutional Court
Quote from the European Court for the Protection of Human Rights is the 1997 case of Hornsby against Greece http://www.echr.coe.int/Documents/CP_Albania_ENG.pdf, visited on date 30.07.2015
The decision of the Constitutional Court of the Republic of Albania no. 11, dated 03.02.2012.
Interrupted Dialogue ("Friend"/"Foe" Conflict in New New Media)

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Abstract

New media, Internet and especially media Web. 2.0 are seen as the place of information exchange, creating dialogue, opening to the Other, Different, they are becoming a meeting place (Ryszard Kapuscinski). However, if we examine the space of the blogosphere, Facebook, Twitter, it can be seen as something quite different, the opposite. The network society becomes on the one hand, the community, connecting all users on the network, on the other hand, we can observe alienation from this society, people became more excluded and alone. In the new media we often meet up with closed space for “Ours” and to reject the “Others”. This kind of media became the birth place of "democracy 2.0 " and “outraged network” (Manuell Castells). The Democracy 2.0. is being born in front of our eyes and its character is determined by the biggest Internet players, politics and also - the one that stays in “contra” - regular Internet users.

Keywords: media, Web. 2.0, outraged network, democracy, identity.

In contemporary communication space the changes which take place in political communication, and which are caused by the Internet and new information and communication technologies (ICT), are more and more visible. The issues we are interested in achieve special dimension in the context of new new media, if we use the notion proposed by Paul Levinson [Levinson 2010]. Other researchers call these phenomena social media, Web 2.0, they are also called art on film. Levinson states that new new media have social character. We can find examples of such behaviours which are characteristic for Internet communities in commenting posts on blogs, Wikipedia editors' activities, exchanging of opinion on Facebook, commenting events in the real time on Twitter. Levinson defines categories of new new media and indicates the categories which are particularly typical for them: writing, sound, audiovisuality, photography. He also emphasizes the role of information, which is not a form of transfer but the target itself. They are characterized by new types of activities typical for the new new media: blogs, podcasts, videocasts, comments. The fact that these media are on one hand connected with the sphere of politics and on the other with entertainment is vital. It results in an attempt to take control over the media and to censor them. An emphasis should be put upon development of new technologies, hardware and software (for example applications). New new media seem to meet the expectations which were formulated by Habermas and concerned the process of communication. He claimed that communication activities allow to achieve agreement in the situation that activity between participants of this interactive process refers to [Habermas].

Behaviours typical for social media users can be treated as a proof of these changes. We move political and educational dialog into the space of new new media. In those media we shape our identity (or identities, to be more precise) and we meet another man and their culture. Those media become the place where we can very clearly distinguish the world of “Ourselves” and “Others” [Zeler, 2015, p.309].

Not so long ago, when we were asked about our identity we were able to give quite decisive answer. We could easily name our sex, age, nationality, education. When we were asked about our convictions we also did not have any problems to choose a system of values which was important for us, to choose some ideological options. Today this “hard” “constant” identity has been replaced by perceiving the world in the categories of “liquidity” and changeability. As Tonino Cantelmi says the weakness of today co-existence is visible in extremely fragile emotional ties. They are highly unsustainable and conflictive. Liquid identity means also liquid, unstable and fragile interpersonal relation [Cantelmo 2013, p. 210].

Communicational revolutions caused the situation when dozens of cultures, as meaningful as their own native national culture, appeared in the circle of contemporary man. The way categories establishing intercultural discourse were understood has to be profoundly reshaped and revaluated. Network society which is created in the epoch of the Internet on one hand becomes a community which connects all network users, but on the other there is the phenomenon of alienation in this society. As Manuel Castells says [Castells 2007], together with the changes in participation in the world of communication, anthropological space is changed as well, and communication replaces space and time
coordination. Space of flows replaces space of place.

In the last few years we could have observed an increasing level of discussion concerning the notion of democracy in the Network. This discussion is obviously connected with such events as publication of top secret materials by Julian Assange and so called WikiLeaks affair, and then following network events such as publishing confident information concerning network invigilation (PRISM). This affair includes a great campaign concerning ACTA controversies, defending freedom of access to information on the Internet, prohibition of censoring the Network and free exchange of network resources.

Although those positive phenomena connected with the appearance of social media are noticed and accepted we cannot forget about quite the opposite experience. In those media things which are “ours” clash with things which are “others” or to use border-like terminology “strange”. These media contain many elements connected with openness to the Other, but they can also suggest endangerment of the Other and their exclusion. It all depends on intentions of their users, we should add, these intentions are not always exposed and sometimes they are hidden on purpose. They can be an instrument of peace or a dangerous weapon. The choice depends on their users.

We observe the phenomena of exclusion, alienation, xenophobic attitude or the phenomenon of loneliness in the Network. This problem should be discussed on many levels, because there are various spaces in which we reject another man, we lock them out, we treat wrongly both them as a person and their opinions. This reaction to “the other” can also take various forms.

The first level is probably the easiest to notice and it is connected with such behaviours as insulting other Network users, Internet hate, spamming or banning network society participants. Their aim is to discourage one of the sides of network dialog, excluding them out of network community. Fake internet identities have similar character (for example on Facebook) they present a particular person (or an idea) in consciously created hostile context. Attempts to fight with those ways of exclusion are very difficult and unfortunately often they result in a failure. It refers not only to anonymous forums, it also concerns Facebook and other social portals where, at least in theory, commenting user’s identity is known and they have to sign the comment with their own name and surname. Still majority of the haters come from profiles which only seem to be authentic. Actually they are fakes which are made believable because several dozens of profiles are added as friends. They also steal other users’ pictures. Another phenomenon can be observed recently. For a long time Internet hate seemed to be mainly caused by anonymity, but more and more often people do not really care about the anonymity. Some of them just like feeling ‘strong’ on the Internet. Some of them are careless and think that they can do much more in the network. And some of them simply do not care and they insult people using their own names. The network seems to provide them security.

Lucyna Kopciewicz emphasizes that everything that happens on the Internet just reflects our reality. [...] We haven’t learned to perceive ourselves as community and it is always ‘we’ against ‘them’. Young haters know only the language which expresses divisions and identifies some imaginary enemy for example gay, immigrant. Older generation also knows very well the language but in a different context - in the conditions of a real system of oppression. The system disappeared but the language stayed, it even became more brutal.

Mechanisms of social control stopped working, while they are very important in the process of preventing people from behaviour crossing the borders of good tradition or decency. It includes respect for another man.

Such behaviour causes the situation when when we defend against them we often even multiply the feeling of isolation. Inviting or accepting invitation of so called ‘friends’ in social portals is also some kind of limitation.

The second level connected with rejecting other members of social media is creating closed communities that one cannot join or stay in without knowing someone who invites, some of these groups even use their own hermetic language. Creating such groups for example on Facebook on one hand can have integrating character, getting together people with the same interests, but on the other it encourages creation of spaces where dark faces of the Network are articulated: delinquency, deviation or even terrorism. For terrorism social networks became a very useful tool.

The third level in connected with the phenomenon of attitudes of closure and rejecting of the idea of network democracy, activities aiming at hiding or limiting access to this information, which are observed on the Internet. There are also cyberpunk movement activities attracting activists promoting mass usage of strong cryptography as a way to make elementary freedom safe and protect it from political circles, which want to change the Internet into environment for totalitarian behaviours. Supporters of the latter attitude emphasize the fact that the Network is the place particularly encouraging authoritarian systems which tend to decide what people can find out and who they can communicate with. Those systems try to create in the Network the atmosphere of fear and anxiety cased by many different dangers. In this way many obstacles are created as far as access to information is concerned and Internet users personally accept them. Attempts to take over date to state-owned servers have such character but also activities of big fish like Google or Facebook have similar character. We allow them to decide which information gets to us and what happens to information
we produce, as Julian Assange says, “we have completely centralized Facebook, Twitter as well. Google as well. Everything in the USA, everything is controlled by the one who controls coercive means” [Assange 2013, p.87].

The issue of freedom of speech becomes a problem when editors of serious newspapers do not allow to comment events controversial for the international society, as it is now in the case of reports concerning the flood of refugees coming to Europe.

Marek Golka [Golka 2008, p.45] enumerates three groups of interferences in widely understood intercultural communication. Aforementioned phenomena and attitudes seem to prove that symptoms of exclusion of the Other form the space of network discourse in new new media have similar character. The author divides interferences into:

- Social and cultural interferences, which derive from the difference between cultures that participants of the communication come from, especially the differences between languages they use.

- Personality interferences, the lack of empathy, different ‘culture memory’, different understanding of intercommunication etc.

- Formal interferences, they are included in the very message when the addressee cannot understand the massage sent to them (because the message was formulated in a hermetic language which is known only to members of a particular community).

Social media introduce great possibilities for interpersonal communication, spreading attitudes of tolerance and opening to another man. But there are also spaces where these values are constantly denied, these are spaces to spread hatred, rejection, closure to the other. In other words in new new media a fight between two worlds takes place, between good and bad, ours and others. Our common hopes concerning these media may be vain. For example it may happen to democracy 2.0.

How should we behave in this new situation? How should we deal with existing dangers? How should we oppose the attempts to stop the process of meeting with the Other in network? Can the problem be solved with still controversial legal measures? Will the attempts to control the Internet, which are undertaken, become the source of next attempts to limit network freedom? Jerzy Jastrzębski wrote: “the Internet promised us freedom but it is built to allow bigger and bigger control. Today there is a decreasing group of people who control much more than ever before. [...] Many sided and often accurate supervision of mass media is carried out by more numerous and efficient technologies and legal tools. It is an inevitable consequence of commercialized and politicized media. Social media, civil media so far have not been able to stop this trend”. [Jastrzębski, s. 188-189]. It all provokes further questions: “will network become for us the reason to desert a binding model of life and society? [...] Will the Internet, like building biblical Babel tower, result in social dispersion and our being lost in life [...] will we disperse even more in virtual space and will we lose the most important elements – our dignity and identity [...], are we in this way getting addicted to our image in other people’s eyes?”. [Stępiński, 2013, p.81].

The result is that we have to determine new tasks for participants of intercultural dialog and to determine new fields of media education, which must be understood as education “towards the media” on one hand and “towards another man” on the other. It is necessary to create attitudes of openness to other cultures, some kind of intercultural pedagogy. It should prepare societies to analyze complex phenomena characteristic for contemporary civilization, bringing up man who is spiritually rich, finally integrating man with the world of widely understood human community, searching for the elements we have in common with another man and understanding the elements that divide us.

References


Golka Marian (2008) Bariery w komunikowaniu i społeczeństwie dezinformacyjnym, Warszawa


Stępiński Krzysztof (2013): Internet – czy współczesna wieża Babel?, M. Sokolowski [red.]: Nowe media i wyzwania współczesności, Toruń

Overview of Some Basic Terms of Economy in Albanian Language in the Approach with English Language

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Abstract

In the new circumstances, at the beginning of the third millennium, in the impulsion of necessities of life and society, people of finance and economy professions created multiple terms, and this was done in the way of using English terminology relying on the nature of the Albanian language. But, despite the sensitive development and enrichment of the economy terminology, we notice the phenomenon of frequent borrowing; the use of foreign words for which there are relevant words in Albanian language, or were created before and new words can always be created. Mainly, the created circumstances gave rise to new concepts in the field of economy and enriched the terminology with suitable terms. In this paper we present the idea of formation, standardization and revision of several previously published terminologies in terminological dictionaries of economy and finance as well as their replacement with new terms.

Keywords: terminology, economics, finance, compound words, standardization.

1. Prelude

The history of Albanian terminology is seamlessly related to the whole history of the development of our language, as a written language and a language of culture. The real work for the enrichment of the Albanian language with word-terms begins with the Renaissance men1, who took over the difficult task of establishing the basis in Albanian terminology, proving through evidence that the Albanian language can become a culture language for the progression of the Albanian people.

Starting from the fact that Albanian terminology has remained still at the stage of identification; of albanianization of terminological units of every field of science, technology, informatics, economy and finance, diplomacy, and cultural production, ie. standardization phase, with the aim to become its unification, respectively its normative; permanent team work is required of specialists in narrow fields, and of linguists. Scientific works that have emerged to date by Albanian researchers2, are undoubtedly of a particular importance, but are not sufficient and much still remains to be done. But, because of the specificity and of the theoretical and practical achievements, today we can talk about a particular area of Albanian terminology and terminography, and, in this case also for the formation and standardization of the terminology of economy in Albanian language.

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2. New Tasks for the Terminologists and the Terminology of Albanian Language in the Field of Economics

The rapid development of global economy and the nowadays positive changes in the country, sets new tasks for the Albanian terminologists and terminology: with the induction of new terminology for areas of new concepts (such as computing, economics, diplomacy, sociology etc., as borrowed terms mostly from English, as well as Albanian or albanianized terms) and terminological changes. The new situation in terminology requires not only albanianization, unification and standardization by terminologists, (not only within the terminological field and by specialists of this narrow field), but also in its use in school, at university, in the media, in official communication etc.

The terminology reflects more directly the development and modernization of today’s Albanian language itself and is closely related to the progress of education, science and culture, the economy and the industry, with the spread of modern scientific and technics knowledge across society.

The idea of reviewing some of earlier published terminologies in previous Glossaries³, has support also from politics, social, economic and cultural changes in Albania, Kosovo and Macedonia, something which is inherent to all the changes in the lexical system, by reassessing also the native - foreign word rapport, by narrowing as much as possible the competitive cases of terminological units, of creating a database bank for terms of economy and finance especially in textbooks and scientific studies. Therefore, well prepared terminologists for the terminology of economics and finance are necessary, as well as the use of more advanced computer methods, with completed terminology centers, and terminologists from Albania, Kosovo as well as Macedonia, in order to move at the developmental pace in this field with other European countries.

3. Terms which Nominate the Main Features and Notions of Economy and Finance

In the third millennium, the new socio-economic system with its new notions and European laws conditioned the creation of a new terminological system that determines also the enrichment of existing dictionaries with new terms. The main notion, the notion of the new order, capitalism, which is the essence of this system, became linked with a range of economic and other notions, and, as a consequence, the number of terms - compound words is also relatively large. Below we will present just a few key terms - compound words, since their number is relatively large, which have become established and are most frequently used in economics and finance. Thus, with the term kapital-capitala large number of terms - compound words have been formed:

- kapital bazë-core capital, kapital fiks-fixed capital, kapital financiar-financial capital, kapital fizik-physical capital, kapital i bankës-bank capital, kapital i huazuar-loan capital, kapital i investuar-venture capital, kapital i jashtëm-outside capital, kapital i kompanisë-company capital, kapital i blokuar-frozen capital, kapital i rreziku-risk capital, kapital i vdekur-unemployed capital, kapital kombëtar-capital stock of nation, kapital njerëzor-human capital, kapital qarkullues-circulating capital etj.

Further, we will present the basic notions bankë-bank, kontratë-contract, kamatë-interest, çmim-price, produkt-quality, pagesë-payment, that associate with a wide circle of economic problems, with main feature of this economy and include also a wide circle of terms like:

- bankë arktëtimi-collecting bank, bankë e depozitave-deposit bank, bankë e tregtisë së jashtme-foreign trade bank, bankë jashtë vendit-offshore bank, bankë kombëtar-national bank, bankë kreditimi-credit bank, bankë kursimi-savings bank, bankë qendrore-central bank, bankë rajonale-regional bank, bankë shtetërore-state bank;

purchase, kontratë shitjeje-sales contract, kontratë shtesë-additional contract, kontratë transport-contract of carriage etj.;

• kamatë e llogaritur-imputed interest, kamatë efektive-effective interest, kamatë kompensimi-compensatory interest etj.;

• çmim bazë-base price, çmim botëror-world price, çmim bruto-gross price, çmim eksporti-export price, çmim fabrike-factory price, çmim fillestar-initial price, çmim fleksibil-flexible price, çmim i arit-gold price, çmim i barabartë-parity price, çmim i blerjes, buying price, çmim i faturuar-invoiced price, çmim i fundit-bottom price, çmim i kontrolluar-controlled price, çmim i ngritur-increased price, çmim i ofruar-offered price, çmim i prerë-fixed price, çmim i shitjes-selling price, çmim i tregut-ruling price, çmim i ulur-reduced price, çmim konkurrues-competitive price, çmim me doganë-price inclusive duty, çmim me TVSH-price inclusive VAT, çmim neto-net price, çmim pa ambalazh-price excluding packaging, çmim për copë (ose njësi)-price per piece (or unit), çmim real-real price, çmim stinor-seasonal price etc.;

• produkt cilësie-quality product, produkt familjar-product family, produkt i dëshirueshëm-desired product, produkt i gatshëm-finished product, produkt i ri-new product, produkt kombëtar bruto (GNP)-gross national product, produkt përfundimtar-final product etc.;

• pagës e borxhit-payment of a debit, pagësë e kamatës (interesit)-payment of interest, pagësë e parakohshme-payment before due date, pagësë e pjesshme-part payment, pagësë e plotë-payment in full, pagësë me çek-payment by cheque, pagësë me këste-payment by instalments, pagësë neto-net pay, pagësë plus-paid-in surplus, pagësë shtesë-supplementary payment, pagësë takshash-payment of duties, pagësë tatimore-tax payment etc.

Notions of specific economic laws: ligj i punës-labour law, ligj i tatimit mbi të ardhura-income tax code, ligj mbi tarifa-tariff law, ligj i tatimore-tax law, ligj për mbrojtjen e mjedisit-environmental protection law, ligj i tregtisë ndërkombëtare-international commercial law etc.

Notions in the field of trade: tregti botërore-wordl trade, tregti detare-sea-trade, tregti e brendshme-domestic trade (internal trade), tregti e jashmë-external trade (foreign trade), tregti e përgjithshme-general trade, tregti mallrash-commodity trade, tregti me pakicë-retail trade, tregti ndërkombëtare-international trade, tregti ndërkomintionale-intercontinental trade, tregti private-private trade, tregti veri-jug-north-south trade etc.

Notions in the field of finance: financa funksionale-functional finance, financa publike-public finances, financë strategjike-strategic finance, financim i brendshëm-internal financing, financim i ekportit-export financing, financim i nvestimeve-investment finance, financim i plotë-fully funded, financim me kredi-credit financing, financim nga shteti-government financing etc.

4. Conclusion

We notice that in the last decade there are also synonyms that are formed by the parallel use of the foreign term and Albanian term in economics and finance. Antonym pairs have also increased. The antonymy positively characterizes the terminology, since it verifies about the systemic connection of concepts, for an advanced terminology in the system. The semantic structures of these terms relate to new communication needs caused by the birth of new phenomena and concepts. But, despite all the restrictions and changes in the structure of meaning, these terms, even in this period are multi-semantic because, besides their main understanding, they also have one or two other meanings.

The meticulous work that has been done for the processing of all this fund of terms in the field of economy and finance has had its effectiveness: refined terms that entered the textbooks (from the beginning of the 70s of XX c.) were adopted by whole generations of students-specialists in various fields of knowledge, and were used during the drafting of textbooks, projects and scientific works, and all the way to the press, in radio and television.

Groups of specialists and specialists in relevant fields need to take part in the construction of the economy and finance terminology, by providing relevant definitions in the terminological system.

The work for the standardization of the terminology of economy in Albanian language, except the national aspect, has also got the international aspect, which helps inform these achievements and communication also between specialists, of economy and finance, of different countries and who speak different languages.

Word borrowings in Both languages Can Be Viewed from Many Angles, soft theire Each language evidencing in taxes to first place and the attitude Which is Held tell about. The evidencing of borrowings, particularly in the English
Language, by comparing with their say equivalences in English, the bring out their distinctions in the each language, which are conditioned by the time of the Forming of the economics terminology in the respective language.

References


S. Pllana, “Leksiku terminologjik i ekonomisë-një fushë e veçantë e dijes”, në Gjurmime albanologjike, IA Nr. 43/2013, Seria e shkencave filologjike, Prishtinë, 2014.

Sociology of Labour and Human Resource Management: An Interdisciplinary Approach

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Abstract

Since Administrative Science approaches the various aspects of management in a multidimensional fashion, they derive their scientific background from other sciences, such as mathematics, economics, sociology, anthropology, psychology. Taking into consideration the financial crisis afflicting modern societies, the proposal aims to offer modern operational techniques that regard the human factor as the driving force of the enterprise and thereby contribute significantly to the identification of core labour problems and effective policies to address them. At the same time, it endeavours to contribute to the systematic study of human behaviour in the workplace. This paper aims to highlight the melding of these two disciplines in the context of the theory of systems, theory of decisions, organizational culture, job satisfaction and the evaluation and management of sensitive social groups. The proposal aims to fill a big gap, present in Greek and Bulgarian literature, concerning the linking of the fields of Human Resource Management and Sociology. This paper presents reflections that could develop modern labour relations and promote the link between sociology and human resource management. The proposal is based on the study of written evidence, using, on the one hand, the historical method to link human resource management with sociology and, on the other, the comparative method in order to highlight the similarities of labour structures. The motive to pursue this subject was both scientific and the authors’ personal interest. The conclusions of this paper are very important and any utilization will contribute to the improvement of labour and human relations in the globalized business environment.

Keywords: Human Resource Management, Sociology, Employee Relations, Entrepreneurial Environment, Human Relations.

The human resources management is provision for the future and every management decision is an act in the future.

1. Introduction

Administrative Science is a special branch of the social sciences. During its evolution and especially after World War II, Administrative Science, in order to better study the phenomenon of administration, was influenced but also adopted concepts and methods from a multitude of different related disciplines such as Sociology, Economics, Law, Political Science, Biology, History, Psychology and others (Chevallier, 1993). Its focus would, at times, be on different approaches depending on social trends, in order to determine the component parts and the essence of the administrative phenomenon in its totality (Katsaros, 2008).

The result of the above was the emergence of new “approaches” to the administrative phenomenon, of which the most known are mathematics, H. Simon’s decision theory, as well as the study of human behaviour in the context of the enterprise’s social system. Among the supporters of the latter are a number of distinguished scientists such as Ch. Barnard, McGregor, Herzberg, Argyris, March–Simon and others. Another approach is the systems theory of S. Beer, and Johnson – Kast – Rosenzweig who study the enterprise as an open socio-technical system that can be managed with the
help of computerized decision-making models (Papadakis, 2007).

It was Weber who contributed to the convergence of sociology and Administrative Science. Weber’s approach shaped the modern organizational theory, which concluded the big discourse between the two sciences (Katsaros, 2008; Chevallier, 1993). The interdisciplinary approach to the problems of Administrative Science allows us to form spherical knowledge on it and at the same time to become a science/crossroads, which is based on pluralism and diversity (Chevallier, 1993). The current proposal seeks to study how the fields of Human Resource Management and Sociology of Labour converge. However, over the last years the Departments of Sociology of universities study and treat, more intensively, this subject too. It is the convergence of the two disciplines in the light of systems theory, organizational culture, job satisfaction, evaluation and vulnerable social groups. In the midst of a global financial crisis, continuous changes in society, changes in the administration of the human factor, the proposal aims to recommend techniques which consider the human factor the driving force of the enterprise and to contribute to the identification of labour problems and of effective policies to address them. The convergence is effected through examples, but also through the theoretical approach to the subject.

2. Literature Review

2.1 Sociology

The term was used for the first time by A. Comte in 1839 and refers to society and its study at a higher level. In general, sociology is the science that studies the composition, operation and transformation of society, as well as the social contexts and the consequences of the emergence, upholding, change and waning of social phenomena (Vasiliou et al, 2009).

A. Giddens (1989 : 35) defines sociology as a “social science that focuses primarily on the study of social institutions, brought into being by the industrial transformation of the past two or three centuries”.

Sociology deals with the study of social interaction, but also of group behaviour, through research, which is governed by thorough and organized collection of data and their analysis. Through research, sociologists endeavour to understand social interaction and group behaviour, but they also design studies on specific issues in order to evaluate public policy or to inform the general public on existing social conditions (Hughes et al, 2014).

Sociology is distinguished between microsociology, which studies all that people report, do and think in their everyday life and macrosociology which studies large scale organizations, institutions and others. This distinction does not mean that the two levels are independent of each other; quite the opposite (Hughes et al, 2014).

The science of sociology is considered the systematic, analytical or abstract, reflective study of human society. Its fundamental starting point is the relationship of the individual and society (Tsakiris, 2009). Sociology is divided into several branches depending on the social groups or social structures treated by each separate branch. Indicatively, we mention Sociology of Community Organization, Social Movements, Sports and many others (Tsakiris, 2009).

2.2 Sociology of Labour

Sociology of labour is a distinct branch of sociology applied in the domain of labour and is concerned with subjects such as the workplace as a social system; working conditions, racial relations and the relationships between groups at the enterprise level and many others (at the website http://eurovoc.europa.eu/drupal/?q=lv/request&view=pt&termuri=http://eurovoc.europa.eu/201969&language=el).

Organizations, groups, group processes are the constituent parts of the social context within which the workers of the modern industrial world move. Employment is an integral part of social institutions and the type of work affects the social status and the prestige of people (Hughes et al, 2014).

Sociology of labour, as a distinct branch of sociology, approaches all labour issues in a globalized economy. Its specialists deal with work and the way it is organized. At the beginning of the new millennium labour relations are changing dramatically for a multitude reasons; e.g. new technologies, new organizational models and the globalized economy (Tsakiris, 2009; Konstantopoulou, ny; Hughes et al, 2014; Papanis et al, 2005).

Sociology of labour deals with issues concerning the theory of employment, the division of labour, the technological determination, unemployment, spare time, the facets of employment in the mature industrial society, the crisis of

In industrial society professional employment is organized according to the system of standardized full-time occupation. Beck considers that the standardization of work is based on the uniformity of the job location, the working hours, but also legal conditions (Morel et al, 2014). A classic in the study of industrial sociology was the American sociologist G.C. Homans (Morel et al, 2014).

2.3 Human Resource Management (HRM)

HRM refers to the policies, practices and systems which affect the behaviour, attitudes and performance of workers (Brewster et al, 2007). The major management practices of human resources are about job analysis and planning, programming, recruitment, selection, training and development, remuneration policy, performance management and, finally, internal communication (Noe et al, 2009). From the entirety of managerial duties, HRM deals with the practices and policies required to attend to matters related to personnel issues. Very similar to Noe et al (2009), Dessler (2012) includes here, among others, the recruitment, training, evaluation, remuneration, and the provision of an ethical and just environment.

According to Werther et al (1989 : 9) “the purpose of HRM is to improve the productive contribution of people to the organization”. According to Gomez-Mejia et al (2012 : 616) “a human resource strategy refers to a firm’s deliberate use of human resources to help it gain or maintain an edge against its competitors in the marketplace. It is the grand plan or general approach an organization adopts to ensure that it effectively uses its people to accomplish its mission”.

According to Dessler (2012) Administrative Science draws upon knowledge from anthropology and also the study of societies, which contributes to the knowledge on human beings and their activities; also from sociology which studies people in relation to other people. Administrative Science is specifically addressed by two branches of sociology: political sociology and sociology of organizations (Chevallier, 1993).

3. The Link between Sociology of Labour and Human Resource Management

3.1 The systemic approach, the theory of organizations and the hierarchy

We are born into organizations
We are trained by organizations
And most of us spend
Our entire life working for organizations
A. Etzioni, 1974

The theories of M. Weber had a significant contribution to human resource management, which can be summarized in the following:

- The economic behaviour of people in the organization is rational.
- People’s rational economic behaviour in the organization enables the marginal efficiency of the activity.
- The rational economic behaviour is achieved by the existence of a strict hierarchy in the organization.
- Human resource management has its basic principles.

The bureaucratic-sociological model of Weber is often regarded as a theory that presents the management of human resources in the organization in an idealized form (Hughes et al, 2014; Morel et al, 2014).

Many are those who have considered the organization a form of domination. The most renowned sociologists who studied the phenomenon were M. Weber and R. Michels. The former defined three types of social domination which could be transformed into legitimate forms of authority: charismatic, traditional and rational domination. He considered that those in control will subdue the people and as a result bureaucracy would turn into an iron cage. The latter developed the theory of the “Iron Law of Oligarchy”, according to which organizations end up being dominated by small groups (Morgan, 2000).

Luhmann defined the theory of self-referential social systems, which is not a closed system, but has internalized the aspects of the environment that allow it to maintain its character. At the same time it is different from an open system

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1As cited by Batzias et al, 2008.
because it has no direct contact with its social environment. He also defined the concept of the process which ensures conflict control and the weakening of the participants in a conflict by transforming their motives (Luhmann, 1995).

Parsons established the AGIL schema which delineated an internal and an external dimension in relation to the environment, but also the internally and externally motivated relationships of inflow and outflow in the internal environment. The structural elements of AGIL refer to the "Adaptation" (A), "Goal attainment" (G), "Integration" (I) and "Latent pattern maintenance" (L) (Hughes et al., 2014; Morel et al., 2014).

Modern organizations are far more flexible and adjust easily to the requirements of each time. For instance, IBM considers the standard organization of a human resources department into subsystems (selection, training and development, evaluation, labour relations and others) inappropriate. Hence, IBM reorganized the functions of the HR department by dividing its 330.000 employees into administrative and technical, managerial and operational staff. The specialists help the employees of each group to have access to the knowledge, training and remuneration required (as cited by Dessler, 2012).

Dahrendorf promoted the division of social conflicts in two dimensions. The first referred to the extent of social units and the second to the class relationship within these units. For example, we can see that within groups of an enterprise there is conflict between older and newer members, between the Board of Directors and the members of the enterprise, while there are also conflicts between enterprises. Quite often it has been observed that colleagues are on bad terms, they cannot cooperate and are constantly arguing (Hughes et al., 2014; Morel et al., 2014). Research has established that workers, as a reaction, reduced their performance and at the same time moved their workspace in order to distance themselves from the person and conflict situations (Gavriil, 2013).

When Durkheim refers to the division of labour he considers it in regard to performance for the satisfaction of an organization's need, in order to increase its efficiency (Hughes et al., 2014; Morel et al., 2014).

3.2 Evaluation and job performance and remuneration policies

According to Parsons, the workers’ capacity for performance is the means of the action system, which is based on the personalities of the workers. The skills of the workers are not inherent, but are shaped by the social milieu and the cultural models prevalent during each period; they are also cultivated through the educational process (Morel et al., 2014).

For example, the evaluation system of state employees in Greece ought to take into consideration the particularities of the Greek public administration, the peculiar state-employee culture, as well as the rapid socioeconomic developments that have converted the body of state employees exceptionally inflexible to major administrative changes (Aspridis et al., 2014). The performance evaluation of the human resources is part of the organizational culture and ought to be understood by all the workers. Its goal should be the development of the human resources instead of their dismissal, in order for the staff to be willing to participate in such a process (Stergiou, ny).

Homans defined five propositions of behaviourist learning theory, which are linked to theories of worker motivation. More specifically, he referred to the success proposition, the stimulus proposition, the value proposition, the units of reward proposition and, finally, to the unfortunate coincidences. The outcome is that when a person’s energy is not rewarded as expected, then he becomes angry and within this context the outcome of aggressive behaviour may offer him some reward. If the worker is not rewarded he will get angry and, indeed, his anger will be proportionate to his past reward (Morel et al., 2014).

A characteristic example was mentioned during an in-house training seminar of an enterprise. More specifically, a business based in Volos had rewarded its employees with productivity bonuses during the holiday seasons. When it realized that the workers could produce more units during their work hours, it abandoned the reward policy and increased the number of daily work units they had to produce.

Marx ascertained that in the modern industrial society alienated labour has the role of forced labour; i.e. labour does not serve any need and causes economic alienation from both the product and the production process, as well as alienation from the species being and other workers (Hughes et al., 2014; Morel et al., 2014).

Societies and working conditions transform and as a result changes in the way human resources are managed emerge. Dessler’s (2012 : 32) example of the “generation Y” is characteristic; i.e. young workers that adopt different values towards work in relation to their parents. Older workers focus more on work rather than family when they have to take career decisions. Younger workers tend to focus more on family or find a balance between family and work.

Fortune magazine wrote that “generation Y” workers bring challenges and opportunities, while they might become “the most high-maintenance workforce in the history of the world”. Many enterprises teach their directors to provide feedback and recognition to young workers. However, the latter, being accustomed to the use of computers and electronic messaging, will also be the most highly productive (Dessler, 2012 : 32).
A. Miller’s play “Death of a Salesman” highlights the fact that enterprises use and exploit their workers, getting what they desire and consequently throw away the rest or even dismiss them because they are not needed (Morgan, 2000).

3.3 Flexible forms of work and harmonization of personal-professional life

From a sociological standpoint, the theory of F. Taylor contributed to human resource management the following main points: the implementation of a system for the effective use of the physical capabilities of the human body, the introduction of the principle "order - control", the study of the interaction between the two factors of the labour process "man - machine" with subsequent recommendations, the application of the "engineering approach" in human resource management, etc (Pachev et al, 2007).

The theory of F. Taylor on human resource management has its social importance (Pachev et al, 2007). At the macro level the increase of productivity of labour is seen as a social aim which leads to the reduction of poverty. At the mezzo level it offers procedures for the adaptation of human resources to the production system and new values and relationships between employees and employers. At the micro level it introduces a new image of the worker as a personality who is not isolated but works jointly in a group and participates in the development of the organization. His professional progress and qualifications are prerequisites for rising in the hierarchy of the organization. Additionally, the concept of organizational structure is a product of Taylorism (Taylor, 2007; Pachev et al, 2007).

Looking at Mayo’s theory from a sociological perspective, one may summarize its main contributions to human resource management as follows:

• Affirming values of the industrial society.
• Development of the idea of the human being as a social individual and not only an economic individual, who needs both the technical knowledge and the social skills required at a new workplace, organization or profession.
• The thesis of a new type of manager who also needs social skills.
• The analysis of the relationship "individual – group".
• The thesis of the informal structure, informal relationships, the informal leader of the organization, etc. U.S.A. enterprises reward the individual's effect on company results and remuneration is determined according to market dynamics. In Europe, enterprises focus on and reward the capabilities and responsibilities of each role (Gomez-Mejia et al, 2012; Aspridis, 2012; Mayo, 1946).

The human relations model of Elton Mayo is a theory of human resource management in the organization which is often considered "sociological romanticism" (Gomez-Mejia et al, 2012; Aspridis, 2012).

The modern ideas (concepts) on the management of human resources are a result of the changes that have occurred in the organization. They have aspects of great sociological importance. Large contemporary organizations are difficult to manage and are therefore less efficient. The strict hierarchization becomes an obstacle to their development. Therefore, it is required to decentralize and form organizations with fewer but highly qualified staff, and modern technologies and technical means. The basic needs of such organizations would include i) the scientific selection, preparation and verification of the skills and abilities of each member of the organization, ii) forming a common idea of the objectives and perspectives of the organization in all organizational members, iii) developing and implementing effective material and social incentives such as remuneration, recognition of merit, promotion prospects at work, professional education, parenting in professionalism, etc (Gomez-Mejia et al, 2012).

According to Armstrong (1993), some of the fundamental principles of human resource management in modern organizations are:

• Human resources are the most important asset and their effective management is the key to success.
• This success becomes possible only if the company's workforce policy and procedures are connected and contribute the most to the achievement of corporate goals and strategic plans.
• The corporate culture, values, climate and the management's behaviour have a major influence on the effort to achieve improvement and perfection.
• All members of the organization should participate and work with the consciousness of a common goal.

The primary objectives of human resource management in modern organizations that stand out in sociological literature are the development of professionally qualified personnel who correspond to the needs of the organization and also the creation of optimal conditions for the most complete and expedient use, renewal and development of professionally qualified staff. This basic objective of human resource management breaks down into a system of derivative targets which are related to the management of: i) the recruitment process of human resources needed by the
organization, ii) motivation, iii) the quality of performance, iv) the remuneration of work, v) the education, training and development of human resources, vi) working conditions, and vii) relationships (Gomez-Mejia et al, 2012).

Viewed from a sociological perspective, the well-known, in our days, Japanese model is prominent among modern concepts and models on the management of human resources. According to Pachev (Pachev et al, 2007), the main characteristic of this model is to ensure the connection between the results of the production activity and the long-term goals of the organization. The employees should not be forced to work but should be provided with the appropriate conditions for labour activity. These conditions include the relationship between education and employment in the company, wages, social insurance, rise in the hierarchy, and participation of the personnel in the ownership, management and profits of the organization (Papalexandris et al, 2002).

Over the past years and especially after the suicides at France Telecom, a dialogue began on the relationship of sociology and the formation of opinion regarding the individual and his self in the workplace environment (Karakioulafi, 2013; Loniol, 2007; Markowitz, 1997).

Technology changes the nature of work. In older factories, machine operators manually controlled machines which transformed pieces of metal into mechanical parts. In our days, the workers tap commands into machines controlled by computers and manufacture precision parts for water pumps and other similar products. That is why human resources managers recently declared “critical thinking/problem solving” and “information technology applications” as the two skills which will most likely be the most important over the next five years (Dessler, 2012 : 30).

L.L. Bean, an American clothing and outdoor activity equipment chain store, offers competitive remuneration and a full benefits package, such as cash performance bonuses, health and insurance coverage, and pension plans. When the online sales of the company exceeded the telephone ones, the company closed four call-centres, but made sure that its 220 employees worked from home. Instead of creating jobs overseas, it has maintained the job positions near the town where L.L. Bean started the company 100 years ago. Like many other employers today, the company is utilizing effective human resource management practices in order to maintain an edge against its competitors (Dessler, 2012 : 21).

In Greece, the lack of balance between personal and professional life is quite pronounced as Greeks, at least comparatively, work longer hours. Greek enterprises display a delayed response to the required changes. Many workers consider that they are in a position to understand and achieve the balance between personal and professional life. The lack of balance affects the worker’s mental state, both in the family environment and workplace (Aspridis, 2012).

The Japanese model of human resource management maintains that the organizations should fist invest in their human resources and then in the creation of capital and technologies. In the Japanese consciousness, the economic organization is both a productive institution and a social institution and is the guarantor of the workers’ and their families’ existence. Labour activity is paramount in their life. The Japanese model of human resource management in organizations is an attempt to combine traditions with modern scientific achievements and social practice. It is based on the concept of the indissoluble connection between the coalition of the organizational members and the success of the organization and is one of the reasons for the interest in this model and its importance to sociology (Pachev et al, 2007).

3.4 Racial and ethnic approaches to labour

Feminist sociology endeavours to study the position of women, gender relations, the inferiority of women and their capabilities as fundamental topics (Morel et al, 2014). Younger women suffer more bullying and/or harassment than their male colleagues. The number of women that become targets of sexual harassment is triple that of men. In the E.U. of 27, approximately 50% of all female workers are in the lower pay scales. This can be explained by the fact that a larger proportion of women work part-time. However, the differences are pronounced even between full-time workers (at the website http://www.eurofound.europa.eu/sites/default/files/ef_files/pubdocs/2006/52/el/1/ef0652el.pdf). In general, women work in part-time jobs, are less mobile professionally, are paid less, are more often treated unfairly, remain unemployed for longer etc. It is characteristic that neither Weber nor Marx attached any importance to the unpaid work of women. The most major representative of the feminist movement, R. Becker-Schmidt considers that the inferior position of women is related to their social position in the capitalist system (Morel et al, 2014).

The ethnic approach to labour focuses on social relations during the production process, the cultural perception of labour as a means to construct an identity and assign meaning, the relationship of the community with occupation and unemployment, as well as the manner in which work is structured and effected in organizations (Hughes et al, 2014; Wallman, 1976). In this context, the E.U. has issued directives that prohibit direct or indirect discrimination based on racial or ethnic origin, religion or beliefs, disability, age and sexual orientation. Lately, changes have been observed in the legislation of the EU member-states as a result of adopting these directives (Council Directive 2000/43/EC).
4. Conclusions

The essence of human resource management, according to the sociological bibliography, is usually defined as a conscious human activity for organizing and regulating the relations between organizational members to achieve current and prospective organizational goals. Human resource management is the management of the organization’s most valuable asset. The organization, through its members, achieves a stable competitive advantage. Therefore they are considered a valuable asset in which to invest and hence increase their intrinsic value.

The successful management of the human resources of every organization requires as a condition that the policy and management procedures should be a function of the corporate objectives and practical tasks of the organization, and should contribute to the greatest possible extent to the implementation of those objectives. Additionally, the economic and social interests, and needs of the human resources should be equal to the needs and interests of the organization.

From a sociological perspective, human resource management has its own specifics since i) the object (human resources) is multi-structured, highly dynamic and depends multilaterally on internal and external factors of the organization. The human resources are characterized by an extremely wide variety of individualities. These are personalities with different mentalities, interests, attitudes, age etc, ii) the human resources are simultaneously the object and subject of management, iii) it requires the management of a large number of social processes with heterogeneous origin, iv) there is a hierarchy.

According to sociological literature, the concepts and models of human resource management in the organizations can be summarized in two main groups with great sociological importance: classic and modern.

References

Konstantopouloi, Ch. ny. For a Sociology of Labour. Thessaloniki : Paratiritis. (In Greek).
Tsakiris, A. 2009. “What is Sociology?” Available online at https://tsakthan.wordpress.com/2009/03/08/%CF%84%CE%B9-%CE%B5%CE%AF%CE%BD%CE%B1%CE%B9-%CE%BA%CE%BF%CE%B9%CE%BD%CF%89%CE%BD%CE%B9%CE%BF%CE%BB%CE%BF%CE%B3%CE%AF%CE%B1/. [Accessed on 22 July 2015]. (In Greek).

**Internet Sources**

The Factors that Influence in the Inhibition of Primitive Reflexes

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Abstract

The researches for finding the causes of learning disorders are on the rise. One of the cases is thought to be the inhibition of primitive reflexes in time or the lack of reflex. Special contribution has given and gives Sally Goddard Blythe. So the entire study refers to its findings. In this study will be presented data about the presence of primitive reflexes in children with learning disorders, extracted by the use of questionnaire drafted by Sally Goddard. This academic information of the initial reflexes makes the study more important. The child responds to environmental promptings through primitive reflexes, which are automatic stereotyped responses. At birth, a baby has no control over voluntary movements. Primitive reflexes should be inhibit slowly during the first year of life. Various reasons are the cause of the inhibition of these reflexes, to continue as infancy, interfering the development and the learning process of the children during all their life. The study was quantitative with the main focus of data collection by the use of INPP questionnaire compiled by Sally Goddard Blythe, on the inhibition of primitive reflexes. It was conducted in 2012, in the city of Vlora with learning disorders children, age 6-10 years. The questionnaire was addressed to 14 mothers of the children taken in the study. It was about the history of child development from pregnancy, birth, infancy and up to the first years of life. Fourteen children with learning disorders that participated in the study were diagnosed by a relevant physician with learning disorders (ADHD, ADD, HD), language disorders (dyslexia) and autism spectrum disorders (CSA). SAS program (9.1) was used for data processing. Pearson correlation indicator > 0.29 is taken as significant for the relationship between the primitive reflex and various causes in the history of child development. From the findings of this study was revealed that there were numerous links between primitive reflexes in children with learning disabilities, ages 6-10 years old, and different reasons issued by the history of the life of the child, reported by their mothers. The study focused in symptoms of primitive reflexes in children with learning disorders, also contributes to the causes of inhibition, to provide new mothers with theoretical and practical material on primitive reflexes and parental care not only in the city of Vlora, but also in national and international level.

Keywords: symptoms of primitive reflexes, the causes of inhibition, learning, movement.

1. Literature Review

1.1 What are the primitive reflexes?

During fetal development (Goddard Blythe and Hyland (1998) is born a group of reflexes who are called primitive reflexes (Hannanaford 1995). They are stereotypical involuntary movements which respond to particular stimulus and they are also the dominant form of movements during the last months of life before birth, and the first months after birth (Continuity of neural Functions from Prenatal to Postural Life Fetal. Motility in the first helf of pregnancy. P.46-64) The early period of life is very important, because of the two types of movements, the infant reflexes and stereotypes (Reinhard Rohkamm, MD Color Atlas of Neurology. (2004) Normal and Abnormal Function of the Nervous System. Reflexes. P. 40 - 60). The movements of primitive reflexes and stereotypes are very important in the development process.

The primitive reflexes must be present at birth and they are an indicator of the central nervous system. Reflexive movements are the first foundations of the nervous system (Wolf & Binet.1973). Very early in uterus, reflexes and primitive movements are responsible for brain development (Hannaford Clara, Ph.D. Smart Movement. (1995) P. 96-107). Most of the primitive reflexes do not last beyond the first year of life, but they must be inhibited slowly along this year. (Zafeiriou, 2004). Primitive reflexes (McPhillips et al, 2000) are automatic stereotyped movements (Guyton, 1991; Thelen & Fisher, 1983) directed by the cerebral stem and they don’t need the involvement of cerebral cortical. They are needed for the survival and development in uterus and for the first months of life. While most sophisticated centers of the
brain begin to mature, primitive reflexes return to a barrier and should disappear in order for the brain to develop neurologically properly, which is needed for its development (Rohkamm 2004; Melillo, 2009). All primitive reflexes can not be inhibited, but some of them are integrated into new voluntary movements as reflexes during all life (Gold, 1997; Wilkinson, 1994).


Primitive reflexes appear in a specific sequence. From anatomical and neurological aspect, at children with normal health, these reflexes stay for a short period of time and are replaced by postural reflexes (APA, 2000; Goddard, 1996; Hocking 1997; McGoe, Eckert & DuPaul, 2002; Taylor, 1998, 2002 Gold, 1997; Wilkinson, 1994). During the first year of life these reflexes are inhibited and matured in more sophisticated areas of the brain. Once the central nervous system matures and the reflex has done its job, it must undergo the transformation or inhibition in a higher part of the brain (capute, A. J, Palmer, FB, Shapiro, B. K Wachtel, R. C, Ross, A, Accardo, PJ (1982), Primitive reflex profiles: A quantitative data of primitive reflexes in infancy. Developmental Medicine and Child Neurology, 26, 375-383). Postural reflexes are the foundation of the later voluntary movements (Gold, 1997; Wilkinson, 1994), should help the baby to meet the demands of an environment based on the force of gravity and to provide the basis for the control of balance, behavioral and involuntary movements (Wolf, Theta. Alfred Binet. Chicago: University of Chicago Press (1973). BIRTH. 52-62 Transition from Reflex Movement to Voluntary Movement. P. 279-282). If there is a group of unconstrained primitive reflexes, the central nervous system will not function properly (Salkind, 2002). Each reflex is associated with one or more of Sensory Processing Systems (Goddard, 1996) Reinhard Rohkamm, MD Color Atlas of Neurology. Reflexes. P. 40), hearing, taste, touch, smell, sight, orientation in space, perceiving. Therefore, if the initial reflexes are not suppressed, a child or a person may suffer the malfunction of one or some of the sensory processing systems. This leads to what is called "Sensory Processing Disorder." Sighted, cortical- poor attention, vestibular - poor coordination, balance vestibular-loss, lips and mouth, poor pronunciation and speaking.

2. Research Methodology

The study was quantitative with the main focus on data collection by the use of a questionnaire drafted by Sally Goddard Blythe on retained primitive reflexes. The study was conducted in the period 2011-2013 with children with learning disorders, age 6-10 years. These questions have been modified from "Attention, Balance and Coordination", “The ABC’s of learning success”, by Sally Goddard Blythe (2009). In this survey the questionnaire was addressed to 14 mothers of children. Fourteen children with learning disorders in this study were diagnosed with hyperactive disorders (ADHD, ADD, HD), language disorders (dyslexia) and autism spectrum disorders (ASD), by a relevant doctor. The entire study was focused only in 8 primitive reflexes, (Moro), (Rooting), (Sucking), (Asymmetric Tonic Neck Reflex) (ATNR), (Symmetric Tonic Neck Reflex) (STNR), (Tonic Labyrinth reflex), (TLR), palmar reflex, and spinal Galant reflex. Based on the signs of retained primitive reflexes as a result of these questionnaires, begins a special treatment for the child and the parents are addressed to see a specialist for the child’s neurological development.

3. Goals and Objectives of the Project

3.1 Goals of the project

- To collect data from mothers of children with learning disorders by using the questionnaire of Sally Goddard Blythe on retained primitive reflexes in order to come to the causes of inhibition.
- To inform new mothers with theoretical information about the importance of primitive reflexes and the need for a better qualified parental care.

3.2 Objectives of the project

- To confirm that children with learning disorders have the highest level of retained primitive reflexes.
- To describe the primitive reflexes and their symptoms as a necessary information for the family
- To collect information regarding the cause of retained primitive reflexes
4. Hypothesis

Children with learning disorders have an increased number of primitive reflexes.

The objectives and the hypotheses of this project are related to the theories about retained primitive reflexes. It is a medical fact, generally accepted that the primitive and postural reflexes are essential for the development phases and are a reliable indicator of the maturation and functioning of the Central Nervous System (Peiper A, 1963; Capture, 1986).


5. Data Analysis

It was used the statistical program SAS (Statistical Analysis System) version 9.1. for the recording and the statistical data analysis. A series of indicators, techniques and statistical tests were used to describe, evaluate and interpret the data available in this study as well as links between different variables. For categorical variables were reported absolute numbers and percentages respectively. Cross tabs were used to assess the relationship between variables in which different awarded the Pearson correlation index, where the 0.1-0.29 shows weak correlation values, for the values 0.3-0.49 shows moderate correlation, for the values 0.5-0.69 shows substantial correlation and over 0.7 strong correlation.

6. Study Findings

The project is affluent in its findings. The findings of the study include data on:

1. Evaluation of responses to questionnaires completed by mothers of children, taken in the study in order to collect data about the symptoms of retained primitive reflexes in children with learning difficulties.

2. Collection and study of the data regarding the causes of retained primitive reflexes.

Data received from mothers of children:

1. The influence of the family history

To control this impact we assume that all children, regardless of their different family history, have the same level of primitive reflexes:

H01: μ1 = μ2 (where μ is the average level of conditional reflexes in children with different family stories concerning cases of persons with learning disabilities.)

HA1 = μ1 ≠ μ2 (the level of reflexes is not the same)

From calculations (Table 1) for α = 0.05, we have calculated the F (86.6) that is> than F critical (4.22), so we say that the hypothesis based falls, and this proves that there are significant difference in the level of primitive reflexes in children with different history family. The correlation coefficient between the primitive reflexes in children with learning disabilities and family history with such persons = 31%.

Graph 1.

From further analysis of the impact of family history in cases with learning difficulties, we have analyzed the main reflexes that are affected by this. So, we have calculated the probability indicator Chi-Square p = 0.0419 <0.05 regarding the connection between the history of the family and the difficulty of the child or the indolence in physical education, dance,
etc., indicating that statistically there is a significant difference at the level of primitive reflexes in children with different family history. So, from children without a family history of people with learning difficulties, the level of retained reflex which reflects in difficulties in physical education, dance, gymnastics, is always displayed 36%, and in children with a family history of people with learning difficulties, we see that 50% of them have often shown this difficulty.

Graphic 1.1

Furthermore, we have Chi-Square \( p = 0.0373 < 0.05 \) for the connection between family history of children and the difficulty of the child when telling the time in a traditional clock alternative that's different from a digital one, indicating significant differences in the level of reflex in children with a different family history. So, in children with a family history (2), which have people with learning difficulties, both children (100%), have shown sign of reflex through difficulties in telling the time from one traditional clock, and from children without a family history (12), which have people with learning disabilities, 10 children have shown signs of primitive reflex (or 83%).

Graphic 1/2.

Factor 2. Mother's pregnancy and the birth process.

Assuming that all the children, regardless of mother pregnancy progress, and birth process, have the same level of primitive reflexes:

\[ H_0^2: \mu_1 = \mu_2 = \mu_3 \ldots \] (where \( \mu \) is the average of retained reflexes in children with different performance of maternal pregnancy and birth process). \( H_{A2} = \text{the level of reflexes is not the same} \).

From calculations we have, for \( \alpha = 0.05 \), calculated \( F (15:25) \) is greater than critical \( F (4:25) \), so we can say that the based hypothesis falls and this proves that there are significant differences in the level of primitive reflexes in children who have various performance of pregnancy of their mother and their birth process. So this is an important factor in maintaining the level of primitive reflexes in children with learning difficulties. The correlation coefficient between the primitive reflexes in children and the indicators of maternal pregnancy = 37%. (Table 2)
From the detailed analysis of any particular problem during mother's pregnancy and birth process, we have reached the following conclusions:

We have calculated the Chi-Square $p = 0.0385 < 0.05$ regarding the link between health indicators: "Mother have had viral infection during the first 3- months of pregnancy" and the reflex "Difficulty in determining the dominant hand" of the child, which shows that statistically there are significant difficulties in establishing a dominant hand in children, who were from mothers who have had viral infections during the first 3 months of pregnancy in comparison with other children. Thus, the children that were born from mothers who have "Never" had viral infections in pregnancy, 92% of them haven’t had difficulties in determining the hand dominant, and 8% "very rarely", while children who were born from mothers who “Often” have gone viral infections, in the first 3 months of pregnancy, "50% of them “Often” have shown" difficulties in determining the dominant hand.

In this case the Pearson correlation coefficient is 0.66, which indicates a strong connection between the cause (infection of the mother) and the effect (the reflex of the child). (Table 1.2)
Chi-Square $p = 0.0089$ shows statistically a significant difference in difficulties in determining the dominant hand in children who have been in breech position during pregnancy or at birth. Thus, children who "Often" were in the rear position have had 50% of their difficulties in determining the dominant hand, and children who were not in rear position have never appeared difficulties in determining the dominant hand. Pearson Correlation = 00:54 shows a moderate linear relation. (Table 2.2).

Graphic 2/3

Chi-Square $p = 0.0243$ shows statistically significant differences in reading difficulties and writing in children who have had physical signs of bruises during birth. Therefore, all children who "Often" have had signs of bruises, "Often" result in reading and writing problems. Children who have never had any signs of bruises (10 children), 70% of them have "never" had learning difficulties at school or kindergarten, and only 30% "very rarely". Pearson Correlation = 0.77 shows a strong linear relation. (Table 2/3)

Graphic 2.4

Chi-Square $p = 0.0305$ shows a significant difference in learning the bike difficulties in children who were born from mothers who have had complications during pregnancy or child birth, compared with children who were born from mothers with no problems in pregnancy. Thus, the children who were born from mothers who "Forever" have had complications during pregnancy or birth, have had 75% of cases "Forever" difficulties in running, cycling, learning to swim, etc. Children who were born from mothers who have "Never" had such complications, 50% of cases "sometimes" have had such difficulties. (Table 2.4).
Factor 3. Earlier childhood and child health

Assuming that all children, regardless of their performance in earlier childhood and health, have the same level of primitive reflexes:

\[ H_03: \mu_1 = \mu_2 = \mu_3 \ldots \] (where \( \mu \) is the average level of conditional reflexes in children with different performance in childhood and health).

\[ H_{A3} = \text{the level of reflexes is not the same.} \]

From calculations we have, for \( \alpha = 0.05 \), calculated F (3.97) is greater than critical F (2.68), so we can say that the basis hypothesis falls and this proves that there are significant differences in the level of children’s primitive reflexes with different development in childhood and health. So this is an important factor in retaining the level of primitive reflexes in children with learning difficulties. The correlation coefficient between reflexes and indicators of childhood and child health = 57%.

**Graphic 3. Reflexes of children with learning difficulties and their health problems**

Chi-Square \( p = 0.0327 < 0.05 \) shows a significant difference in writing difficulties in children who have had different allergy history. So children who "Often" have had allergy history, in 50% of cases "Often" have difficulties in writing or have irregular writing, compared with other children who "never" or "sometimes" have had allergy history. (Table 1.3)

**Graphic 3/1**

Chi-Square \( p = 0.0009 < 0.05 \) shows a significant difference in difficulties determining the dominant hand in children who have had different stories of asthma. The table shows that all the children who “Often” have had asthma history, have “Often” shown difficulties in determining the dominant hand. (Table 3.2)
Graphic 3/2

Chi-Square p = 0.0311 <00:05 shows a significant difference in difficulties in catching the ball in children who haven’t crawl or draggle on the rear, otherwise other children. Thus, all children who have “Never” crawled or climbed have shown difficulties in catching the ball (7 children). Pearson correlation = 00:53 shows a moderate linear connection between the manner of crawling, difficulties in catching the ball and hand – eye coordination. (Table 3.3)

Graphic 3/3

7. Conclusions

1. It was highlighted the link between the level of retained primitive reflexes in children with learning disabilities and family history with such persons.
   * The connection between child difficulties with learning disabilities in physical education, dance, gymnastics and family history from people with learning difficulties.
   * The connection between child difficulties when telling the time and family history in people with learning difficulties.

2. It was highlighted connection between the level of retained primitive reflexes in children with learning difficulties and problems during mother pregnancy and birth process. The connection between the difficulty in determining the dominant hand and the rear position of the child and maternal viral infection in the first 3 months of pregnancy
   * The connection between the difficulties in speech or articulation of children with learning difficulties and the rear position of the child during pregnancy.
   * The connection between problems in reading and writing in children with learning difficulties and unusual signs of bruises during child birth.
   * The connection between actions where the child makes as little (baby), and the existence of bruises signs, unusual signs of jaundice, signs of pressure, and a deformed cranium in new born children.
   * The connection between difficulties in determining the dominant hand and hypersensitivity of fetus.
   * The connection between difficulties in running, cycling and birth and complications.
   * The connection between difficulties in telling the time from a traditional clock and the existence of risk
abortion during mother pregnancy.

3. It was highlighted connection between the level of retained primitive reflexes in children with learning disabilities and problems of childhood and health of these children.

- The connection between children difficulties in writing, or irregular writing and its history of allergy.
- The connection between children behaviors as small or as a baby, and his history of allergy.
- Relationship between the difficulties in determining the child's dominant hand and his history of asthma.
- The connection between the children difficulties to catch the ball, and eye-hand coordination and his way of crawling at the age of 4-9 months.
- The connection between children difficulties in tying the shoes and dressing, with difficulties that have had in distinguishing the right wing, or if they have suffered from head injury.
- The connection between difficulties in determining the dominant hand with the fact of child's head injuries and also whether the child has suffered from nausea when traveling.
- The connection between behaviors as small or as a baby, and his history of allergy.
- Relationship between the difficulties in determining the child's dominant hand and his history of asthma.
- The connection between children difficulties in catching the ball, and eye-hand coordination and his way of crawling at the age of 4-9 months.
- The connection between children difficulties to catch the ball, and eye-hand coordination and his way of crawling at the age of 4-9 months.
- The connection between difficulties in fastening footwear, dressing, fastening buttons, and difficulties in catching the ball in children with learning disabilities and the fact whether the child has experienced serious illness or crisis.

References

(Continuity of neural Functions from Prenatal to Postural Life Fet al. Motility in the first helf of pregnancy. P.46-64)
Vol.19 / 1, International Journal of Special Education. Vol.19/1: 23-37)
(Blomberg. H and Dempsey. M. Movements that Heal.(2011).)
(Blythe, 2010; McPhillips & Sheehy, 2004; Freides et al, 1980).
Awareness about the Services of University Technology Transfer Offices

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Abstract

This paper is an attempt to analyze the awareness about the university technology transfer offices (TTO). The importance of the TTOs comes from their main activity, which is conversion of knowledge created at university to the marketable goods in order to be used for public welfare. These offices encourage the students and academicians to be entrepreneurs and create a link between companies and academicians; by doing so TTOs plays a great role in economic development of countries. In this study, we firstly examine the TTOs in Turkey and worldwide to understand the dynamics of the offices. Technology transfer, TTOs and their roles, goals are defined. Afterwards, a survey, which aims to analyze the awareness about TTOs in Turkey, will be prepared - TTO is a relatively new term in Turkey and that makes our study more significant-. The existing literature in the subject shows us that; we must divide the stakeholders in the process in three bodies such as students, academicians and firms. Therefore, we decide to generate three surveys specific to each bodies to move forward on our study.

Keywords: Technology Transfer Office, Awareness, UTTO

1. Introduction

This paper examines the awareness of the university technology transfer office (TTO). The importance of the TTOs comes from the fact that, the knowledge created at the university should be converted to a marketable good in order to be used for public welfare. TTOs also motivate the students and academicians for being entrepreneurs, by this way they play a great role in the economic development of the countries. Moreover, TTOs create a link between the companies and universities and is a key element and motivator for the university-industry research cooperation.

This study is an attempt to analyze the TTOs in Turkey and worldwide. Firstly the technology transfer, TTOs and their roles, goals are defined to understand the dynamics of TTOs. Then, the existing studies in the literature about the TTOs are examined and a pathway for this study is generated. This study will especially focus on the awareness of the TTOs since they are relatively new for both academicians, students and companies in Turkey. Since academicians, students and companies are the main bodies that are interested in the works performed by TTOs, the awareness study should be conducted with these bodies; separately. Three different surveys should be prepared for this aim and the results of the surveys will show us how well these offices are known and how much they help in technology transfer process. The findings will also help us to improve the effectiveness of the TTOs.

2. Technology Transfer and Technology Transfer Offices

Technology itself doesn't mean much to the industry. Technology transfer is the implementation of the technology to a certain firm for improvement. It is transforming the scientific knowledge and innovation to the marketable goods. Technology transfer can be made formally or informally. Formal technology transfer is seen as patent, license or royalty agreement. Informal technology transfer is the flow of knowledge through technical assistance, consulting and collaborative research between academics and industry personnel. Formal technology transfer focuses on protecting intellectual property (IP) while commercializing the technology (Link et al, 2007).
2.1 University Technology Transfer Office (UTTO)

Technology transfer offices are the places where the scientific knowledge transforms into the marketable goods. Universities work as a technology agent in this transformation process. They take technology from labs to market. UTTO basically protects university’s intellectual property and supports research and discoveries while working with industry. TTOs play an important role in economic development by creating start up firms. They also provide their university the opportunity of gaining profit from patents or licensing by commercializing technological discoveries. TTOs are organized in three types: traditional university structure, nonprofit research foundation and for-profit venture extension. Traditional university structure works under university’s administrative structure and it reports to the Vice President (Rectorate) and research offices fund them. They are strongly connected to the university in terms of application policies. Nonprofit research foundations have their own Board of Directors which give them greater autonomy and separate budget. For-profit private extensions are generally interested in startup firms. They also have Board of Directors and CEO, their personnel knows intellectual property (IP) law, managing companies and venture capitalism (Markman et al, 2005).

The Turkish higher education system is comprised of 108 public and 71 private universities (Council of Higher Education, 2014). TTOs in Turkey are located in different structures; 41 R&D centers in universities, 32 Techno park companies, 20 Small and Medium Industry Development Organizations (KOSGEB), 74 State Planning Organization (DPT), and 2 private companies (Sart, 2014). Although the number of TTO is not relatively low, the impact of these offices to the economy is insufficient. With the help of this study we want to increase the awareness of the offices in Turkey.

2.2 Goals of TTOs

The motivation of TTO is to bring the developments in the technology to the market. TTOs take the inventions from university laboratories and commercialize them for public benefit. TTOs fulfill their mission with providing fund to the researchers, and take the patent or license for future development. They work as a mediator between industry and universities for transferring technology; help both parties in various ways to commercialize technology for the sake of society. Their second motivation is to create income from the commercialized goods, IP, licenses and patents. They use their income to carry out researches in attempt to produce more marketable goods and patents. The real measure of technology transfer is the amount of technology that has been transferred to the private sector for future development (Bremer, 1999) and the main motivation of TTO is to increase the number of products and processes that has been transferred.

UTTOs are established to ensure the commercialization efforts and are managed within the university; thereby the commercial value the academicians generate stays in the university. Leading mission of universities is to promote their academic personnel in research activities and having a UTTO in the university is the best way to monitor the research made by the academicians and to internalize the income from the IP originated from the university. In attempt to encourage the academicians to engage formal technology transfer through UTTO; the universities should review their current TTO procedure and policy, reallocate royalty payments to the faculty members and prevent disclosures of inventions (Link et al, 2007).

2.3 Roles of TTO

We can summarize the role of TTO as an incubator of technology transfer. As we have indicated before there are three different TTO structures. Each has a different administrative structure and different objectives. The support they provide changes with respect to this differences. However as a mediator of technology transfer process their main role is to provide a background to make this transaction successful. Their role is providing the services such as researching, marketing, evaluation, legal protection, consulting etc. The roles of UTTOs are defined as;

a. To evaluate and valuate disclosures of new discoveries
b. Seek legal protection for the technology, primarily through patenting
c. Sell licensing agreements to industry;
d. Collect royalty, oversee enforce contractual agreements with licensees. (Markman et al, 2005).

UTTOs play a key role in economic development which puts them in a point that not only monitor, facilitate, and regulate the transactions between university and industry but also create an environment for both parties to encourage technology transfer activities.
3. Literature Survey on Measuring the Awareness of UTTOs

After examining the present studies on UTTO awareness, we have seen that surveys are used to analyze the awareness and these surveys should be conducted for academicians, companies, and students separately. This necessity comes from the fact that, these bodies expect and need different services from the UTTOs. Students usually expect help for turning their business ideas into start-ups. Companies expect and need help for improving the technologies used for their business (for example: developing new products, new methodologies sin assembly line balancing etc.). Academicians need and expect funding for their researches, patenting their studies, commercializing their research findings. The subsections in this section summarize the studies on survey questions and their results.

3.1 UTTO Survey Questions

In attempt to prepare the questions we benefited from the past surveys conducted by Anderson et al (2007), New Engineering Foundation (2005), Aralica (2011), Brazilian Technology Transfer Offices (2014), UK Innovation Research Center (2012), NoGAP (2013). These studies have advanced our understanding of TTO surveys. However there is not a study exclusively focus on the awareness of TTOs; most of the existing studies about TTOs had analyzed the subjects such as entrepreneurship, spin-off company generation and focus on the activities of TTOs. For this reason we try to derive the questions that concerns awareness about TTOs, specifically. One of the reasons of focusing on the awareness is that; UTTOs’ history is not very long in Turkey. As we stated before we divide the attendants of the survey in 3 subgroups according to their interactions with the offices. The questions we summarized for academicians, students and companies are given in Table 1, Table 2 and Table 3 respectively, together with the studies they are used.

<table>
<thead>
<tr>
<th>Table 1: Academician Questions from Past Surveys</th>
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<tbody>
<tr>
<td><strong>Question</strong></td>
</tr>
<tr>
<td>Have you ever engaged in any Knowledge or Tech Transfer activities? If yes, how many?</td>
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<tr>
<td>What type of knowledge or technology transfer activities were undertaken by your college?</td>
</tr>
<tr>
<td>Why don’t you engage in technology transfer activities?</td>
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<tr>
<td>Please write the name of the Tech Transfer program, fund size and duration you have worked.</td>
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<tr>
<td>Indicate your opinion of the effectiveness of the TTO</td>
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<tr>
<td>Indicate whether you’d be interested in attending a training session about technology transfer</td>
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<tr>
<td>Did you have a personal involvement in a spin-off/start-up business during past years?</td>
</tr>
<tr>
<td>Does your university have TTO and do you have links to the other TTOs?</td>
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<tr>
<td>How many patents, licenses, research contracts did you have in the past and how many patents have you sold to the companies?</td>
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<tr>
<td>What kind of need do you see in tech transfer?</td>
</tr>
<tr>
<td>How many networking events did your university hold in the past year to bring together researchers and companies?</td>
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<tr>
<td>How is the knowledge transfer activity of your institution promoted externally?</td>
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<tr>
<td>What is your position at the university?</td>
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<td>Demographics information</td>
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<th>Table 2: Student Questions from Past Surveys</th>
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<tbody>
<tr>
<td><strong>Question</strong></td>
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<tr>
<td>Does your college have a methodology for introducing students to knowledge and / or technology transfer activities?</td>
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<tr>
<td>Does your educational programs include the topic ‘Entrepreneurship’?</td>
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<tr>
<td>Does your college teach innovation and creativity?</td>
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<tr>
<td>Have you ever heard of the terminology of TT/ TTO? If yes, how?</td>
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<td>Demographics information</td>
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</table>
Table 3: Company Questions from Past Surveys

<table>
<thead>
<tr>
<th>Question</th>
<th>The studies that the question was asked</th>
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<tr>
<td>Have you licensed technology from university before?</td>
<td>Anderson et al, 2007</td>
</tr>
<tr>
<td>How would you rate your experience with the TTO?</td>
<td>Anderson et al, 2007</td>
</tr>
<tr>
<td>Is your organization experienced in cooperation and knowledge transfer between public research and companies?</td>
<td>NoGAP, 2013</td>
</tr>
<tr>
<td>What kind of cooperation forms do you use in terms of knowledge transfer between companies and public research?</td>
<td>NoGAP, 2013</td>
</tr>
<tr>
<td>Does your organization participate in contract research projects, product-related research projects, and business collaboration projects?</td>
<td>NoGAP, 2013</td>
</tr>
<tr>
<td>What kind of needs and barriers do you see in technology transfer?</td>
<td>UK Innovation Research Center, 2012; NoGAP, 2013</td>
</tr>
<tr>
<td>Where do you collect your information concerning cooperation &amp; knowledge transfer activities?</td>
<td>NoGAP, 2013</td>
</tr>
<tr>
<td>Is your organization familiar with the terminology of technology transfer?</td>
<td>NoGAP, 2013</td>
</tr>
<tr>
<td>Company information</td>
<td>Aralica, 2011</td>
</tr>
</tbody>
</table>

3.2 UTTO Survey Results

Instead of the fact that there are not many studies in the literature about UTTOs, there are some report papers published by UTTOs. Most of these studies firstly summarize their current situation and give information about future studies about the UTTOs. It has been seen that UTTOs have conducted surveys in order to understand how to improve themselves. In the study of Aralica (2011), several UTTOs in Europe (Delft University of Technology, Graz University of Technology, University of Alicante, Vienna University of Technology etc.) were analyzed by a survey and the perceived effectiveness of the UTTOs was summarized. For instance, the users of the UTTOs have rated the effectiveness of R&D results by patenting, licensing as the highest. This study and similar studies motivate us to conduct a survey to measure the effectiveness of TTOs to engage academicians to formal technology transfer. In order to understand the efficiency of the TTOs in terms of making the faculty members involved in the TTOs activities, we plan to prepare questions using these studies.

Rochester University TTO Survey (Anderson et al, 2007) was conducted with 465 people. According to the survey results, it was seen that only 34.8% of the attendants worked with the TTO. The reasons of the attendants who did not work with the TTO are given in Table 4.

Table 4: Reasons why they did not work with TTO (Anderson et al, 2007)

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Technology transfer does not apply to my type of work</td>
<td>65.1%</td>
</tr>
<tr>
<td>I choose to pursue my inventions outside the university</td>
<td>1.0%</td>
</tr>
<tr>
<td>I do not want to spend time on the transfer of my technology and I rather prefer to focus on my research</td>
<td>6.9%</td>
</tr>
<tr>
<td>I did not know how to proceed</td>
<td>13.2%</td>
</tr>
<tr>
<td>Other</td>
<td>14.8%</td>
</tr>
</tbody>
</table>

According to Rochester University TTO survey (Anderson et al, 2007), 46.2% of the attendants implied that effectiveness of TTO on providing education to faculty on patenting is low. This result exposes the importance of the trainings given by the offices. 10 participants licensed technology with the support of TTO of the Rochester University. 5 of them rate their experience as 'excellent' and 5 of them rate as 'good'.

The survey Link and Siegel conducted in 2005 with 113 US TTOs expose that when they have funding opportunities faculty members will be more likely to engage to the technology transfer activities. Out of 1514 full-time tenured or tenure-track scientists and engineers, more than half of them indicate that they had cooperated with industry during past 12 months; among them 16% have involved in commercializing of technology, 15% co-authored with industry personnel an 18% had give consultation to industry (Link et al, 2005). Scientists also indicate that the interactions they had with the industry permit them to perform better basic research (Zucker and Darby, 1996) which again discloses the significance of TTOs to support the academicians to improve their research.
4. Conclusion and Future Research

This study summarizes the studies on technology transfer, technology transfer offices and university technology transfer offices. Due to the fact that these terms are relatively new in Turkey, we plan to analyze the awareness about these issues. In order to perform this, we plan to conduct surveys with academicians, students and companies. The questions can be prepared using Table 1, 2 and 3, which summarize the questions about awareness in the past studies. The results of the surveys will give a pathway for the managers of the UTTOs in Turkey to improve their activities.

References


NoGAP Project (2013). http://www.no-gap.eu


Patients with Cancer: Social Representations in Nursing

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Abstract

The meaning attributed to cancer, when passing the patient-family boundary is, in some degree, also shared between health professionals, which can have effect on the professionals’ performance and influence the opinions of users about health services. The focus of this work is the analysis of social representations about patients with cancer, in a population of nurse students, professional nurses working with cancer patients, and professional nurses not working with cancer patients, of both sexes. Our main goal is to know their conceptions towards oncologic patients. The methodological option was the social representations theory. The data was retrieved by questionnaire using the free word association technique. Several Factorial Correspondence Analysis where made to identify the different dimensions (or dependent variables). In general, all professional groups represent oncologic patients by their physical alterations. Nurse students decipher cancer in a distant perspective, as the unknown and something that causes discomfort and eventually… death. In fact, patients with cancer are strongly associated to situations of pain, involving suffering, and death. Women show a more positive perception of cancer, supported in treatment and hoping for a healing possibility. Men demonstrate a greater difficulty in dissociating the patients with cancer of people who soon will die. There is still a long way to walk before cancer patients are no longer associated to a death sign.

Keywords: Social representations, nursing, oncologic patient, cancer, pain, death, hope.

1. Introduction

Cancer… A simple word... A devastating disease... A terrible reality. More than a severe disease that develops due to undesirable and unpredictable changes at the cellular level, with organic and physiological effects on the body, cancer has a profound impact and harmful repercussions on all dimensions of the person, affecting their personal identity, with psychosocial, emotional, family, social and even economic implications. So, cancer is a ‘word’ well-known, and feared, being anchored and objectified in many different ways, both at personal as social level.

Known since ancient times, cancer, like other diseases, have contributed to change our language, our attitudes, the way we look at health and disease, and even how we represent ourselves.

Because cancer threat us in an almost uncontrollable way (so as it was considered until very recently), it is a disease that raises great uncertainty and invokes an almost irrational fear, shaking and questioning our lives.

In fact, in most cultures, in contemporary societies, the cancer disease is one of the most feared realities by almost all of us. Of all the ills that we may suffer, cancer has become a major source of anxiety, anguish, uncertainty and fear. This fear is related to the associations established between the word cancer and the experiences of pain, suffering,
strain, death and dying (e.g., Cohen et al. 1982; Die Trill, 2002; Duarte, 2000; Ferreira, 1996; Peteet et al., 1992; Sontag, 1998). This negative perception of the disease have impacts on the process of adjustment to it, and also in the process of adherence to therapeutic and preventive measures (by patients), the stigmatization of patients, and in the sentiment of hope and will to live of patients with cancer (e.g., Allen et al., 1984; Branco and Pereira, 2006).

Considering the professional performance, the negative representation of the disease has a strong impact on the application of health promotion and in early diagnosis, as well as in the implementation of cancer screening. Its effect is also felt in the quality of life of individuals, directly or indirectly affected by the disease, aggravated by the process of evolution, prognosis and interpersonal relationships between patients and caregivers (e.g. Branco e Pereira, 2006; Martins e Silva, 2002). This interpretation is associated in large part, to the lack of effective treatment for many patients with inoperable metastatic tumours and, someway, is also due to the lack of contact of health professionals with cured patients (e.g., Whelan, 1984).

A better understanding of the representations of nurses about patients with cancer can influence the behaviour of these professionals in order to reduce the mortality and morbidity of patients and intervening more in the recovery and prevention of disease (e.g. Brooks, 1979; Whelan, 1984).

Given the importance of knowledge that health professionals, especially nurses, should have about the oncologic disease, the symbolisms, emotions and images associated with the disease, and on what it represents for patients with cancer, our research is framed on the theory of representations social, as proposed by Moscovici (1961/1976). Social representations (SR) encompass the representations constructed and shared by social groups, modelling the behaviours of their members and giving them a real sense. SR allow us to observe and analyze the way in which the practical knowledge is socially elaborated and shared, contributing to the construction of a common realities to certain social groups, with their specific characteristics (e.g. Oliveira, 2008).

The researches which address social representations in oncology have been focused on the patients and their families (e.g., Ferreira et al., 2005; Martins and Silva, 2002; Santos, 2006; Spink and Gimenez, 1997). In addition, studies about the social representations of nurses, and nurse students, are still scarce in Portugal. So, there should be a real investment in this scientific and professional domain (e.g. Branco and Pereira, 2006).

That also justifies the relevance of our research. The results of this study can have a positive impact on the attitudes of nurses, quality of care and the adoption of strategies that contribute to the reduction of mortality and morbidity associated to patients with cancer diseases.

Thus, our main research purpose relies on the question:

In what extent the representations of patients with cancer may differ among nursing professionals and nursing students (considering their social belongings, such as gender/sex, age and professional experience).

2. Objectives

We defined two objectives:

- Identify the representations that structure the thoughts, emotions and feelings in relation to patients with cancer, in a population of students of 1st. year of nursing, and nursing professionals – nurses working in an oncology service, and nurses who do not work in an oncology service.
- Verify the differences and similarities of the representations of students and nurses, about patients with cancer, according to their sex/gender, age and professional experience.

3. Method

Our empirical research encompasses a broad exploratory study. Here we present part of this study, referring to the participants, variables, mode of collection, processing and interpretation of data.

3.1 Participants

The sample consisted of 182 participants. We considered three forms of social categorization: sex/gender (male or female); age (group 1: 18-30 years; group 2: 31-44 years; group 3: 45 or over 45 years) and work experience (nursing students in the first year; nurses who care for cancer patients, designated as oncology nurses, and nurses who do not provide care to cancer patients, designed as non-oncology nurses). Data was collected in the city of Coimbra in the: High School of Nursing, Portuguese Institute of Oncology of Coimbra (devoted to the treatment of patients with cancer), and in Hospital of Covões.
Table 1 presents the distribution of participants by criteria of social categorization.

Table 1 - Distribution of participants by sex/genre, age and professional experience

<table>
<thead>
<tr>
<th>Age</th>
<th>≤ 30</th>
<th>31 to 44</th>
<th>≥ 45</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex/Genre</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Students</td>
<td>45</td>
<td>25</td>
<td>-</td>
</tr>
<tr>
<td>Non-oncology nurses</td>
<td>10</td>
<td>7</td>
<td>19</td>
</tr>
<tr>
<td>Oncology nurses</td>
<td>15</td>
<td>4</td>
<td>22</td>
</tr>
<tr>
<td>Total</td>
<td>70</td>
<td>36</td>
<td>41</td>
</tr>
</tbody>
</table>

3.2 Variables

The considered independent variables were gender, age and work experience. The dependent variables corresponded to the central dimensions enhanced by participants in relation to patients with cancer.

3.3 Data collection - Questionnaire

For data collection, a questionnaire was designed, anonymous and confidential, with open questions in order to identify the semantic universes that structure the thoughts, emotions and images through free word association to the stimuli; "Oncology patients make me think on... "; "Oncology patients make me feel... ."

The free association of words is often used in social sciences, especially when working with the theoretical support / methodological of social representations, as it facilitates access to peripherals and latent content in a certain topic or area. (e.g., Nóbrega, 2001; Oliveira, 2008; Oliveira and Amaral, 2007). This technique allows access to content that make up the social representations. Can thus be overcome some difficulties of methodological and theoretical nature, facilitating the seizure of semantic fields, and from structural and significant properties that are associated with them (Oliveira, 2008).

3.4 Procedure

Data collection was preceded by a personal contact with the heads of each service, in order to help us to categorize the service in oncology or non-oncology, taking into account the most frequent pathologies, objectives, and need for care, in each unit of health.

Each participant expressed, individually and anonymously, ideas, thoughts, images, emotions or feelings about the patients with cancer, through words or short sentences, in a maximum of ten, for each of the two stimuli. The purpose of the study was only detailed after the participants completed the questionnaire, so as not to affect the spontaneity of their responses.

3.5 Data processing

After collecting and numbering all questionnaires, we proceeded to the reduction of all the words, or short phrases, associated with each of the stimuli. Most of the words and names were put in the male and in the singular and verbs in the infinitive form. Thus, according to an etymological root, we kept words which may have approximate meanings (e.g., Amâncio and Carapinheiro, 1993; Oliveira, 1999, 2008).

To identify the semantic universes (or dimensions) associated with each stimulus were held several Factorial Analysis of Correspondence (FAC). The result of each stimulus (dependent variables) was crossed with the independent variables (sex/gender, age and professional experience), by a statistical package for factorial analysis (SPAD).

4. Findings

Overall, we observed that participants have a greater ease to express themselves in terms of thoughts or symbolisms than through emotions or feelings, which corroborates the results of previous work (e.g., Oliveira, 1999, 2008). Next, we synthesize the results for each stimulus, based on the answers of the participants.
For simplicity\(^1\), we suppress the tables of coordinates and absolute contributions necessary for the interpretation of the factors resulting from each FAC, where the words retained (as dependent variables that will form aggregates or clusters, as dimensions) are crossed with the independent variables – sex/gender, age and professional experience (cf. Correia, 2008).

4.1 Thoughts about oncology patients

From the answers to the stimulus ‘Oncology patients make me think on...’, we retained 483 words, 17 of which are different (cf. Table 2).

The oncology patient is generally represented as foreshadow of a painful death, a death that frequently occurs in hospital, in a suffering condition, although care and treatment may help to reduce the patient's hard condition, restituting some hope to the patient and family (cf. Table 2).

Table 2 - Retained words by order of frequency

<table>
<thead>
<tr>
<th>Word</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>suffering</td>
<td>83</td>
</tr>
<tr>
<td>death</td>
<td>68</td>
</tr>
<tr>
<td>pain</td>
<td>60</td>
</tr>
<tr>
<td>hospital</td>
<td>30</td>
</tr>
<tr>
<td>chemotherapy</td>
<td>28</td>
</tr>
<tr>
<td>alopecia</td>
<td>23</td>
</tr>
<tr>
<td>sadness</td>
<td>22</td>
</tr>
<tr>
<td>family</td>
<td>20</td>
</tr>
<tr>
<td>treatment</td>
<td>20</td>
</tr>
<tr>
<td>hope</td>
<td>19</td>
</tr>
<tr>
<td>disease</td>
<td>19</td>
</tr>
<tr>
<td>dependency</td>
<td>17</td>
</tr>
<tr>
<td>image change</td>
<td>16</td>
</tr>
<tr>
<td>cancer</td>
<td>16</td>
</tr>
<tr>
<td>fear</td>
<td>15</td>
</tr>
<tr>
<td>despair</td>
<td>14</td>
</tr>
<tr>
<td>anguish</td>
<td>13</td>
</tr>
</tbody>
</table>

From the Factorial Analysis of Correspondence (FAC) processed with the selected words, it was considered the first three factors (cf. Table 3).

Taking into consideration the higher values of (absolute and relative) contributions of the words (or dependent variables) in each factor, we can say that the participants, when challenged to think on oncology patients, show ideas and thoughts somehow ambivalent but complementary:

1) On one hand, they demonstrate hope in the treatment and in a possibly cure, and, secondly, patients with cancer are associated to a state of sadness, dependency and changes in their image – or physical aspect;

2) In fact, the oncologic disease, and the oncology patients, are strongly associated to death, dependency and consequent alterations in the image/body (of the patients), despite the hope to face the illness condition, in the present and the future;

3) The illness condition of the patients is intrinsically linked to the state of sadness or malaise of someone who goes to the hospital, sees his body changing/degrading along the time, but still maintain the hope to have a good treatment and, if possible, to be cured.

\(^1\) And for a question of space (due to understandable publication rules).
Table 3 - Coordinates, Absolute Contributions and Relative Contributions

<table>
<thead>
<tr>
<th>Oncology patients make me think on...</th>
<th>Coordinates</th>
<th>Absolute Contributions</th>
<th>Relative Contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>F1</td>
<td>F2</td>
<td>F3</td>
</tr>
<tr>
<td>alopecia</td>
<td>-0,10</td>
<td>0,01</td>
<td>-0,09</td>
</tr>
<tr>
<td>image change</td>
<td>1,17</td>
<td>1,84</td>
<td>-0,94</td>
</tr>
<tr>
<td>anguish</td>
<td>0,63</td>
<td>-0,09</td>
<td>0,07</td>
</tr>
<tr>
<td>cancer</td>
<td>-0,51</td>
<td>-0,61</td>
<td>-0,96</td>
</tr>
<tr>
<td>dependency</td>
<td>1,20</td>
<td>2,13</td>
<td>-0,04</td>
</tr>
<tr>
<td>despair</td>
<td>0,44</td>
<td>-0,84</td>
<td>0,21</td>
</tr>
<tr>
<td>disease</td>
<td>-0,64</td>
<td>-0,87</td>
<td>-0,20</td>
</tr>
<tr>
<td>pain</td>
<td>0,23</td>
<td>-0,24</td>
<td>0,06</td>
</tr>
<tr>
<td>hope</td>
<td>-2,35</td>
<td>1,28</td>
<td>1,66</td>
</tr>
<tr>
<td>family</td>
<td>0,14</td>
<td>-0,25</td>
<td>-0,29</td>
</tr>
<tr>
<td>hospital</td>
<td>-0,44</td>
<td>0,29</td>
<td>-0,63</td>
</tr>
<tr>
<td>fear</td>
<td>-0,98</td>
<td>-0,04</td>
<td>0,28</td>
</tr>
<tr>
<td>death</td>
<td>0,2</td>
<td>-0,5</td>
<td>-0,04</td>
</tr>
<tr>
<td>chemotherapy</td>
<td>-0,3</td>
<td>-0,01</td>
<td>-0,49</td>
</tr>
<tr>
<td>suffering</td>
<td>0,01</td>
<td>-0,08</td>
<td>-0,07</td>
</tr>
<tr>
<td>treatment</td>
<td>-0,67</td>
<td>0,40</td>
<td>-0,31</td>
</tr>
<tr>
<td>sadness</td>
<td>1,45</td>
<td>-0,33</td>
<td>2,14</td>
</tr>
<tr>
<td>% of variance</td>
<td>10,67</td>
<td>9,28</td>
<td>8,64</td>
</tr>
</tbody>
</table>

4.2 Sex/Genre

Women reveal more positive representations regarding the oncology patients than men, focusing, especially, on patient care – using words such as hospital, chemotherapy and treatment. Men represent the oncology patients, and disease itself, in a more negative way, and even in a fatalistic form, anchored to death, pain and despair.

4.3 Age

Individuals over 31 years appear to be more aware of the effects of oncologic disease (than the others), especially of the consequences on a physical level (appointing that disease causes visible changes/damages in their image or physical aspect) and at a cognitive and psychosocial level, with thoughts of pain and suffering. The youngest subjects (18-30 year old) reveal a more general and diffuse interpretation – translated through words as cancer, sadness and despair – seeing the oncologic disease as a sad condition but in which we cannot lose hope. In general, participants over the age of 45 are those who demonstrate greater confidence in the cure of patients.

4.4 Professional experience (nurses vs nursing students)

Nursing students reveal a more general perception of the concept of oncologic patient than nursing professionals, linking it directly to cancer, and to the uncertainty and sorrow situation that is associated – using words like cancer, sadness and fear.

Nurses represent in a more objective manner the physical effects of this disease in the human body. However, oncology nurses, more accustomed to caring for patients with cancer, are those who particularly express a more positive attitude toward oncologic patients, to the ways of treatment and to the possibility of cure.

4.5 Emotions/Sentiments about oncology patients

After analyzing the answers to the stimulus ‘Oncology patients make me feel...’, we maintained 366 words, 13 of which are different (cf. Table 4).
Table 4 - Retained words by order of frequency

<table>
<thead>
<tr>
<th>Word</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>sadness</td>
<td>83</td>
</tr>
<tr>
<td>anguish</td>
<td>38</td>
</tr>
<tr>
<td>fear</td>
<td>36</td>
</tr>
<tr>
<td>will to help</td>
<td>32</td>
</tr>
<tr>
<td>pain</td>
<td>31</td>
</tr>
<tr>
<td>impotence</td>
<td>30</td>
</tr>
<tr>
<td>sorrow/pity</td>
<td>28</td>
</tr>
<tr>
<td>suffering</td>
<td>24</td>
</tr>
<tr>
<td>hope</td>
<td>18</td>
</tr>
<tr>
<td>revolt</td>
<td>17</td>
</tr>
<tr>
<td>anxiety</td>
<td>15</td>
</tr>
<tr>
<td>disability</td>
<td>14</td>
</tr>
</tbody>
</table>

For the majority of participants, the oncology patient is perceived as in a general state of malaise, and this image arouses negative feelings or emotions, such as anguish, fear, pain, impotence, sorrow and suffering – in face of such an undesirable and severe condition.

From the Factorial Analysis of Correspondence (FAC) processed with these words (cf. Table 4), we selected three factors (cf. Table 5).

Table 5 - Coordinates, Absolute Contributions and Relative Contributions

<table>
<thead>
<tr>
<th>Oncology patients make me feel...</th>
<th>Coordinates</th>
<th>Absolute Contributions</th>
<th>Relative Contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>F1</td>
<td>F2</td>
<td>F3</td>
</tr>
<tr>
<td>anguish</td>
<td>-0,17</td>
<td>-0,07</td>
<td>0,37</td>
</tr>
<tr>
<td>anxiety</td>
<td>0,11</td>
<td>-0,4</td>
<td>1,92</td>
</tr>
<tr>
<td>pain</td>
<td>0,48</td>
<td>-0,72</td>
<td>0,5</td>
</tr>
<tr>
<td>hope</td>
<td>1,61</td>
<td>-0,79</td>
<td>-0,66</td>
</tr>
<tr>
<td>impotence</td>
<td>-1,01</td>
<td>1,00</td>
<td>-0,26</td>
</tr>
<tr>
<td>disability</td>
<td>-1,70</td>
<td>-2,36</td>
<td>-1,56</td>
</tr>
<tr>
<td>fear</td>
<td>-0,16</td>
<td>0,56</td>
<td>0,25</td>
</tr>
<tr>
<td>sorrow</td>
<td>0,11</td>
<td>0,18</td>
<td>0,14</td>
</tr>
<tr>
<td>revolt</td>
<td>-0,38</td>
<td>0,43</td>
<td>-0,74</td>
</tr>
<tr>
<td>suffering</td>
<td>0,42</td>
<td>-0,66</td>
<td>0,61</td>
</tr>
<tr>
<td>sadness</td>
<td>-0,32</td>
<td>0,15</td>
<td>0,03</td>
</tr>
<tr>
<td>will to help</td>
<td>1,26</td>
<td>0,60</td>
<td>-1,06</td>
</tr>
</tbody>
</table>

Participants demonstrate a duality of feelings when they think on oncologic patients:

1) On one hand, they feel will to help, and hope, on the other, they feel impotent to do more for the patient than they already do, in face of the disability and difficulties of the patient;

2) The will to help and their hope in a cure seem to motivate even more the participants to provide care, although the condition in which they find the patients, in a relative state of fear, pain or suffering - sometimes facing their disability or impotence to achieve a better state of health;

3) The anxiety and suffering of the patients, also contributes to arouse a feeling of revolt, and to stimulate, in the health professionals and students, a greater will to help, the best they can, providing the adequate care, with hope.

4.6 Sex/Genre

More than men, women reveal emotional closeness, and more easily show involvement and willingness to help patients -
using words like will to help, anguish and revolt; men also feel sorrow for the condition of the oncologic patient, but they hope that the patient can improve health or be cured.

4.7 Age

Younger subjects are those who more easily feel empathy for the persons they see sick and in suffering; they emphasize feelings of sadness regarding the oncologic patients, and a good will to help them. The individuals with more than 30 years, although also reveal empathy and emotional proximity with the patients, they feel revolt and impotent, considering the disabilities and difficulties of the patients. The nurses and nursing students between 31 and 44 years, denote some difficulty to deal with the condition of health/illness of the patients. The subjects with more than 44 years are those who more easily admit they could be in the place of the patients - sharing sentiments of pain, suffering or anxiety.

4.8 Professional experience

It appears there is proximity between the sentiments expressed by students and non-oncology nurses – enhanced in words like disability and sadness. The oncology nurses reveal an impressive duality of feelings, particularly expressed in words as anxiety, hope and revolt.

5. Brief Discussion and Conclusion

The oncologic diseases remain as serious public health problems, and it will be difficult to find a secure cure in the coming years (e.g. Chang et al, 2006; Santos, 2006). Cancer, and the representations of cancer, implies psychosocial changes which affect not only the individual and his family, as well as society, influencing the language, attitudes about death and life, and the images built on uncertainty, and around the fear, that this disease awakens.

The diffuse social representations about the patients with cancer, relate to the associations established between the word – cancer – and the experiences of pain, suffering, mutilation, dying and death. This grim meaning attributed to the oncologic disease has a strong impact not only on the patient (and his family) but also on health professionals themselves. All of them have common doubts, difficulties and fears, and sometimes they walk by a similar and parallel path, in a society who lives with public and tragic deaths, but tries to deny the ‘death of the other’, and the right of ‘the other’ to mourn the death of someone close (e.g. Oliveira, 1999, 2008, 2011).

Several studies show that attitudes of professionals toward cancer patients are related to a negative representation of the disease in itself (as a harbinger of death), and have repercussions both on the quality of professional performance as on the opinion of users of health services (e.g. Branco and Pereira, 2006; Brooks, 1979; Allen et al, 1984). In some way the attitudes of health professionals may interfere with the hope and the will to live of the cancer patients (Allen et al., 1984).

There are few scientific studies that consider the social representations of nurses about oncologic patients in Portugal. The emphasis of research in this area has mainly been directed to the patient and family. The study presented here helps us to understand better the representations that nurses and nursing students have about the oncologic patients.

One of the aspects that we highlight on this research is the strong association of oncologic patient to image changes (or alterations in the body, or physical aspect) and, particularly, to death, despite the advances in diagnosis and therapeutic increasingly deny this relationship – in fact, nowadays, in most cases, oncologic disease can be cured or, at least, patients may have a stable life, since they comply with certain precautions.

We observed, mainly, negative feelings toward the oncologic patient (considering his situation), associated with sadness, suffering and pain, while at the same time there is also hope, in the present and in the future, especially among nurses. Nursing students reveal a more distant perspective (in emotional terms); in their representations the patient with cancer still seems to be something unfamiliar, customizing a condition that causes discomfort, and that leads them to think of death and dying – which may be due, in large part, to the weak (or null) professional experience of these students in dealing with oncologic patients and, in addition, to their learning in the classroom and seminars (where some topics, like death, are still avoided or slightly discussed).

There is still a long way to go, in order to change the harbinger of death associated with the patient with cancer. The big change the perception of the disease is only possible when caregivers, in particular the nurses, change their negative representations on the disease, i.e., when the perspective on the oncologic patients is more constructive, in order to consider them like persons living in a serious disease condition, but with a good chance of recovery or healing,
thanks to the care and psychological support that can be provided, and through increasingly sophisticated means and treatments.

To concretize this objective can contribute a better understanding in the area of oncology, as well as the implementation and evaluation of training programs, aimed at health professionals – and this training should be launched early, in nursing schools, continuing along the career path. The last reflection of these activities will be increased adherence to preventive measures, early treatment of the disease, a better quality of life for the patient and family and consequently, a decrease in mortality and morbidity from cancer. Then we may feel more comfortable to handle with disease situations – and in particular with oncolgic patients –, but also, and this is not least important, with issues of death and life.

References


School through the Eyes of Children... Are we just Bricks in The Wall?

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Abstract

Over the years it has been debated what should be the role of school, which is the best teaching practices, and the most appropriate methods in primary education. However, rarely we are available to hear who is at the center of any education system... The student, the child within... We may wonder what children really think. What are their needs and aspirations? Listening to children, we can better understand their ideas, feelings, desires and dreams, about teaching and the school they attend, and how this is reflected in their behavior and development. Their representations of school allow us to rethink education and school itself. So, in this study, we were guided by the eyes of children aged between 8 and 11 years, of both sexes, attending elementary school, in Lisbon. What do they think and how they feel about school? What are their wishes and how they imagine school should be? These were the main objectives. The data was gathered using free associations of words, from questions individually made, and examined through Factorial Correspondence Analysis. Children link school both to playful and learning dimensions. In fact the most important for all of them is the playful side of school, a place where they can meet peers and establish important relations, also with teachers. They care about each other, they wish to learn and feel free. They yearn for a better school... Remembering Pink Floyd, we hope we are not just contributing for more 'bricks in the wall'.

Keywords: Children, school, teacher, education, playing, learning, representations.

1. Introduction

When approaching the first year of school in the life of a child, the anxiety of some parents rises in an almost exponential way. The transition from pre-school to the elementary school (first cycle in Portugal) is lived, especially by the older children, with many doubts, fears and anguish. This new step in children's life is a parental stress factor because it is viewed as a transition from a playful phase to a work phase, and as the shift to a more 'serious' stage in the lives of children. In fact, the anxiety of parents, when not properly managed, may become a big obstacle to the successful integration of the children, because children easily recognize, and they are clearly influenced, by the anguish of adults. Subsequently, children show clear signs of insecurity, distrust, low self-esteem or fears.

The fear that a child may not easily adapt to school is very common among parents. In fact, children often adapt to new situations, faster and more easily than adults. Anyway, an adult may resort to various strategies to facilitate the adaptation process. Whenever he takes the child to know the new space - the school -, may say that the school context is an important place of growth, giving a positive image of the school and the teacher. And so help the youngest to overcome any feelings of insecurity.

There is no doubt that the first years of education are of crucial importance, since they constitute the foundation for future learning. With the entry in the first cycle - elementary school -, the child takes on a new status, since, in addition to
'child', is then also 'student'.

The child is the center of pedagogical action, so, each teacher has to have a clear notion of what the child is, and what she can do, as a student, as well as what she needs to be, as a learning agent, and someone in a process of continuous education and integration (e.g. Barbosa, 2006). In our daily practice, we observed that children reveal a growing interest in school but often do not feel motivated by education and therefore do not develop a taste for learning, which does not facilitate a good integration into society, nor their personal development.

Education has to be constantly rethought, in order to keep up with the constant changes, at several levels. As the key point of education is the child, it is essential understand and analyze the social representations of children about the school they attend, as an essential element of reflection.

If we are guided by the direct gaze of children, and their perspectives, we can better understand their ideas, needs and desires, and broaden our horizons about what they really think and feel about the school they attend, and how their ideas, thoughts and feelings are reflected in their usual behaviors.

Social representations are an asset to a deep (and psychosocial) knowledge of individuals in interaction in a given society. Through social representations, we can analyze the feelings, thoughts and ideals that motivate us, approach us and move us, and better understand how everything we think and feel may interfere with our choices, actions, behaviors, and even with our conceptions of life (e.g. Oliveira, 2008, 2011). "O estudo das pessoas não se pode dispensar de tomar estas representações como seu principal objecto de análise" (Oliveira, 2008, p. 224).

The social representations of school, through feelings and emotions that children express, interconnected with cognitions and associated behaviors, allow us to better understand the children's world, giving us cues to better communication, and better intervention. And so we can help children solve some of their/our problems. One cannot conceive of a better world without a better education.

2. Main Objective

Seize and analyze the social representations of children about school, and what is for them the ideal school.

3. Method

We conducted an extensive qualitative study with a sample of 220 participants, boys and girls between 8 and 11 years old, attending the fourth year of schooling, in public schools, in Lisbon. We collect data through a questionnaire composed of open questions, in order to grasp the ideas, opinions, emotions and symbols, by free association of words to several stimuli; the questionnaire also included questions of socio-demographic order (e.g. gender, age, year, school). All questionnaires were applied in class, after obtaining the authorization to perform the study, and the students were also duly informed that their participation was voluntary, anonymous and confidential. The stimuli proposed were:

‘School makes me think of …’
‘School makes me feel …’
‘How would you like it to be a school?’
‘What do you like in school?’
‘What do you not like in school?’

4. Results

After analysis of all words given by children – in terms of thoughts, opinions, emotions and feelings – we summarize the results in terms of the main categories or dimensions found, according to the answers to each question (cf. Tables 1-8). Given the extent of the results of this study – and in the present paper we cannot display all the findings – we emphasize the dimensions that characterize the representations of boys and girls.

4.1 ‘School makes me think of…’

The school is generally synonymous of a learning place (in words as study, learn and teacher) and, also, of leisure or children's play. Associated with these dimensions (cognitive and playful), we still find a relational or interpersonal dimension – which largely is given by words as teacher, friends, laugh and play (cf. Table 1).
Table 1:
Most frequent words

<table>
<thead>
<tr>
<th>‘School makes me think of…’</th>
<th>‘School makes me feel…’</th>
</tr>
</thead>
<tbody>
<tr>
<td>Words</td>
<td>Frequency</td>
</tr>
<tr>
<td>play</td>
<td>117</td>
</tr>
<tr>
<td>study</td>
<td>117</td>
</tr>
<tr>
<td>learn</td>
<td>84</td>
</tr>
<tr>
<td>teacher</td>
<td>65</td>
</tr>
<tr>
<td>friends</td>
<td>59</td>
</tr>
<tr>
<td>laugh</td>
<td>48</td>
</tr>
<tr>
<td>play</td>
<td>41</td>
</tr>
<tr>
<td>write</td>
<td>36</td>
</tr>
<tr>
<td>work</td>
<td>33</td>
</tr>
<tr>
<td>football</td>
<td>32</td>
</tr>
<tr>
<td>colleague</td>
<td>28</td>
</tr>
<tr>
<td>read</td>
<td>27</td>
</tr>
<tr>
<td>book</td>
<td>24</td>
</tr>
<tr>
<td>future</td>
<td>23</td>
</tr>
<tr>
<td>test</td>
<td>22</td>
</tr>
<tr>
<td>fun</td>
<td>19</td>
</tr>
<tr>
<td>think</td>
<td>19</td>
</tr>
<tr>
<td>joy</td>
<td>18</td>
</tr>
<tr>
<td>class</td>
<td>18</td>
</tr>
<tr>
<td>school employee</td>
<td>15</td>
</tr>
<tr>
<td>playground</td>
<td>15</td>
</tr>
<tr>
<td>swing</td>
<td>15</td>
</tr>
<tr>
<td>run</td>
<td>15</td>
</tr>
<tr>
<td>homework</td>
<td>13</td>
</tr>
</tbody>
</table>

Children remind us that in school we need to go to classes, write, read, take tests and various types of work (individually or in group), to learn and prepare for the future. But the moments of fun and joy are also seen as essential – collective games, among colleagues and friends are important, as it is also important improve knowledge and learn, acquiring new skills and capacities. So, all classes scheduled, as well as the free/leisure time, are both fundamental for the integration of children in school, and also for their interaction (with their peers and teachers) and development.

Table 2:

<table>
<thead>
<tr>
<th>‘School makes me think of…’, by category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>Boys</td>
</tr>
<tr>
<td>Girls</td>
</tr>
<tr>
<td>8/9 years</td>
</tr>
<tr>
<td>10/11 years</td>
</tr>
</tbody>
</table>

We observed that boys, more than girls, represent school as a playful place (football, playground), while girls highlight, above all, the importance of learning (learn, lessons, read), using a more cognitive perspective. Children with 8/9 years show more than those with 10/11 years, the playful side of school – the older children are characterized, in particular, by focus their attention in studying, in the assessment tests to perform, and in their training, in order to better prepare themselves for the future (cf. Table 2).

4.2 ‘School makes me feel …’

The school provides well-being. Close to 83% of children feel well at school, and about 60% usually feel joy. The words
cheerful and happiness reinforce this representation. However, almost a third of children feel tired (and may feel sadness, bad-being and boredom), which gives us an idea of a less exciting side of school (in part due to the learning effort, and the work to be done). Intelligent, fun, friends, safe and laugh, are other dimensions (with cognitive, emotional and relational aspects) that contribute to the perception of well-being (cf. Table 1).

Boys tend to feel worse in school than girls, perhaps for the pressure to be intelligent, concentrate and study more, not having time to play as much as they would like. Girls tend to feel more tired, psychologically, but also manifest some joy, verifying their effort compensated with good results. Younger children (with 8/9 years) usually feel better, and less annoyed than older (10/11 years). The greater the cognitive-emotional development of children, more they seem to be aware of the difficulties associated with the school, which creates discontent (cf. Table 3).

### Table 3:

<table>
<thead>
<tr>
<th>Category</th>
<th>‘School makes me feel...’</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boys</td>
<td>sad, intelligent, bad-being</td>
</tr>
<tr>
<td>Girls</td>
<td>tired, cheerful, happiness</td>
</tr>
<tr>
<td>8/9 years</td>
<td>happiness, cheerful, friends</td>
</tr>
<tr>
<td>10/11 years</td>
<td>annoyance, bad-being, sad</td>
</tr>
</tbody>
</table>

4.3 ‘How would you like it to be a school?’

Children yearn for a larger school, a beautiful school, with a pool and more places for entertainment, where they could communicate more easily, play or rest. They think the school could be more fun, tranquil, clean, with playing fields (for football), pleasant and natural spaces (with trees), with playful elements (swings), but also with more technological training (with computers – possibly also thinking in games). They imagine a safe, creative and cheerful space (cf. Table 4).

### Table 4:

<table>
<thead>
<tr>
<th>Words</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>big</td>
<td>69</td>
</tr>
<tr>
<td>pool</td>
<td>55</td>
</tr>
<tr>
<td>bigger</td>
<td>43</td>
</tr>
<tr>
<td>beautiful</td>
<td>35</td>
</tr>
<tr>
<td>fun</td>
<td>33</td>
</tr>
<tr>
<td>tranquil</td>
<td>25</td>
</tr>
<tr>
<td>football field</td>
<td>25</td>
</tr>
<tr>
<td>clean</td>
<td>23</td>
</tr>
<tr>
<td>ludic</td>
<td>22</td>
</tr>
<tr>
<td>swing</td>
<td>19</td>
</tr>
<tr>
<td>computer</td>
<td>18</td>
</tr>
<tr>
<td>safe</td>
<td>16</td>
</tr>
<tr>
<td>play</td>
<td>16</td>
</tr>
<tr>
<td>joy</td>
<td>16</td>
</tr>
<tr>
<td>trees</td>
<td>13</td>
</tr>
</tbody>
</table>

For boys an ideal school should be bigger, and have more open spaces with trees and football fields, i.e., play areas and sports where they can enjoy moments of competition and fun. Girls would also prefer a school more playful, and fun, a quiet place, with less work to do (in classes and at home), having more space for leisure activities and interaction. Children with 8 and 9 years emphasize fun and a dimension of social interaction, and imagine a school with more trees, swings, and even a swimming pool, while the children with 10 and 11 believe that the ideal school should be more clean, calm and safe (cf. Table 5).
### Table 5:

<table>
<thead>
<tr>
<th>Category</th>
<th>'How would you like it to be a school?'</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boys</td>
<td>trees, football field, bigger</td>
</tr>
<tr>
<td>Girls</td>
<td>fun, playful, tranquil</td>
</tr>
<tr>
<td>8/9 years</td>
<td>joy, trees, swings, pool</td>
</tr>
<tr>
<td>10/11 years</td>
<td>clean, tranquil, safe</td>
</tr>
</tbody>
</table>

### 4.4 ‘What do you like in school?’

What children more appreciate in school are the teachers and friends, and the good relationships that can be established. And, of course, they like to play. Children also refer to the importance of school employees, for the support you give them. The school also becomes attractive given the activities it can offer: sports, playful places and learning opportunities. Places of recreation are essential in school by offering moments of fun, conviviality and pleasure (cf. Table 6).

### Table 6:

<table>
<thead>
<tr>
<th>Most frequent words</th>
<th>Frequency</th>
<th>Most frequent words</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>teacher</td>
<td>81</td>
<td>bad manners</td>
<td>46</td>
</tr>
<tr>
<td>friends</td>
<td>57</td>
<td>violence</td>
<td>42</td>
</tr>
<tr>
<td>playground</td>
<td>49</td>
<td>some teachers</td>
<td>39</td>
</tr>
<tr>
<td>play</td>
<td>46</td>
<td>fight</td>
<td>27</td>
</tr>
<tr>
<td>school employee</td>
<td>40</td>
<td>beat</td>
<td>22</td>
</tr>
<tr>
<td>physical education</td>
<td>31</td>
<td>wc</td>
<td>16</td>
</tr>
<tr>
<td>bar</td>
<td>30</td>
<td>dirt</td>
<td>15</td>
</tr>
<tr>
<td>classroom</td>
<td>29</td>
<td>mathematics</td>
<td>13</td>
</tr>
<tr>
<td>play (games)</td>
<td>27</td>
<td>class</td>
<td>13</td>
</tr>
<tr>
<td>trees</td>
<td>25</td>
<td>school employee</td>
<td>13</td>
</tr>
<tr>
<td>study</td>
<td>24</td>
<td>schedule</td>
<td>12</td>
</tr>
<tr>
<td>football</td>
<td>20</td>
<td>indiscipline</td>
<td>11</td>
</tr>
<tr>
<td>football field</td>
<td>20</td>
<td>food</td>
<td>11</td>
</tr>
<tr>
<td>learn</td>
<td>20</td>
<td>english</td>
<td>10</td>
</tr>
<tr>
<td>colleague</td>
<td>19</td>
<td>punishment</td>
<td>10</td>
</tr>
<tr>
<td>library</td>
<td>19</td>
<td>homework</td>
<td>10</td>
</tr>
<tr>
<td>school cafeteria</td>
<td>16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>field</td>
<td>14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>swing</td>
<td>14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>gym</td>
<td>12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>class</td>
<td>11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>music</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>sports pavilion</td>
<td>10</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Boys, in comparison with girls, are those who more clearly like to play games in school, football in particular – play and physical aspects are very important in their development. For its part, girls, more evidently than boys, highlight the role of school in their learning, training and affective development, giving them the opportunity to study, learn, and have friends (cf. Table 7).
Younger children like to be in school, especially, for its playful side, given the chance to interact and play with friends and colleagues. More than play, children with 10 and 11 years particularly appreciate a safe school, where they can socialize with friends, in recreation spaces – like a bar, a gym or in the field (cf. Table 7).

4.5 ‘What do you not like in school?’

In general, children do not like the lack of rules, bad education, indiscipline, violence and insecurity; also reveal that they do not like some of the teachers. The lack of hygiene, food quality, some of the school employees, mathematics, too much work, the type of classes (too theoretical or too little interactive), and lack of leisure times, are other aspects that reference with some frequency – which also translates some fatigue in face of situations experienced in day-to-day with classmates, teachers and assistants, and the (long) hours they spend in school (cf. Table 6).

Table 8:

<table>
<thead>
<tr>
<th>Category</th>
<th>‘What do you not like at school?’</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boys</td>
<td>schedule, indiscipline, food</td>
</tr>
<tr>
<td>Girls</td>
<td>indiscipline, wc, dirt</td>
</tr>
<tr>
<td>8/9 years</td>
<td>violence, beat, fight, homework</td>
</tr>
<tr>
<td>10/11 years</td>
<td>indiscipline, bad education, teacher, schedule</td>
</tr>
</tbody>
</table>

Girls dislike, more clearly than boys, of situations of indiscipline; also refer to the state of the bathrooms, by poor hygiene or privacy conditions, and the difficulty in mathematics. For boys, the class schedule is the worst, in good part because it prevents them from doing other activities they would most like; fighting, violence and poor quality of food at school, are other aspects that do not like (cf. Table 8).

Children with 8 and 9 years say they do not like, especially, of situations of violence at school - they do not like to see hit, or be beaten by others. They also do not like to have so much homework - which leads us to think about the excessive time children spend in school. Children with 10 and 11 years highlight, more than violence, indiscipline - associated not only to the classroom, but also to some teachers and teaching assistants; they would like to have more time to be with colleagues, to play or just to feel in a relaxed atmosphere (cf. Table 8).

5. Conclusions

The school must respect each student as an individual – as a unique being with a life story, culture, references and values – providing you not only opportunities to learn and integrate new knowledge, but also helping him to understand himself, stimulating him, on one hand, to discover himself in his intimate and, secondly, in his integration in the social spheres in which we move, and in society itself (e.g. Oliveira, 2011).

The child is the central element in the whole educational process, so it is essential listen to her carefully, listen to her views, see what she like and do not like, and what does she think would be the ideal school. We can reflect on what children tell us, in their representations of school and teachers, and also on the teaching practice, the school and the education system itself, in its essence and in its pedagogical variants.

Through the educational act each individual transforms himself, becomes more attentive and perhaps more preoccupied, develops his way of thinking, to understand the complexity of the reality where he lives (e.g., Barbosa, 2004). The school has a duty to promote the progress of students in a wide range of intellectual objectives, social, moral and affective. The effective education system is what maximizes the school’s ability to achieve these results (e.g., Bolivar,
Remembering Pink Floyd, we hope we are not just contributing for more 'bricks in the wall' 

2003; Santos, 1991). Teaching is not merely transfer knowledge and contents, nor contributing to support persons who don't like to think for themselves, preferring to just memorize or repeat what they hear/read or what it is passed to them, feeling accommodated or indifferent.

It is necessary each student take over as the central piece of his training, of the production of its knowledge, engaging himself, from the start, in its construction, whereas the teacher has the role of create the possibilities for this to happen (e.g., Freire, 2002).

In this study, we analyzed the social representations of school, among Portuguese children, from 8 to 11 years. Guided by the childish look, we verified that children have a dichotomous view of the school. On the one hand, they recognize that school is essential in the teaching-learning process, to acquire knowledge and learn; on the other, children easily associate school to a playful dimension, they represent it as a space where they can play, interact with the colleagues and friends, and have fun, which also contributes to their personal development, as well as their integration and socialization.

In any case, it is unanimous among children, that school should have a playful character, providing interactive classes and leisure activities, recreational projects and spaces for relaxing (between classes, or after classes) and socializing – this is a representation we can consider as hegemonic (Moscovici, 1988) or widely shared in this population. They imagine a better school, with more natural spaces, playful fields and interactive activities. Children also yearn for a larger, cleaner, peaceful and safer school.

In the school context, proposing games, using games or other forms of interaction, between teacher and children/students, as a means of learning, is a good path to academic success. The teacher should have an open mind to the playful, be able to convey trust and interact, recognizing its importance as a factor in personal, social and cultural development of each child. Stimulated by the teacher, the child feels most encouraged to go further and participate, and may learn more easily, with greater commitment and satisfaction by collaborating actively in shaping their own personality, and facilitating the processes of socialization, communication and expression. Being the failure school a concern of governments, would be a good strategy, counter this failure, resorting to didactic games, in the context of teaching and learning, and provide better and rewarding leisure activities in schools, without losing track of the goals to achieve (e.g., Santos, 2001).

It is urgent to motivate children for school and for life. An unmotivated child will not reveal a good self-confidence, and will have difficulties to learn. Children realize that school is a mandatory path to go, to achieve knowledge and to prepare them for the future professional world, but they also realize that this path is made at some cost and sometimes, extreme fatigue. In fact, schools often require intense rhythms of work, have hard schedules, and children spend too much time in school, attending classes or extra-classes - in addition, the class times are not always the most consistent, and not all children can follow this process (Avô, 2000). Children complain that the school occupies them for too much time, leaving them little time to play and develop other activities that interest them. The homework is mentioned as something that occupies the little free time they have.

Considering the filled schedule of classes, teachers could make a balanced management of work that send for the children to do after classes - at home, or even in school. If teachers decided to reduce or avoid the homework, that option would not necessarily harm school performance, and it would not be for that reason that they would be worst teachers. On the contrary, such an attitude would reveal sensitivity, knowledge and respect for the needs of their students, and the importance to be given to the time of interaction of children with their relatives (parents, siblings, ...), which is often too scarce. In fact during the scholastic year, children don't have much time to stay at home, and most of that time, must be destined to do homework, or to sleep. So, it is natural that children emphasize the importance of playing and interacting, with each others, and with their relatives, at home.

In sum, children care about each other, they wish to learn and feel free. They yearn for a better school… Remembering Pink Floyd, we hope we are not just contributing for more 'bricks in the wall'.

References

Tools for Online Collaboration: Do they contribute to Improve Teamwork?

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Abstract

In the last decades, the fast growth of Information and Communication Technologies changed our way to communicate and share information. Traditional groups or teams frequently give way to virtual teams, working with tools for online collaboration. Interaction between persons geographically dispersed has become easier. However, the use of new collaboration tools can also bring many challenges. Some technologies, like e-mail, can create delays on reply or even misunderstandings, case the message is not well understood by the recipient. Can these new technologies improve the productivity and enhance the creativity between group members, improving also their confidence and motivation? Although virtual teams have a high capacity to adapt to constant market changes, personal interactions are still important, mainly to clarify tasks and goals. The main purpose of this study is to understand how tools for online collaboration may improve the productivity (and enhance creativity) in teamwork. This study was conducted through an internet platform and the survey was hosted online by SurveyMonkey.com. We intended to verify, among other questions, what users think about different collaboration tools, how often they use these tools, and how they perceive these technologies as adequate ways to communicate, to work with, and to improve productivity. Findings show that e-mail is the most used tool, and personal contact is still more important for teamwork than any tools for online collaboration. Our results contribute to perceive in what extent collaboration tools are indeed an asset or a barrier in teamwork.

Keywords: Collaboration tools, traditional teams, virtual teams, productivity, creativity, communication, confidence, motivation.

1. Introduction

Currently with the existing tools for collaboration online, we may create teams composed by persons with different skills and knowledges, having the possibility to storage and share information easily. Working online shortened the distance among people and organizations. These teams also have a greater adaptability to market changes. We may find diversified collaboration tools to promote teamwork and, generally, these tools provide some good challenges – e-mail is just an example of an asynchronous tool that we use daily. But even this simple tool may fail.

In a collaboration context, the e-mail server or service can cause delays or misunderstandings that influence team performance negatively. The relationships in virtual teams depend on a successful sharing of information, as well as on a regular and effective communication.

The highly demanding market, and the need to reply to very high levels of competition, in order to reach (or approach to) the level of other European countries, it was one of the starting points to develop this study. The team's success depends on good communication among members. Otherwise the consequences may be irreversible (e.g.
meeting deadlines, lack of trust in the final outcome of the work). Productivity and creativity are two important features to encourage our economy, weakened by the present financial crisis.

Nowadays organizations and teams need to be effective to discuss and find solutions, in order to solve problems faster. The flexible and creative teams are the key to respond to competitive market. But can tools for online work and communication improve teamwork?

The research's main purpose is to perceive if tools for online collaboration may improve productivity and promote creativity in teamwork. We intended to verify, among other questions, what users think about different collaboration tools, how often they use these tools, and how they perceive these technologies as adequate ways to communicate, to work with, and to improve productivity. We hope our results contribute to perceive in what extent collaboration tools are indeed an asset or a barrier in teamwork.

1.1 Virtual teams

Nowadays collaboration doesn’t know boundaries. Contemporary work is characterized by getting together workers with several knowledges, anywhere in the world. So, virtual teams may be generally defined as a group of members culturally and organizationally different, who are: grouped temporary; physically dispersed; linked by weak bonds; and focused on performing one or more non-routine tasks (Wong & Burton, 2000).

The interaction through use of technologies is more impersonal, more oriented to task, more professional and less friendly than face-to-face interaction (e.g. Schmidt et al., 2001). Therefore, an effective communication is important, mainly in the first stages of team development, to sustain trust (Anderson et al., 2007, p. 2656). However, working with dispersed members may result in long delays along the work development process (Herbsleb & Mockus, 2003). Additionally, members who acquired large information sharing, reveal high levels of performance (Cummings, 2004).

Dispersed members, when faced with a problem, usually contact with local colleagues, because members distributed locally and temporally may lose some communication capabilities, common in face-to-face interaction, such as gestures, observation, facial expressions and visual contact (Driskell, Radtke & Salas, 2003). Other researchers identified six challenges in virtual teams: distance, time, technology, culture, trust and leadership. According to Cascio (2000), there are five disadvantages in a virtual team: lack of social interaction, loss of synergies and the characteristics of face-to-face interaction, lack of confidence and great concern about predictability and security. Traditional teams tend to have more satisfaction, more support, and to provide innovative solutions, due to their constructive style. The passive and aggressive style in virtual teams may create conflicts and less satisfaction, resulting in a worse decision making. In this sense, successful virtual teams are those which promote collaboration, confidence and cohesion among members (Gera, 2013).

1.2 Collaboration tools

According to Bolstad & Endsley (2003) there are four typical characteristics of collaboration: (1) time of collaboration (real time or not); (2) collaboration predictability — collaboration occurs in previously scheduled times or marking provided; (3) place of collaboration — collaboration can both happen to individuals co-located or distributed; and finally (4) level of interaction. Teamwork in distributed teams may include face-to-face interaction (having formal and informal discussions), telephone (e.g. audioconference, voice mail, telephone conversations) and communication technologies (e.g. e-mail, electronic discussions, chat, and others). Communication technologies are structures which provide resource sharing knowledge (intranet or groupware). However, face-to-face meetings are still essential for the effective performance (Watson-Manheim & Belanger, 2002).

Face-to-face interaction is definitely the most used way to create a perfect collaboration environment. Nevertheless, there are countless tools which also may promote team collaboration (e.g. the videoconference, as promoted by Skype, GoToMeeting, etc.). Obviously this involves the use of a computer network where two or more participants, dispersed in different locations, transmit audio and video data (image and text) through a computer in a conference format. The conference call (e.g. Skype, ZOHO Meeting) also known as teleconferencing, allows the meeting between two or more participants connected via a network (internet or intranet), dial-up or satellite, in real time, in which communication can be made by voice or fax. Instant Messages or chat (e.g. Hangout, Lync Online) is a universal collaboration tool, versatile and accessible – it provides a synchronous communication text between two or more users through computers. Although social networks, such as facebook and twitter, are not considered as collaboration tools, they create an environment that encourages people to link to each other, sharing different type of contents and information, in real-time. Social networks are indeed applications frequently used by users for long time periods, and have a great potential to become a collaboration tool, allowing the creation of information sharing spaces (Lomas, Burke &
E-mail is the simplest form of asynchronous communication, allows the composition of a message by a given person, which is sent to one or more recipients connected through a computer. This is the most used tool in organizations, allows easy storage, recovery and editing (Godar & Ferris, 2004). However, this tool doesn’t provide immediate feedback which may bring conflicts, due low levels of knowledge sharing between members, as well as difficulty to build confidence and understand the context and relevance of information (Friedman & Currall, 2003; Jarvenpaa & Leidner, 1998).

Project management tools (e.g. Microsoft Project, Projectlibre) include tasks, milestones, time sheets and Gantt charts. These tools allow users update work status by percentage completed (Xu, Zhang, Harvey & Young, 2008).

Tools to share documents (e.g. Google Drive, Huddle, Microsoft Web Apps) also have great potential to promote collaboration, allowing, for instance, editing documents in real time and may promoting brainstorming and collective articulation of ideas (Lomas, Burke & Page, 2008). Other tools to share files (e.g. Dropbox, WeTranfer) and presentations (e.g. Slideshare, Prezi) may also be very useful to collaborative work.

Content Management System (CMS) (e.g. Drupal, Joomla) enable to exchange information and manage contents; it may be adapted to specific groups which want to share important information within teamwork. Last, blogs (e.g. Wordpress, Blogger) enable to comment and discuss ideas, or simply to communicate internally in a group, organizing automatically the content in chronological order.

1.3 Productivity and creativity in virtual teams

There are four main areas where virtual world has impact in teamwork: communication, confidence, team's participation and coordination, as long as work shows good results. Virtual teams face several challenges related with communication. These may cause conflicts, errors or hamper team's formation and task completion (Cramton, 2001).

High productivity levels are associated with easy communication patterns, continuous and improvised interaction of co-located teams (Olson et al., 2002).

Tasks performed by teams should be fixed and sequenced in order to achieve proposed goals. For Hogan & Salas (1981) group tasks are classified in six categories: (1) mechanical or technical tasks — require the construction and operation of things; (2) intellectual and analytical tasks — require the generation of ideas and problem solving; (3) aesthetic tasks or imaginative — require creativity or artistic endeavor; (4) social tasks — require training, support or assisting others; (5) manipulation and persuasion tasks — require motivation or other's persuasion; and (6) logic tasks or precision — require the performance of routine tasks, detailed or standardized. In a cohesive group, members reveal higher levels of satisfaction (Back, 1951; Lott & Lott, 1961; Curtis & Miller, 1986). However, technologies may reduce the intimacy among members and complicate the relationships, thus decreasing the cohesion (Warkentin et al., 1997).

In a business environment, be original is not enough, be creative implies have an useful and actionable idea. Creativity influences an organization in improvement of a product or in a new way to approach a work process. Personal flexibility and creativity to approach a problem is a characteristic of each one's creative ability. Experience and motivation are both important. Experience includes all knowledges, technical skills and basic talent to think; in other words, it is what a person uses in a wide area of their work (Amabile, 1998). According to Amabile (1998), there are two types of motivation: extrinsic and intrinsic — extrinsic motivation comes from something external, such as a reward, and intrinsic motivation is related with personal interest, satisfaction and challenge that work provides to each one (Amabile, 1998).

Creativity may help virtual teams to become more effective. Many researchers think that the key for success is developing intellectual features, and acquiring a set of thoughts and abilities, such as creativity (e.g. Roffe, 1999). There are numerous definitions assigned to creativity. However Firestien (1996) reported Mel Rhodes (1981), in the search for a universal definition, describing creativity following four related terms: person, process, product and press.

A creative person is someone highly active in mind, characterized by various cognitive factors: fluency, flexibility, originality and elaboration; a creative process — when a certain problem is overcome by a creative thinking approach; creative press — involves creating an environment conducive to creativity; and, finally, creative product — corresponds to the result of creative work and may be associated with a product such as a specific behavior (Richards, 1999). This is a current meaning of creativity.

The team’s performance may be influenced by their structural characteristics, related to the allocation of tasks, responsibilities and authority (Stewart & Barrick, 2000). Nemiro (2001) identified several important aspects that influences creativity in virtual teams and results in high levels of performance: (1) clarity objectives — clear goals and objectives may help a team to be focused on their tasks, maintain harmony among members, and avoid false assumptions and indecisions, reducing conflict outbreaks; (2) trust among members; (3) communication patterns, to maintain a team
connected, to create bonds and synergies among members; (4) know how to deal with creative barriers, such as rules and tradition (i.e., rank, formal barriers and procedural barriers), cultural barriers and resource barriers (lack of people, money, time, supplies and information necessary for creative thinking or to implement creative ideas) (Godar & Ferris, 2004).

2. Main Objective

The main objective of this study is verify how often users use collaboration tools and how they perceive these technologies as adequate ways to communicate, to work with, to improve productivity and enhance creativity.

3. Method

This study involved 105 participants (N = 105), women and men, between eighteen and sixty one years old. Data were collected through an internet platform and the survey was hosted online by SurveyMonkey.com.

Some of the questions under discussion were the following:

1. How often do you use the following tools?* (1- Never; to 5- Very Often)
2. How often do you use the following tools* in teamwork? (1- Never; to 5- Very Often)
3. In what extent do you identify with each of these** issues? (1- Totally Disagree; 2- Disagree; 3- Neither Agree nor Disagree; 4- Agree; 5- Totally Agree)
4. To what extent each of the following tools* are important to promote the communication between the members of a group? (1- Nothing; to 5- Very Much)
   - Videoconference (ex: Skype, GoToMeeting); Audioconference (ex: Skype, ZOHO Meeting); Telephone Contact; Personal Contact (Face-to-Face); E-mail; File Sharing Applications (ex: Dropbox, WeTransfer); Shared Presentations (ex: Slideshare, Prezi); Instant Messages (ex: Hangout, Lync Online); CMS (ex: Joomla, Drupal); Social Networks (ex: Facebook, Twitter); Blogs (ex: Wordpress, Blogger); Shared Documents (ex: Google Drive, Microsoft Web Apps); Project Management (ex: Microsoft Project, Projectlibre)
   - The virtual media facilitate the resolution of a problem.
     Working online helps me feel motivated.
     It is more viable achieve the proposed goals when we work in virtual environments.
     Virtual environments provide me more confidence to do a work.
     I believe that virtual tools help to develop a work in group.
     I like to work with virtual tools.
     Working in virtual team promotes creativity.
     It is important to have regular communication.
     I like that my team has good ideas.
     Communication among members should be effective.
     Team members should encourage each other.
     The discussion of ideas is important.
     There shouldn't be delays in replies to emails.
     I feel free to express my opinion.
     I usually work in team.
     I trust more in my abilities.
     A team must complete the work within the deadline.
     A team must solve their problems.
     I prefer to work face-to-face with my colleagues than in a virtual context.
     Usually I feel motivated when I am performing a task.

4. Main Results

We observed that the most used tool in an individual work is the e-mail (cf. Table 1) and in teamwork the personal contact (face-to-face) is still important (cf. Table 2). Additionally, in individual work participants also use frequently personal and telephone contact, as well as social networks.

On the other hand, in teamwork, the e-mail and telephone contact are also frequently used.
Table 1 – Use of collaboration tools in individual work

<table>
<thead>
<tr>
<th>Tool Description</th>
<th>Average</th>
<th>Standard Deviation</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Videoconference (ex: Skype, GoToMeeting)</td>
<td>2.68</td>
<td>1.497</td>
<td>105</td>
</tr>
<tr>
<td>Audioconference (ex: Skype, ZOHO Meeting)</td>
<td>2.47</td>
<td>1.448</td>
<td>105</td>
</tr>
<tr>
<td>Telephone Contact</td>
<td>4.55</td>
<td>0.796</td>
<td>105</td>
</tr>
<tr>
<td>Personal Contact (Cara-a-Cara)</td>
<td>4.55</td>
<td>0.679</td>
<td>105</td>
</tr>
<tr>
<td>E-mail</td>
<td>4.67</td>
<td>0.703</td>
<td>105</td>
</tr>
<tr>
<td>File Sharing Applications (ex: Dropbox, WeTransfer)</td>
<td>3.39</td>
<td>1.376</td>
<td>105</td>
</tr>
<tr>
<td>Shared Presentations (ex: Slideshare, Prezi)</td>
<td>2.21</td>
<td>1.246</td>
<td>105</td>
</tr>
<tr>
<td>Instant Messages (ex: Hangout, Lync Online)</td>
<td>2.66</td>
<td>1.610</td>
<td>105</td>
</tr>
<tr>
<td>CMS (ex: Joomla, Drupal)</td>
<td>1.60</td>
<td>1.165</td>
<td>105</td>
</tr>
<tr>
<td>Social Networks (ex: Facebook, Twitter)</td>
<td>3.83</td>
<td>1.411</td>
<td>105</td>
</tr>
<tr>
<td>Blogs (ex: Wordpress, Blogger)</td>
<td>2.22</td>
<td>1.387</td>
<td>105</td>
</tr>
<tr>
<td>Shared Documents (ex: Google Drive, Microsoft Web Apps)</td>
<td>2.98</td>
<td>1.352</td>
<td>105</td>
</tr>
<tr>
<td>Management Projects (ex: Microsoft Project, Projectlibre)</td>
<td>1.53</td>
<td>0.981</td>
<td>105</td>
</tr>
</tbody>
</table>

In question three (cf. Table 3) we focused in productivity, creativity, confidence and motivation. For participants is important a team comply with deadlines and collaborate mutually, to achieve the proposed goals. Loss of cohesion and delays in replies on emails must be avoided (Avg=4.50). Participants also agree that teamwork allow to achieve goals (Avg=4.74). They prefer teamwork, but they also express that it is important the encouragement among team members, thus showing that cohesion and having a strong relationship are essential. The cohesion is related with motivation increase, better decision making and open communication (Budman et al., 1993).

Table 2 – Use of collaboration tools in teamwork

<table>
<thead>
<tr>
<th>Tool Description</th>
<th>Average</th>
<th>Standard Deviation</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Videoconference (ex: Skype, GoToMeeting)</td>
<td>2.34</td>
<td>1.440</td>
<td>105</td>
</tr>
<tr>
<td>Audioconference (ex: Skype, ZOHO Meeting)</td>
<td>2.19</td>
<td>1.373</td>
<td>105</td>
</tr>
<tr>
<td>Telephone Contact</td>
<td>4.28</td>
<td>1.024</td>
<td>105</td>
</tr>
<tr>
<td>Personal Contact (Cara-a-Cara)</td>
<td>4.66</td>
<td>0.877</td>
<td>105</td>
</tr>
<tr>
<td>E-mail</td>
<td>4.64</td>
<td>0.774</td>
<td>105</td>
</tr>
<tr>
<td>File Sharing Applications (ex: Dropbox, WeTransfer)</td>
<td>3.34</td>
<td>1.505</td>
<td>105</td>
</tr>
<tr>
<td>Shared Presentations (ex: Slideshare, Prezi)</td>
<td>2.24</td>
<td>1.376</td>
<td>105</td>
</tr>
<tr>
<td>Instant Messages (ex: Hangout, Lync Online)</td>
<td>2.36</td>
<td>1.545</td>
<td>105</td>
</tr>
<tr>
<td>CMS (ex: Joomla, Drupal)</td>
<td>1.47</td>
<td>1.010</td>
<td>105</td>
</tr>
<tr>
<td>Social Networks (ex: Facebook, Twitter)</td>
<td>2.96</td>
<td>1.664</td>
<td>105</td>
</tr>
<tr>
<td>Blogs (ex: Wordpress, Blogger)</td>
<td>1.68</td>
<td>1.079</td>
<td>105</td>
</tr>
<tr>
<td>Shared Documents (ex: Google Drive, Microsoft Web Apps)</td>
<td>2.72</td>
<td>1.477</td>
<td>105</td>
</tr>
<tr>
<td>Management Projects (ex: Microsoft Project, Projectlibre)</td>
<td>1.55</td>
<td>1.065</td>
<td>105</td>
</tr>
</tbody>
</table>

Table 3 – Productivity, Creativity, Confidence and Motivation in virtual teamwork

<table>
<thead>
<tr>
<th>Issue Description</th>
<th>Average</th>
<th>Standard Deviation</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Usually I feel motivated when I am performing a task.</td>
<td>4.25</td>
<td>0.601</td>
<td>105</td>
</tr>
<tr>
<td>I feel free to express my opinion.</td>
<td>4.21</td>
<td>0.805</td>
<td>105</td>
</tr>
<tr>
<td>A team must complete the work within the deadline.</td>
<td>4.65</td>
<td>0.519</td>
<td>105</td>
</tr>
<tr>
<td>It is important a team to have diversified knowledges.</td>
<td>4.74</td>
<td>0.501</td>
<td>105</td>
</tr>
<tr>
<td>A team must solve their problems.</td>
<td>4.49</td>
<td>0.539</td>
<td>105</td>
</tr>
<tr>
<td>It is easier achieve certain goals working in team than individually.</td>
<td>4.14</td>
<td>0.871</td>
<td>105</td>
</tr>
<tr>
<td>Working in virtual team promotes creativity.</td>
<td>3.46</td>
<td>0.899</td>
<td>105</td>
</tr>
<tr>
<td>Team members should encourage each other.</td>
<td>4.55</td>
<td>0.519</td>
<td>105</td>
</tr>
<tr>
<td>The discussion of ideas is important.</td>
<td>4.75</td>
<td>0.476</td>
<td>105</td>
</tr>
<tr>
<td>Shouldn't be delays in replies to emails.</td>
<td>4.50</td>
<td>0.606</td>
<td>105</td>
</tr>
<tr>
<td>It's important to have regular communication.</td>
<td>4.64</td>
<td>0.521</td>
<td>105</td>
</tr>
<tr>
<td>Each element should participate in the tasks related to work.</td>
<td>4.54</td>
<td>0.694</td>
<td>105</td>
</tr>
</tbody>
</table>
I prefer to work face-to-face with my colleagues than in virtual context. 3,58 1,017 105
I like that my team has good ideas. 4,66 0,534 105
Communication among members should be effective. 4,70 0,458 105
I like to work with virtual tools. 4,01 0,740 105
I usually work in team. 4,10 0,796 105
It is more viable achieve the proposed goals when we work in virtual environments. 3,23 0,775 105
Virtual environments provide me more confidence to do a work. 3,06 0,853 105
I believe that virtual tools help in work development of a group. 3,91 0,774 105
I trust more in my abilities. 3,54 0,920 105
The virtual media facilitate the resolution of a problem. 3,61 0,838 105
Working online helps me feel motivated. 3,03 0,871 105

We also verified that most participants consider the discussion of ideas as important, showing that a team must be creative and have good ideas. Creativity allows a team to be more flexible and effective solving problems, but development of trust is also important to perform a good work. Nevertheless, for participants, the collaboration tools don’t have a significant influence in creativity and confidence.

On the other hand, the diversity of knowledges is an asset, thus the interaction among members with different skills and knowledges, in a virtual context, is considered to enrich the teamwork. The Motivation may have influence in productivity and creativity, but for participants working online may have not a significant influence in their personal motivation (Avg=3.03). However, the majority of participants likes to work with virtual tools (Avg=4.01).

Communication is needed mainly to keep a team cohesive, creating or reinforcing bond, which allow to maintain synergies among members. In this sense, for participants, communication may be regular and effective (cf. Table 3). The results also show us that personal contact, e-mail, telephone contact and file sharing applications are considered the most important tools to maintain a good communication among members (cf. Table 4).

Table 4 – Communication in virtual teamwork

<table>
<thead>
<tr>
<th>Tool Type</th>
<th>Average</th>
<th>Standard Deviation</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Videoconference (ex: Skype, GoToMeeting)</td>
<td>3.97</td>
<td>1.156</td>
<td>105</td>
</tr>
<tr>
<td>Audioconference (ex: Skype, ZOHO Meeting)</td>
<td>3.80</td>
<td>1.220</td>
<td>105</td>
</tr>
<tr>
<td>Telephone Contact</td>
<td>4.30</td>
<td>0.865</td>
<td>105</td>
</tr>
<tr>
<td>Personal Contact (Cara-a-Cara)</td>
<td>4.79</td>
<td>0.494</td>
<td>105</td>
</tr>
<tr>
<td>E-mail</td>
<td>4.47</td>
<td>0.765</td>
<td>105</td>
</tr>
<tr>
<td>File Sharing Applications (ex: Dropbox, WeTransfer)</td>
<td>4.03</td>
<td>1.051</td>
<td>105</td>
</tr>
<tr>
<td>Shared Presentations (ex: Slideshare, Prezi)</td>
<td>3.23</td>
<td>1.325</td>
<td>105</td>
</tr>
<tr>
<td>Instant Messages (ex: Hangout, Lync Online)</td>
<td>3.33</td>
<td>1.246</td>
<td>105</td>
</tr>
<tr>
<td>CMS (ex: Joomla, Drupal)</td>
<td>2.86</td>
<td>1.134</td>
<td>105</td>
</tr>
<tr>
<td>Social Networks (ex: Facebook, Twitter)</td>
<td>3.44</td>
<td>1.315</td>
<td>105</td>
</tr>
<tr>
<td>Blogs (ex: Wordpress, Blogger)</td>
<td>2.58</td>
<td>1.254</td>
<td>105</td>
</tr>
<tr>
<td>Shared Documents (ex: Google Drive, Microsoft Web Apps)</td>
<td>3.41</td>
<td>1.253</td>
<td>105</td>
</tr>
<tr>
<td>Management Projects (ex: Microsoft Project, Projectlibre)</td>
<td>2.84</td>
<td>1.294</td>
<td>105</td>
</tr>
</tbody>
</table>

5. Discussion and Conclusion

In the last years we were faced with numerous transformations at technological level. In fact, distance between countries, organizations and people, which in a recent past prevented us to communicate, with each others, in a quick and easy way, was shortened by the current large number of advanced and diversified technologies... just at the distance of a click, or a simple touch. If in past it was almost impossible edit a document during the same temporal period and in teams composed by dispersed members, today this concern was minimized, or just disappeared. Now our biggest concern is to be focused in what we need to give boost to the economy: produce, create and innovate.

The use of tools for online collaboration is increasingly common in teams that want to communicate and work remotely. This tools approach members separated by ‘a wall or an ocean’, allowing them to interact and communicate with each other, accessing a wide range of knowledge and information, as well as enabling the contact with colleagues with multiple specializations and cultures.
Tools for online collaboration may include videoconference, audioconference, instant messages, e-mail, file sharing, projects management and many other features. However tools with asynchronous characteristics (e.g., e-mail, file sharing applications) are considered less rich in creating relational bonds, which may affect negatively the information sharing (e.g., delays, misunderstandings, conflits).

To perceive if collaboration in virtual context may improve a team’s performance and contribute for their creative process, we analysed, through SPSS software, the frequency with which participants use these tools and how they perceive them as adequate to work, communicate and improve productivity (and enhance creativity).

To verify how often participants use these tools and how they perceive them as important in communication we perform a descriptive analysis. Additionally to collect data related with the influence of these tools on productivity and creativity we also perform a principal component analysis.

Most participants prefer to interact and communicate face-to-face in teamwork and through e-mail in individual work. Personal contact (face-to-face) is also considered determinant to enhance creativity.

We found out that in teamwork is easier to achieve goals than individually. Influence of collaboration tools in confidence and motivation was not considered to be significative between team members.

We also verified that a team must have good ideas and members must discuss them among each other. The majority of participants like to work with tools online and think that communication must be regular and effective, avoiding delays on reply on e-mails.

The results allow us to respond to the objective proposed, and may contribute to a theoretical and organizational context. In theoretical context this study contributes to comprise the importance of using collaboration tools in work development and communication among users of these tools (working as team members), and how they view these tools, when they work and communicate; and also if these tools may improve teamwork productivity.

To the organizational context this study contributes to improve online teamwork and shows some errors that must be avoided within team’s communication. Even with some limitations this research may contribute to comprise the challenges and assets provided by these online technologies when are used and adapted in different communication stages of teamwork. We hope this project may enhance the development of new studies to improve teamwork, productivity and communication in virtual context.

Anyway, nowadays, technologies are essential, and we should not forget that we may have many facilities and different ways to communicate and work through a virtual world, but talking, face-to-face, continues to be a good option, when possible.

References


The Psychological Trauma on Boko Haram Victims in Nigeria: Conflict Resolution Perspective

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Abstract

The Nigerian State before 1999 was ruled by the military for a very long period of time ranging from 1966-1979, and 1983-1999 they have stayed in power and control of Nigerian leadership. Within the said periods, the country was mostly led by the Northern leadership especially from 1983-1999 where leaders such as Buhari 1983-1985, Babangida 1985-1993, Abacha 1993-1998 and Abubakar 1998-1999 were all from the North. On the 29th of May, 1999 ushered in the return to democratic rule and power was shifted to the Southern part of the country under the leadership of Obasanjo 1999-2007. There was in place the principle of zoning and rotation of power between the North and South so as to promote the principle of peace, fairness, equity and justice as it was enshrined within the constitution of the ruling party, the PDP. May 29th, 2007 brought in another power shift from the South to the North through the leadership of Yar’Adua, who later died in office on the 5th of May, 2010. Thus, the Vice-President took over power and it returned to the South, he contested in 2011 elections, was opposed by some quarters from the North where violence broke out and the Boko Haram became a tool as posits by late Gen. Andrew Azazi. The objective of the paper is to seek redress on how the conflict can be resolved and to bring to the fore the psychological trauma that the victims have undergone. The paper recommends that the root causes of the conflict should be re-addressed and resolved.

Keywords: Psychological trauma, Boko Haram victims, Zoning, Nigeria, Conflict resolution.

1. Introduction

The quest for leadership in Nigeria remains an issue for political tussle over the years. This was witnessed during the political era of the civilians from 1960 to 1966 and that of the military era from 1966 to 1979 as well as 1983 to 1999. Nigeria, a country with diverse ethnic nationalities and multi-religious worshipers is faced with a fact that leadership cannot be ignored but who to put in position of authority to lead is the major issue. However, the notion of ethnic differences begot the quest for leadership between the North and South.

As far back as 1914, the country before she gained her independence was ruled by the British authorities whom through their leadership amalgamated the North and South to form an entity called Nigeria. The country was ruled by the British authorities from her period of formation when the two protectorates were amalgamated in 1914 by the then leader, Lord Lugard. Afterward, Nigeria was under their leadership from 1914 to 1960 when she gained her independence. However, gaining independence from the white people still could not solve the ethnic differences within the context of majority and minority question between the periods of 1960 to 1966 (Akinboye and Anifowose, 2008).

The ethnic differences among other issues later led to the military takeover in 1966 and that created an environment for military rule from 1966 down to 1979 when the leadership of Gen. Olusegun Obasanjo conducted elections that ushered in the return to democratic rule on the 1st of October, 1979. Nigeria as a nation, vastly endowed
with diverse ethnic nationalities should rather serve as a source of unity in diversity for the purpose of promoting oneness amongst the people. This is one of the reasons why zoning of political positions came into place so that no section of the country would be left behind into the quest for power distribution among the different ethnic groups and to benefit the sharing formula between the North and South.

In this regard, between the periods of 1979-1983, the country’s leadership came from the North under the leadership of Alhaji Shehu Shagari who hails from Sokoto State, while the Vice President came from the Southern part of the country in person of Chief Alex Ekwueme. This was done in such a way that, power was divided between the North and South in order to promote unity in diversity among the Nigerian people. Another view was to promote Nigerian unity through integration of religious diversity having the President, Shehu Shagari as a Muslim and the Vice-President, Alex Ekwueme as a Christian (Ayantayo, 2009).

This is the same practice as it was introduced in 1999 when the Military handed over power to a democratically elected government under the leadership of President Olusegun Obasanjo and Vice-President Atiku Abubakar of whom the President was a Christian and that of the Vice, a Muslim. Again power was divided between the North and South since the President came from the South and the Vice from the North. The arrangement was made for the purpose of power sharing between the North and South periodically. However, the zoning/rotation of power between the North and South only lasted from 1999-2007 since it was truncated in 2011 and that created an atmosphere for conflict in Nigeria.

2. Objectives of the Paper

The objectives of the research paper therefore are:

i. To seek redress on how the conflict between the North and South can be resolved for the purpose of achieving a harmonious relationship between the two regions, and enhancing political stability within the country Nigeria.

ii. To bring to the fore, the psychological trauma that the victims of the Boko Haram attack went through.

iii. To bridge the gap between the six geopolitical regions for the purpose of enhancing peace and security, and uniting the ethno-religious differences in Nigeria.

3. Theoretical Framework

This work intends to fixture in the integration theory which is classified into three major descriptions namely subnational, national and international. However, the paper focuses on subnational and national to reflect the content therein. The big question is why integration theory? How then can it be applicable to this work? The work of Lijphart (1971) has been looked at, and it brings the integration theory into the different dimensions that have been mentioned above, and it is intended to be used in analyzing this work, as subnational refers to the states of the federation in Nigeria and national in the dimension of integrating the people of Nigeria who are from different ethnic backgrounds and a variation of religious backgrounds. The country is subdivided into thirty-six (36) States of the federation and these States are represented within the context of six geo-political zones. This work aims at promoting unity in diversity through the integration of the people from all perspectives.

4. Discussion

4.1 The Historical Background: Analyzing the historical background of Nigerian leadership.

Table 1: The leadership of Nigeria between the North and South 1966-2015

<table>
<thead>
<tr>
<th>S/No.</th>
<th>Name (Head of State/President)</th>
<th>Region</th>
<th>Religion</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Gen. Murtala Mohammed (1975-1976)</td>
<td>North</td>
<td>Muslim</td>
</tr>
<tr>
<td>4</td>
<td>President Shehu Shagari (1979-1983)</td>
<td>North</td>
<td>Muslim</td>
</tr>
<tr>
<td>5</td>
<td>Major-General M. Buhari (1983-1985)</td>
<td>North</td>
<td>Muslim</td>
</tr>
<tr>
<td>7</td>
<td>Ernest Shonekan (1993-1993)</td>
<td>South</td>
<td>Christian</td>
</tr>
</tbody>
</table>
Term | The Return of Nigerian Democratic Rule in 1999
--- | ---
1999-2003 | President Olusegun Obasanjo (4 years) South Christian
2003-2007 | President Olusegun Obasanjo (4 years) South Christian
2007-2010 | President Umaru Yar'Adua (2 years) 341 days North Muslim
2010-2011 | President Goodluck Jonathan (1 year) 25 days South Christian
2011-2015 | President Goodluck Jonathan (4 years) South Christian


4.2 The Military Rule in Nigeria

The Table 1 above, took a dimension of understanding how the Nigerian State has been ruled by her leaders from 1966-2015 with the view of providing a deeper understanding on what created the atmosphere that led to the conflict between the North and South. From the table as seen above, from 1966-1979, those were the days and years of military rule in Nigeria. The military government took over power from the civilian on the 15th of January, 1966 after the coup which was organized by the Igbo from the Southern (Present South-East) part of the country. The coup took away the lives of many prominent Northerners such as the Sultan of Sokoto, Ahmadu Bello and the Prime Minister of Nigeria, Sir Abubakar Tafawa Balewa (Akinboye and Anifowose, 2008).

The Northerners on the other hand, organized another counter coup that led to the killing of the Nigerian Head of State, Major-General Johnson Aguiyi-Ironsi. After that, a Northerner, a Christian and of minority ethnic group was made the Head of State of Nigeria, General Yakubu Gowon by the Hausa-Fulani within the military who were and are the major ethnic group from the North and mostly of Islamic faith. General Yakubu Gowon was the first and only Christian from the North who has ruled Nigeria (Akinboye and Anifowose, 2008).

Nigerian political system under the military was largely controlled and ruled by the Northern hegemony as witnessed during the Yakubu Gowon led administration 1966-1975, then Murtala Mohammed took over power from 1975-1976 when he was assassinated on the 13th of February, 1976. That created an avenue for the South to rule through Major-General Olusegun Obasanjo 1976-1979 when he conducted elections and handed over power to the civilian led government on the 1st of October, 1979. However, the civilian government lasted for only four years 1979-1983 when the military again came into power through another coup that brought in Major-General Muhammdu Buhari, 1983-1985, who is presently the President of Nigeria with tenure of four years from May 29th, 2015 to May 29th, 2019.

Military coups as well known in Nigeria were days when the Constitution was suspended by the Military Government. The military ruled for fifteen years covering 1983-1999, under Buhari 1983-1985, Babangida 1985-1993, Abacha 1993-1998 and Abdulsalam Adubakar 1998-1999. All these years 1979-1999 as seen in table 1, they were ruled by the North and of Muslim faith exception of Chief Ernest Shonekan, who led the country as Interim Head of Government from August, 1993 to November, 1993 who was from the Southern part of the country. In order to promote Peace and Unity within the country, the same Northerners through the leadership of General Abdulsalam Abubakar, in 1999 handed over power to the South under the leadership of Olusegun Obasanjo. That was the ushering in of the return to democratic rule after many years of military rule (Akinboye and Anifowose, 2008).

4.3 The Civilian and Democratic Rule in Nigeria

The quest for national unity and promotion of peace within the country under the democratic led government in 1999 was the major reason behind the introduction of the zoning formula and rotation of the presidency between the North and South as enshrined into the Peoples Democratic Party’s (PDP) Constitution. The party was the ruling political party that won the 1999 general elections during the return to democratic rule. The principle of zoning was aimed at integrating all the six geopolitical zones into a whole and a federation of one people. This was demonstrated from 1999-2007 when all the six geopolitical zones were equally represented into the government at the federal level in order to promote peace and political stability within the country as seen in table 2 below.
Table 2: The Integrated zones in Nigeria 1999-2007

<table>
<thead>
<tr>
<th>S/No.</th>
<th>Position</th>
<th>Zone</th>
<th>Duration</th>
<th>Religion</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>President</td>
<td>South-West</td>
<td>8 years</td>
<td>Christian</td>
</tr>
<tr>
<td>2</td>
<td>Vice-President</td>
<td>North-East</td>
<td>8 years</td>
<td>Muslim</td>
</tr>
<tr>
<td>3</td>
<td>Senate President</td>
<td>South-East</td>
<td>8 years</td>
<td>Christian</td>
</tr>
<tr>
<td>4</td>
<td>Speaker, Federal House of Representatives</td>
<td>North-West</td>
<td>8 years</td>
<td>Muslim</td>
</tr>
<tr>
<td>5</td>
<td>Secretary to the Government of the Federation</td>
<td>South-South</td>
<td>8 years</td>
<td>Christian</td>
</tr>
<tr>
<td>6</td>
<td>Chairman of the Ruling Party</td>
<td>North-Central</td>
<td>8 years</td>
<td>Christian/Muslim</td>
</tr>
</tbody>
</table>


From the table 2 above, we can see how the country was made to share the six top positions in Nigeria amongst the six geopolitical zones in order to give equal representation of the people through integration of the whole country. The President came from the South-West, and of Christian faith, he ruled the country for eight years 1999-2007 after the North handed over power to the South. The Vice-President, from the North-East and he was of Islamic faith. This was made possible in order to strike a balance between the North and South, Christians and Muslims for the purpose of equal representation and peace building in Nigeria. Again, all the zones were represented within that government; the North Central and South-South which are dominant areas of the minority ethnic groups in Nigeria were equally represented. In 2007, after the eight years of presidency in the Southern part of the country, power was shifted to the North when the Late President Yar'Adua came into power but later died on the 5th of May, 2010 as a result of ill health.

At this time, the Vice-President from the South was sworn in as the President on the 6th of May, 2010 to complete their tenure of four years 2007-2011. President Jonathan being a Christian from the Southern part of the country was pushed with his ambition to run for the 2011 general elections, which brought in the truncated zoning arrangement within the PDP which was enshrined in their constitution. This is where some quarters from the North resisted and fought against the truncated zoning in view of the fact that power was supposed to remain in the North for eight years 2007-2015 before shifting back to the South in 2015. President Jonathan used the incumbency power against his own party's constitutional zoning or rotation of power between the North and South which was actually within the PDP’s constitution. This created a climate for conflict and resulted into the usage of the Boko Haram as a tool as posited by the Late General Andrew Azazi (Ekwueme and Obayi, 2012; Liman, 2014).

In the views of Andrew Azazi, the PDP got it wrong for not allowing the North to rule in 2011-2015 to have completed the eight years of presidency in the North since it was their constitutional arrangement to have power in the South 1999-2007 and same should have been the position of the North 2007-2015. He further argued that, since the zoning was truncated, the Boko Haram became better equipped and better funded with sophisticated weapons to fight against the government that was led by President Jonathan whose political ambition led to the conflict therein between the North and South. The situation that created the Boko Haram sect against the government must be tackled if not, arresting the leaders of Boko Haram would not end the problem (Liman, 2014).

4.4 The Psychological Trauma on Boko Haram’s Victims

In view of fighting against the government and the people of Nigeria, many people have been affected by the attacks of the Boko Haram insurgents. Many have been killed through bombing, some through the usage of gun against their lives by the Boko Haram. And to some, their parents and siblings were kidnapped by the Boko Haram and that created an atmosphere that led to their passing through psychological trauma. These incidences are recorded in many instances such as the Chibok girls that were kidnapped, the agony of those living in camps such as the Internally Displaced Persons (IDP Camps) and those who are staying in refugee camps in Cameroon, Niger and Republic of Chad (United Nations High Commissioner for Refugees, 11 November, 2014; United Nations High Commissioner for Refugees, 16 February, 2015; Ayansina, 2015).

In the case of the Chibok Girls, some of their parents were affected as a result of psychological trauma that led to their death since they could no longer cope with the situation as it became unbearable for them. That led them to their early grave. According to Biodun (2014) some of the parents whom their daughters were abducted by the Boko Haram on the 14th of April, 2014 such as Mrs Mary Paul Lalai who could not bear the incidence that took place. She went through psychological trauma and that affected her to an extent that she could not survive but later died of heart attack without seeing her daughter.
Another parent, Mutai Hona, also died of heart failure as a result of the kidnap of his two daughters who were in the hands of the Boko Haram. This occurred after he watched the video that was released by the Boko Haram on a note that, the girls would be married out without the consent of their parents and some of the girls that were Christians were converted to Islam by the insurgents (Sahara Reporters, 2014). President Jonathan was called upon by several groups both locally and internationally for his led government to rescue the girls from the hands of Boko Haram. Such calls also came from Malala Yousafzai who visited Nigeria on the occasion of her birthday to speak for the girls as her sisters whose voices were not heard (Ehikioya, 2014).

The agony of children as a result of the Boko Haram attacks also remains another level of psychological trauma since the parents could not cater for them as ought to be. According to UNICEF (2015) the displaced children under the care of the UN Agency noted that, over 1.4 million children have been displaced and that they could not take care of them since their number continues to grow beyond what they could do for the children whom about 1.2 million are from Nigeria out of the total number of 1.4 million children. Such are some of the traumas that the people are faced with which reasonably, a call for a resolution of the conflict is very necessary and not just for those who are directly or indirectly affected by the crisis over time. This is where we will introduce the new model for zoning formula and rotation of the presidency between the North and South.

### Table 3: Zoning Formula Model One

<table>
<thead>
<tr>
<th>S/No</th>
<th>Position</th>
<th>Region</th>
<th>Religion</th>
<th>Ethnicity</th>
<th>Position</th>
<th>Region</th>
<th>Religion</th>
<th>Ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>President</td>
<td>North</td>
<td>M</td>
<td>M1 NW</td>
<td>A</td>
<td>South</td>
<td>C</td>
<td>M1 SE</td>
</tr>
<tr>
<td>2</td>
<td>Vice President</td>
<td>South</td>
<td>C</td>
<td>M1 SE</td>
<td>B</td>
<td>North</td>
<td>M</td>
<td>M1 NE</td>
</tr>
<tr>
<td>3</td>
<td>Senate President</td>
<td>North</td>
<td>M/C</td>
<td>M2 NC</td>
<td>C</td>
<td>South</td>
<td>C/M</td>
<td>M2 SS</td>
</tr>
<tr>
<td>4</td>
<td>Speaker</td>
<td>South</td>
<td>C/M</td>
<td>M1 SW</td>
<td>D</td>
<td>North</td>
<td>M/C</td>
<td>M1 NW</td>
</tr>
<tr>
<td>5</td>
<td>Secretary F G</td>
<td>North</td>
<td>M/C</td>
<td>M1 NE</td>
<td>E</td>
<td>South</td>
<td>C/M</td>
<td>M1 SW</td>
</tr>
<tr>
<td>6</td>
<td>Party Chairman</td>
<td>South</td>
<td>C/M</td>
<td>M2 SS</td>
<td>F</td>
<td>North</td>
<td>M/C</td>
<td>M2 NC</td>
</tr>
</tbody>
</table>

**Source:** Developed by the Authors in 2015.

### Table 4: Zoning Formula Model Two

<table>
<thead>
<tr>
<th>S/No</th>
<th>Position</th>
<th>Region</th>
<th>Religion</th>
<th>Ethnicity</th>
<th>Position</th>
<th>Region</th>
<th>Religion</th>
<th>Ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>President</td>
<td>North</td>
<td>C</td>
<td>M2 NC</td>
<td>A</td>
<td>South</td>
<td>M</td>
<td>M2 SS</td>
</tr>
<tr>
<td>2</td>
<td>Vice President</td>
<td>South</td>
<td>M</td>
<td>M1 SW</td>
<td>B</td>
<td>North</td>
<td>C</td>
<td>M1 NW</td>
</tr>
<tr>
<td>3</td>
<td>Sen. President</td>
<td>North</td>
<td>C/M</td>
<td>M1 NE</td>
<td>C</td>
<td>South</td>
<td>M/C</td>
<td>M1 SW</td>
</tr>
<tr>
<td>4</td>
<td>Speaker</td>
<td>South</td>
<td>M/C</td>
<td>M2 SS</td>
<td>D</td>
<td>North</td>
<td>C/M</td>
<td>M2 NC</td>
</tr>
<tr>
<td>5</td>
<td>Secretary</td>
<td>North</td>
<td>C/M</td>
<td>M1 NW</td>
<td>E</td>
<td>South</td>
<td>M/C</td>
<td>M1 SE</td>
</tr>
<tr>
<td>6</td>
<td>Party Chairman</td>
<td>South</td>
<td>M/C</td>
<td>M1 SE</td>
<td>F</td>
<td>North</td>
<td>C/M</td>
<td>M1 NE</td>
</tr>
</tbody>
</table>

**Source:** Developed by the Authors in 2015.
This zoning formula model is designed to reflect the period of leadership of Nigeria in the context of power sharing between the North and South, representation of both Christians and Muslims, as well as a representation of all the six geopolitical zones namely North-West, North-Central, North-East, South-East, South-South and South-West. This model captures a period of 30 years in governance to give equal opportunity to all the six geopolitical zones in Nigeria to rule for a five years single tenure.

In Model One, the President is zoned to the North-West in order to give opportunity to one of the major ethnic groups in Nigeria, the Hausa-Fulani to rule for five years single tenure. The Vice-President zoned to the South-East to have the Igbo representation. After the tenure, power would be zoned to the South-East to give opportunity for the Igbo to rule as President of Nigeria while the Vice-President zoned to North-East.

In Model Two, the Presidency goes back to the North with the zoning to North-Central where the minority Christians are given the opportunity to rule and the Vice-President zoned to the South-West to have a Muslim as the second in command of leadership. This would be done through the process of integrating the whole country with her diverse ethnic and religious backgrounds. However, after the period of 30 years, the next zoning to North-Central, a Muslim would be the President and the Vice from South-West as a Christian. Model Two, again provides opportunity for the South-South to rule as President and Vice-President be zoned to the North-West.

Model Three, the position of the President is zoned to North-East and that of the Vice-President to South-South for a period of five years. After which power would be shifted to South-West where the President is zoned and Vice-President to the North-Central. All these three models allows leadership in place for only one single tenure of five years and power sharing between the North and South in order to promote the spirit of unity and peace.

5. Findings

The findings from this research thus revealed that, the truncated zoning arrangement in 2011 which presented it-self for President Jonathan to contest for the 2011 presidential elections created the atmosphere that resulted into conflict between the North and South. These issues were centered around the constitution debates on who to contest and who not to contest. The North felt it was their turn for them to rule the country since the South had ruled from 1999-2007 and as such 2007-2015 should have been the turn of the North but since the zoning was truncated, political conflict settled in as the root causes of the Boko Haram attacks which the late Gen. Andrew Azazi called for the redress of the said issues.

The finding also reveals that, many people have been affected by the Boko Haram attacks leading to psychological trauma. Some of the victims of the Boko Haram attacks whom were psychologically affected were the parents of the Chibok girls that were abducted by the Boko Haram insurgents during the 14th of April, 2014 attack on their secondary school in Chibok, Nigeria. The research therefore, calls for the resolution of the root causes of the conflict which was centered on zoning and rotation of the presidency between the North and South.

6. Conclusion

In conclusion, the Nigerian State cannot move forward if there is no security for the masses and the polity in question.

<table>
<thead>
<tr>
<th>S/No.</th>
<th>Position</th>
<th>Region</th>
<th>Religion</th>
<th>Ethnicity</th>
<th>Position</th>
<th>Region</th>
<th>Religion</th>
<th>Ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>President</td>
<td>North</td>
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<td>M2</td>
<td>B</td>
<td>North</td>
<td>M</td>
<td>M2</td>
</tr>
<tr>
<td>3</td>
<td>Sen. President</td>
<td>North</td>
<td>M/C</td>
<td>M1</td>
<td>C</td>
<td>South</td>
<td>C/M</td>
<td>M1</td>
</tr>
<tr>
<td>4</td>
<td>Speaker</td>
<td>South</td>
<td>C/M</td>
<td>M2</td>
<td>D</td>
<td>North</td>
<td>M/C</td>
<td>M1</td>
</tr>
<tr>
<td>5</td>
<td>Secretary</td>
<td>North</td>
<td>M/C</td>
<td>M1</td>
<td>E</td>
<td>South</td>
<td>C/M</td>
<td>M1</td>
</tr>
<tr>
<td>6</td>
<td>Party Chairman</td>
<td>South</td>
<td>C/M</td>
<td>M1</td>
<td>F</td>
<td>North</td>
<td>M/C</td>
<td>M1</td>
</tr>
</tbody>
</table>

Source: Developed by the Authors in 2015.
Thus, the conflict between the North and South can only be resolved when there is fair sharing of power between the two regions and across the six geopolitical zones as states in the zoning formula model which is developed and introduced by the researchers and authors of this paper. It is therefore recommended that, the Federal Government of Nigeria should adopt this model and it should be enshrined into the Nigerian Constitution for the purpose of promoting peace, resolving the North and South political tussle, and providing a stable political atmosphere in Nigeria. This should be done through the constitutional amendment in order to accommodate the six geopolitical zones and rotational presidency as proposed in the zoning formula model as a tool for resolving the said root causes of the conflict therein.

References


The International Human Resources Management Policies for the Development of the International Hotels’ Organizational Learning Capability in Algeria

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Abstract

Facing a globalized hyper-competitive economic environment and by necessity of becoming learning organizations, the importance of organizational learning (OL) has incredibly increased in multinational companies (MNCs) than those operating locally. The OL has become a distinctive competency that enables them invest successfully and compete overseas where they have to adjust their strategic choices to those regions in which they want to operate; especially in a newly emergent market of Algeria. In the other hand, managing a workforce of cultural diversity requires putting in place a clear strongly sophisticated policy; and having an international management cadre facilitate the mission of the MNCs in the different international settings. This research explores the extent to which the human resources management policies of the international hotels, installed in Algeria, affect the development of the organizational learning capability. The expatriates within those international hotels were asked to respond to the research survey. Results demonstrate a real positive significant effect of the international human resources management policies on the development of the organizational learning capability within international hotels installed in Algeria. In addition to the major role of the organizational learning capability in the strategic management and performance of the international hotels, applying the right international human resources strategies will yield sustainable international hotels competitive edge, mainly because of the sophistication of their services. They have to develop a cadre of top management with an international experience and capable to succeed in do business overseas and deal with and adapt to the different economic and cultural conditions of the host countries. This research may be first of kind in exploring the theme of organizational learning within MNCs, in an Arab developing country; specifically, the unique in studying the emergent promising Algerian sector of hospitality.

Keywords: Organizational learning capability, International human resources management policies, International Hotels, Algeria

1. Introduction

A vital element in implementing global strategy is the international human resource management. When the factors of production (capital, technology, raw materials and information) become easily duplicated, “the caliber of the people will be the only source of competitive advantage” (Deresky, 2008)

Being a multinational company ‘MNC’ engages the organization to deal with a diverse geographically dispersed workforce. The MNC has to adopt special HRM practices, tailored to the host countries specifications: Business practices, legal issues, culture issues ... Flexible IHRM becomes indispensable global core processes for the MNC continuity; binding IHRM practices in a constant change and refinement processes.

For instance, facing a globalized hyper-competitive economic environment and by necessity of becoming learning organizations, the importance of organizational learning (OL) has incredibly increased in MNCs than those operating locally. The OL has become a distinctive competency that enables them invest successfully and compete overseas where they have to adjust their strategic choices to those regions in which they want to operate, especially in a newly emergent market of Algeria.

The present research explores “to what extent the human resources management policies, applied internationally,
affect the development of the organizational learning capability of the MNCs, especially in Algeria?" 

2. Literature Review

2.1 The Organizational Learning Capability

Confronting a hostile and turbulent business environment, the organizations focus their efforts on the development of a powerful process, that of the organizational learning. This learning represents the underpinning behind organizations' innovation, and thus sustainable competitive advantage (Dahou et al., 2012).

Diverse literature have taken into study and demonstrated the positive relationship between organizational learning and innovation (Camisón & Villar-López, 2011; García-Morales et al., 2011; Jiménez-Jiménez & Sanz-Valle, 2011; Aragón-Correia et al., 2007; Chen, Lin, & Chang, 2009; Mavondo et al., 2005; Calantone et al., 2002; Hurley & Hult, 1998).

Wang and Ellinger (2011) highlighted the importance of organizational learning for organization's strategic renewal. 268 senior R&D project team members revealed the significant effect of organizational learning on either individual or organizational-level innovation performance.

From a study of 363 strategic alliances in Taiwanese companies, a number of drivers of organizational learning were cited, necessary for strategic alliances as learning oriented collaborative relationships: integration power of manager, external linkages, previous experience, repeated practice, codification of experience and ambiguity. Those learning mechanisms are influenced positively by learning intent and embedded learning, and lead to the development of dynamic competitive competencies, either competitive scanning competencies or quality management competencies (Chen et al., 2009).

Hurber, in 1991, proposed four basic constructs of OL, encompassing: knowledge acquisition, information distribution, information interpretation and organization memory.

Furthermore, Slater and Narver (1995 as cited in Jones, 2006a) added correspondingly that organizational learning “includes information acquisition, dissemination, shared interpretation and organizational memory”.

The acquisition enables the organization generate new knowledge and information, either internally or externally, through interactions and communication processes and experiences of its members.

The obtained knowledge is then diffused to all the organization's members, and transformed from its tacit nature to more explicit form.

The third phase is the development of a shared interpretation of the diffused knowledge at the individual and organizational level, through formal networks and databases or informal interactions, making from it a common knowledge integrated in routines and enhanced through single or double-loop learning.

The four is the organizational memory, in which knowledge is embedded in the theory of use of the organization, transformed into action and stored and committed in declarative and procedural memory for prospective use (Dahou et al., 2012; García-Morales et al., 2011; Jiménez-Jiménez & Sanz-Valle, 2011; Santos-Vijande et al., 2011; Jones, 2006a).

Furthermore, other researchers have chosen to point out the term “Organizational Learning Capability (OLC)”. It stresses the key factors for organizational learning or the organizational propensity to learn. Goh & Richards (1997, p. 577) defined it as the organizational and managerial characteristics or factors that facilitate the organizational learning process or allow an organization to learn (Jerez-Go mez et al., 2005; Goh and Richards, 1997; Hult and Ferrell, 1997; Dibella et al., 1996).

In 2007, Chiva, Alegre & Lapiendra proposed a model of organizational learning capability as a measurement scale encompassing the major facilitators of organizational learning based on literature of the different scales of organizational learning. In 2009a, Chiva & Alegre identified the five precedent dimensions or facilitating factors as they called them for organizational learning capability, taking them into study with different subject such as entrepreneurial orientation, innovation, job satisfaction and firm performance.

When analyzing such definition used in tremendous research, the researchers found that searching for the characteristics or dimensions that facilitate OL are in fact the same interests of the LO literature. So critically thought, the term capability in this research is taken to mean “capacity” or “ability” of organizations to develop and accomplish the OL process and more importantly promote such process into a distinctive competency; and both OL literature and LO literature were considered when measuring OL in this research, marrying both the factors of OLC scale and dimensions of LO.
2.2 International Human Resources Management Policies

Being a MNC engages the organization to deal with a diverse geographically dispersed workforce. The MNC has to adopt special HRM practices, tailored to the host countries specifications: Business practices, legal issues, culture issues ... Flexible IHRM becomes indispensable global core processes for the MNC continuity; binding IHRM practices in a constant change and refinement processes.

“Global firms often struggle to replicate practices among their culturally and geographically dispersed subsidiaries. Part of the reason for this is that certain practices, including human resource management (HRM) practices, are complex and context specific” (Morris et al., 2009, p. 293).

Some researchers say that MNCs have to replicate and imitate the best HRM practices in the host countries as an incentive for and critical to the realization of goals and thus the achievement of the MNC competitive advantage.

Lado and Wilson (1994, p. 699) suggested those HRM practices which “can contribute to sustained competitive advantage through facilitating the development of competencies that are firm specific, produce complex social relationships, . . . and generate organizational knowledge”, which means in total “Organizational Learning” IHRMP encompass in its true term “learning mechanisms”: planning, stuffing, training and development, appraising and performance management of either expatriates or local nationals, compensation of expatriate managers along with attention put on labor relations issues in every subsidiary location.

Those learning mechanisms are requirements for the MNCs for their performance in the host countries’ markets, via promoting their adaptability and innovation, especially in the presence of real knowledge transfer and sharing across the MNCs units. The result is a very interactive “transnational learning that increases the MNCs worldwide competitiveness and thus their very long continuity, in much diversified business contexts.

Acting globally, the MNCs are obliged to align their HR strategies to their global strategies. They have to adopt global stuffing, development and compensation strategies in attracting, hiring and retaining and developing either parent-country nationals (expatriates), host-country nationals (locals) or third-country nationals.

Supplementary, recruiting host-country nationals and third-country nationals will get high investment in term of training from host nationals either on technical areas, in product and service systems, business systems, conduct policies or corporate culture.

There exists a number of stuffing philosophies for international operations: (Deresky, 2008)

- The MNC that use an ethnocentric staffing approach fills key managerial positions with people from headquarters – that is, parent-country nationals (PCNs).
- In a polycentric staffing approach, local managers – host-country managers (HCNs) – are hired to fill key positions in their own country.
- In the global staffing approach, the best managers are recruited from within or outside of the company, regardless of nationality.
- In a regiocentric staffing approach, recruiting is done on a regional basis – say within Africa for a position in Algeria.

Before sending expatriates overseas, the MNC has to take into consideration a number of factors that affect directly the success of their assignments: personality and psychological issues like emotional maturity, adaptive and flexible thinking; prior experiences overseas, languages, openness to sundry cultures, family support and issues, and most importantly their ability to learn new customs and traditions and more specifically styles of management and technological capabilities in the host country (Geigle & Malhotra, 2009).

In 2002, a Canadian qualitative research was conducted, investigating the best HRM practices in expatriation management in four Canadian MNCs. It pointed out the significance of appropriate IHRM practices. Job specification is one of those practices, specifying the set of cross-cultural competencies going beyond specific technical requirements. The recruitment process is another practice where a realistic job preview is prepared, facilitating this process by giving information concerning career development, political conditions, quality of living conditions, difficulty of spousal adjustment –which had reportedly huge impact on expatriate success- and finally length of assignment. The IHRM practices includes also the selection process that should entails interviews, tests especially the most recommended big five personality test, and taking into account the biographical data of candidates.

Yet, those practices would have consequences on training that equips expatriates for assignment, performance appraisal, human resource development to retain high performers and providing convenient post-return jobs, and human resource planning. The findings indicated that the MNCs under study neglected the cross-cultural competencies (attitudinal, interpersonal and general living). They excluded spouses from the realistic job preview, in addition to the omitting of the bibliographical data during the selection process. The findings exhibited the absence of explicit references
to cross-cultural challenges in performance appraisals and rater training (O’Sullivan et al., 2002).

For international assignments, Stone (1991) proposed a number of personal characteristics taken as criteria for expatriates’ selection: ability to adapt; technical competence; spouse and family adaptability; human relations skill; desire to serve overseas; previous overseas experience; understanding of host country culture; academic qualifications; knowledge of language of the host country; and understanding of home country culture.

Another study of Salleh (2012) mentioned the expatriates’ performance determinants that MNCs should take into consideration when managing international assignments. Table 1 summed most determinants of expatriates’ performance cited in literature between the 1980s and 2000s.

Others research has determined (Caligiuri, 2000; Viswesvaran and Ones, 1999; Behling, 1998; Hogan et al., 1996.a, 1996.b; Buss, 1991), based on the personality model of the Big Five, the five key characteristics of expatriate’s selection: extraversion, agreeableness, conscientiousness, emotional stability and openness and intellect.

Table 1. Determinants of expatriates’ performance

<table>
<thead>
<tr>
<th>Year</th>
<th>Most Cited</th>
<th>Expatriate</th>
<th>Family</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980s</td>
<td>(Tung, 1987)</td>
<td>Adaptability level, technical competency, maturity level, language capability, experience, motivational level</td>
<td>Spousal influence</td>
<td>Training, performance, support, preparation, and planning system</td>
</tr>
<tr>
<td></td>
<td>(Black 1988; Black &amp; Stephens 1989)</td>
<td>Effectiveness of roles played</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Mendenhall, Dunbar &amp; Oddou 1987)</td>
<td>Self-oriented, perception dimension</td>
<td>Superiority, subordinates’ influence</td>
<td></td>
</tr>
<tr>
<td>1990s</td>
<td>(Gertsen 1990)</td>
<td>Intercultural competency</td>
<td>Spousal adjustment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Black &amp; Gregersen 1991)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Arthur &amp; Bennett 1995)</td>
<td>Inter-cultural adjustment</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Harrison, Chadwick &amp; Scales 1996)</td>
<td>Cross-cultural adjustment</td>
<td>Family situation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Caligiuri, Hyland, Joshi, Bross 1998)</td>
<td>Adjustment capability</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Shaffer, Harrison &amp; Gilley 1999)</td>
<td>Adjustment level and work related factor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000s</td>
<td>(Caligiuri 2000)</td>
<td>Personality characteristics</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Kraimer &amp; A 2001)</td>
<td>Perceived support of organisation</td>
<td>Cross-cultural training</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Takeuchi, Yun &amp; Teshuk 2002)</td>
<td>Cultural adjustment</td>
<td>Organisation support</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Hechanova, Beehr &amp; Christiansen 2003)</td>
<td>Adjustment capability</td>
<td>Spousal adjustment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Shaffer, Harrison, Gregersen, Black, Ferranti 2006)</td>
<td>Personality and behavioural competency</td>
<td>Family support</td>
<td>Interaction with host nationalities</td>
</tr>
</tbody>
</table>

Source: Salleh, 2012

Others research has determined (Caligiuri, 2000; Viswesvaran and Ones, 1999; Behling, 1998; Hogan et al., 1996.a, 1996.b; Buss, 1991), based on the personality model of the Big Five, the five key characteristics of expatriate’s selection: extraversion, agreeableness, conscientiousness, emotional stability and openness and intellect.

Indicating the importance of expatriates training as a key for international assignments success, and from 400 expatriates in China and Taiwan, Lee & Croker (2006) found negative impact of the expatriate’s characteristics, specifically competence and adaptability to work abroad, on its needs of training. In addition, task assignment complexity, capability of the host country managers and cross-cultural differences have an impact also on expatriates needs for training. The researchers concluded also that the fit between the expatriate’s learning style and instructor teaching mode moderates the need for training and the training effectiveness.

Generally, expatriates need many kinds of training, imposed by the requisites of cross-cultural contexts, in an attempt to reduce the expatriates and their families’ culture shock and their expatriation failure (Kangas, 2012; Chitakornkijsi):

- Cultural Savvy: by developing a working knowledge of the foreign cultural variables affecting management
decisions

- Language training: an inability to speak the local language and a poor or too literal translation are often causes for mistrust of local employees. Getting language training would enhance the task performance and cultural adjustment, improve the negotiation ability, and access to information and effectiveness.
- Pre-departure training: getting an introduction to the host country.
- Sensitivity training: or cultural empathy, means that expatriates should develop an awareness and an honest caring about the local employees’ culture.
- Repatriation training: to prepare the expatriate and his family to the reverse culture shock.

From 331 Taiwanese expatriates in Shanghai, Lee (2006) found that expatriates’ job satisfaction impacted their cross-cultural adjustment in Shanghai. The researcher compared his results with those of Lee (2002), who found that when Taiwanese expatriates felt satisfied in their jobs in the banking sector, this affects their cross-cultural adjustment in USA. The researcher recommended taking his findings into account when managing the MNC expatriation processes.

Later, in 2007, a study revealed that a holistic approach should be used by multinational hotel companies - where expatriation experiences high rate of failure- when selecting and training expatriates, and most importantly organizational support; entailing factors that could enhance the expatriates’ success odds like expatriate’s family status, emotional intelligence, dietary and exercise habits and expatriates learning orientation. Continuous support would certainly lessen the effect of the culture shock in the host country. Further, developing an enticing compensation system might be a source of motivation for accepting the assignment, as a reward for sacrificing part of their lives abroad (Avril & Magnini, 2007).

Furthermore, literature reported high failure rate of traditional assignment or long-term assignment, in contrast to the non-traditional assignments’ forms or short-term assignments. Table 2 exhibits the new forms of international assignments.

Table 2. Forms of Non-Traditional Assignments

<table>
<thead>
<tr>
<th>Form of international assignments</th>
<th>Length of Assignments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short-term</td>
<td>A short-term assignment involves sending a manager to a foreign country for a duration of between 1 and 12 months (Tahvanainen, Welch &amp; Worm, 2005)</td>
</tr>
<tr>
<td>Rotational</td>
<td>Staff commute from the parent country to a workplace in another country for a short period followed by a break in the home country; for example, this type of arrangement is very common in the oil rigs (Welch &amp; Worm, 2006).</td>
</tr>
<tr>
<td>International commuter</td>
<td>An employee who commutes from the home base to a post in another country, generally on a weekly or bi-weekly basis. This does not involve family relocation (Scullion &amp; Collings, 2006b)</td>
</tr>
<tr>
<td>International business traveller (IBT)</td>
<td>A staff member who makes short visits to the foreign market, unit, project, and the like (Marshan, Welch &amp; Welch, 1996)</td>
</tr>
<tr>
<td>Frequent flyer</td>
<td>An employee who undertakes frequent international business trips but does not relocate (Harris, 2002)</td>
</tr>
<tr>
<td>Contractual assignment</td>
<td>A staff member with specific skills which are essential for completing international projects is assigned for a limited period of 6-12 months (Scullion, &amp; Collings, 2006a)</td>
</tr>
<tr>
<td>Boundary spanner</td>
<td>An individual whose job role places him or her in the position to engage in significant transactions with external agents (Yongsuk, 2008)</td>
</tr>
</tbody>
</table>

Source: Salleh, 2012.

Additionally, Friedman (2007) argued that “The ability to implement best practices in a way that is acceptable in local situations and create alignment across different cultural and business environments is, in part, the domain of HRM”.

In other hand, the compensation and benefits strategy represents a crucial link between the MNC strategy and its implementation. It must exist strong fit between the compensation strategy and the MNC whole goals.

Jayasekara and Takahashi (2012) investigated the effect of the international human resource management practices on 277 assignees in small and medium-sized enterprises (SMEs) in Sri Lanka. The findings indicated that recruitment, training and compensation have significant positive effect in improving the behavioral performance of the short term assignees while preparation, selection and performance evaluation hadn’t an effect.
In 2013, Kavukcuoglu reported the results of an international survey about the most challenges facing the management of human resources in 164 organizations in 7 continents. The major challenge is stated as «retention of key talent/high performers/high potentials»; by 45% of the overall participants, followed by HR measurement and transforming into strategic business partner role and performance management respectively; in addition to developing future leaders and succession planning consecutively.

From this point researchers propose the following hypothesis:

Ho.1: IHRMP have no statistical significant influence on developing OL in international settings.

3. Operational Definitions

For the IHRMP, the following definition is given: “IHRMP encompass “learning mechanisms”: planning, staffing, training and development as the strategic cornerstones of the organizational development and the organizational learning, effective equitable appraising and performance management of either expatriates or local nationals, providing attractive equitable compensation and benefits system of expatriate managers along with attention put on labor relations issues in every subsidiary location, dealing with diversity in the workforce; building appraisal systems, be socially responsible, in addition to other human resource management practices like motivation, teamwork, empowerment…” (Dahou, 2015).

The definition sources are: Doz and Prahalad, 1991; Schuler et al., 1991; Stone, 1991; Lado and Wilson, 1994; Shuler and Florkowski, 1994; O’Sullivan et al., 2002; Engelhard & Na gele, 2003; Lee & Croker, 2006; Stiles et al., 2006; Avril & Magnini, 2007; Aswegen, 2008; Deresky, 2008; Morris et al., 2009; Geigle & Malhotra, 2009; Nicely, 2009; Takeda & Helms, 2010; Brewster et al., 2011; Jayasekara and Takahashi, 2012; Kangas, 2012; Salleh, 2012; Kavukcuoglu, 2013.

For OLC, the following definition is provided as follow: “The adaptive process through which MNCs respond to cross-cultural environmental changes by re-ajusting their goals, attention rules, and service rules. MNCs change their goals, shift their attention, and revise their procedures for search as a function of their experience. This process encompass information acquisition, dissemination, shared interpretation and organizational memory, experimentation, risk taking, interaction with the external environment, dialogue and participative decision making.” (Dahou, 2015)

The sources of this definition are: Watkins & Marsick’s LODQ, 1993; Dibella et al., 1996; Hult and Ferrell, 1997; Goh & Richards, 1997; Schwanst & Marquardt, 2000; Gençtürk & Oszomer, 2003; Jerez-Go´mez et al., 2005; Jones, 2006; Real, Leal & Rolda, 2006; Chiva, Alegre & Lapedira, 2007; Myloni et al., 2007; García-Morales et al., 2011; Jiménez-Jiménez & Sanz-Valle, 2011; Mauchet, 2011; Santos-Vijande et al., 2011; Dahou et al., 2012; Fraj et al., 2015.

4. Methodology

To achieve the overall aim, and objectives of this research, researcher adopted a deductive approach with a descriptive purpose. Also, it is a non-causal correlational study. This non-contrived field study research has hypotheses testing purpose, testing the variance in and dependency of the development and sustainability of organizational learning capability on the IHRMP.

Researchers use non-probability purposive judgment sampling. For this research, expatriates within the international hotels and those who manage them in distance represent the population of interest. From 70 targeted participants, the researcher has gotten a number of 47 questionnaires.

Using a triangulation methodology, Research data was collected from primary resources using questionnaire and secondary resources. The questionnaire consists of two sections. The first section covered some of the individuals' demographic related information concerning participants' gender, age, academic qualifications, work experience, expatriation duration and business area. The second section measured the dependent variables: Organizational Learning Capability with 25 items, International Human Resource Management Policies measured by 21 items. Each item was surveyed using a five point Likert scale with scales ranging from “1- strongly disagree” to “5- strongly agree”. Data is analyzed using SPSS version 22.

5. Results and Discussion

5.1 Sample Descriptive

From results of descriptive statistics of the research sample, (87.2%) of the sample are males, meaning that sample has a masculinity characteristic. Most respondents have an age between 30 and 35 years with a percentage of (32%) of the sample. Also, as it appears, the academic qualification of MBA/Master prevails between respondents (61.7%). Those
expatriates have a working experience between 3 and 8 years with response rate of 29.8%, followed by 25.5% of the respondents with an experience of 15 to 25 years. The average of the expatriates assignment duration range between 1-3 year and less than 1 years (46% and 38% consecutively). Finally, most expatriates are generally senior executives (38%).

Those scores are quit logical regarding the empirical evidences in literature. For example, the academic qualification of expatriates is referred to the development pursued within the hotels specific Business Schools like that of Hilton or Carlson Rezidor, which offers undergraduate and an MBA/ Master for its employees. Regarding the expatriation duration, the research has proven the failure of the longue assignment and a range of assignment alternatives is present now for expatriates, like those already mentioned in table.2. originated from Salleh research (2012).

For experience, the researchers are convinced that entering a new emergent market in a developing country necessitates well experienced leaders with specific global characteristics and high accumulated know-how. But this does not stop new bright persons to get the change of developing their global career.

5.2 Reliability & Validity

For this research, content validity is considered because of the generalization of the model’s variables of OLC and IHRMP: “The more the scale items represent the domain or universe of the concept being measured, the greater the content validity” (Sekaran, 2006: p.206).

For reliability, Researchers used Cronbach’ alpha as a reliability measure for survey items, exhibiting the following in Table 3:

Table 3. Variables’ Reliability

<table>
<thead>
<tr>
<th>Variable</th>
<th>Dimensions</th>
<th>No. of Cases</th>
<th>No. of Items</th>
<th>Alpha</th>
</tr>
</thead>
<tbody>
<tr>
<td>IHRMP</td>
<td>47</td>
<td>20</td>
<td>.841</td>
<td></td>
</tr>
<tr>
<td>OLC</td>
<td>47</td>
<td>26</td>
<td>.758</td>
<td></td>
</tr>
</tbody>
</table>

5.3 Hypothesis Testing

Before proceeding the influence of the research independent variable on the dependent variable using a regression analysis, it is logically to see if there is any relationship between those variables. A Pearson Correlation Matrix can be of useful explanation of this relationship.

Table 4. Pearson Correlation Coefficient between Variables

<table>
<thead>
<tr>
<th>Variable</th>
<th>Coefficient</th>
</tr>
</thead>
<tbody>
<tr>
<td>IHRMP</td>
<td>.486*</td>
</tr>
</tbody>
</table>

* Significant at the 0.05 level.

As it appears in the Table 4, the IHRMP is significantly positively correlated to the OLC variable, at a significance level of 5%.

In order to test the research hypothesis, a simple linear regression test is conducted

Table 5. Simple Linear Regression Results

<table>
<thead>
<tr>
<th>Variable</th>
<th>Coefficient</th>
<th>T-Statistic</th>
<th>Probability</th>
</tr>
</thead>
<tbody>
<tr>
<td>IHRMP</td>
<td>.231</td>
<td>3.23</td>
<td>.003*</td>
</tr>
</tbody>
</table>

The results indicate that $R^2 = 23.6\%$, significant at 5%. This means that 23.6% of the variance in the dependent variable “OLC” is explained by the independent variable of IHRMP. These results make H1 accepted.
5.4 Discussion

In this research, International Human Resource Management policies affect the development of organizational learning capability within international hotels in Algeria. Developing an international human resources management is visibly one of the major areas of interest in international management (Shuler and Florkowski, 1994; Doz and Prahalad, 1991; Schuler et al., 1991), entailing real complexities when managing diversity of people across borders, and within competitive challenges. Broadly, IHRM enables the MNCs to success in their international businesses (Shuler and Florkowski, 1994, Brewster et al., 2011).

Through effective IHRM, MNCs sustain their competitiveness, their efficiency, local responsiveness, quick flexibility and adaptability, and most importantly, capability to transfer learning across globally dispersed units (Takeda & Helms, 2010).

Accordingly, in a really globalized working environment, full of challenges, the international human resources management policies change always the rules of games. Those policies become more and more strategic for MNCs. This is why the variable of international human resources management is found to have an influence on the development of the organizational learning strategic capability.

It is the human aspect that makes the difference. Thus, pursuing the right effective recruitment and selection tactics from the national, host or third countries, dealing with diversity in the workforce; offering the right training and development systems to employees as the strategic cornerstones of the organizational development and the organizational learning; building effective equitable appraisal systems, providing attractive equitable compensation and benefits system; be socially responsible, in addition to other human resource management practices like motivation, teamwork, empowerment... build up MNCs' successful IHRM.

In 2009, Nicely advocated hotels, willing to promote their managers' work-related learning, to hire persons with a wide experience, as the greater the amount of experience accumulated from different entities, the greater the knowledge-base they apply. Nicely added that hotels should embrace and sustained a learning culture that supports managers' regular engagement in internal or external hospitality training and other job experience.

In 2008, Fenton-O'Creevy et al., investigated the impact of national contexts of Europe and Australia on the US subsidiaries autonomy. The results of 411 surveys - were 4% in Denmark and Norway, 8% in Germany, 11% in UK, 22% in Ireland and 23% in Australia - showed that the subsidiaries autonomy in HRM is highly determined by strategic context. The results argued that subsidiaries which serve domestic markets have stronger local HRM autonomy than those acting internationally. The institutional location and possible confrontations with labor unions impact also the subsidiaries HRM autonomy. The researchers indicated that US MNEs centralized control of HRM where subsidiaries confronted global markets and low union density.

Stiles et al., (2006), in an attempt to identify the best practices in global human resource management, reported that expanding internationally needs attention on consistency and flexibility of the use of global standards and balancing this use with local context sensitivity. Strict recruitment and selection procedures; training and development, developmental appraisal and performance-linked pay, flexible job design, minimized organizational hierarchies; team working; empowerment and two-way communications were common features in HR management across companies. The results leaded also to an application of a local view using local knowledge.

Stiles et al., implied that any global human resource practice should be first aligned with the business need at corporate and local levels, and then integrated it with other HR practices, and with the human, social, organizational elements of the organization upon which its effectiveness is dependent. The researchers underlined the relationship IHRMP and leadership. They highlighted that via the role, the strength and quality of leadership, the IHRM may add value. They added that leadership ensures congruence between diverse elements of the organization, its environment, strategy and structures, and tactically reconciling the inevitable but unsuspected tensions inherent within large complex arising organizations.

Carlson Rezidor offers special training and development to its employees, in which each management level has a specific program:

- For employees (New Hire Orientation Program, , Living Responsible Business, On Job Skills Training, The Learning Network (online)),
- For supervisor (On Job Skills Master Trainer, Leading Responsible Business, Supervisory Training and Resource Program (STAR), Management Development Program, Business School @Carlson Rezidor),
- For heads of departments (Business School @Carlson Rezidor, Mentee Program, Management/Leadership program (launched in 2014)),
- For general managers (Business School @Carlson Rezidor, Pro Active Leadership, Mentor program,
Performance Management Process & Appraisal Skills, Competency Based Interview Technique),
- Finally for top management (Pro-active Leadership, Performance Management Process & Appraisal Skills, Competency Based Interview Technique, Individualized learning)\(^1\).

This program exhibits a high potential for career development within Rezidor, to be promoted for example into a head of department within two years, designed for the exploration and exploitation of potential inspirational leaders. For Accor Hotel, the learning strategy is in fact embedded in its corporate strategy and a cornerstone of its training and development programs. In 2012, Sophie Flak, Executive Vice President Sustainable Development and Académie Accor explained\(^2\):

> “Today, more than ever, identifying, developing and retaining talented people is a crucial guarantee for Accor’s strategy of conquest. With 40,000 new rooms every year, our mission is to train our employees on the ground, where they work. The Académie Accor therefore offers an increasingly varied mix of training approaches brought together under the name “blended learning”. We train all our employees, whether they work in owned, managed or franchised hotels, face-to-face or remotely, via e-learning modules or virtual classrooms.”

Regarding compensation and benefits, Accor hotel provides an enticing compensation package, based on skills and performance, equity and non discrimination.

Since 2000, Accor carries out (in almost 30 countries whose law permits it) a shareholding system “Accor in Actions”, a motivating formula which regularly enables employees to purchase Accor shares on preferential terms and conditions. At the end of 2010, this system has enabled 19 242 employees to become Group shareholders, owning 1.08% of the capital share.

Concerning Expatriation, Accor has a motivating international mobility policy in the different professions. Withal, diversity represents a key for the hotel’s performance: “We learn to respect the specifics of each culture. Day to day, the pluralism of our team is very rewarding. This diversity is also positive for our customers. Understanding our employees’ cultures helps us to better understand our international clientele. We can adapt our attitudes and quality of service”. The hotel employees from around the world cultivate their differences around a common culture.\(^3\)

6. Conclusion and Recommendations

In the long run, the only sustainable source of competitive edge is your organization’s ability to learn faster than its competitors (Senge, 2006).

Nowadays, Organizational Learning Capability is seen as being “a distinctive competency”, the fulcrum of the strategic management of MNCs and their growth and survival. Trim & Lee (2007) developed a conceptual model outlining how organizational learning underpins the strategic management process:

![Figure 1](http://www.rezidor.com/phoenix.zhtml?c=205430&p=careersmanamentdev)

![Figure 1](http://www.hospitalitynet.org/news/4056725.html)

![Figure 1](http://www.accor.com/)

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The research investigates one of the success factors assisting in developing organizational learning capability in international settings in Algeria, that of international human resources management policies.

Research findings revealed that IHRMP has an influence on the building of the organizational learning capability, explaining 23.6% of the variance in it.

International Human Resource Management policies are found to have a lowest but significant impact on building Organizational Learning Capability. Developing an international human resource management is one of the major areas of interest and critical issues in international management, entailing real complexities of diversity, within unpredicted competitive challenges.

Through effective IHRMP, MNCs sustain their competitiveness, their efficiency, local responsiveness, quick flexibility and adaptability, and most importantly, capability to transfer learning across globally dispersed units.

Moreover, international managers know very well that “people are the most important asset” of the organizations. They are the source of distinctiveness. So, dealing with a diverse workforce from the world wild, from different cultural backgrounds is the real challenge.

International managers have to pursue the right effective stuffing, the right training and development systems, equitable appraisal systems; attractive equitable compensation and benefits system; be socially responsible.

Additionally, Developing Organizational Learning Capability imposes some organizational transformations, especially a teamwork organization on an international level which becomes “a must” nowadays. Managers have to develop a cadre of top management with an international experience and capable to succeed in do business overseas and deal with and adapt to the different economic and cultural conditions of the host countries.

This research may be first of kind in exploring the theme of organizational learning within MNCs, in an Arab developing country; specifically, the unique in studying the emergent promising Algerian sector of hospitality.

As it appears, the model variable within this context is found to explain approximately 24% of Organizational Learning Capability, which means that 76% of the variance is referred to other variables. So, an exploration of these variables would also provide new information.

References


The Ecuadorian Physiotherapist in National Printed Media: 
A Pilot Study of the Image of a Health Practitioner

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Abstract

Corpus linguistics provides tools used to answer society and health related questions. In this pilot study, the feasibility of a corpus-driven analysis to reveal themes associated with the image of the Ecuadorian physiotherapy practitioner in the national printed media was investigated. A specialised corpus of newspaper articles was created by selecting relevant articles published in two Ecuadorian national newspapers in 2010-2015. Frequencies, concordances, and collocations of the term 'fisioterapista' were analysed, and a content analysis on the titles of the articles, sections in which they appeared and the tags which were assigned to their online publications was performed. Noun and adjective collocates of the node term 'fisioterapista' in the corpus were assigned to relevant WordNet semantic domains, with the domains of sport and medicine comprising the majority of the collocations. The physiotherapy profession in the media appeared to be male-dominated, despite the factual evidence from the field to the contrary. The results of this study indicate that the corpus-driven analysis is feasible to sketch the image of the Ecuadorian physiotherapist in national printed media. In general, the articles studied presented to the public the image of the physiotherapy professional in a stereotypical and distorted manner. A full-scope research including other national, regional, and local printed media is justified. This article is based on a poster presentation at the 5th International Conference on Humanities and Social Sciences held in Roma, Italy on September 25-26, 2015.

Keywords: physiotherapists, Ecuador, public image, printed media, corpus linguistics, content analysis

1. Introduction

Corpus linguistics provides an applied methodology that can be useful in revealing pertinent contextual elements and common categories of representation in discourse analysis (Baker et al., 2011; Gabrielatos, McEnery, Diggle & Baker, 2012). As of recent, this methodology has been massively taught to researchers in both social sciences and humanities (Barrs, 2015). Approaches based on combining corpus linguistics and discourse analysis have been applied to study media representations of different social groups (Baker, Gabrielatos, & McEnery, 2013; Baker & Levon, 2015), including members of the medical profession in a specific social context (Baker, P. & McEnery, 2014).

Examples of some recent pieces of health care research using corpus linguistics tools include exploration of the senses of the term ‘stress’ in a corpus of non-academic texts, which were thought to influence patient-physician communication (Stvan, 2013), research of the coverage of acquired brain injury in Spanish printed media (Enguix Oliver & Gallardo Paúls, 2014), and studying adolescent health communication by examining messages posted to an online health forum (Crawford, Brown, Baker, Tischler, & Abrams, 2015, pp. 74-80). Studying the form and content of language can help health care researchers as well as practitioners to better “understand health” (Crawford et al., 2015, p. 74).

The messages in the media portraying health professionals generate planned and unplanned content that may affect health-related views and behaviours, and in certain cases determine the entire society’s perception framework of the profession. The latter is often presented in a very poor and stereotypical manner (Summers & Summers, 2015, pp. 37-39; Rezaei-Adaryani, Salsali, & Mohammadi, 2012). In view of the fact that the image of health care practitioners in
the media of communication has hardly been studied in the Latin American context, and, in general, no studies using corpus linguistics methodology of the image of physiotherapy practitioners could be found, our research aimed to assess the feasibility of a corpus-driven analysis to reveal themes associated with the image of the Ecuadorian physiotherapy practitioner in the national printed media using a small specialised corpus of online versions of newspaper articles.

2. Methodology

2.1 Data

The newspaper articles analysed in our study were retrieved from the web-sites of two Ecuadorian national printed media, El Comercio (http://www.elcomercio.com/) and El Telégrafo (http://www.telegrafo.com.ec/), the former being the most important newspaper in Quito, the capital of Ecuador, and the Sierra region, and the latter the only public (state-owned) national newspaper in the country (Corporación Humanas Ecuador, 2011). The search term fisioterapista* (which was not case sensitive and with the asterisk (*) serving as a ‘wildcard’ for any set of zero or more characters) was used for queries to the newspaper websites’ internal search engines. Articles published between the 1st of January of 2010 and the 31st of May of 2015 were eligible for inclusion in analysis. Full texts of all articles analysed in this study were freely available online on the publishers' web-sites.

Although the query using only one search term would not retrieve all articles published in the two newspapers that refer to Ecuadorian physiotherapists, the described search strategy could be considered suitable for the purpose of a feasibility study. The word fisioterapista, even though definitely not the only possible noun denoting a practitioner of the profession, is probably the most characteristic and univocal one in the Ecuadorian context, effectively ruling out texts related to foreign practitioners.

After elimination of duplicated texts, our study analysed a specialised corpus of 120 newspaper articles, 74 (62%) published in El Comercio and 46 (38%) in El Telégrafo, altogether consisting of 68,654 word tokens and 9,599 word types.

2.2 Methods

The methodology of this study was based on the corpus-driven approach, according to which the analysis was guided by the patterns found in the data rather than trying to test a pre-established hypothesis (Baker et al., 2013). As the first stage, the analysis of frequencies of occurrence, concordances, and collocations of the node term fisioterapista* was carried out with the use of the corpus linguistic software AntConc (Anthony, 2013). A new feature added to the build 3.5.0 (Dev) of the software permitted combining the statistical measures of mutual information (MI) and log likelihood (LL) in the Collocates Tool preferences.

In the analysis of the collocates of the noun fisioterapista in the corpus of the newspaper articles we used the following parameters: a combination of the statistics of MI with the threshold of 3 and LL higher than its critical value of 3.84, corresponding to p < 0.05; the span of 5 words to the left and right of the query word; no minimum collocate frequency set, and the minimum collocation frequency of 3. For the purposes of analysis, all function words and personal names were removed from the list of collocates. In terms of the collocation parameter notation proposed by Brezina, McEnery, and Wattam (2015), these settings might be written as ‘3a+6a-MI(3)+LL(p<0.05), L5-R5, C1-NC3; function words and personal names removed’. The collocates were then categorised according to the most relevant WordNet domains (Bentivogli, Forner, Magnini, & Pianta, 2004), with the Spanish WordNet accessed through the multilingual lexical online database MultiWordNet 1.4.2 (Cendejas, Barceló, Sidorov, Gelbukh, & Chanona-Hernandez, 2012).

In order to assess the grammatical gender of the noun fisioterapista in Ecuadorian newspaper articles, we analysed concordances of the node term fisioterapista*, registering the numbers and percent proportions of the articles in which this noun was used in masculine, feminine, or both genders. The grammatical gender was termed ‘undetermined’ if it could not be unequivocally identified by its formal attributes or the context.

In addition to the analysis of collocates and concordances of the node term fisioterapista*, we performed a content analysis on the titles of the articles, sections in which they appeared and the tags assigned to their online publications. 95% Agresti-Coull confidence intervals were calculated for all percent proportions using the ‘binGroup’ package (Bilder, Zhang, Schaarschmidt, & Tebbs, 2010) in the statistical computing environment R (R Core Team, 2015).
3. Results and Discussion

The analysis of the collocates of the node term *fisioterapista* in the studied newspaper articles discovered 25 most frequent noun and adjective collocates with observed absolute frequency of occurrence in the corpus greater or equal to 3 (Table 1). Although the node term in our analysis was a noun, and, as such, would be typically modified by adjectives, we decided to analyse both noun and adjective collocates thereof, because in the Spanish language the syntactic and semantic differences between nouns and adjectives are often “only minor” (Davies, 2006, p. 5). A good example of the latter could be the collocate *médico* found in the Table 1. This collocate could be identified as both a noun (‘physician’) and an adjective (‘medical’). In fact, the analysis of the concordances of the collocate *médico* in our corpus revealed that it was used as a noun on 10 and as an adjective on only 2 occasions.

The analysis of the noun and adjective collocates presented in the Table 1 provides clear “initial indications” (Baker et al., 2013) as to the main themes associated with the noun *fisioterapista* in the studied texts. Even though *médico* was the most common collocate of the node term *fisioterapista* in the corpus, its next three most frequent collocations were with the terms *club*, *selección* and *equipo*, thus placing the physiotherapy professional in a sports-related company of words.

The most common relevant WordNet domain in which the collocates of the node term *fisioterapista* were categorised was the domain of ‘Sport’ (11 collocates), followed by the domain of ‘Medicine’ (5 collocates), while the other relevant domains contained from one to three collocates each (Table 2). Thus, the examination of the categorisation of the collocates of the noun *fisioterapista* in Ecuadorian newspaper articles revealed its predominant presentation within sports-related rather than health-related contexts.

The analysis of the grammatical gender of the noun *fisioterapista* showed that this noun was used in masculine approximately six times as often as in feminine, while its use in both grammatical genders in the same article appeared only once in the studied corpus (Table 3).

**Table 1: Most Frequent Noun and Adjective Collocates of Noun ‘Fisioterapista’ in Ecuadorian Newspaper Articles**

<table>
<thead>
<tr>
<th>Collocate</th>
<th>Observed frequency</th>
<th>Normalised frequency</th>
<th>MI</th>
</tr>
</thead>
<tbody>
<tr>
<td>médico</td>
<td>12</td>
<td>174.8</td>
<td>5.53</td>
</tr>
<tr>
<td>club</td>
<td>8</td>
<td>116.5</td>
<td>5.76</td>
</tr>
<tr>
<td>selección</td>
<td>7</td>
<td>102.0</td>
<td>5.02</td>
</tr>
<tr>
<td>equipo</td>
<td>7</td>
<td>102.0</td>
<td>4.51</td>
</tr>
<tr>
<td>trabajo</td>
<td>6</td>
<td>87.4</td>
<td>5.11</td>
</tr>
<tr>
<td>rehabilitación</td>
<td>6</td>
<td>87.4</td>
<td>5.72</td>
</tr>
<tr>
<td>hospital</td>
<td>6</td>
<td>87.4</td>
<td>6.75</td>
</tr>
<tr>
<td>físico</td>
<td>6</td>
<td>87.4</td>
<td>5.40</td>
</tr>
<tr>
<td>utillero</td>
<td>4</td>
<td>58.3</td>
<td>8.65</td>
</tr>
<tr>
<td>recuperación</td>
<td>4</td>
<td>58.3</td>
<td>4.86</td>
</tr>
<tr>
<td>médicos</td>
<td>4</td>
<td>58.3</td>
<td>5.27</td>
</tr>
<tr>
<td>años</td>
<td>4</td>
<td>58.3</td>
<td>3.41</td>
</tr>
<tr>
<td>técnico</td>
<td>3</td>
<td>43.7</td>
<td>3.72</td>
</tr>
<tr>
<td>Tricolor</td>
<td>3</td>
<td>43.7</td>
<td>5.00</td>
</tr>
<tr>
<td>Quito</td>
<td>3</td>
<td>43.7</td>
<td>3.60</td>
</tr>
<tr>
<td>preparador</td>
<td>3</td>
<td>43.7</td>
<td>4.88</td>
</tr>
<tr>
<td>nutricionista</td>
<td>3</td>
<td>43.7</td>
<td>8.97</td>
</tr>
<tr>
<td>Nacional</td>
<td>3</td>
<td>43.7</td>
<td>4.33</td>
</tr>
<tr>
<td>Independiente</td>
<td>3</td>
<td>43.7</td>
<td>6.16</td>
</tr>
<tr>
<td>entrenador</td>
<td>3</td>
<td>43.7</td>
<td>5.16</td>
</tr>
<tr>
<td>Ecuador</td>
<td>3</td>
<td>43.7</td>
<td>4.55</td>
</tr>
<tr>
<td>días</td>
<td>3</td>
<td>43.7</td>
<td>4.45</td>
</tr>
<tr>
<td>día</td>
<td>3</td>
<td>43.7</td>
<td>4.70</td>
</tr>
<tr>
<td>diferenciado</td>
<td>3</td>
<td>43.7</td>
<td>8.97</td>
</tr>
<tr>
<td>cuerpo</td>
<td>3</td>
<td>43.7</td>
<td>4.16</td>
</tr>
</tbody>
</table>

Note. Collocate = noun or adjective collocate; Observed frequency = observed absolute frequency of occurrence of a collocate in the corpus; Normalised frequency = normalised observed frequency of occurrence of a collocate per 1,000,000 words; MI = mutual information statistic. Statistic cut-off values: MI ≥ 3.0 and LL > 3.84 (p < 0.05). Minimal collocation frequency = 3. Function words and personal names were removed.
Table 2: Most Frequent Noun and Adjective Collocates of Noun ‘Fisioterapista’ in Ecuadorian Newspaper Articles Categorised According to Most Relevant WordNet Domains

<table>
<thead>
<tr>
<th>WordNet domains</th>
<th>Noun and adjective collocates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sport</td>
<td>utilero, preparador, entrenador, club, técnico, Tricolor, selección, equipo, Nacional, Independiente, diferenciado</td>
</tr>
<tr>
<td>Medicine, Health</td>
<td>médico, hospital, médicos, nutricionista, rehabilitación</td>
</tr>
<tr>
<td>Physiology</td>
<td>recuperación</td>
</tr>
<tr>
<td>Time, Period</td>
<td>años, días, dia</td>
</tr>
<tr>
<td>Administration, Geography</td>
<td>Quito, Ecuador</td>
</tr>
<tr>
<td>Factotum</td>
<td>trabajo, físico, cuerpo</td>
</tr>
</tbody>
</table>

Table 3: Grammatical Gender of Noun ‘Fisioterapista’ in Ecuadorian Newspaper Articles

<table>
<thead>
<tr>
<th>Gender</th>
<th>Number of articles</th>
<th>Percent</th>
<th>95% CI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Masculine</td>
<td>92</td>
<td>76.7</td>
<td>68.3 to 83.4</td>
</tr>
<tr>
<td>Feminine</td>
<td>15</td>
<td>12.5</td>
<td>7.6 to 19.7</td>
</tr>
<tr>
<td>Masculine and feminine^</td>
<td>1</td>
<td>0.8</td>
<td>0.0 to 5.0</td>
</tr>
<tr>
<td>Undetermined</td>
<td>12</td>
<td>10.0</td>
<td>5.7 to 16.8</td>
</tr>
</tbody>
</table>

Note. 95% CI = 95% Agresti-Coull confidence interval for a percent proportion. ^Masculine and feminine: both masculine and feminine grammatical genders of the noun fisioterapista co-occurred in the same article.

Although it is quite possible that some of the uses of the noun fisioterapista in masculine were in fact masculine generics used to represent mixed groups in Spanish, its masculine gender looks rather over-represented in the corpus, considering the fact that the actual female to male ratio in the physiotherapy profession in Latin America seems to be about 2:1 or even 3:1, depending on the country, as evidenced by the female to male ratios presented by the member professional organisations of the region, listed on the World Confederation for Physical Therapy web-site (World Confederation for Physical Therapy, 2015). This difficult to explain discordance between the public perception of the physiotherapy professional and the actual workforce situation in relation to gender has been previously referred to as the “unique ambiguity” (Hammond, 2013, p. 10). In any case, even the masculine generics would most certainly lead to over-representation of the men in the readers’ minds, in comparison to the actually existent pattern (Kaufmann & Bohner, 2014).

The analysis of the article titles showed that only two of them included the word fisioterapista (1.7%; 95% CI 0.1% to 6.2%), one referring to the professional activity of a physiotherapist and another reporting a crime news. No other words related to the physiotherapy profession were found in the article titles.

The newspaper sections in which the article comprising the corpus were published are presented in the Table 4. As can be seen from the table, more than 70% of the articles appeared in the sports-related sections of the newspapers.

Table 4: Newspaper Sections where the Articles of the Corpus were Published

<table>
<thead>
<tr>
<th>Newspaper section</th>
<th>Number of articles</th>
<th>Percent</th>
<th>95% CI</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEPORTELES</td>
<td>73</td>
<td>60.8</td>
<td>51.9 to 69.1</td>
</tr>
<tr>
<td>ACTUALIDAD</td>
<td>12</td>
<td>10.0</td>
<td>5.7 to 16.8</td>
</tr>
<tr>
<td>TENDENCIAS</td>
<td>11</td>
<td>9.2</td>
<td>5.0 to 15.8</td>
</tr>
<tr>
<td>REGIONALES</td>
<td>6</td>
<td>5.0</td>
<td>2.1 to 10.7</td>
</tr>
<tr>
<td>Other, sports-related</td>
<td>12</td>
<td>10.0</td>
<td>5.7 to 16.8</td>
</tr>
<tr>
<td>Other, not sports-related</td>
<td>5</td>
<td>4.2</td>
<td>1.5 to 9.6</td>
</tr>
<tr>
<td>Not indicated</td>
<td>1</td>
<td>0.8</td>
<td>0.0 to 5.0</td>
</tr>
</tbody>
</table>

Note. 95% CI = 95% Agresti-Coull confidence interval for a percent proportion.

The content analysis of the tags assigned by the publishers to the online versions of the articles forming the corpus revealed that 58.7% of the online tag tokens were sports-related and 13.0% health related, among which less than 2% had anything to do with physiotherapy or physiotherapists (Table 5).
The distorted image of a health profession in the media of communication found in this study was in agreement with earlier observations in the field of physiotherapy (Hammond, 2013, pp. 9-11) and related health care occupations (Barizon Luchesi, Paul, & Costa Mendes, 2013; Summers & Summers, 2015, pp. 37-54).

Our study was primarily based on the corpus analysis tool kit provided by the AntConc software (Anthony, 2013). Recently, several text analytic tools has been developed providing convenient ways to simplify and reduce textual data dimensionality with the use of collocation networks (Brezina et al., 2015), cluster analysis, and multidimensional scaling (Cleophas & Zwinderman, 2015, pp. 3-46). These methods permit revealing hidden lexical patterns and performing easy visual analysis of the results, which may be useful in analysing the image of physiotherapy practitioners in both printed and social media (Voznesenskyy, Zaviryukha, Figueroa-Andrade, & Moya-Collantes, 2015).

4. Conclusion

The outcomes of our research indicate that the corpus-driven analysis is a feasible tool to sketch the image of the Ecuadorian physiotherapy practitioner in the online versions of national printed media of communication.

In general, the newspaper articles studied presented to the public a stereotyped and largely distorted image of the physiotherapist as a predominantly male practitioner acting in the sports-related context, and generally ignored the diverse areas of practice of the profession and its actual focus on the multidisciplinary work within the health care field. A full-scope research including other Ecuadorian national, regional, and local printed media with the content available online is justified on the basis of the findings of the present study.

Table 5: Most Common Tags Assigned to the Articles of the Corpus

<table>
<thead>
<tr>
<th>Tag category</th>
<th>Tag examples</th>
<th>Frequency</th>
<th>Percent</th>
<th>95% CI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sports-related</td>
<td>fútbol, Selección de Ecuador, fútbol ecuatoriano, Liga de Quito, deportes</td>
<td>176</td>
<td>58.7</td>
<td>53.0 to 64.0</td>
</tr>
<tr>
<td>Health-related</td>
<td>salud, cirugías, medicina, atención médica, consultorio médico, crioterapia</td>
<td>39</td>
<td>13.0</td>
<td>9.6 to 17.3</td>
</tr>
<tr>
<td>Other</td>
<td>Ecuador, síntesis noticiosa, Colombia, crimen, EE.UU., accidentes, Alemania</td>
<td>85</td>
<td>28.3</td>
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Note. 95% CI = 95% Agresti-Coull confidence interval for a percent proportion.

References


The Historical and Legal Development of Nonprofit Sector in Albania: Case Study - Red Cross Albania

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Abstract
Regardless developed or in developing countries, the world has experienced a sudden expansion of the Nonprofit sector in recent decades. This happen because the Nonprofit sector is very important for the whole scheme of a country life and the rapid changes in environmental conditions. But the Philanthropic activities has been developed since in the ancient times. The first traces of philanthropy among Albanians have early roots and lie since the period of the Middle Ages. Philanthropy in Albania is strongly connected to social, economic and historical development of the country. The purpose of this study is to show the historical and legal development of nonprofit sector in Albania. The reason for historical treatment in this paper, is conducted in order to see the beginnings and development until our day of philanthropic activities of non-profit organizations in Albania. It is explored also the legal aspect of nonprofit sector in Albania. The data to conduct this paper were collected from the contemporary literature in this field. Also are provided from primary data, using qualitative research through in-depth interviews with managers of nonprofit organization "Red Cross Albania". The findings of this study show that: The creation and development process of non-profit organizations in Albania, dates back to the beginning of democracy and economic openness. Still it needs further improvement of the legal environment for NPOs in Albania.

Keywords: Non-Profit Organizations, Historical Development, Legal Aspects, Red Cross.

1. Introduction

The non-profit sector is very important for the whole scheme of a country life. Civil society and various organizations within it play an important role in the economic, social and political developments of a country, by building public consensus, encouraging public participation in the formulation and implementation of public reforms, providing a wide range of services, improving transparency and accountability in the public sector (Agaraj, Pjero, Guga 2012).

The nonprofit sector is currently experiencing a period of significant changes. In the global level, during the last 30 years had a huge increase in the number of non-profit organizations and this in response to changes in environmental, social and economic conditions (Hasaj dhe Kruja, 2012:33). These conditions include the impact of climate change, growth on national debt, emergencies from new disease, destruction of some traditional political structures and continuing of armed conflicts. Nearly all contemporary charity organizations regardless of whether they are university, zoo or social services, are experiencing these economic, social and economic pressure. How these and other serious issues are recognized and treated, are crucial for success and survival of the organization (Stubbs, 1998: 17). Dozens of non-profit organizations also operate in Albania. As a result there is a growth in competition among organizations that operate in this sector.

The Philanthropic activities has been developed since in the ancient times. The first traces of philanthropy among Albanians have early roots and lie since the period of the Middle Ages. Philanthropy in Albania is strongly connected to social, economic and historical development of the country.

The purpose of this study is to show the historical and legal development of nonprofit sector in Albania. Given the aim of this paper, it is important to start with defining the term nonprofit organization. Nonprofit organization can be
defined as an institution that exist for ensuring general wellness of society, through the collection of appropriate resources or serving physical goods and services. Such organizations do not exist to ensure personal interest or to distribute benefits to stakeholders or members. They can however to hire staff or to participate in activity designed in providing income in assisting them in fulfillment of their mission (Sergante, 2009). Over the years, many authors have developed different terminology for the same concept as the third sector, independent sector, nonprofit sector, charitable sector and the voluntary sector. The third sector is different from government and the private sector. The third sector is an area where neither the government or the private sector has no the desire to engage, so that the third sector has an important role to play. Third Sector consists of individuals and groups that come together to achieve voluntary activities (Sergant, 2009: 4).

Salamon, Sokolowski and List (2003) expressed the difference in the size of the nonprofit sector in different countries. Following the suggestions of Weisbrod, (1978) they proposed that nonprofit sector size is determined by the market and government failure. Authors predict that nonprofit sector size will vary depending on:

a) Heterogeneity of the population: As different are the ethnicities and religions, more debates will be about what a government can do and so the greater will be the role of nonprofit organizations.

b) Size of government: As much as a government do, the less the need for the nonprofit sector.

c) The size of funding for nonprofit organizations that come from charitable donations.

2. The Historic Development of Philanthropic Activities in Albania

The Philanthropic activities has been developed since in the ancient times. The reason for historical treatment on this paper is conducted in order to see the beginnings and development until our day of philanthropic activities and non-profit organizations in Albania.

Philanthropy in Albania is strongly connected to social, economic and historical development of the country. The first traces of philanthropy among Albanians have early roots and lie since the period of the Middle Ages. The word philanthropy is derived from ancient Greek and if it is translated in Albanian, it means love of humanity. So it goes beyond the bounds of charity, philanthropy extends to a much broader plane, with a much larger mission and have a more noble sense. Within the framework of philanthropy, "dear" is not relative, but all mankind. As an activity that includes all mankind regardless of tribal, religious, racial and any other difference. So philanthropy is also an ideal, a goal that requires improvement of human society (Hoxha, 2011).

The history of development of NPO (Non-Profit Organization) in Albania is divided in three periods. The first period conclude with the end of Second World War, the second phase covered the period of the communist regime during the years 1945 to 1990, meanwhile the third period include that after the year 1990 up to our days.

Albania has been under the domination of Ottoman Empire until the announcement of Independency in 1912. During the first period, the philanthropic activity was conducted at a time when the country was under the administration of the Ottoman Empire. During the years 1870 and 1890, Albania had about 80 organizations, most of which operate as humanitarian organizations sustained from different religious communities (Agaraj, Pjero and Guga, 2012).

In 1912, Albania won the independency, but the proper state began with the Lushnja Congress and with the government created by this congress. The period between 1912-1920 has been an uncertain time. At the beginning of this period the philanthropic activities were performed by Albanians expatriate, in the subsequent period, despite the involvement of the diaspora, its commitment began to wane. On the first decade of the twentieth century, were about 130 associations and organizations, as well as several foundations, religious institutions and other institutions of "civil society". These organizations had political, religious, cultural or nationalist orientation. Some of them were created in diaspora, especially in the US, UK, France, Austria, Romania and Italy (USAID, 2002).

The independency of Albanian did not lead to an expansion of charitable and philanthropic activity. At the moment the Albanians had his own state, spread the opinion that the job previously handled by Albanian expatriate, but also those living in the country, now belonged to the state. In Albania at that time, the state was seen as the parent of society and not as a regulator of relationship and guarantor of law in the country. Charitable and philanthropic activities often has had at the center of its support the development, modernization and emancipation of the Albanian people. Education has been the main object of philanthropic and charitable activities developed among Albanians (Hoxha, 2011).

During the reign of King Zog to Albania appeared dim donations for the development of education, and other activities. Ministry of Interior, in a report to the Prime Minister in 1936 on homelessness and begging phenomenon, insist on immediate action from the state because there is a lack of charitable institutions in Albanian society (AQSH, 1936). Even in the late 30s, when they were created Albanian Red Cross, donations for the activities of this organization were too small. Thus in 1937 the income of the Red Cross were 273 thousand gold francs, of which 3.800 were aid that came...
from within Albania and 12,000 were aid coming from abroad. The climate created by the legislation transformed the
government in the main destination of donations for philanthropic purposes. The state will thus become the leader and
main organizer of the event, often not so directly, but through its subordinate institutions such as Albanian Red Cross.

During the years 1939-1945, the years of World War II in Albania, as in most of countries in Europe, was
accompanied by social, political and economic acute problems. The presence of foreign armies in Albanian area, anti-
fascist resistance and ongoing clashes between various political factions, will greatly hinder the situation in the country.
Red Cross diverted and placed under the control of fascist institutions. His direction was undertaken by Maja Jacomoni,
the wife of Italian King representatives in Albania, Francesco Jacomoni (Hoxha, 2011).

Setting up of communist regime after World War II, which quickly became one of the most brutal dictatorships in
Europe, completely destroyed the hopes for an active civil society, or even academic discussions on this concept, for
almost half a century in the country. Social organizations, associations, intellectual groups, representatives of different
social layers were allowed to carry on their activity under the strict control of government. This process of centralization
was more strong in Albania than in the all other countries of Eastern Europe. The regime had its peak in 1967 when it
were closed all religious objects (Agaraj, Pjero and Guga, 2012: 15).

During the past two decades since the fall of the dictatorship, the Albanian civil society has made great strides
forward, reaching today’s a moderated development. While the public debate about the role of civil society has intensified
in recent years, there have been only a few studies, which have provided a fragmented knowledge (IDN and CIVICUS,
2010). There are four stages to development of third sector: the transition period (1991-1996), crisis period (1997-2001);
period after crisis and maturity of NGO-s (2002-2005) and a collapse period after 2005 (Agaraj, Pjero and Guga, 2012:
15).

Despite the weakness of the third sector in Albania, positive efforts have been made recently by the Albanian
government to improve legislation on civil society. On 7 May 2001 the Albanian Parliament approved two very important
laws for the further development of civil society. These are law no. 8788, "On Non-Profit" and law no. 8789, "On the
Registration of Non-Profit". In a summarized way these two laws regulate five aspects of the operation of non-profit
organizations, namely: the establishment, registration, operation, organization, activity. In October 2007, the Ministers
Council decided to establish a special budget of the State Budget "Supporting civil society". In March 2009, the Albanian
Parliament approved the law "On the organization and functioning of civil society support agency" and procedures
applicable to the distribution of funds to support civil society. Other steps were undertaken by international organizations
towards strengthening civil society in Albania. One of the most important results of these initiatives is broad consultation
and approval of the Charter of Civil Society in 2009 (IDN and CIVICUS, 2010).

3. Legal Environment of Non-Profit Organizations in Albania

Cooperation with government at any level is considered normal and necessary by NPOs. They recognize the role of the
state in their activities and see the state as an important partner because of its facilitator role. However, the opportunities
for sustainable cooperation NPOs - State are not considered strong. Methods of cooperation with the state are similar to
the collaborations with other NPOs including: exchange of information’s, experiences and joint projects. Some NPOs are
regularly invited in meetings to assist the State in various issues. As collaborations NPO - NPO, sometimes cooperation
NPO - State is a requirement for some type of funding by donors. In most examples of collaborations NPOs - State, the
state is in the position of the donor. Financial support provided by the state is in various ways. Sometimes state directly
funds some of the activities or projects and sometimes assist by providing free use of offices, conference rooms, vehicles,
etc. Some NPOs have been contracted by the state to train their staff for strategy development, project implementation,
etc (Partners Albania, 2002).

The legal environment in Albania in which NPOs operate did not change significantly in 2014. No tangible progress
has been achieved with regard to registration procedures, the taxation system, or the operational environment. In
addition, the government failed to take action on the draft Law on Volunteerism for the fourth consecutive year (USAID,
2014). In Albania, all NPO-s that are located outside the capital go in Tirana to conduct the registration process to Tirana
Court of First Instance and subsequently registered in the local tax authorities. NPOs are possible to compete for grants
only after registration in tax authorities. According to the Law, the registered NPOs are obliged to submit annual balance
to the tax authorities. So far, there is still no official number of NPO-s published by the District Court of Tirana. It is a fact
the number of organizations active in the country, is much lower than the number of registered organizations. In its report
on assessment of Albania needs, conducted by TACSO (Technical Assistance for Civil Society Organizations) and
published in 2011, the number of officially registered organizations were 2231. Meanwhile, the General Directorate for
Prevention of Money Laundering (DPPPPP) has published on its website the list of organizations registered in the tax
authorities in the Republic of Albania by June 2010 and this number is 1651 non-profit organizations (Partners Albania, 2013).

Civil Society is the subject of control and inspection by the tax authorities and other authorities state, as the labor inspectorate. The tax authorities may impose penalties for civil society that have failed to fulfill the tax procedures and financial management, as delivery on annual balance dispatch and other periodic reports (USAID, 2013). Tax Incentives, do not sufficiently motivate the private sector to sustain activities of NPOs. In addition, the regulatory framework for sub contracting of NPOs by central or local government remains incomplete. Specialized legal services for NPOs can be found in the capital and less in other large cities (USAID, 2011).

On December 29, 2014, the Council of Ministers approved a decision to implement provisions of the Law on Tax on Value Added in the Republic of Albania, which was passed in 2014. The decision clarifies several ambiguities with regard to economic activity and financial control of NPOs. First, it now recognizes that funds, grants, and membership fees are tax-exempt for non-profit organizations. Second, economic activities may not exceed 20 percent of non-profit organizations’ annual revenues. Third, the amendments reinforce the government’s obligation to reimburse VAT that is accrued as part of activity supported through agreements with the government. Finally, the amendments introduce rules clarifying the application of VAT on fundraising activities (USAID, 2014).

The creation and development process of non-profit organization in Albania, dates back to the beginning of democracy and economic openness. This has happened due the assistance provided by international organizations like the World Bank, Sorous Foundation Society, Development Program of United Nations, and the European Union, etc. In the absence of foreign donors, it would be a limited number of non-profit organizations in Albania, because these donors are the majority of which support them financially (Picari, 2009). However is created a dependency to international donors, as a result of lack of financial support from central and local government for services provided by NPOs (USAID, 2006). For this reason NPOs to survive financially, are obliged to follow the desires and projects prepared by donors (Mai, 1999). But, regardless of this dependency, on funds or donations from foreign donors, they can undertake their economic activities. Nonprofit organizations in Albania may already performing both the economic activity, and this constitutes a most important changes on new legislation. Thus non-profit organizations to achieve the purpose and operation predicted with economic activity and financial control of NPOs.

The foreign organizations and institutions have seen appropriate to canalize their funds through the Albanian government, to better management and develop the concept of sustainability of civil society. In other words, finally it became expedient that if the funds will be managed by a common agent which controls the mechanisms of decision-making, implementation and control of implementation, the donated funds will be used well and the results will be satisfactory for donor headquarters. This action in the foreground sounds reasonable, given that aims to avoid the repetition of projects by different actors. But based on the current functioning of the Albanian administration, this strategy has its difficulties to implement, not to mention the fact that it gives the government a great power in the distribution of funds to civil society and reflects the risk of monopolization of these funds by organizations and associations that satisfy the government and its interests, against those who criticize or make that pressure (Picari, 2009).

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Recognition and proper implementation of legislation by the NPOs is a responsibility and necessity, as for all other entities operating in the Albania. The legislation is one of the landmarks on the basis of which is conducted the assessment of non-profit organizations activities, but on the other hand, the law provides administrative or judicial opposition to the possible actions of NPOs, not in accordance with it, which may violate the rights of entities that interact with them. The Law on Non-Profit Organizations enacted in 2001 requires a NPOs to adopt a charter that defines its internal management rules, scope of activities, financial reporting, and procedures for its establishment and dissolution. Based on a request from the competent state body, a court can order the dissolution of a nonprofit organization if the organization engages in activities that are illegal or in conflict with the Constitution of Albania; was not established according to the requirements of the law; or has become insolvent. NPOs did not report any cases of administrative impediments or state harassment during 2014 (USAID, 2014).

On September 18, 2014, the government of Albania approved the Law on the "Right to Inform". The law introduces new definitions on what information can be classified as secret; modalities to provide partial information when complete information cannot be provided, and time limits and feedback systems. The law also promotes the use of information and communications technology (ICT) to improve transparency and active citizenship (USAID, 2014).
Table 1.1. The average of legal environmental dimension of NPOs in Albania and some Southern European countries, 1997-2014.

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Sources: USAID(2014).

In the study conducted by USAID in 2014, the average of legal environmental dimension for countries in Southern European such as: Albania, Bosnia, Bulgaria, Croatia, Kosovo, Macedonia, Montenegro, Romania and Serbia, are presented in table 1.1 (the average results of legal environmental dimension for the years 1997 to 2014, for non-profit sector in Albania and in Southern Europe). The Index of sustainability of NPO, for legal environmental dimension is assessed on a scale of 7-seven point, where the number 7- seven shows extremely low level of development, while a number 1- indicates a non-profit sectors is developed (USAID, 2014):

- A higher level of sustainability and development corresponds between the score 1 - one and 3 - three.
- A level of development, the result corresponds between 3.1 - three point one and 5 - five.
- A low level of advancement, the result corresponds between 5.1 - five point one and 7 - seven.

Legal environment for NPO-s in Albania, recognizes a strong improvement during the year 2004, to begin to worse for the following years until 2014. Despite these results still needs further improvement of the legal environment for NPOs in Albania. Compared with NPOs in southern Europe the legal environment has been better in Albania until 1999. From year 2000 and on, the non-profit sector in Southern Europe is better than in Albania.

4. Research Method

The purpose of this research is to show the historical and legal development of nonprofit sector in Albania. The reason for historical treatment in this paper, is conducted in order to see the beginnings and development until our day of philanthropic activities of non-profit organizations in Albania. It is also explored the legal aspect of nonprofit sector in Albania. A case study was also developed about the historical development, legal and managerial aspect of Red Cross Albania. Red Cross Albania is one of the oldest nonprofit organization in Albania.

According to Merriam (1988) a case study is a format in which the researcher explores a single entity or phenomenon ("the case") bounded by time and activity (a program, event, process, institution, or social group) and collects detailed information by using a variety of data collection procedures during a sustained period of time.

The application of qualitative research consisted of in-depth interviews with managers of nonprofit organization "Red Cross Albania". In addition, a review of their historical material, press releases, and other promotional materials was examined for content and messages. Senior management was targeted for interviews since they are responsible for the vision and mission of the organization.

The site location for this study was primarily located at the office of “Red Cross Albania” organization in Tirana. An in-depth interview technique was used, which consisted of unstructured, open - ended questions to solicit an understanding of how the organization perceives itself.

The secondary data were also used in this study which was achieved through an extensive literature review on historical development and legal aspects of nonprofit sector in Albania, but what was achieved through this data was only theoretical.

5. Case Study - Red Cross Albania

The Red Cross is a nonprofit organization founded in 1859, by Henry Dunant. It is one of the most popular organization in the world in support of victims of natural disasters and other emergencies. It is estimated to have more than half a million volunteers and 35,000 employees operating in 188 countries worldwide (Albanian Red Cross, 2014).

The first agreement between the states was conducted in 1864, which constituted the treaty that outline the rules for which were written by Mr. Dunant, became known under the name of the First Geneva Convention. Today there are a host of agreements in this area that form what is known as international humanitarian rights. For this reason it was decided to use the same identification mark from all countries and in all conflicts: a red cross on a white field. From this
emblem later took the name the aid organization, which were called the Red Cross organization. The flow of history made the countries of the Arab world and the Muslim religion to replace the Red Cross with another emblem: a red crescent on a white field. These two symbols have today the same purpose and the same value (Albanian Red Cross, 2014). Since the act conducted in 1859 on the battlefield of Solforino - help the suffering human regardless of nationality - the work of the international movement of the Red Cross and Red Crescent has developed over the years including numerous activities, often created by long experience, sometimes hurried improvised on various grounds, but always based on some of humanitarian values. These values are expressed concisely in seven fundamental principles of the movement, which are the basis of the activities of the associations of the Red Cross and Red Crescent at any time. These principles are: Humanity, Impartiality, Neutrality, Independence, Voluntary Service, Unity and Universality (Albanian Red Cross, 2014).

Red Cross Albania is the oldest humanitarian association in Albania and it is the only association of the Red Cross in the entire territory of Albania (Statute of the Red Cross Albania - Article 3, 2007). It was established on 4 October 1921 and is officially recognized by the International Committee of Red Cross in 1923. Since this year is a member of the Federation of Red Cross and Red Crescent, being so a 38- association established by then. In this way the Albanian Red Cross is part of the International Movement of Red Cross and Red Crescent. Albanian Red Cross has the right to use the emblem in accordance with the Geneva Conventions of 10 August 1949 and additional Protocols of 10 June 1977 (Parliament Of The Republic Of Albania, Article 5 - the law Nr.7864, 1994).

During the years 1969-1990 the Albanian Red Cross has not worked as a result of the communist regime that existed in Albania. Year 1991- resumes again the activity as a new association, creating its full legal basis and an organizational structure (Albanian Red Cross, 2014). The national character of the Red Cross Albania is that the country has a single organization of the Red Cross, which extended all the activities in the country and respect the fundamental principles of the International Movement, assisting the public authorities in military health, in accordance with the Geneva Conventions, also in other humanitarian activities. Red Cross Albania counts 39 branches spread all over Albania in cities such as Tirana, Shkodra, etc. But the international character of the Albanian Red Cross is that it is an active part of the International Movement of Red Cross and this is because the Albanian Red Cross is recognized by the International Committee of the Red Cross (Albanian Red Cross, 2012).

The vision of Red Cross Albania is:

"to be a developed humanitarian association, that works to improve the lives and dignity of people in need, in accordance with the Fundamental Principles of the International Red Cross and Red Crescent." (Albanian Red Cross, 2014)

The mission of Red Cross Albania is:

"To helps vulnerable people by mobilizing the power of humanity of society through its humanitarian activities." (Statute of the Red Cross Albania- Article 7, 2007)

The organization structure of Red Cross Albania consists of central bodies and branches (Statute of the Red Cross Albania - Article 7, 2007). Central authorities of Red Cross Albania are: General Assembly and Council of Directors. The bodies of the branches are: Meeting of the members in the branch and the Council of the branch.

Red Cross Albania operates according to the statute that is established by the his General Assembly (Parliament Of The Republic Of Albania, Article 4 - the law Nr.7864, 1994). Red Cross Albania is a legal person and he can exercise an economic activity to provide financial resources to cope with its humanitarian activities (Parliament Of The Republic Of Albania, Article 6 - the law Nr.7864, 1994). Also Council of Ministers can support humanitarian activities of the Red Cross with budgetary funds (Parliament Of The Republic Of Albania, Article 7 - the law Nr.7864, 1994). Red Cross Albania accepts unlimited contributions from individuals in any form, physical and legal persons or foreign Albanians (Parliament Of The Republic Of Albania, Article 8 - the law Nr.7864, 1994). Red Cross Albania is exempt from paying any tax or fee (Parliament Of The Republic Of Albania, Article 9 - the law Nr.7864, 1994).

6. Conclusions

The main conclusions of this paper are:

- The non-profit sector is very important for the whole scheme of a country life.
- In the global level, during the last 30 years had a huge increase in the number of non-profit organizations and this in response to changes in environmental, social and economic conditions.
The first traces of philanthropy among Albanians have early roots and lie since the period of the Middle Ages.

The history of development of NPO in Albania is divided into three periods. The first period concludes with the end of Second World War, the second phase covered the period of the communist regime during the years 1945 to 1990, meanwhile the third period include that after the year 1990 up to our days.

Cooperation with government at any level is considered normal and necessary by NPOs.

Legal environment for NPO-s in Albania, recognizes a strong improvement during the year 2004, to begin to worsen for the following years until 2014.

The legal environment in Albania in which NPOs operate did not change significantly in 2014. No tangible progress has been achieved with regard to registration procedures, the taxation system, or the operational environment.

Tax Incentives, do not sufficiently motivate the private sector to sustain activity of NPOs.

In the absence of foreign donors, it would be a limited number of non-profit organization in Albania, because these donors are the majority of which support them financially.

Nonprofit organizations in Albania may already performing both the economic activity, and this constitutes a most important changes on new legislation.

In Albania, all NPO-s conduct the registration process to Tirana Court of First Instance and subsequently registered in the local tax authorities.

Legal environment for NPOs in Albania, needs further improvement.

Red Cross Albania is one of the oldest and biggest nonprofit organization in Albania.

References


Aplication of Marketing Tools in Nonprofit Sector in Albania

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Abstract

Nonprofit sector or third sector exists to meet those needs in society that are not met by the business sector and the public sector. The purpose of this paper is to identify the application of marketing tools by non-profit organizations operating in Albania in reaching the target audience. The hypothesis that I have raised in this paper is "There is no connection between marketing and reaching the target audience." The objectives of the research are: - Providing information on the history of the development of nonprofit organizations. - Identify the importance of using marketing tools by nonprofit organizations. - Identify the level of the use of marketing mix by NPOs operating in Albania in reaching the target audience. - Research methodology consists of using secondary and primary data. Primary data are provided through two methodological research instruments: questionnaires and in-depth interviews. The questionnaire was designed to identify the importance and the level of use of marketing tools by nonprofit organizations to reach their target audience (donors, beneficiaries, volunteers). In-depth interviews were aimed at providing more detailed information on the results of research and their interpretation. In-depth interviews were conducted after processing the questionnaire in order to argument findings by nonprofit organizations themselves. The research limitations of the study are: - Research is directed towards NPOs that under the law of NPOs are registered as associations, foundations and centers. Not included in the study, religious groups, political parties, media, or other stakeholders who are part of civil society or recognized as non-profit organizations, but are registered by a special law. - Limitations on providing quantitative data for the sector. Currently, there isn't a database on the number of NPOs that are active or inactive. Formally information can be found in the Commercial Register of the Tirana District Court and in the Tax Directory. - The study is based only on the number of NPOs that are active, according to various publications there is a difference between the registered number of NPOs and active number of NPOs. - The research involves only non-profit organizations which are Albanians. Foreign non-profit organizations that operate in Albania, has not been the object of study.

1. Literature Review

The purpose of the nonprofit sector is to serve society. Within the nonprofit sector, there is a variety of issues and organizations that are growing. Without the existence of profit and millions of volunteers, society would miss many valuable and diverse services and civil participation. Non-profit sector is important because it ensures services that can not be provided by the private sector. Many services needed for society don’t provide benefits and are not attractive for the private sector. Private sector do not have much interest in providing such services because customers do not have the financial ability to pay for them. One important reason to study non-profit is because they are large and are growing steadily over the years, and in many countries more rapidly than the private sector. Another alternative is to evaluate of non-profit sector is in terms of employment. Over the years there has been a noticeable increase in the number of non profit organizations, coupled with a variety of sectoral distribution. The presence of civil society in the protection of public affairs has been more evident.

Compared to previous years, NPOs cooperate more with each other, with governance structures, media and in some cases with businesses. Yet observed difficulty in building sustainable partnerships and sharing of responsibilities fairly among stakeholders, building advocacy structures, and sometimes in the dissemination of information.

Generally NPOs, especially those outside the capital of Albania, have no long-term strategies and systems to develop programs that contribute to the achievement of these strategies. Dependence of the NPO sector from foreign donors, makes it unstable institutional and limits the ability of sector to respond to the needs of their interest groups. This is one of the biggest challenges for the sustainable future of the NPO sector in Albania.

The history of the development of NPOs is divided into three phases. The first stage ends with the end of II World War, the second phase involves the communist period (1945-1990), and the third stage begins after 1991 and to date.
The idea of applying marketing to nonprofit organizations has its birth in a series of articles Philip Kotler, Sidney Levy, Gerald Zaltman, Benson Shapiro, between 1969 and 1973. 1970 and 1980 show a growth period of this philosophy and after 1980 the idea of a non-profit marketing expands its activities into new environments of organizations like government agencies, and new types of transactions. There are many definitions of marketing, where for every new text published a new definition is provided. Can be examined in detail those definitions of marketing that are more popular and widely accepted. In the UK a popular definition is that given by the Marketing Institute approved by the state, that is:

*Marketing is a managerial process responsible for identifying, predicting, and satisfy customer requirements in order to ensure profit.*

The concept as a "process" of marketing in a marketing oriented organization begins with the definition of consumer needs and using them to provide the required product or service. A good understanding of customer needs can provide the organization more than a good design of its offer. Value can be created in any contact that the customer has with the organization. If we understand who creates value is possible to design the whole system of organization for the purpose of delivery the maximum possible value to the consumer. The definition of marketing provided by (Kotler and Fox in 1985) talks about the mechanism of value creation:

*Marketing is analysis, planning, implementation and control of carefully formulated programs designed to bring the voluntary exchange of value to the target market in order to achieve organizational objectives.*

Marketing aims at the design of the organization's supply to take in consideration needs and desires of the target market and the use of an effective pricing, communication and distribution to inform, motivate markets served. It is clear from the two definitions that marketing is interested in identifying and satisfying customer needs of the organization and it is clear that the staff responsible for the fulfillment of this role will be not only those who belong to the marketing department.

It what marketing can provide for a nonprofit is:

- Marketing can improve consumer satisfaction.
- Marketing can help in attracting resources to a nonprofit. Many nonprofit need to raise funds to support their work.
- Adoption of a professional marketing model can help the organization determine the distinctive competences, in other words marketing can determine what an organization can offer a society which others can’t.
- A professional marketing model provides the organization with a structure within which it can work. A systematic pattern of determining the needs, objectives, plans to achieve these objectives, and a formal control of activities to ensure that objectives are being achieved minimizes losses of valuable marketing resources.

In addition to the benefits that marketing offers nonprofit organizations, there are a number of differences between the marketing application in a profitable and nonprofit organization. The following data developed by (Lovelock and Weinberg 1990) may help to explain some of the complexities of marketing functions that a nonprofit may encounter.

**Many Components.** In many charitable organizations there are two components while rare individuals who donate money, rare are the ones who will benefit from the services that charities will provide. In other words there is a clear distinction between withdrawal of resources and their distribution.

**Non-financial objectives.** Nonprofit cover a large-scale of human interests and behaviors and this is reflected in a broad range of objectives which aim.

**Services and social behavior rather than physical goods.** The majority of the nonprofit produce services rather than physical good.

**Change of the destination.** The volatility of the environment in which NPOs are operating means that non-profit have little control over their destination, compared with profit businesses.

**The tension between mission and consumer satisfaction.** There is a tension between mission and consumer satisfaction. Current consumer satisfaction may be sacrificed by non-profits and be considered long-term benefits of society.
2. The Results of Research and Interpretation of Findings

From the total of sample (non-profit organizations in Albania) results that Tirana has 47.6% of sample, North of Albania 29.3% and South, 23.2%. This choice is representative starting from the fact that approximately half of nonprofit organizations are concentrated in Tirana. One reason for the high percentage of NPOs in North of Albania compared with those at South is that priority of donors has been the northern areas through projects aimed at environmental protection, tourism development, and relations between cross border countries.

From the total of NPOs 51.2% are associations, 11% are foundations while the centers 37.8% of NPOs. These facts correspond with the number of NPOs registered in Tirana District Court. This is related to the fact that the associations and foundations have existed as types since 1991, while centers began to be used as designations since 2001.

If we consider the distribution of NPOs by field of activity results that 39% of NPOs operate in the field of advocacy, 36.6% of them operate in the field of social services, 24.4% in the cultural field and 24.4% in education. Organizations that operate in the environmental field are 23.2% of NPOs. Organizations that have a small percentage are those that operate in health 12.2%, in business 22% and professional associations 8.5%. NPOs operating in the field of advocacy are more numerous than the NPOs which operate in other areas for several reasons:

- Were the missing right at the time of the dictatorial system for which the Albanian people have more need, and this is related to the creation of the first NPOs in this field.
- Democracy in itself has human rights
- There are foreign donors who support more this field.

From the findings results that 96.3% of NPOs provide funds from foreign donors, and a very small number of their 8.5% are financed by individual donations. NPOs provide funding from other donors like the government to the extent of 41.5%, here we consider like central and local government. Financed by foundations in the amount 35.4%, as well as private businesses 25.6% and income from services to the extent of 25.6%.

2.1 The use of marketing mix to attract target market (Donors, voluntaries, beneficiaries)

If we look at the type of offer, and evaluate averages conclude that it is one of the most effective tools to attract donors. A large percentage of the NPOs think the price is used to attract donors (63.8%) but not as much as the type of offer. To attract donor should provide a well-designed project, and just as well applicable. While price is a condition that requires the donor, in relation with the service provided which should be free, or offered at a minimum price. 42% of NPOs claim that no matter the location to attract donors. And a small percentage of them claim that it is used. When interviewed NPOs, some of them belonging to the area of North and South claim that Tirana is favored than other districts in attracting donors.

Location is less important in attracting donors. If we look at average it is 2.2 (on a scale from 1 to 5) Table 1.

39% of NPOs think that advertising is not used to attract donors, and 42.7% think that it has a low level of use. Reasons of such rates are:

- Advertising is expensive and NPOs are not able to cover such costs,
- The number of donors is small,
- Achievement is also small.

Table 1: Evaluation of the level of use of marketing mix tools to attract Donors

<table>
<thead>
<tr>
<th>Evaluation the use of marketing mix to attract donors</th>
<th>Minimum</th>
<th>Maximum</th>
<th>Mean</th>
<th>Std. Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evaluation of the level of use of offer type</td>
<td>1</td>
<td>5</td>
<td>4.94</td>
<td>.454</td>
</tr>
<tr>
<td>Evaluation of the level of use of public of price</td>
<td>1</td>
<td>5</td>
<td>4.01</td>
<td>.745</td>
</tr>
<tr>
<td>Evaluation of the level of use of public relations</td>
<td>1</td>
<td>5</td>
<td>3.96</td>
<td>1.249</td>
</tr>
<tr>
<td>Evaluation of the level of use of personal conviction</td>
<td>1</td>
<td>5</td>
<td>3.73</td>
<td>.891</td>
</tr>
<tr>
<td>Evaluation of the level of use of direct marketing</td>
<td>1</td>
<td>5</td>
<td>3.26</td>
<td>.457</td>
</tr>
<tr>
<td>Assessing the level of use of the site</td>
<td>1</td>
<td>5</td>
<td>2.20</td>
<td>.686</td>
</tr>
<tr>
<td>Evaluation of the level of use of advertising</td>
<td>1</td>
<td>5</td>
<td>1.85</td>
<td>.699</td>
</tr>
<tr>
<td>Evaluation of the use of sales promotion</td>
<td>1</td>
<td>3</td>
<td>1.26</td>
<td>.466</td>
</tr>
</tbody>
</table>

79% of the NPOs surveyed think that public relations tools are used. The reasons are because these tools are seen as
more reliable, more accessible to the donor, and less costly. 75% of NPOs believe that the sales promotion is not effective to attract donors. A small percent of NPOs look as little used and focused more in exposures or fairs as a means of sales promotion.

67% of NPOs believe that personal conviction, direct communication with donors is used in providing funds for implementation of a project. Direct communication or otherwise face to face can be more reliable convincing for the donor that will provide funding.

Type of the offer is very important in attracting donors in three areas taken in the study. If we look at the level of the use of marketing mix according to type of NPO we conclude that there is no difference between the use of marketing mix and type of NPO.

**Evaluation of the level of use of marketing mix tools to attract beneficiaries**

![Figure 1: Evaluation of the level of use of marketing mix tools to attract beneficiaries](image)

96.3% of the NPOs surveyed declare that the type of the offer is used to attract the beneficiaries of service, and if you look at the averages of each of the tools of the marketing mix, type of the offer is one of the most used. But a minimum percentage think that type of the offer is not used to attract the beneficiaries. This refers to those beneficiaries that the service is associated with non-monetary costs, it may be quitting, withdrawal from drugs, fear of what others will think if someone gets the service that offers a non-profit organization.

Price is used to attracting beneficiaries and this declare 56% of NPOs, while 34% think it is very used. This relates to the fact that the service or product that offers an NPO is free or offered at a price below cost.

Location is considered as important in attracting beneficiaries, this relates not only with distance but with comfort. But some NPOs interviewed declare that it is not important in attracting beneficiaries, because depends on service that a NPO is offering.

Advertising is seen by NPOs with an average use in attracting beneficiaries, because it is very costly, although achievement may be higher, it may not be very credible or convincing.

Public relations are used to communicate with beneficiaries. They are not more expensive but more reliable.

Sales promotion tools are seen by NPOs as average used tools to attract beneficiaries. But there are a number of nonprofit organizations that think that they are not used because of the high cost associated.

Personal conviction is used to attract beneficiaries. Direct marketing is characterized by a average level of use to attract beneficiaries.

**Evaluation of the efficacy of the marketing mix tools to attract volunteers.**

<table>
<thead>
<tr>
<th>Evaluation of the use of marketing mix to attract volunteers</th>
<th>Minimum</th>
<th>Maximum</th>
<th>Mean</th>
<th>Std. Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evaluation of the level of use of offer type</td>
<td>1</td>
<td>5</td>
<td>4.94</td>
<td>.462</td>
</tr>
<tr>
<td>Evaluation of the level of use of public relations</td>
<td>2</td>
<td>5</td>
<td>3.88</td>
<td>.582</td>
</tr>
<tr>
<td>Evaluation of the level of use of direct marketing</td>
<td>1</td>
<td>5</td>
<td>3.37</td>
<td>.694</td>
</tr>
<tr>
<td>Evaluation of the level of use of public of price</td>
<td>1</td>
<td>5</td>
<td>3.34</td>
<td>1.164</td>
</tr>
<tr>
<td>Assessing the level of use of the location</td>
<td>1</td>
<td>5</td>
<td>3.28</td>
<td>1.127</td>
</tr>
<tr>
<td>Evaluation of the level of use of personal conviction</td>
<td>1</td>
<td>5</td>
<td>3.08</td>
<td>1.016</td>
</tr>
<tr>
<td>Evaluation of the level of use of advertising</td>
<td>1</td>
<td>5</td>
<td>2.56</td>
<td>.793</td>
</tr>
<tr>
<td>Evaluation of the use of sales promotion</td>
<td>1</td>
<td>4</td>
<td>2.16</td>
<td>.737</td>
</tr>
</tbody>
</table>
Type of the offer is a very used to attract volunteers. It's the type of the offer that could matter volunteers, especially those who require a personal experience.

Public relations tools have an average level of use in attracting volunteers. They are one of the most used except the offer to providing volunteers.

Location, personal conviction, and direct marketing are characterized by an average use in attracting volunteers. Location does not matter for volunteers who want to offer their services for free or at a low price. Personal conviction is moderately used because it isn't very necessary to attract volunteers because they are more interested in finding the organization.

Price has a medium level of use. 44% of NGOs believe that the price is a tool which is important in attracting volunteers in the sense that they would want to provide free time to those NPOs which offer their services for free. However, a number felt that the price does not influence the recruitment of volunteers.

Advertising and sales promotion characterized by a low level of use because they are costly, do not justify the benefits.

3. Conclusions

Approximately 50 percent of NPOs in the study belong to Tirana district, and the rest of the NPOs is spread across the districts. One reason is that approximately 50 percent of NPOs and exercise their activity in Tirana. North Zone has a slightly higher number of PGOs than South area. Some of the reasons are:
• NPOs in North had increased in number during the Kosovo crisis in 1999
• In recent years Northern Albania has been one of the priorities of donors for the development of tourism, environmental conservation and the creation of maintaining relations between cross border areas.

If we look at the percentage of NPOs according to type dominate associations, therefore have the highest percentage of NPOs, subsequently centers and foundations. One of the reasons is that associations and foundations have existed as a species in 1991, and centers began to be used as designations of NPOs in 2001. These figures coincide with the number of NPOs registered in Tirana District Court.

Areas of activities in which NPOs operating are, legal and political support, which is one of the areas that dominates in the NPO sector, where some of the reasons are:
• The transition from dictatorial to a democratic system require the assistance of NPOs, something which supports the creation of the first NPOs in this field.
• Community itself lacked basic rights
• This area of activity was one of the priorities of donors.

Is the field of social services which dominates the second by level of importance and involvement of NPOs in this field. Some of the reasons for the dominance of this field of activity were:
• Riots of 1997, have oriented NPOs in providing services, counseling, assistance to child, victims of trafficking and abuse.
• And the Kosovo crisis of 1999, which enabled the establishment of NPOs operating in the social services.

About the area in which NPOs operate are: Education and Research, Culture and Recreation, Environment, Economic and Social Development, Health, Business and Professional Associations.

Among the tools of the marketing mix which is more important in attracting donors is offering, which is connected to the idea and presenting the project. The price of the product that will be offered is important, but comes second on the scale of importance. Public relations and personal conviction are important because they more reliable and convincing. Direct marketing is characterized by average level of use, while advertising and location have a low level of use in attracting donors. Sales promotion leaflets is not used except in attracting donors.

The tools of the marketing mix used to attract beneficiaries have a different level of importance compared with the means used to attract donors. Supply and price are important for attracting beneficiaries, but used is and the location which had a low level of use to attract beneficiaries. For donors, no matter the location of the NPO, but it is important for beneficiaries in terms of distance and convenience. Sales promotion tools if some elements of it were not used at all in attracting donors have a lower use in attracting beneficiaries, this relates to the sensitivity of the market segments to marketing tools.

In attracting volunteers a high level of use have the offer, because since the majority of the volunteers are students they are interested in the choice of that NPO corresponding to their field of study. Public relations are the second most important in attracting volunteers, because they more reliable and less costly. Location, direct marketing, and personal conviction have an average use in attracting volunteers, while advertising and sales promotion characterized by a low
level of use

The use of marketing mix to attract volunteers is lower because we are dealing with a surplus of supply on their part, unless we seek a massive volunteerism.

4. Recommendations

Most projects of NPOs are a reflection of the priorities of donors. These priorities generally address the needs of communities in Albania. But dependence on these priorities restrains organizations to create coherent strategies and programs based on real needs identified in the community. There are NPOs that should guide donors towards the funding in those areas for which our country needs most, through the creation of institutionalized relations.

NPOs should be oriented towards alternative sources of fundraising. NPOs have the opportunity to develop activities that generate profit, but they lack the experience and capacity to manage this situation effectively.

Considering the image that non-profit sector have it is imperative by sector development of mechanisms that increase transparency in the state, in the public and other beneficiaries of its services. The first step in this direction would be the public disclosure of activity and financial situation of the NPOs.

Very encouraging and rewarding at the same time will be the use of mass media in the identification of individual donors and private businesses. Techniques that can be used, is promoting them to the beneficiaries of the service regardless of donation given, promoting them in public debates, on the Web site of organization or announcements in newspaper on donations.

Most of the NPOs operating in the field of legal assistance and social services, but are equally important and environmental and economic areas and social development. NPOs should be directed more towards these areas of activity by attracting donations from various sources in addition to providing of them by foreign donations.

The level of use of advertising in attracting donors is low except the posters who had a high level of use. Advertising should have a higher level of use in order to inform the public about services that NPOs provide, the projects they are implementing, which will aim at eliminating duplication of projects, and creating a better image to the public on the role that NPOs have in society.

Marketing tools are important in reaching the target audience, but they have a low level of use by NPOs, and themselves don’t have information on marketing tools which can be used to achieve the target public. In these conditions it is necessary to provide some training courses on marketing, its importance in reaching the target market.

References

Philip Kotler, Alan R. Andreasen “Strategic marketing for nonprofit organizations”. 2003 pp 442-480
Philip Kotler and Sidney J. Levy “Broadening the Concept of Marketing” 1969, pp 10-15
Philip Kotler, Alan R. Andreasen Strategic marketing for nonprofit organizations. 2003 pp 190-97
NROGeschihte, Albania, Bonn 1997
USAID, Raport, Çështje të Zhvillimit të OJF-ve, 2002
UNESCO/ Ministria e Arsimit, Informacion Tiranë, 200
Walter W. Wymer, N’Nonprofit and Business Sector Collaboration” 2003 pp 23
Word Bank “Nongoverment Organization and Civil Society” 2001
Walter W. Wymer, N’Nonprofit and Business Sector Collaboration” 2003 pp 23
Lesly, P. “Lesly’s handbook of public relation and communication” (5th ed) 1998
The Quality of Democracy in Europe:  
Its Impact on Economic, Political and Social Performance

Kristobal Miguel Meléndez Aguilar

Abstract

The quality of democracy is a new concept that tries to explain the reason why democracies have different levels of performance. In 1959, by calculating average of some variables of welfare, Lipset showed that democracies have a better economic performance than another type of regime. By applying simple linear regressions and instrumental-variables regressions, it was found that the Rule of Law, accountability through voting and accountability through the institutions cause economic and social performance in Europe. Electoral participation and membership do not have a direct effect on the results that government offers, but make these procedural elements more effective. In the same way, more years of democracy do not guarantee a better performance but also have an indirect effect in the Rule of Law, accountability through voting and accountability through the institutions in Europe. Citizens' perceptions about the quality of democracy in Europe vary to a very slow pace unless there is a great change on the procedural elements.

1. Introduction

Lipset argued in 1959 that democracy, compared to other types of regime, offers more wealth, industrialization, education and urbanization. This author compared several variables of welfare and found that there is always a better economic performance in democratic countries versus those countries that are not. Lipset only compared the levels of welfare between two types of regime; but he does not carry out a causality analysis to determine if democracy generates or not a better economic performance. These comparative data seem to be an incentive for democratization. However, this process took place several decades later.

Based on the sample of countries of Polity IV from 1989 to 2010, the number of countries with democracy was doubled from 26.99% to 54.6%. Since the end of the Cold War, a large number of countries chose this type of regime. This situation grew with more strength in Eastern Europe, only from 1990 to 1991 there was a change from 10.71% to 50% of the countries of this region. In 2000, in Eastern Europe, the 57.14% of the countries were democratic; by 2003, the 75% of the region had democratized.

The problem lies in that a lot of young people only have lived in democracy and they could support other types of regime because they ignore the risk of that. Then, it is interesting, as a research question, to investigate if democracy have a positive impact on the performance of European countries or not. In order to test the hypothesis of Lipset that democracies have a better performance than those countries that are not democratic

2. Methodology

There are two ways in which the quality of democracy can be measured quantitatively and qualitatively. In this research, the quantitative variables are rule of law, accountability through voting, accountability through the institutions, participation, competition, economic freedom, employment, inequality, poverty, human development, public policy performance, political stability and gender equality. The qualitative variables are importance of democracy, democratic

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quality perception and life satisfaction.

By applying simple linear regressions and instrumental-variables regressions, it is displayed in a more accurate way the impact that democracy has in political, economic and social performance in Europe. Simple linear regressions were chosen in order to make easier the conceptual understanding. Given that the most of independent variables that will be used are indexes, with the disaggregation of those indexes it could be made some multiple linear regressions with similar results. In order to measure the quality of democracy, in a general way, the procedural elements will be considered as independent variables and the economic and social results will be considered as dependent variables. It is included an analysis of coefficients to show the democratic elements that have stronger impact on performance. In order to compare coefficients, most of variables are standardized in a scale from 0 to 10.
3. Causality Analysis

As shown in Chart 1, through comparison with political and social performance, the number of years of democracy in Europe has a small coefficient in the variables of economic performance as poverty, economic freedom, inequality and employment. This means that economic results will last at least double the time than political results for being observed by people. In Europe, 37 and 45 years of democracy are required in order that poverty and inequality, respectively, can improve one point in a scale from 1 to 10. In contrast, in Europe, 8 and 11 years of democracy are required in order that accountability through the institutions and accountability through voting, respectively, can improve one point in a scale from 1 to 10.

As shown in Charts 2 and 3, in Europe, the index of procedural elements has a very good impact on economic and social performance. The effect is higher in employment, poverty, inequality, human development and political stability. However, in all cases, the progress rate is higher in European non democratic countries. This implies that the gap between both types of regime is narrowing.

As shown in Charts 4 and 5, in Europe, electoral participation makes procedural elements more effective. But membership and political action do not make procedural elements more effective in European democratic countries. In European non democratic countries the effect is much greater. In those countries, membership has a greater indirect impact on the economic and social results. In European non democratic countries, participation is an effective tool for reducing poverty and inequality. It is required less than the half of participation in European non democratic countries in order to solve these two problems. Even, participation could have negative effect in European democratic countries. Participation makes procedural elements less effective for improving gender equality and public policy performance.
As shown in Chart 6, by electoral participation levels, in Europe, the procedural elements do not have a substantial influence in the importance of democracy, democratic quality perception and life satisfaction. The number of years of democracy has causal relation with the importance of democracy and with the democratic quality perception. However, in Europe, 46 years of democracy are required in order that the importance of democracy can increase one point in a scale from 1 to 10. In this region, 29 years of democracy are required in order that the democratic quality perception can increase one point in a scale from 1 to 10. This number of years is more than the time since the beginning of the third democratization wave in 1989.

Although the gap between both types of regime is narrowing in Europe, as shown in Chart 6, if procedural elements or electoral participation levels increase, citizens of European non democratic countries prefer democracy or perhaps they are thinking that they are living in a democracy although they do not.
4. Conclusions

Lipset showed that, in all cases, democracies had a better performance than those countries that decided not to be democratic. On a deeper analysis, it was found that European non democratic countries are growing at a greater rate (3%) than those European countries that are democratic (0.9%). This implies that the gap between both types of regime is decreasing over time.

By applying simple linear regressions and instrumental-variables regressions, and analyzing the coefficients of standardized variables, it was found that procedural elements of a democracy produce a better economic and social performance in Europe. It would seem logical that the number of years of democracy and the different types of participation should have a great impact on economic and social performance in Europe. However, by applying instrumental-variables regressions, it was found that such effect exists in an indirect way with electoral participation and membership. Citizens’ perceptions about the quality of democracy vary to a very slow pace unless there is a great change on the procedural elements. Therefore, the quality of democracy is important for a better political, economic and social performance in Europe.

References

The Euroisation of Banks’ Portfolio and the Credit Risk in Albania

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Abstract

The loans portfolio of the Albania banking system has a high level of euroisation, as well as in other countries of the region. In Albania, the loans in foreign currency represent 49% of the total loans outstanding. The high level of the euroisation of banks’ portfolio exposes them to the risk of direct and indirect exchange rate. Although the banks have been protected from the direct exchange rate, they are exposed to the risk of indirect exchange rate. This risk might increase if the national currency depreciates according to other currencies. At the end of 2014, the loans denominated in foreign currency to the borrowers, whose incomes are in All (Albania currency) were 31.3%, representing 186.4 billion All of the total loans and approximately 50% of the loans denominated in foreign currency. This portion of the loans is influenced by the changes of exchange rates, thus the indirect credit risk may increase, as a result of the difficulties of the borrowers to pay their loans. This research aims to provide evidence, based on a statistical analysis, that the instability of the national currency, in relation to Euro and the American Dollar, have influenced upon the systematic credit risk in Albania.

Keywords: systematic credit risks, exchange rate, instability, national currency.

1. Literature Review

It is very difficult to measure the sensitivity of the banking system against unpredicted losses that may be caused by the repayment of loans. Many realized studies have been created empirical models that assess the impact of various macroeconomic factors in the quality of the banking portfolio, specifically the ratio of nonperforming loans to total loans. Credit risk is measured by microanalysis, which determines unsystematic risk, and also by macro analysis, that assess the systematic risk. Foreign scientific researches have determined that the level of an investment risk depends on many factors that are divided in two groups. The first group includes macroeconomic factors which systematically affect the risk of all investments and they aren’t controlled or avoided. These factors cause the systematic credit risk. The second group includes factors that affect the risk of particular investments and cause unsystematic risk.

2. Aim and Objectives

The main aim of this research is to analyse the tendency of credit risk. Furthermore by using national and international reliable information the study aims to analyze the relationship between macroeconomic factors and the indicators that measure the quality of Albanian loans portfolio. The main aim of the statistical analysis is to evaluate the influence of the unsustainability of domestic currency (ALL) on the value of systematic credit risk in the Albanian banking portfolio. The study focuses on two main areas. First we will give our estimates about the progress of credit risk by identifying some important points in time that have significantly affected the tendency of non-performing loans. Secondly, we will study the relationship between credit risk, which is measured by the ratio of nonperforming loans to total loans outstanding, and the unsustainability of the domestic currency exchange rate against euro and US dollar.

3. Credit Growth and the Tendency of Nonperforming Loans

Over the last years, the activity of Albanian banking system is substantially increased. The weight of the bank system’s assets to GDP was 90.5% at the end of 2013 and 91.7% at the end of 2014.

![Graph showing credit growth and tendency of nonperforming loans in Albania](image1)

Data to construct the graph from the Bank of Albania South East Europe. Regular Economic Report, January 2015

**Figure 1.** Private sector loans of the Albania banking system to GDP

The expansion of lending base has been identified as one of the most vigorous activities and it has a major impact not only in the banking sector, but on the entire economy. Despite the high rates of growth, Albania has a low ratio of private sector loans to GDP in the Balkan region. This relates to the stage of economic and financial development of our country and with the low base of lending. Therefore Albania has started the lending from a very low base. Large resources of funds encouraged high credit growth in Albania and in other countries. It was considered a positive development due to the low level of financial development in these countries. The credit expansion was simulated by the consolidation’s process of the banking system caused by the increasing presence of foreign banks. A characteristic was the high financing of branches from mother banks and the use of these funds to give loans with the higher interest rates. In this way, foreign banks acquire high profits by the difference between interest rates in the mother country and in the location where their branches do business. In addition, the competition among banks became a driving force for encouraged them to aggressively increase supply for loans and reduce the interest rates, which caused the increasing demand for loans.

![Graph showing private sector loans to GDP for the region](image2)

Dates from IMF’s International Financial Statistics and World Economic Outlook database (May 2015).

**Figure 2.** Private sector loans to GDP for the region

Despite the benefits, the rapid rates of credit expansion introduced a series of risks to financial stability. First undermining the credibility of the borrowers the banks increased the potential risk, because they increased the possibility of deterioration of the loan portfolio in the economic downturns and in the time of decreasing the lending activity. Second the close relationship between the affiliates and the mother banks for financial resources increased the risk of nonperforming loans.

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3 (Series 1 year 2008, Series 2 year 2013)
exposure of banks to the risk of finding resources, thus making them vulnerable to external developments. For the period 2004-2008 the ratio loans/GDP grew an average of 20% in these countries. This increase was especially high for our country, an average of 39.65%. The world economic financial crisis had a negative impact on the banking system in Albania and in other countries of the region. The banking systems suffered significant deterioration of the financial indicators, low profit, high growth of non-performing loans, while capital adequacy ratio was within tolerable limits. These developments led to a major decrease of the credit growth, combined with other factors such the avoidance of high risk, the constriction of the credit standards and the uncertainty of the economic future. Figura 2, 3 and 6.

South East Europe. Regular Economic Report, January 2015

**Figure 3.** The growth rate of private sector credit to GDP for the region

As regards our country, the average rate of credit growth during the period 2011-2014 was about 3.1%. Figura 4. While in November 2014, the ratio of nonperforming loans to total loans resulted 24.88% and in April 2015 it was 22.69%. In addition in March 2015, the return on equity was 20.25% and the capital adequacy ratio was 15.78%. Figura 7. Albanian banking system, as well as the other countries in the region represents a high level of euroisation of his portfolio. For example the foreign currency lending as a percentage of total loans outstanding represent 72% in Serbia, 64% in Bosnia-Hercegovina and 63% in Albania at the end of 2012. While at the end of 2014, the credit in foreign currency in Albania is 49.1% of total loans. The growth of the foreign currency lending has been caused by low interest rates for the loans in euros, compared to loans in domestic currency. This difference in the interest rates is related to the dominant presence of the foreign banks and their ability to financing from mother banks with lower interest rates. The high level of euroisation of the credit portfolio exposes banks to the risk of direct and indirect exchange rate. Because the euroisation was applied not only to assets but also to deposits, the net exposure of banks is reduced.

**Figure 4.** The growth rate of private sector credit to GDP in Albania

*Source: South East Europe. Regular Economic Report, January 2015*
Table 1. The structure of loans by currency in Albania banking system, in million All

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Total of loans</td>
<td>430,994</td>
<td>472,564</td>
<td>531,044</td>
<td>543,970</td>
<td>537,377</td>
<td>549,108</td>
<td>545,122</td>
</tr>
<tr>
<td>(ALL)</td>
<td>76,734</td>
<td>89,529</td>
<td>118,862</td>
<td>142,845</td>
<td>145,978</td>
<td>154,107</td>
<td>153,812</td>
</tr>
<tr>
<td>(EUR)</td>
<td>26,832</td>
<td>31,187</td>
<td>36,138</td>
<td>34,546</td>
<td>31,784</td>
<td>39,589</td>
<td>40,309</td>
</tr>
<tr>
<td>Loans to individuals</td>
<td>186,942</td>
<td>209,347</td>
<td>234,203</td>
<td>224,224</td>
<td>216,840</td>
<td>210,780</td>
<td>204,126</td>
</tr>
<tr>
<td>Other currencies</td>
<td>706</td>
<td>324</td>
<td>222</td>
<td>84</td>
<td>58</td>
<td>38</td>
<td>40</td>
</tr>
<tr>
<td>Loans for business</td>
<td>139,780</td>
<td>142,176</td>
<td>141,618</td>
<td>142,271</td>
<td>142,717</td>
<td>144,594</td>
<td>146,835</td>
</tr>
<tr>
<td>(ALL)</td>
<td>56,239</td>
<td>59,412</td>
<td>61,525</td>
<td>63,554</td>
<td>65,588</td>
<td>70,607</td>
<td>72,378</td>
</tr>
<tr>
<td>(EUR)</td>
<td>2,331</td>
<td>2,254</td>
<td>2,253</td>
<td>1,901</td>
<td>1,325</td>
<td>1,293</td>
<td>1,381</td>
</tr>
<tr>
<td>Loans to individuals</td>
<td>80,748</td>
<td>80,002</td>
<td>77,355</td>
<td>76,372</td>
<td>75,434</td>
<td>72,354</td>
<td>72,700</td>
</tr>
<tr>
<td>Other currencies</td>
<td>461</td>
<td>508</td>
<td>485</td>
<td>444</td>
<td>370</td>
<td>340</td>
<td>377</td>
</tr>
</tbody>
</table>

Source: Bank of Albania

The weight of the foreign currency assets and liabilities to total assets at the end of 2014 was respectively 56.4% and 52.4%. Magnitude of the open position is considered limited, therefore the direct exchange rate is considered moderate. Although the banks may be protected from the risk of direct exchange rate, they are exposed to the risk of indirect exchange rate, which increases by depreciation of the domestic currency, since borrowers are potentially exposed to. At the end of 2014, the total foreign currency loans the borrower whose income have been in ALL, represented 31.3% of total loans and 50% of foreign currency loans. This part of the loan represents a potential channel of the negative impact to adverse changes of the exchange rate on the banking sector. These may be accompanied with grow of the indirect credit risk as a result of the difficulties of the borrowers to pay their loans. Nevertheless worth noting that the picture of the series of non-performing loans about banking system in Albania suggests the existence of a upward trend. Figure 9 shows the performance of the quality of the banking system, respectively non-performing loans to total loans.

Figure 5. Euroisation of the bank portfolio in the region, 2012.
Source: South East Europe. Regular Economic Report, January 2015

It is obvious the constantly upward tendency of non-performing loans to total loans, a trend that realizes a significant increase in the third quarter of 2008. This sharp growth has been due to the negative effects of the economic and financial crisis on our banking system.

In our economy the influence of this crisis gradually intensified during the last quarter of 2008. The uncertainty led by the global financial system shock was reflected in the withdrawal of a part of deposits from banking system during the last quarter of 2008. These withdrawals led to liquidity problems in the system and were followed by increasing of the interest rates.
South East Europe. Regular Economic Report, January 2015

**Figure 6:** Non-performing loans to total loans for the region

Data to construct the graph from the Bank of Albania

**Figure 7.** Non-performing loans, NPL.

On the other hand, this situation naturally led to the reduction of the system's ability to lending the economy and consequently and significantly led to the slowdown of lending beginning since this period. It is obvious that the global economic and financial crisis has accelerated the growth of non-performing loans in Albanian banking system. The negative economic influences against the banks significantly reduced the level of credit in the economy. This not only adversely affected the economy but at the same time let changeless the loan portfolio in banking level. Expressed mathematically, the level of non-performing credits increases sharply compared to the denominator of a constant basis. Before the crisis, the credit grew more than the level of economic growth, the expansion of unstudied credit. For the period 2004-2008 the annual rates of the credit growth were respectively: 60.4%; 45.5%; 35.3% and 17.4%, higher than the average rates of credit growth in the countries of the region. The banks increased the aggressive competition for the market share and high profits. For the period 2004-2008, ROE was 22.2%; 20.2%; 20.7% and 11.4%, respectively, higher than in the region. Underestimating the credibility of the borrowers and the failure to assess of the credit risk in periods of sustainable economic and credit expansion, may be a significant factor in the growth of non-performing loans during the periods of economic slowdown and contraction of the credit activity. This part of the borrowers affects more quickly and hardest in the deterioration of the lending indicators. The slow economic growth cause more deterioration of the credit grade and the lower grades of the credit have a higher correlation with the macroeconomic factors.
4. Conclusions and Recommendations

- The deterioration of the main macroeconomic indicators after the crisis, (lower GDP growth rate, the growth of the consumer price index, the underestimation of the domestic currency relation to foreign currencies, the increase in the unemployment rates, the decline of the exports and the remittances, the lack of funding, the decrease of consumption and private investment) deteriorated the micro environment of the businesses and the individuals by increasing the ability to delay on the loan payments and increased the non-performing loans. The economic experts and managers of the risk departments in some banks in our country explain that besides the specific factors of industry, businesses and individuals, the volatility of the macroeconomic factors have the most influence on the growth of the credit risk in Albanian banking system. This part of the credit risk attributable to the impact of the macroeconomic factors, is called systematic credit risk, which can not be eliminated or avoided.

- The depreciation of All (Albania currency) and the appreciation of the euro have adversely affected the borrowers who have a loan in euros. Most of the credit provided by our banking system is in euros, 51% in 2015. The total foreign currency loans to the borrower whose income has been in ALL represents 31.3% of total loans outstanding.

- Then the increase of the non-performing loans as a result of the rising the exchange rate All / Euro is expected.

- In addition, the business has approximately 73.1% of total loans and 74.7% of loans in euros. The businesses are presented as debtors in the banking system. The debtor position in foreign currency is high and it keeps growing, and the businesses is exposing to the indirect risk of the exchange rate.

Data to construct the graph from the Bank of Albania

Figure 8. The exchange rate performance ALL / EUR and ALL / $. (Monthly data)

- In Figure 8 it is observed the continuous increase of the exchange rate All / Euro from one quarter to the next. After the crisis the values of the exchange rate are higher than the average over the period. The financial and economic crisis led to a decrease of the income by remittances, a reducing of the upward rhythm of the exports and the declining of the foreign investment.

- These factors led to the significant appreciation of euro against ALL. But this means more ALL to repay the loan installment by the borrowers who have a loan in euro terms. As a result, the possibility to delay or dishonor the payment will crease leading to the increasing of non-performing loans in the banking portfolio.

- In addition the All / $ ratio represents a long-term growing tendency, resulting in the deterioration of the quality of the banking portfolio. But the depreciation of the ALL against the euro was greater as compared to the dollar and knowing that the loans in dollar are 8% of the loan portfolio, we conclude the important impact of the growing euro in the growing credit risk.
References

Glantz, Morton, (2003), Managing Bank Risk An introduction to Broad-Based Credit Engineering.
www.bankofalbania.org
www.instat.gov.al
What Kind of Leadership do we need at Schools for Effective Teachers?

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Abstract

This article focuses on exploring the characteristics of leadership at schools and the policy of a School Principal that can drive teachers to be effective. It focuses most on recording what is important for school leadership and in what way and with what energies and behaviours a School Principal could affect teaching staff in their daily work. A person with values, vision and strategy seems to be the right person in the right place. Also, key factor at schools is the way that a School Principal thinks and acts, with stability, determination, participatory approach and great professionalism. The research demonstrates that especially the incentive policy of a School Principal has a strong motivating influence on the teachers' daily work. We have to realize that successful school leadership can contribute to the creation of the necessary conditions, which could improve the teaching staff and their efficacy for better performance and the success of school, their workplace.

Keywords: Leadership, School Principal, Teaching Staff, Incentive Policy.

1. Introduction

Human organizations are considered as functional “systems”, containing a number of interdependent and interacting components-parts and they are characterized by complex processes and complex organizational structures (Senge, 2006). It is necessary for these organizations to detect signals from their environment (internal and external) and adapt accordingly. The only sustainable competitive advantage is their ability to learn quickly. Parsons (2008, pp. 80-85) perceives the school as a system and gives a definition according to which an educational system is defined as a sum of parts with dynamic relationship and interdependence of its components. The function of the parts is different from the operation of the whole. These parts are called subsystems and they are systems within the system itself. School Principal and teaching staff are subsets within the school system.

For every organization leadership is one important factor that brings to it competitive advantages and success (Carey et al., 2011). An effective leader has the ability to motivate his/her staff (Dan-Shang & Chia-Chun, 2013) and his/her style of leadership and strategies can determine staff's motivation (De Meuse et al., 2011) by using their skills and resources to achieve goals (Limbrare, 2012). A leader can envision future needs and empower the staff to share and implement a vision. Especially, education leadership is the factor that helps to the creation of an effective school environment (Kelley et al., 2005). Considering the important role of school leadership and under the view of interdependent systems within the school system and specific about the subsystems of School Principal and teaching staff, it is important to consider four parameters. Firstly, the personality of a School Principal; secondly, the incentive policy a School Principal follows to motivate the teachers of the school unit that he/she manages; thirdly, the School Principal's ability to affect the development of human resources, the professional development of the teaching staff in the school unit that he/she manages and how; fourthly, a School Principal is potential to affect the efficacy and the daily performance of the teaching staff in the school unit that he/she manages.

2. Leadership Styles

The way an individual motivates and influences others is leadership (Limbrare, 2012). As it has been argued, there is no one leadership style that is suitable for any particular organization. As circumstances (internal, external, market) change, an organization adapts the style of leadership that is best suited. So different management or different leadership styles seem to be broadly suited to a particular business form or structure, but there will be times when the style is easily transferable to organizations that have previously been run in quite different ways (Pawar, 2014). Styles of leadership that we meet at leadership literature are autocratic leader, directive leadership, constitutional or participative leader,
missionary leadership, laissez faire leadership and paternalistic. **Autocratic leader** is an effective one when he/she relies upon a hierarchical organizational structure and when quick restructuring is required (Van Vugt et al., 2004; Pawar, 2014). Results from a scenario experiment and an organizational survey indeed showed that distributive justice and autocratic leadership style interacted to influence followers' negative emotions such that the relationship between distributive justice and negative emotions was significant when the leadership style was low in autocratic behaviour. Implications in terms of integrating the leadership and justice are discussed in literature (De Cremer, 2007). **Directive leader** is a supervisor. He/she makes clear the role and tasks of staff and what expects of it without bringing motivation of staff (Somech, 2005).

**Constitutional or participative leader** consults with subordinates in the decision making process (Peterson, 1997; Somech, 2005). **Missionary leadership** is the one that a leader is driven by his/her beliefs. It is important for that style of leadership the leader has an organization and employees behind him/her that also have the same set of beliefs (Thiagarajan, 2003). **The laissez faire leadership** is the one that leader leaves the staff to be well alone. The power to make decisions and all the rights is given to staff. It has freedom to make decisions and achieve the completion of its work. The leader gives them all the support and materials that are necessary materials accomplishing their goals but he/she doesn’t involve them in decision making process unless they ask for it (Eagly, 2003; Goodnight, 2004). Finally, the **paternalistic** leader is the one that works by acting as a father/mother figure by taking care of their subordinates as a parent and takes concern for staff and in return receives trust and loyalty (Pellegini & Scandura, 2008). Bass (1985) at his book “Leadership and Performance beyond Expectations” argues that workers who follow paternalistic leadership have better organization skills. Staff completes its tasks with self-confidence and works hard to reach goals (Pawar, 2014).

Also, in leadership literature it was been found two common leadership styles: **transformational and transactional**. The first one the **transformational leadership** is a style that has positive impact on employees views and goals (Eagly, 2003; Wright et al., 2012). A transformational leader motivates staff to understand and support his/her decisions (Sahaya, 2012). He/she creates strength on individuals and team, which produce increased staff's performance (Birasnav et al., 2010). He/she can motivate staff (Wright et al., 2012) and share in decision-making process and objectives with them (Hoffman et al., 2011; Riggio et al., 2003). According to the expectancy theory, a leader would share in the decision-making process and maintain collaboration with staff. The staff’s behaviour is as important as leader’s behaviour (Vroom, 1964). Also, according to the decision theory, individuals’ ethics, principles, behaviours determine their decisions (Scheibehenne et al., 2011). In addition, **transactional leadership** style consists of rewarding staff for their performance (Eagly, 2003; Sahaya, 2012) when they achieve certain goals (Zhu et al., 2012). Since this is a reward-based system, the effectiveness of this leadership style may be short-lived (Sahaya, 2012).

Also, concerning Principal leadership the instructional leadership construct exists in the literature and there is interest about it. In literature instructional leaders are described as strong, directive leaders who have success at “turning their schools around” (Bamburg & Andrews, 1991; Bossert et al., 1982; Hallinger & Murphy, 1986). Hallinger (2005, p. 234) by broad reading of the literature on instructional leadership over the past twenty-five years presents that the instructional leader must focus on creating a shared sense of purpose in the school, including clear goals focused on student learning; fostering the continuous improvement of the school through cyclical school development planning that involves a wide range of stakeholders; developing a climate of high expectations and a school culture aimed at innovation and improvement of teaching and learning; coordinating the curriculum and monitoring student learning outcomes; shaping the reward structure of the school to reflect the school’s mission; organizing and monitoring a wide range of activities aimed at the continuous development of staff; and being a visible presence in the school, modeling the desired values of the school’s culture. It must be noted that the instructional leadership model has often been interpreted as being topland and directive. Lambert (2002, p. 37) contends that, “The days of the lone instructional leader are over”. Hallinger (2005, p. 235) writes about the most ambitious attempt to study shared instructional leadership empirically which was undertaken by Marks and Pinty (2003). This study suggests that strong transformational leadership by the Principal is essential in supporting the commitment of teachers. When teachers perceive Principals’ instructional leadership behaviours to be appropriate, they grow in commitment, professional involvement, and willingness to innovate. Thus, instructional leadership can itself be transformational.

Finally, needs of organizations provide the varying definition of leaderships. As circumstances change, so do the types of leadership require change (De Meuse et al., 2011). It is clear that leadership behaviours and strategies used by leaders are vital for organizations and for organizational success (Kawar, 2012).
3. School Principal: Characteristics and Tasks

In almost all studies on schools’ effectiveness one of the clearest messages is that the capable leadership of School Principal is an important factor (Gray, 1990; Leithwood & Riehl, 2005). Studying the educational leadership literature, we realize that different leadership styles are associated with the effectiveness of schools and there is a wide range of views on the capable leadership in school. The term capable leadership includes three keywords: values, vision and strategy (Frost & Durrant, 2003). Remarkable values in a leader such us honesty and integrity are virtues in all individuals, but have special significance for leaders. Integrity is the correspondence between word and deed and honesty refers to being truthful or not-deceitful. They two form the foundation of a trusting relationship between leader and staff. Also, self-confidence is needed in decision-making and in gaining others’ trust. There are many reasons why a leader needs self-confidence. For example, a great deal of information must be gathered and processed, series of problems must be solved and decisions made, setbacks have to be overcome, competing interests to be satisfied, risks may be omitted. Emotional stability is especially important when resolving interpersonal conflicts and when representing the organization. Successful leaders are calm, confident, and predictable during crisis. Cognitive ability is necessary to gather, integrate, and interpret information. Intelligence may be a trait that staff looks for in a leader. Close to all these effective leaders have a high degree of knowledge. A leader has often been characterized as being intelligent and as being conceptually skilled (Kirkpatric & Lock, 1991).

Regarding vision it must be underlined that when a leader has a clear vision he also needs the ability to persuade staff to work towards achieving that vision (Birasnav et al., 2010). A vision is a target that beckons. A leader must communicate this to staff through speeches, written messages, through acting as a role model and personally acting in a way that is consistent with the vision. To implement a vision at least six activities are required: structuring, selecting and training, motivating, managing information, team building and promoting change and innovation. Effective leaders must promote change and innovation. A vision is a starting point of change. Change must be reinforced by constant restructuring, continual retraining to develop new skills, setting specific goals for innovation and improvement, rewarding innovation, encouraging constant information flow in all directions. For implementing a vision a leader must develop a strategy (Kirkpatric & Lock, 1991). Organizations and companies executives develop strategies to meet goals. Strategies are critical for their sustainability (Bonn & Fisher, 2011) and determine what resources to utilize to implement visions (Kalyani & Sahoo, 2011). Strategies require leaders to think critically. Questions are needed to develop strategies. They are about what the objectives are, what the measure of success is, how the strategy can be implemented.

Also, in most researches three seem to be in high frequency the characteristics of a successful School Principal-leader; stability and determination, participatory approach and top professionalism. In particular, regarding the first characteristic, stability and determination of School Principal, it should be noted that it is considered a key factor for change in factors related to school life (Gray, 1990). The School Principal is the one who tries to improve processes, driven by external factors, such as the Ministry of Education (Weindling, 1989), and maintains these changes. So, the skilful leadership of school unit is a key factor that explains the successful change and improvement (Berry et al., 2008; Hallinger, 2003; Leithwood & Sleegers, 2006; Supovitz & Turner, 2000). Regarding the second feature, the participatory approach, it is highly advisable for the School Principal to distribute responsibilities in school to assistants or even to involve teaching staff in decisions related to school subjects, such as school planning (Smith & Tomlinson, 1990). The decision-making process and the existence of a positive climate in school unit, created and supported first of all by the School Principal, contribute to its efficiency (Berry et al., 2008; Coleman & Collinge, 1991; Saitis 2008, p. 34). But it needs careful judgment about what cases of decision-making should be done by the one and what is good to involve others. Finally, on the third feature, the top professionalism, it is noted that it is a powerful tool for bringing changes to a business or an organization and social control. The professionalism must be based on strong professional identity, ability, cooperation and trust (Evets, 2005). It is regarded as an important and highly desirable value at which relations are characterized as collective, cooperative and solid.

It must be clear that School Principal performs a series of tasks-activities. In the literature these are divided into formal and informal/unofficial (Clemson-Ingram & Fessler, 1997; Harris, 2003). These two terms must be clarified and distinguished. About the first, the formal, it must be mentioned that they have to do with official leadership roles relating to accountability, decision making concerning the animate and inanimate material of a school unit, coordinating and overseeing all operations and, therefore, the School Principal abstains from the classroom and teaching duties in order to carry out its leadership duties. About the second term, the informal/unofficial duties of a School Principal, it should be mentioned that they relate to activities involving the classroom, such as design, achieving communication objectives, setting activities, creating a pleasant environment in the workplace for school units’ staff (Ash & Persall, 2000; Harris, 2003). A School Principal needs to know what happens in the classroom, curricula, curriculum and monitoring pupils’
progress (Mortimore et al., 1988). Also, he/she needs to support teachers, gives encouragement and practical help to them. He/she needs to supervise the school grounds and visit the classrooms and the classes (Teddlie et al., 1989). The School Principal has always been expected to perform a variety of roles. For example, identified political, managerial and instructional roles. As a conclusion, School Principal’s effectiveness is attained by finding the correct balance among these roles (Hallinger, 2005, p. 222).

4. School Principal and Teaching Staff

Enough evidence is available about the effect of School Principal on the motivation of teaching staff and teachers’ additional efforts payment (Geijsel et al., 2003; Nguni et al., 2006; Ross & Gray, 2006). Considering the data from these studies regarding the motivation of teachers regarding teaching and learning practices it has been found that their involvement in professional learning activities and teaching practices is related to the incentives offered to them (Thoonen et al., 2011). Motivation by the School Principal for teachers and support for what their professional development needs bring positive attitude of teachers towards the School Principal and affect their work in the classroom (Siatira et al., 2014). Strategies of School Principal have strong "booster effect" on teachers, emotionally, mentally and behaviourally (Blase & Blase, 2000).

Dimension of School Principal’s practice includes actions relating to development objectives related to school life and inspire a vision for the future. First are the determination and the structure of a vision. The School Principal assists the development and approval of visions that embody the best ideas for teaching and learning and inspire teaching staff to achieve ambitious goals (Leithwood & Riehl, 2005; Nguni et al., 2006). Second, he/she promotes the development of common concepts that support common visions, since people usually base their actions on the way they perceive things. Legitimacy and effectiveness are enhanced when both parties, members of the school unit and the wider society share clear conceptions regarding the pupils, learning and school life. Thirdly, School Principal creates expectations for high performance and carries out expectations for quality and high performance. The positive expression of high expectations helps people realize that what is expected is actually feasible. Fourth, a School Principal must support team goals. School Principal should promote cooperation and joint effort to achieve objectives, emphasizing the value of collective goals and cooperation. It should be noted that if there is consistency between school units’ teachers, they feel more committed and are more willing to adopt common goals and values (Thoonen et al., 2011). Fifth, it is necessary for a School Principal to control the performance of school unit. A School Principal monitors the operation and performance in different fields, collects and interprets information, creating a tradition in research and reflection. It is good for School Principal to be communicative, since communication strategies influence decision making processes (Leithwood & Riehl, 2005).

It has been argued that for an effective relationship-interaction between school Principal and teachers in the educational process reflection, research, experimentation, results are required. Two major issues that must be notified are firstly to strengthen the discussion between School Principal and teachers, so there is feedback, and, secondly, to promote the professional development of teachers (Blase & Blase, 2000). On the first issue, it is important the School Principal encourages dialogue with teachers on issues related to learning and professional practices. A School Principal aiming to facilitate dialogue is good to follow strategies such as submission of proposals, providing feedback, modeling, seeking views, advice and giving rewards. Regarding the second issue, promoting professional development of teachers, it is important that the School Principal pursues strategies related to the need for knowledge of issues connected with teaching and learning, with the support of the cooperation between teachers, the development of relationships between teachers by encouraging and supporting redesign of programs, applying the principles of adult learning for learning and professional development in the decision-making process (Blase & Blase, 2000). Teachers’ training should be governed by certain principles, such as being perceived as part of their professional development (Papanaoum, 2003). It is important to figure out that learning in the workplace is a major part of adult education in their lifetime (Boud & Middleton, 2003). When teachers are encouraged to develop by training new skills, they feel more creative, remove the monotony and negative emotions resulting from work and become more effective (Supovitz & Turner, 2000). A recent research has shown out that the positive attitude of School Principal contributes to professional development of teachers with little experience, less than five years (Delvaux et al., 2013).

Effective School Principle-leader affects development of human resources in school. First, he promotes intellectual stimulation, encourages feedback and causes school staff to examine various data about work by reviewing how it can be executed. He/she also provides information and resources to help teachers identify gaps between current and desired practices and activates their conquered knowledge to understand the need for changes. Secondly, he/she provides personalized support. For successful changes in educational process the change is required from those who are involved
in it. Successful school Principal-leader shows interest in teaching staff and cares for their needs and feelings; provides incentives and supports structures that promote changes as opportunities for learning and he monitors the path to improvement. Finally, he provides a suitable model. The School Principal-leader brings examples to teaching staff that are consistent with the vision and goals of the school unit. By modeling desires and actions a School Principal reinforces others’ beliefs for their abilities and increases their enthusiasm for change (Leithwood & Riehl, 2005). Most of work in schools is carried out by the efforts of people. A school which offers excellent education requires excellent teachers. The profile of excellent teacher entails on the one hand the existence of necessary knowledge (e.g. knowledge of the teaching subject), the development of cognitive skills and abilities, knowledge about school, teaching, learning and on the other the existence of fundamental personal qualities, attitudes and skills, such as inspiration, creativity, investigative capacity, commitment to work (Papanaoum, 2005). Incentive policy of School Principal can make teachers better. Making best teachers and schools are better. Training teachers can contribute in this direction (Berry et al., 2008; Burkhardt & Schoenfeld, 2003) when it covers requirements related to philosophy and politics of teaching profession, and modern scientific data about education and teaching staff (Papanaoum 2008, pp. 54-61).

5. Conclusion

Studying the leadership literature and specific the educational leadership literature, we realize that different leadership styles are associated with the effectiveness of schools. In most a successful School Principal-leader has to do with changes related to school life and the maintenance of these changes, distribution of responsibilities or even involving teaching staff in decisions related to school subjects and social control based on strong professional identity, ability, cooperation and trust. The research shows that a School Principal that follows an incentive policy to motivate teaching staff has to involve them in professional learning activities and teaching practices related to their professional development, needs to encourage dialogue with them on issues related to educational process. Also, it is clear that a School Principal affects the development of the teaching staff in the school unit that he/she manages. First, the leader provides information, promotes mental stimulation, and encourages feedback. Second, the Director provides individualized support, showing interest in the teaching staff. Third, the Principal provides a suitable model, bringing examples to educational staff that are consistent with the vision and goals of the school unit. Also, strategies of a School Principal affect the efficacy and daily performance of teaching staff in school unit by an incentive policy. A School Principal-leader plans, motivates, controls, sets clear, time-based, academically focused goals in order to get the school moving in the desired direction. By supporting teachers to what their professional development needs brings positive attitude and affects work in the classroom. School Principal and teachers can with their active collaboration around instructional matters enhance the quality of teaching and their pupils’ performance.

6. Acknowledgement

I would like to acknowledge the real interest, motivation, right guidance and companionship of M.sc. Anastasia Tsiountou, School Principal of 3rd Gymnasium at Karditsa/Thessaly/Greece (from September 2011 to present) for her important role to my professional development.

References


The Phenomenon of Internet Addiction in Adolescents: Case of Albania

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Abstract

Nowadays most of the youngest spend a considerable time in online communication or playing videogames in computer. Very often this can lead to an addiction to it. This is a new phenomenon in our country, but which is rapidly spreading.

Aim. This study aim to give an overview about the phenomenon of internet addiction in Albania and also to examine if exist any relationship between internet addiction and contingencies of self-worth scale in adolescents.

Method. The sample of the study consisted of 120 adolescents, aged 15-18, in the city of Tirana. The data was collected through the application of the “Internet Addiction Scale”, Kimberly Young, which was composed of 20 question items, and The Contingencies of Self-Worth Scale (Crocker et al., 2003) that consists of 35 items equally distributed on the seven types of contingencies. The obtained data are analyzed with SPSS software. Results. The results show that adolescents in Albania have relatively high levels of internet addiction and the internet addiction correlates positively with two contingencies of the Self-Worth scale, specifically with appearance and approval from others. This study is a part of a doctoral thesis.

Keywords: Internet addiction, self-worth, adolescents, computer, Albania.

1. Introduction

The development and progress of technology have made the internet a very important tool in everyone’s life, since it became accessible to the public in the ‘90. We use internet in many areas of our life including education, communication, satisfaction, shopping, health, etc. (Yilmaz F., Yilmaz R., Teker N., Keser H., 2014) Sometimes this can be a source of risk, because the overuse of internet lead to an addiction to it.

There are a lot of definitions about internet addiction. Goldberg used the term “addictive disorder” based on the substance addiction of Diagnostic and Statistical Manual for mental disorder 4th edition (DSM-IV) for the first time, and he refers to Internet addiction as “pathological computer use”. Young also suggested Internet addiction diagnosis criteria, including obsessions with the Internet, tolerance, withdrawal symptoms, excessive computer use, lack of interest in other activities. (Park, Jae Woo; Park, Kee Hwan; Lee, In Jae; Kwon, Min; Kim, Dai Jim.; 2012). Excessive Internet users have been called Internet addicts, pathological Internet users, computer addicts, computer mediated communication addicts, and computer junkies. The term that has been most often used for problematic Internet use is —Internet addiction. (Young & Abreu, 2011)

Kendal (1998) has defined Internet addiction as a kind of psychological addiction representing the need to be active all the time on the Internet. Besides, Griffiths (2000) has described Internet addiction as a kind of technology addiction and a behavioral addiction similar to a gambling habit. Shapira, Goldsmith, Keck, Khosla, McElroy et al. (2003) suggest that problematic Internet use to be conceptualized as an impulse control disorder. (Aydin & Sari, 2011)

According to Shapira et al. 2000, Internet addiction leads to emotional, social and sexual function disorders, psychiatric disorders and anxiety. Caplan (2002) specified the variables related to problematic internet use as depression, loneliness, shyness and self-esteem. Some of the problems researchers associated with excessive Internet use include failure to manage time, a loss of sleep, skipped meals, social isolation, and poor performance at school (Watkins, 2009).

(Eldelkeyoglou, J. Vural-Batik, M., 2013). There are a lot of studies that speaks, especially about the link between internet addiction and self-esteem. Different authors says that adolescents with low self-esteem tend to spend more time in social networking sites than those with higher self-esteem. (Aydin & Sari, 2011)
2. Research Question

What is the relationship between internet addiction and contingencies of self-worth scale?

Objectives:
- To examine the level of Internet addiction among 15-18 years old Albanian high school students.
- Gender differences according to the Internet addiction.
- To explore if there exists any relationship between Internet addiction and contingencies of self-worth scale among adolescents in our country.

2.1 Research Methods

2.1.1 Procedure

We used a cluster method to recruit the participants from the population of high school students in 4 public high schools in the city of Tirana, Albania. 120 adolescents participated in this study, 49 (40.8%) were male and 71 (59.2%) were female, age 15-18. We selected the schools in a casual manner from the list of schools from Tirana Regional Education Directorate (DAR), and then we used the method of clustering to select the classes in these high schools. Permission for participation of students was obtained from the director of each school and students voluntarily participated in research. Completion of the questionnaires was anonymous and there was a guarantee of confidentiality. The instruments were administered in the classrooms. All participants were told about the purposes of the study.

2.1.2 Instruments

The data was gathered through the Internet Addiction Test and Contingencies of Self-Worth Scale (CSW).

The Internet Addiction Test, developed by Dr. Kimberly Young, comprises 20 items rated in a five-point Likert scale (from 1 - not at all, to 5 - always), that measures mild, moderate, and severe level of Internet Addiction. On the basis of the total score obtained on the test, the individual is placed into one of three categories: average online user (from 20 to 39) who has full control of his or her usage; experiences occasional or frequent problems because of excessive Internet use (from 40 to 69); or has significant problems because of Internet use (from 70 to 100). The internal consistency of Internet Addiction Test is α = 0.913.

On the other hand, The Contingencies of Self-Worth Scale (Crocker et al., 2003) consists of 35 items equally distributed on the seven types of contingencies. Seven contingencies include family support, competition, appearance, god's love, academic competence, virtue, and approval from others. The subjects are requested to evaluate each item using a 7-points Likert scale (from 1 - strongly disagree to 7 - strongly agree) in all scales of the CSW, higher scores indicate higher relevance of that particular contingency of self-worth. The internal consistency of CSW is α = .818.

2.1.3 Data Analysis

First, the questionnaires were coded and then all the data were entered to Statistical Package for the Social Sciences (SPSS 20). Then, they were subjected to frequency and percentage analyses, and Pearson Correlation Analysis was used to examine the relationships between Internet addiction and the contingencies of self – worth scale. Finally, multiple linear regression was used between Internet addiction and two contingencies of self – worth scale, specifically with approval and approval from others.

3. Analyses Results

In this study, participated 120 adolescents, 71 female and 49 male. So, the proportion of females 59.2% was larger than those of males 40.8%.

3.1 The Status of Internet Addiction

Most adolescents, part of this study, 58 (48.3%) were identified as average online users or mild addicted, which means that they have control over the usage of Internet. 40 (33.3%) were classified as possible Internet abusers, with moderate level of addiction, who experience occasional or frequent problems in their lives about Internet usage. 22 adolescents...
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Results showed that 18.3% resulted non addicted, so they score under the 20 point in the test of internet addiction scale. And also, the results of this study show us that there were no adolescents diagnosed as Internet abusers, this does it mean that no one of them was diagnosed with severe levels of internet addiction.

3.2 Differences between males and females according to the level of internet addiction.

In total there are 71 females that fill in the forms and 35 (49.3%) of them are mild addicted, or average online users, which mean that they can have control over their internet usage, 21 (29.6%) of them have moderate levels of internet addiction, classified as possible internet abusers, who experience occasional or frequent problems in their lives about internet usage and 15 (21.1%) of them are non addicted to the internet. On the other hand, in total there are 49 males and 23 (46.9%) of them are mild addicted, or average online users and they can have control over their internet usage, 19 (38.8%) of them have moderate levels of internet addiction, classified as possible internet abusers, who experience occasional or frequent problems in their lives about internet usage, and 7 (14.3%) of them are non addicted to the internet.

3.3 Correlations among variables

Internet addiction correlates positively with two contingencies of the Self Worth Scale, specifically with appearance (r=.306) and approval from others (r=.373). The five others contingencies of self-worth scale, family support, competition, god's love, academic competence and virtue do not correlate with internet addiction.

3.4 Prediction of the variables

In this study was used multiple linear regression analysis to predict which of the variables explain better internet addiction. Approval from others and appearance are correlated with internet addiction. These two variables best predict internet addiction, Adj. R²= .169.

16.9% of the total variance is explained by these two variables. This is statistically significant, p< 0.05.

For approval from others β=.225, t=1.989, p<0.05, for a total variance 16.9% and for appearance β=.302, t=2.767, p<0.05, for a total variance 16.9%

4. Discussion

From the total sample of this study 48.3% of the adolescents were identified as average online users or mild addicted, which mean that they have control over the usage of internet. They used internet in their everyday life for different things, but they can managed it. 33.3% of the adolescents were classified as possible Internet abusers, with moderate level of addiction, who experience occasional or frequent problems in their lives about internet usage. 18.3% adolescents resulted non addicted, so they scored less than 20 in the test of internet addiction scale, and no adolescents were diagnosed as Internet abusers, this does it mean that no one of them was diagnosed with severe levels of internet addiction, that can cause serious problems in their life. But is important to emphasize that most of the adolescents are classified as mild and moderate addicted and this can cause frequent problems in their life, and maybe being more internet addictive in their future. Internet addiction correlates positively with two contingencies of self-worth scale, with appearance and approval from others. This make sense because adolescent tend to care to much about their appearance. But, there is no correlation between internet addiction and the other contingencies of self-worth scale as family support, competition, god's love, academic competence and virtue. We used multiple linear regression analysis to predict which of the variables explain better internet addiction. Approval from others and appearance are correlated with internet addiction. These two variables best predict internet addiction, Adj. R²= .169.

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This pilot study has its positive aspect and its limitations. The first positive aspect is that, this research give a good contribution in our country according to the situation of the phenomenon of internet addiction in the adolescents, because studies like this are very limited. And this because internet addiction is a new phenomenon in our country. But also, the study has its own limitations. First, the number of the subjects included in the study is to small and for this the cluster does not represent all population. In the final phase this study will be extended and be more representative and
results maybe differ.

5. Conclusion

In the end, based on the evidence of our study, we can say that internet addiction is a present phenomenon in our country and it seems growing very fast day by day in adolescents in Albania. Of course, this is related to many factors, and especially depended on individual characteristics of adolescents. Internet addiction correlates with two contingencies of the Self Worth scale, specifically with appearance and approval from others.

References

Park, Jae Woo; Park, Kee Hwan; Lee, In Jae; Kwon, Min; Kim, Dai Jim; (2012). Standardization Study of Internet Addiction Improvement Motivation Scale. 373-378.
Advantages and Disadvantages of Learning Italian Language by Albanian Immigrants in Italy

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Abstract

Primarily we intend to see that through the data gathered in ground in three generations: the old one, the medium age and the young one, to examine the advantages of learning the Italian language by Albanian emigrants, considering all the internal factors of language and not overlook the external psychological and socio-cultural factors that are crucial in the life of a dialect. The latter are inevitable in bilingual multicultural communities where learning a second language L2 (and in our case Italian) as the need arises to integrate into host communities. On the other hand we cannot overlook also the disadvantages that such a process brings as opposed to the language of origin (L1), where the latter passes disadvantaged. Given such a thing, also think to deal with this issue, because although day by day there are some efforts that foreign cultures are seen as cultural wealth of the host communities, the loss of language, culture and national traditions of origin, for groups or individuals, are another problem that can’t be overlooked as they themselves cause a large loss for their nation. Another important problem is also the consequence of such a social occurrence. We will examine one of them: the properly recognizing the standard rate in both languages: L1 (which passes in limbo) and L2 (which cannot be properly endorsement). So we are going to examine three generations and to see which of them can be good possessor of literary standard of both languages. Of course, such a thing will be made taking in consideration all sociolinguistic variables (age, gender, education, status, role, profession, economical strata etc.) Through this study we will try to see both languages simultaneously drawing a parallel line between the mentalities of the respective communities and to see how they find their reflection in language.

Keywords: Sociolinguistics, immigration, clash of languages and mentalities, cultural and linguistic deficit, the standard rate.

As we have determined in the abstract of this paper, foreign language acquisition, despite the positivity that carries, thanks to the indisputable advantages that this process serves, also has its disadvantages. For this reason, we can’t speak for embezzlement of the receiving foreign language and mother language, without considering all the phenomena that interfere in this process. As we know, one of sociolinguistic phenomena affecting weight in this process is the phenomenon of Bilingualism.

Initially I’m recalling three conceptions of Berruto for Bilingualism.

Broad conception: the co presence of two or more different linguistic systems in a community’s linguistic repertoire
Narrow conception: bilingualism (or multilingualism) is called the fact that all or most types of community are competent (owners) and users of two or more different linguistic systems.
Intermediate conception: we have to do with the bilingualism when two or more linguistic systems that appear in repertory are owned by a number of speakers of a community.
(Berruto 1994: 79)

From the theoretical aspect it may be clear that if it comes to bilingualism, we refer to the repertoire of a community of speakers. So, the object of research is the speaking community and then the reviews can penetrate up to the individual speaker. So reviews can be seen in terms of a social Bilingualism also in terms of an individual Bilingualism. Moreover, as we will notice by the heterogeneity of the Albanian language community, observations related to one or another type of Bilingualism, depend very much on the types of clusters, as well as their respective characteristics inside a linguistic community.

Of course, it would be quite difficult to draw conclusions like this about the communities and studying their repertoire. That could be done only through major projects of accurate statistical measurements which could lead us to firm conclusions. The only thing that can be achieved is to look to individual speakers, being taken with the phenomenon
in question, as well as with the consequences of Bilingualism or languages in contact, etc.

During the development of this issue, we will deal specifically with some specific phenomenon resulting from the first ones, as the replacement of code (code switching), blending the code (code meeting) and their subtypes. With regard to such occurrences, we know that the circumstances are of value, the interlocutor etc. Hudson says:

*In a multilingual community, different languages are always used in different circumstances and the choice is always controlled by social rules (...)* (Hudson 2002: 63)

Regarding the quotation just mentioned, draws our attention the word rules. These rules (social) which according to Hudson's community members learn from experience, are part of their linguistic knowledge. I think that this term should be extended slightly in a wider point of view, associated with language policies in every society or relevant linguistic community. We have always been of the opinion that every society should follow the language policy of his country, and not only, but they must be varied in accordance with different countries and communities. Language policy should work not only in our state institutions, but in the whole society, as well as the rules that society sets itself need to be checked always by the norm. (Troplini 2010)

Macedonian Albanians can never and it will never going to happen to spoke Macedonian language at home, the same situation has existed in Kosovo or Montenegro, but also for Arvanitas or Arberesh the use of the standard (foreign language) in the family, means denial of theirself. Bypassing the fact that their situation seems even vaguely in Bilingualism, we think that it is about those rules dealing with the protection of social values to the language.

*Rules link languages with different communities (...), moreover any language is worth to symbolize that community (....) Every language has a social function which another variety cannot perform. These social functions are more or less arbitrary results of history, but this does not mean that they are less real. The same seems to be typical for bilingual communities in general. The main motive of preserving the languages is related to social differences that they symbolize* (Hudson 64)

Another type of substitution that Hudson mentions is also the metaphorical replacement code. This type of replacement can be again justified to Macedonia’s Albanians, whom although Macedonian is the official language, while working in the office with the Albanians and Macedonians in the same time, when Albanians are present (according to the needs and requirements they have in these institutions) has been observed that, although formally they must use formal Macedonian, they use Albanian language and explain everything in Albanian. Of course for such a phenomenon as for any other phenomenon in sociolinguistics should always have in mind the external factors that motivate these individuals to communicate in a way, even though, according to him, this kind of replacement is related to strong symbolic cargo that languages carry; So it is entirely predictable that bilingual speakers will use the language selection to define the situation and not leave the situation to guide the choice of language.

Even mixing of codes of a language means the realization of the purpose of the conversation in which in the case of the immigrants none of them would not be enough. In this group we include the major part of the immigrants who alternate in conversational discourse both languages in a linguistic cocktail (Hudson 2002). Regarding so, it is enough to register a significant number of immigrants, the majority of whom shall constitute a separate instance. Here's how a student says:

"I asked one of my relatives living in America, because I saw her children eighteen and fifteen years no longer speak Albanian, Moj, nê shtëpi çfarë gjërë fshini ju?! /"What language do you speak at home?! -And she replied: "Shqip, shqip./Albanian, albanian most of the time".

Unfortunately the situation in Albania is such, whenever we will contact immigrants arriving from Greece, Italy, Germany, England, France, America etc, we will fight always with situations of this kind, where violations of the use of Albanian are "frightening", although Albanians try to be careful to avoid this cocktail. While if we turn back our heads overseas next door and see the use of Albanian there, the situation would be even more daunting.

The families of immigrants are classified in three groups: families that educate Albanian emphatically; families who prefer to speak Italian emphatically and third, the majority that undergoes to a linguistic cocktail under the circumstances, situation, interlocutors etc. Italian of the latter is not going to improve, while in their Albanian foreign language words are going to interfere from day to day.

One of phonetic phenomena by which the Albanian is affected and heard more is the emphasis. This is a phenomenon which among other things made the evidence of the language of bread, opinions are divided by breaks
associated with å, long e and enriched with foreign words, enriched mainly by fixed words già, ma, ou! eej etc.

Below I'm going to serve a few examples of the immigrants in Siena, Italy collected by researcher Brunilda Zenelaga interested to many immigration issues.

“E ndjej diferencën (që jam i huaj-B.Z.)... e ndjej nga konfidencia (besim-B.Z.) që mund të japin, nga mënya e apriccioi (reagim- 139 B.Z.)... në momentin kur e marin vesh që je i huaj... Këtu në Siena, në qoftë se nuk të njohin...jane me pregjuidizi (paragykyme-B.Z.) si të thuash, ...por kur të njohin pastaj ndoshia e krijoj të atë (besiminB.Z.)...Por, për mendimin tim asnjëherë nuk do jetë...(si të jesh vendasB.Z.). Jam koshient, por e marr si ...një fakt, dhe vaddo avanti (eci përpara-B.Z.) si të thuash". (B. Zenelaga, Doktorate 2013: 135, www.doktoratura.unitir.edu.al).

"I feel the difference (that I am a foreign-B.Z) ... I feel it from the confidence (trust-B.Z) that can provide, by the way of aproccio (reaction- 139 B.Z) ... when they learn you are foreign ... Here in Siena, if they do not know you ... have pregjuidiz (bias-B.Z) to speak, ... but when they know you then maybe they create it (trust B.Z.) ... but, in my opinion will never be ... (like being native B.Z). I'm aware, but take it as ... a fact, and vaddo avanti (walk forward-B.Z) so to speak. 


In this example is clearly seen the insertion of foreign language elements. If we notice, the researcher herself has translated into Albanian the examples, although the goal is not linguistic. Such examples are numerous and considered normal in the communication between Albanians. In essence, this example speaks to the issue of prejudice that as we have discussed quite often, reflects clearly even in language.

As we have stated repeatedly, to a nation are observed such language communities which tend more towards conservation and such communities that tend more towards innovation, but also such communities the dialects of which, serves as a measure and so on.

If we survey the whole Albanian linguistic community, thanks to the external language factors and their impact on language, to this community will clearly distinguish the early Diaspora from the Diaspora after the early 90s. In the first, we included Arvanites, Arberesh ... etj and with agreements have also included Cham; in the second, all immigrants after '90. Albanians that live in Albania (again with an agreement) we have classified as a separate subdivision, which approximates however slightly to the first group; while Albanians were subjected to mechanical movements within the Albanian state after 90s, are another subdivision that conventionally we classify in the second group. (Troplini 2014: a).

Albanians of Albanian state are the unit of measurement of these idioms. Is understandable that such a classification is approximates however slightly to the first group; while Albanians were subjected to mechanical movements within the Albanian state after 90s. In the first, serves as a measure and so on.

We recall once again that the ancestors from their lands is done as a group and as such they are placed in host communities, while the displacement of the emigrants was individual and individually they are located anywhere in the world. So we are dealing with two types Diaspora: compact Diaspora and dismantled one.

This interpretation can be read in two ways: 1. The more grouped the immigrant communities are, the more protected they are. On the other hand, this social group is the guest of different language, ethnicity and nation, and therefore, it must integrate in the host language. Such a thing is made through language, as a key factor for integration into society, culture, mentality, development etc.

At this point we think that we should clarify something: although in migration, migrants do not have the fate of living in a group, they have always maintained links to the group; even they enjoy a free distribution, they are labeled as separate communities on similar characteristics they have.

So we think that whether to examine the phenomenon of Bilingualism socially, it would be good that as an object of research we treat the early Diaspora, while reviews of individual Bilingualism, empirical research would be good (according to us) to be directed to the dialects of immigrants.

In the first group (early diaspora Arvanites, Arberesh, Chams) phenomenon of conscious conservation appear stronger than in the other group, so they are more preservative than the second group (immigrants) to which the feature of innovation fosters the change and renewal, therefore the wastage of Albanian. Said a little more specifically, in the first group leads conservation, while in the second group leads the innovation.

Researchs for the first group we have made within the diachronic sociolinguistics, of course not leaving aside the synchronic approaches to these dialects and consequently we have reached important conclusions that have been revealed in a series of separate treatments. (Troplini 2014: a,b) In this paper we think to deal more with the second group, where the above phenomena as replacing the language code and the mixing of the language code are quite apparent and moreover with considerable consequences for the native language.

After all this what seems indisputable is the fact that the role of standard Albanian, Italian, Greek and any (or
dialect) other host country language, is such that unifies the language and flattens the differences in language behavior of any individual if that native or guest at a certain place. Also we are convinced that one of the very important variables in this process (which we will discuss below) is education.

In the dialects of immigrants, from what we see day after day in Albanian families is that Albanian risks to remain in the form of dialects from which they come, and their children will remain just a mere acknowledgement of mother language in the form of the dialect of origin, from time to time combined with foreign words; while for the new generation that was born and will be born in the host country, native language threatens the wastage of Albanian. The following examples show how alive have remained dialectal forms, although it should be pointed out that Geg is alive and is positioned inside Albanian territory.

“(Në familjen time jemi-B.Z.) 8 fëmijë, 2 vëllezër e 6 goca, por nga ana e martesës jemi të ndarë kështu: 4 me 4. Ky historik i përkiste gjeneracionit (brezit-B.Z.) të kalum, nuk ban pjesë ma tek ne, sepse ne nuk po e marn guximin as me u martue e jo me ba 8 fëmi (...)Por të regullosh tanë këto giana e të mendosh me u ba me familje është pak si… Do fillosh të humbësh ca giana. Egoizmi thotë “të jem rehat sot unë”, por nuk është gja pozitive për mu”. (B. Zenelaga, Doctorate 2013:143, www.doktoratura.unitir.edu.al).

“Po sì do ndihet mirë nana jeme kur unë e marr e çoj në Itali, ku nuk do e dëgjonte njeri fare, ku s’ka se me kë me folë, vetëm me mua në darkë? S’besoj se do ndihet mirë”. (B. Zenelaga, Doctorate 2013:146, www.doktoratura.unitir.edu.al).

(...)Problemi është, për mendimin tem, kush e ban, të hedhë një hap për me e mbajtë në kam. Domethënë esenca, problem është ta çojmë martesën deri në fund jo ta bajmë… De ri dje (bashkëshorten-B.Z.) e doja shqiptare, por (tani mendoj se-B.Z.) nuk asht…element bazë i domosdoshëm absolu tisht. Element i domosdoshëm asht për mu një njeri që të ketë një formim psikologjik, që i jep vendin e parë familjes. Absolutisht, kombësia nuk është Në qoftë se do vijë shqiptare edhe ma mirë, në qoftë se do jetë shqiptare do të më të lehtë me komuniku me nanën teme nesër, por nuk është element i rëndësisë së veçantë absolutisht”.(B. Zenelaga, Doctorate 2013:157, www.doktoratura.unitir.edu.al).

Although efforts to prevent the decay process of the mother language should be large, again to the new generation we want to or not, over time this phenomenon can not be avoided, except that here the issue is the pace. Here’s a typical example of the model of Albanian families who have immigrated to Italy.


On the other hand, we think the wastage of language can become a normal and natural process inhibiting somehow the factors that accelerate the change and in turn boosting the factors that hinder the Albanian wastage. We can not deny that to some immigrants, there is a relatively accurate use of the Albanian language. And what is observed is that the educated speakers use it correctly and not only, educated speakers in Albania, but also educated speakers in Italy. Because the volume we are illustrating this fact with an example, recalling that in any case always have intercalation of words in a foreign language as the speaker says:


Another example is a reflection of the Dialect of the educated individual. This example clearly shows the indispensable role of education. Although educated in Italy they speak a standard Albanian language quite well.

“Unë bashkëkëtoj me një shqiptarë. I ruajmë traditat, i ruajmë. Vajza me të cilët bashkëkëtoj ka mbaruar dhe ajo shkollën këtu për filozofi e letërsi, bëh dhe një master. Jemi njohur këtu në Siena, duke frekuentuar të njëjfat ambiente... Në filim vajzat nuk shqërohen me djem shqiptarë se i sohin çunat shqiptarë ndoshta me mentalitet (tradicionale-B.Z.). Vijnë këtu... e kupton, rrinë këtu, shohin, e i dukën çunat (italianë-B.Z.) se janë gjoça si më të hapur, me mendje më të hapur dhe kështu çunat shqiptarë i dukën çikë si më “retro” (më tradicionale-B.Z.), por nuk është kështu. Njëris ia ka mbushur mendjen gë të është kështu [qesh]... edhe... gocat shqiptare ashtu është... por t’i shohësh (lidhjet me të huajt-B.Z.) nuk zgjasin. Pse? Sepse për mendimin tim një që shihet në një rihkokoh më të gjuat, e kupton... Për momentin mund të ndiehesh e lirë, por shqiptarët pastaj janë më të heqësh (marrëdhënë-B.Z.) që zgjasin më shumë, së është kultura. Jemi rritur ndryshe. Edhe pse kemi ardhur 18 vjeç këtu, prapë fëmijërinë e kemi kaluar atje...” (B. Zenelaga, Doctorate 2013:156, www.doktoratura.unitir.edu.al).
After that, we can say that education plays a key role, not only, but should not be neglected the consciousness of the importance of the national language. Not infrequently, children and teenagers born in the host family of simple workers, even when their parents willingly speak the foreign language of the host country (certainly not well), although in adulthood, those are interested in primer Albanian books to learn the native language. Such a phenomenon occurs because, these children have learned in these countries love and respect for the country of origin.

The question arises, why always the languages and cultures of communities such endangered? What are the reasons?

First is the problem of integration; specifically, the advantages of foreign language acquisition in the process of integration with the host community, considering the language of the community as a language of prestige, to ensure coherence with the relevant social group. Certainly for a good appropriation of both languages feel that here play role slowing and accelerating factors. As slowing factors will be considered related dialects of relevant languages. Secondly, as such may be considered the clashes between mentalities, cultures and different languages (both inside and outside the country), which will be considered as surmountable obstacles, as long as we would not have enforced imposition or official discrimination.

Above all (remember Berruto’s quotation):

Language and language behavior, are a powerful factor of identity and cohesion of a social group both inside and outside: who speaks in an inconsistent manner with habits and implicit group rates in general is subject to society sanctions (…) then, groups have a hierarchical social organization, language skills of the most influential groups in general have prestige, which means they are considered the most important and “better” than the others, the other groups (Berruto 1994: 96).

In a portion of immigrants, there is a sort of "prior association" (Berruto 1994: 99). Prior Association is interpreted in different ways, but in the context of sociolinguistics it comes to the part of immigrants, mainly of middle generation, which run quickly to the prestigious Dialect, without yet forgetting the customs and values of the social group of origin. Although they run to the prestigious Dialect, this does not mean that they speak well this idiom, contrariwise …. In this kind of reasoning of course is automatically excluded the new generation educated in the host country. Mostly it comes to the middle generation to whom is evidently noticed this kind of phenomenon.

After 90s in Albania, within the mechanical movements of population inside and outside the country, we had crash mentalities, different mentalities and cultures. The following example is an example which shows that mentalities and cultures unlike most emancipated, give rise not only to not return home, but to consciously abandon not only the country of origin, but also the values of this country , one of which is the language of origin. Of course these are extreme cases, but often mostly encountered in uneducated individuals, but also to any literate who has been driven by prior socialization and has left everything. Below is an example of a message of an immigrant educated Albanian woman to an Albanian relative that lives in Albanian state.

Buongiorno tesoro…riesco a parlare meglio in italiano. …porta pazienza. Come stai? ??mi manchi molto e non ci sono stata & matrimoni e nascite…mi dispiace molto ma con il cuore ci sono sempre… ti voglio bene...
Përshendetje e dashur… arrij të shprehem mirë vetëm në italisht. ki durim. Si je? ??më ka marë shumë mali, nuk kam qënë as në dasëm dhe as gjatë lindjeve të fëmijëve. …më vjen shumë ke,q por me zemër kam qënë gjithmonë aty…të dua shumë…) (J,T, 37 vjeç)

Of course it must be said that in most of these cases, parents are those who have first abandoned the language of origin, preferring that even in family to speak the language of the host country.

On the other hand, this factor will not be called such (accelerator), if in parallel with not left neglected the cultivation of the mother language as the language of the family and the nation that among other things directly influences on storage links with the country of origin. There are families who emphatically speak and educate Albanian. Although born there or immigrated very young, their Albanian is relatively well preserved. Within the family, thanks to freedom with each-other they alternate dialects, even phrases in both languages, but other Albanians reach so far as to ask: Excuse me, I can not find the word in Albanian, I forgot how it is called, but they do not say it immediately in Italian after they are aware that if they say it in the foreign language, the message may not be caught.

For immigrants, one of the most effective factors that influence directly in the integration process is the education, while the latter should be the basis for the preservation of the native language. So, it should be made available to both languages, foreign language- mother language placed in a convergent report, in the form of two communicating vessels in the service of each other. In this way thanks to a convenient method we manage to orient immigrants towards a real
integration process without cultural and linguistic deficits. So, shortly we should do what developed countries have made undergoing to the phenomenon of immigration with time and for more considering Bilingualism as a quite positive phenomenon, as such a thing it is, then said it clearly in popular language, a chance at life.

If we had a really bilingual process of the use of languages, then we pretend that the Albanian of immigrants followed more or less the development of the general Albanian (Albania's state) at least in terms of standards and in turn Italian, English, or German used by immigrants evolve from day to day towards a developed standard of these idioms. As we are all aware, the Albanian society needs today are such that they require not just a standard Albanian, but a well-developed standard. And, in turn, needs to migration requires not only a good knowledge of local standards but also a good knowledge of the standard language. The specific way in which language is not merely a mean of integration, but much more, a liaison tool and whether to use Hudson's term, the speech is a social interaction in a wider context.

So as we see, several factors come into play simultaneously in the process of acquiring two languages. During the dictatorship in Albania it has been well-developed two classes: the labor one and the intellectual one. These two types of subdivision have existed not only within the country but are also reflected in emigration. They once go hand in hand and once again interact. Representatives of the so-called intellectual layer are both in the city and in the countryside. Rustic intellectual tends to imitate intellectual citizen and through imitation and intelligence try to close the Berstein's gap. Of course if we had immigrants from this layer in any case they will not belong to the not small group of trainees who dare to deprive the family, but also young families in their language, culture and mentality of their nation.

From direct researches and observations of this group, I would include the working class predominantly of rural origin, who underwent a difficult life economically in Albania. This labeling is not mainly racism, but it is this layer which tries to integrate with heart and soul and remains without language, with ordinary and lame Italian, English, German, with an Albanian dialect introverted. Most of the immigrants belong to this class. As I mentioned above, it is painful to think that it is the younger generation, which, although is integrated quite well in the host countries, is educated in a open society, advanced and principled and that cultivate convincingly love for the country of origin and language of the family. Such of awareness they earn in the host countries. There have not been few cases in Canada, Germany, England, Italy, where the children themselves, although in adolescence or adulthood, were interested to learn the Albanian language, as they are already educated with respect to the place and language of their ancients. One thing can be said with regret, since this type of awareness they have gained substantially from the values fostered in another place. Some of the examples that will be discussed below, show that mainly educated peoples in the host country do not speak well not only the foreign standard, but also the native one.

On the other hand, to immigrants, orientation towards the language of the host community, is somewhat helped by the problem of discrimination, thanks to which arises the issue of linguistic prejudice. Another complicating factor is the fact that migrants are not placed in groups as happened with Arvanitas or Arberesh. It interferes with the normal Albanian cultivation and encourages them more to this lost path.

From direct interviews with immigrant parents, we have learned that one of the reasons for not returning them is the education of children (the majority of children in emigration have a good performance in school, it seems they have overcome the linguistic deficit and have overcome this gap quite well) and then the employment. However we think that there is another reason under it. They think they are integrated, feel good in completely open and democratic society along with the Albanian society which is a post-dictatorship society which has lagged far behind in the mindset, culture and emancipation with all the tearing changes, sometimes misunderstood that this society is undergoing today. That explains the fact why immigrant families are scared by the idea of returning even if they have employment opportunities. The following examples show that this undergoing factor exists although in most of cases it is silent (unexpressed).

The following example shows how are integrated the immigrants in mentality and culture, or rather how they want this kind of integration as they understand the values of a most advanced nation.

"Unë jam ndryshuar shumë, jam mithur, kam përgjegjësi mbi veten time që nga dita e parë që ika nga Tirana edhe jam shumë krenare për rrugën që kam zgjedhur edhe se si e kam kryer këtë detyrë. Familja ime është shumë krenare për mua. Unë jam e kënaqur nga veja ime, jam independente (e pavarur- B.Z.). Arrij të komunikoj më mirë me familjen time edhe me këdo që më rethon. E di vlerën e parave, e di vlerën e mjësës...Unë jam shumë e kënaqur për çfarë jam sot dhe tani. Them se femra është më e pavarur. Nuk kam probleme nga parajkëkimet e askujt edhe nuk i bëj probleme vetes për asgjë. Nëqoftëse një që nuk më shkon mirë, e them ose veproj dhe marr përgjithësi për veprimet e mia. Mendoj që është më se e drejtë që fëmijët të shkëputen në moshën 18 sepse kanë nevojë të jetojnë, pastaj me shpresë që mos të marrin rrugën e gabuar, por këtë s’ëndalon dot si 18 si 30, po e ka në mendje do e bëjë” . (B. Zenelaga, Doctorate 2013:151, www.doktoratura.unitr.edu.al).

"Gruaja sieneze, s’po pretendoj me thanë gruaja italiane se s’i njoh raportet në qytetet e tjera, por gruaja sieneze, ka një
In the situations of bilingualism we also have some interferences that matter though we will classify as second-hand, such as mixed marriages (where one of the languages becomes halogen) pathological diseases etc. And because of mixed marriages, parents guide their children from the most prestigious language; such a thing is observed even when the mother is foreign and therefore has decided to live in her husband's place and vice versa. Undoubtedly, this problem has its own extreme cases. This is the case, even though few in number, are praised the cases when the foreign wife (husband) decides to live in her country, yet she/he nurtures the children both languages (Albanian-Italian, Greek, English etc). So it increases the number of bilingual children, having learned the value of Bilingualism. I do not think that in such cases children have difficulties, but these children are lucky, because a bilingual child has nothing to lose.

It would be ideal if it was viewed in the same way such a thing by Albanian immigrants themselves, who with a little dedication and intelligence will not lose but will only win; would gain a different culture, a more open, a better education, etc, and dignity at the same time. While in terms of discrimination and prejudice, these phenomena have always been derived from the arrogance and as always they have been and will be surmountable phenomenon of human intelligence.

As to pathological diseases in speaking, we would add that they appear prominently in emigration. These issues relate primarily to the development of child psychology. A vulgar explanation just to understand is this: the child appears psychological consequences in front of two languages of his dilemma about what language should he choose and therefore does not show for either communication skills. By examples delivered has been observed that in most cases the parents to avoid these problems (frightened), have preferred to orientate their children to the language of the host country.

If we refer to the Dialect according the generations everything is understood in the following example which shows how a child learns Italian to her grandmother.

"Ishim me mamin në makinë dhe (mbesa-B.Z.) i thoshte (mamit-B.Z.) me atë shqipen e vet, siç mund ta flasë një italian shqipen, po asaj i kishte shumë lezet si fëmijë i vogël : "Ti nëna mos u mërzit tani, se duhet ta thuash disa herë fjalën që ta mbash mend" Po mami ... e pyeste disa herë: “Si i thonë çekiçit?” “Martello,- i tha. [qesh].- Si mund të harrohet martello?” Dhe një herë i thashë unë: "Me çfarë erdhe këtu Franci, me ashensor?” (më tha-B.Z.) “No zia "siamo saliti", no "abbiamo saliti" da scale.” (teze, jemi ngjitur, jo kemi ngjitur-B.Z.) Unë... zbritjen dhe ngjitjen e kam mësuar nga ajo (nga mbesa-B.Z.)" (B. Zenelaga, Doctorate 2013:230, www.doktoratura.unitir.edu.al).

Following this example and all the examples presented during the paper, it is self-evident that the dialect between generations is converging. Yet the older generation remains faithful not only mainly Albanian dialect, but even the mentality and traditions of the mother country. Secondary generation speaks a general Albanian or a mostly general Italian of everyday use, the phenomenon of the prominently socialization is displayed prior to this generation; while younger educated generation of emigrants speaks a relatively good standard of Italian and Albanian. The younger not educated generation of emigrants speaks good general Italian and an relatively fragmented Albanian with Italian words and dialect words. This generation even though young, is closer to the middle generation. We have reached to these conclusions given that the country's largest amount of immigrant is the working class.

However a more general conclusion regarding such matters would be this: even though minority cultures seen today with quite positively within a whole world Interculturalism, we can not overlook the problems associated with them, in particular, with the deficit that this cause to the country's language and culture of origin. The proper mismanagement of bilingual situations that should at least aim at the recognition, respect and properly development of the norm of both languages, leads to serious problems not only for the individual speakers, but for the whole community of the country of origin language. In this social context, the Albanian language, this special, old, strong language, still alive today; a language which could preserve its originality for centuries (think here of its contacts with Greek, Latin, Romanian, Turkish, Slavic, etc), today is paying an enormous tribute.

References

Berruto, G. Sociolinguistica, Bologna, 1994
Hudson, A. R. Sociolinguistika (botimi i parë në shqip i perkthyer nga M.Omeri), Tiranë 2002.
Shkurtaj, Gj. Sociolinguistica ShBLU, Tiranë, 2003
B. Zenelaga, Doctorate 2013: www.doktoratura.unitir.edu.al
Troplini, E. Mësimnxënia e gjuhës shqipe në shkollat tona.(Disa probleme të planifikimit gjuhësor), Studime Albanologjike II Gjuhësi, Universiteti i Tiranës, Tiranë 2010
Troplini, E. Some aspects of linguistic Education in Albania, 4th International Conference on Humanities and Social Sciences, University of Montenegro, 2014 c (ISBN 978-88-909163-2-8)
Troplini, E. Teoria e deficitit gjuhësor në kuadrin e kontakteve të sotme të shqipe, Seminari i XXIX për Gjuhën, Letërsinë dhe Kulturën shqiptare, Universiteti i Prishtinës, Prishtinë 2010
Troplini, E. Conservation and innovation development to some ancient dialects of today Albanian, AJIS, Academic Journal of Interdisciplinary Studies, Romë 2014 a.
Troplini. E. Lëvrime sinkronike e diakronike të gjuhës shqipe, Seminari VII Ndërkbëtar i Albanologjisë, Universiteti i Tetovës, Tetovë 2014 b.
International Joint Projects as a tool for Raising Competitive Capacity of Russian Universities: Obstacles and Means for Overcoming. Insight on Regional Implementation Practice

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Abstract

Apparently, there is no well-defined positive answer to the question whether education in Russian Federation is generally accessible. Specifically, for the education being available to all, it should be open to general use not only for Russian citizens, but for foreigners as well. This problem’s persistence requires solving of a number of issues and overcoming numerous obstacles, related to launching and implementation of international joint projects. Undeniably, international academic programs worth making efforts and time investing. Experience of involvement of Russian universities in programs of European and international cooperation improves the quality of education.

Keywords: Competitive capacity, regional implementation practice, international joint projects, awarding joint degrees, international universities’ partnership, international educational cooperation

1. Main Text

European Erasmus Program allows, starting from years 1980th, reckoning the periods of study of European students in partner-university (ECTS: European Credit Transfer and Accumulation System) in the framework of student mobility. The Bologna Process from 1999 (Russian Federation joined it in 2003) evokes a certain strengthening of tendencies for development of the system of academic levels (Bachelor-Master-PhD), including Tempus Projects’ experience, being aimed on elaboration of equitable and comparable programs and diplomas.

Educational Act of Russian Federation (2003) allows Russian Universities to participate in different international joint projects, establish communication with foreign partner universities, and introduce into practice new methods of both educational and administration process.

According to Federal State Budget Institution “National Authorized Agency in Education Field” report, nowadays in Russia about 2% of joint diplomas projects are being realized (among the general number of all the existing projects). Joint diplomas projects of Bachelor and Master’s level constitute only about 23% from the amount of international cooperation programs in the Tempus framework.

Joint project, resulting in joint diplomas providing, supposes:

• harmonization by the partners of all the necessary aspects (study results, teaching methods, quality ensuring including evaluation ECTS, accommodation conditions and requirements for a certain level of applicants and teaching staff as well);
• acknowledgement of mobility included a partner-institution;
• carrying out of common/ mutual management;
• awarding of diploma/degree recognized by all the partners

International joint projects in general contribute to Raising Competitive Capacity of Russian Universities on educational services market. Adapting of curriculums (plans of study) of Russian and European Universities will be a meaningful step resulting in awarding joint degrees acknowledged on European educational market, being one of the
necessary requirements of the Bologna Process. Such is indeed the case of functioning of namely joint international educational projects.

UNN (ex-NNSU) is one of the most active Russian participants of Tempus Programs supporting by European Commission (starting from 1994 NNSU carried out 18 projects). Nizhny Novgorod State University participates long term in a number of joint international educational projects with foreign universities:

- “Russian-Italian University” (in partnership with the University of Calabria, Italy);
- “Russian-French University” and joint diploma project on economics and management (in partnership with the Pierre Mendes France University, France);
- Joint Degree Project on physics with the University of Palermo.

In order to bring the quality of academic programs in NNSU to conformity with progressive international standards and to support further integration of NNSU in international educational area, the University should extend the number of joint diploma projects in cooperation with leading educational institutions ranking top-level in international rating. In particular, the University administration intends on elaboration of such projects jointly with the University of Maryland (USA), Purdue University (USA), the University of Maastricht (Netherlands), the University of Uppsala (Sweden) – top-ranking international institutions that have become already the partners of UNN in various international projects1.

During the period following the entering of Russian Federation into the Bologna Process, a quantity of optimistic articles and laudatory reports made appearance. Although indicating some feasible and discovered obstacles, the authors assert the possibility of overcoming them. The majority of suggestions seem to be reasonable and deliberate. However, at the same time, some difficulties mentioned just cursorily need more considerate revising. Indeed, several problems, taking into account more than 10-years long experience of international cooperation, proved to be almost insuperable, insoluble by any university itself, as exceeding the competence of a university authority.

While analyzing further activities of the international universities’ partnership we should forecast all kinds of troubles in realization of a joint project and classify them between the following categories.

- Solvable problems:
  - those that could be solved by the existing means and managing technologies,
  - potentially solvable;
- Obstacles, that cannot be surmounted by the universities and require attention of State authorities and institutions authorized to monitor international educational cooperation:
  - terminological issues,
  - legal problems,
  - inconsistency between existing academic standards (national standards versus international standards).

2. Solvable Problems

The problem of enrollment of foreign applicants for master’s level in a Russian university entails the following questions: what kind of exams should the applicants pass what criteria of evaluation we should use in order to ascertain whether the foreign student is capable to meet all the necessary requirements. Thus the partner universities a supposed to jointly draw up a exacting system of criteria and requirements for the level of knowledge, skills and attainments providing the guarantee of acceptance.

The topic of financial support is ever persistent. The university authorities are compelled to decide whether the foreign master’s student will pay for their studies or those will be free. And what will be the source of financial support for the joint project itself. Previously, Russian educational institutions used to obtain the opportunity of implementation of that kind of projects at the expense of funds extracting in the framework of Tempus projects and a certain number of inputs resulted in a rather successful cooperation, for example, the above-mentioned Russian-French University, realized by UNN (ex-NNSU) in partnership with the Pierre Mendes France University (Grenoble, France).

Lack of infrastructure development. First of all, it is an accommodation issue. A number of Russian universities suffer from lack of room in dormitories. Certain university authorities solve the problem at the expense of Russian students, retaining the majority of rooms (or better-equipped ones) for the benefit of foreign students.

Another important question is one of the library resources availability. International students are interested in obtaining access to the foreign publications and use of working areas in reading rooms of a university library. Furthermore, campus should contain gym and pool available for students and any facilities for summer activities as well.

1 5-100. Russian academic excellence project
Traditional quantity of students in a group is larger than it used to be in European universities. In order to provide more efficient interaction between student and academic instructor, university authorities should envisage dividing students in less numerous working groups.

One more organizational issue consists on educational process. L.A. Bokov phrased the difference in approach utilized in Russian and foreign institutions: we used to take into account auditoria hours whereas European practice consider the educational results. Our educational standards of 3-d generation mention them, though we have not yet elaborate any efficient methods of organization of students’ self-instruction work similar to those existing in European universities already (Bokov L.A., 2013)

While analyzing the implementation process of joint projects we discover some specific regional issues. A number of regions and cities in Russia were closed for international and even for interregional interaction as well. That resulted in backwardness of linguistic studies and lack of relevant level of foreign languages practice. Hence, several “provincial” universities though famous for their professorial staff cannot offer a large number of courses for international programs. This inconvenience could be undoubtedly overcome by engaging representatives of a new generation of teachers. Unfortunately, they do not possess yet neither sufficient teaching experience nor required degree. They cannot yet compete with the “old school” professors in the depth of theoretical and professional knowledge either.

Future trends for job placement of graduates are unfavorable. Until nowadays in Russian Federation there is not any integral system rendering foreign graduate students any assistance in placing in a job. A way out from such a deplorable state could be found in optimization of universities interaction with local potential employers.

Comparatively low rank of Russian regional academic institutions in the international ratings hampers the progress of Competitive Capacity on the international educational services market, being the cause of the lack of incentive for attraction of foreign students.

The above-mentioned obstacle draws attention to another vital point: the absence of a comprehensive system for monitoring of the attractiveness of Russian regional universities for foreign students and the lack of a criteria system for its evaluation. The experience of USA shows that about 70% of foreign students are concentrated in 200 from more than 4500 American universities. What are the guiding criteria for those applicants? What is defining the importance of the criteria? And what kind of activities should the authorities undertake in order to heighten the attractiveness of Russian regional universities? The problem requires an appropriate market research.

The problem of informational propagation is worth being mentioned. Russian academic institutions should include into inventory all the available resources in order to widespread information about advantages and benefits of courses they offer in the framework of international programs. Nowadays we face the problem of lack of information abroad about Russian regional universities.

In 2013-2014 the Research Center of International Higher Education in Boston College carried out a large-scale research project aiming to collect information about scientific centers and academic programs in the field of higher education existing in the world (Laura E. Rumbley, 2014). During the project implementation, a list of 280 journals and publications, dedicated essentially to higher education, has been composed. Analysis of the list allows emphasize fundamental tendencies of higher educational research and lines of further development of the field, necessary for open propagation of information about this area of knowledge.

Insufficiency or lack of creative and business contacts between Russian regional and international academic institutions neither on the administrative level nor amongst professorial and teaching staff.

Deficient application of interactive and remote technologies in academic process hampers the progress of training.

High-scale expenses on integrated long-term mobility hinder the way of extension of quantity of students and teachers involved.

Lack of any consistent mechanism for elaboration and implementation of academic programs and deficiency of consolidated database of existing joint academic projects decelerate the process of integration of Russian universities in the worldwide academic area.

3. **Obstacles, that Cannot be Surmounted by the Universities and Require Attention of State Authorities and Institutions Authorized to Monitor International Educational Cooperation**

Terminological and semantic difficulties. The content of the “joint diploma” notion presents another complication. The wording is undoubtedly inviting, especially for any report or advertising. The question is whether it is an utopia or a feasible idea. The latest researches that frequently mention it imply joint degree in the first place. However, speaking about joint diploma literally we should clarify the academic level. The discrepancy of academic curriculums and difference of Student Workload on a Bachelor level between national and international academic standards keep Russian
universities aside. In fact, the graduate Bachelor student awarded with the diploma of his basic university may obtain from a foreign partner-university only a certificate of training on a certain number of courses. Russian academic institutions though accumulate a similar experience in the framework of national cooperation. For example, Nizhny Novgorod Lobachevski State University and Nizhny Novgorod Dobroliubov University of Foreign Languages interact long term on a joint program of Russian-French University. However, such a pretentious title does not mean any kind of active international cooperation, as long as the teaching staff of both universities on their own, with quite a modest input of foreign partners, implement the academic process. On the other hand, this very program supply to UNN (ex-NNSU) a whole cohort of young specialists in economics and law with a high level of knowledge of English and French, sufficient for elaboration academic courses in these languages.

In general, national conceptual framework should be compatible with international one. The participants of the joint programs are supposed as well to be aware of mutual opportunities and responsibilities.

Legal issues. We have not solved yet legal issues including the problem of ensuring the quality of training. The efficient inculcation of an international program requires a normative base regulating the implementation joint diploma projects and other forms of joint academic programs (defining the status of joint programs and joint diploma projects, ECTS, system for quality assurance including study results assessment, acknowledgment of study results and diploma).

Discrepancy between existing academic standards (national standards versus international standards).

Optimistic reports on academic cooperation research display the commitment of Russian universities in implementation of joint projects (especially joint diploma/degree programs). Those surveys contain impressive statistics of joint programs propagation embracing the field of economics, engineering and natural sciences. Farther the report composers modestly specify that the majority of joint diploma projects merely cover Master and Doctorate’s levels. The Bachelor’s level cause does not seem so optimistic. The reason is clear: the federal state standard for Bachelor’s training does not allow any space for “maneuverings” for unification of educational programs and making on academic services market any offers, which may attract foreign applicants to study in Russia. The exception is provided by specialties offering universal knowledge without any regional limitations (ex.g. technological area and natural sciences). Unfortunately, humanities do not possess that kind of autonomy. According to national standards, the quantity of training audional hours allotted to study national law or national economics far exceeds the quantity of hours covering international practice.

Rigid national rules defining diploma’s features did not allow supplement it with any information about participation in joint programs. However new Federal Law “About Education in Russian Federation” #273 from the 29th of December 2012 empowers academic institutions to award graduate documents of an appropriate form (art.60 p.3) to those ones that successfully got through end-of course assessment. Academic institutions themselves establish henceforth the form of graduate documents and the form of qualification certificate. The implementation of the new Federal Law “About Education” intensify tendencies for joint academic programs propagation in a network form.

References

Bokov L.A. Problems of accordance state educational standards during realization of the programs of double diplomas// International journal of experimental education №1, 2013, p. 20-21

The Inverse Link between “Ideological-Absent” Albanian Voting Behavior

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Abstract

This paper presents a contribution toward understanding the complexity of Albanian electoral behavior. Long-term factors (behavior, value, family, age/gender group, etc.) and short-term factors (candidates, socio-economic-political situation, government actions, etc.) are analyzed. It is possible to try map an inverse linkage between the ideological and the absent voting behavior during the period 2007-2015. It were expected the "shrink" of the ideological voter and the slight increase of the absent voter. Taking into consideration the not yet developed democracy, the empirical research data and analysis of election voting behavior of Albania outline this view.

Keywords: voting behavior, complexity, ideology-absent relationship

Two of the main forms of voting behavior are ideological and absent voting behavior. The first represents the voters who identify themselves with one party or the relationship with the party through psychological identification with the group. They have a psychological connection to their party. This is theoretically a stable indicator of the voting process; thus plays an important role in building policies, programs, group benefits, etc. On the other hand, the second type, represents the voters who feel removed or not attached to the political process. They simply don’t feel part of it. Not feeling to be represented, they express it through the right not to participate in the decision making process; thus not being part of the system and being apart from it.

The actual electoral voting behavior in Albania, even after 25 years of democratization, remains still a non stable and still reflects the dynamics of a continuous consolidating patterns. The grounds and drivers of the voting behavior relate to the social and economical status of the voters which eventually contributes to their vote positioning. As an unique case, different from the western countries, ideological voting during this period is interfered from actions of the moment. In the last years, due to the increase of the young voters (first time voter), there is a decrease of the ideological tendencies of voting behavior. Furthermore there is a closeness of the ideological group towards the right and left wings, as in contemporary tradition. There is also a captured tendency of the absent voter, which are influenced by short time indicator factors. As electoral voting has not so much dependence from the social status, age, ect, absent voting does not actually depend directly from this long time factors (Dalton, R. J. (2000). The lack of internal party democracy and Albania political development has actually interfered in increasing the number of absent voter during this period, although not actually interfered at the same percentage rate to the ideological voter. It seems to be not such a direct relationship between ideological and absent voting behavior as it can be assumed

The "human" variable indicator (subjective) constitutes the ground stone in shaping the voting behavior. Notable in this case, unlike exact sciences, it is almost impossible to outline within a standard framework type an exact behavior attitude. Depending on internal and external factors, it results in major or minor changes in the "format" of the voter’s behavior as per the respective country/state compared to others. Besides this argument, showing the inevitable dissimilarity among the composition of voting behavior types of various countries, the Albanian case adds another element to this variability/contrast being "its origin". Otherwise, it is noted as the lack of the former voting activities. This institution was built up from scratch staring in the end of late 1990 with the creation of the pluralistic system parties (previously there was only one party governing the state).

This analysis is based also on empiric data retrieved from different surveys of the Albanian electorate. The table and the respective graph presented below show the respondent responses when asked whether they are going to vote in the upcoming elections. The data shows an increase of the undecided voters in general with a different result only in 2007 during which it is noticed a decrease of undecided voters. This is related to the since the specific year corresponding to an election year in Albania. This means that the voters are undecided prior election year and do not have a clear line of logic in deciding on their vote. In terms of the election process, it can be derived that the voters’ trend changes in terms of short term factors. The biggest chance is that this “grey” area of voters is not composed of
ideological ones, but it can be assumed that this part is characterized from a pragmatic voting behavior. (D. Bëdufi, MJSS, 309).

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<th>Year</th>
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<td>2008</td>
<td>50.2</td>
<td>29.9</td>
<td>18.8</td>
</tr>
<tr>
<td>2012</td>
<td>41.1</td>
<td>33.1</td>
<td>25.7</td>
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</table>

Furthermore, this result is also supported from the analysis of) which shows that economic situation causes only about 50 percent of the Albanian voter Subjective Well Being while the democracy elements causes voters wellbeing 37,5%. (D. Bëdufi, IJRD This can be interpreted that this correlation can make the absent voter to become a pragmatist one, or to remain absent. On the other hand, it can be assumed that the ideological voters, of other factors as cultural or social groups (Inglehart, R., Wayne E. Baker, 2000), do not present very stable voting behavior; they might present tendencies to turn into a clientelistic voting behavior. The instability of the Albanian society in term of economy and democracy is the main factor contributing to such attributes.

As per presented data, Albanian electorate perceptions and feelings are in contradiction with their actions. This situation of non stability, non fluidity of real actions in relation to their perceptions could have some explanation alternatives: Vote manipulation (D. Bëdufi, MJSC), direct bribes for votes and/or changes of conditions through offers in the last period of pre elections, increasing considerably of the materialistic profile (which in itself affect the increasing of the voting behavior stability), etc.

The Albanian voter formation of values not from within (from the individual itself) but imposed from external factor has been inherited from the post-communist period. This factor has shaped both its internal and psychological identity. This confused situation for what it represents in essence, could be interpreted as an empty pot which is filled only from the outside (the government or political/economic leaders). This fact is confirmed also by the results of voting in communist period in which there were only two types of voting, pro or against the regime. There was an absence other impact factors such as candidates, political advertising, election campaigns, etc. Albanian voter unconsciously and passively is not committed to form a political identity or position in society, but still remains in his position at the end of the hierarchy leaving freedom to political group/parties to project the structure of their behavior identity. The vertical close relationship from individual to family interest and not the broader interest of the groups, brings lack of social clusters. Furthermore it is important to note the impact of an unstable market economy, fragile democracy and not structured society psychology. Such as food, physical, economic protection, etc., are the primary needs to be met. These factors also theoretically govern individual towards materialistic, pragmatist, clientelist behavior.

The voter remains most of the time at the level of the party client dependent on individual interest, personal/family gains, employment, personal favors, short-term prosperity, etc. Translated in economic terms, it is a cost-benefit relationship for both parties. The voter sometimes chooses to vote ideologically (being loyal to a party) because of a benefit, protection of the workplace and/or raising the individual well-being, rather than against the formation of a substantial support on physiology bases. This factors, in the Albanian case, could be interpreted as some of the key factor in forming the ideological behavior.

Theoretically, this non action or non thinking of change, can be interpreted as apathy, fatigue, lack of desire to change the political situation. Theoretically these indicators come as a result of the individual consciousness of the reality. This content is incomprehensible, abstract reality, being a relationship most of the time one way "up => down", while practically the desire for change and action is dependent from outside. In this situation they feel powerless to make a difference. It is a relationship inferred from "up", structured by the powerful groups political/economic and imposed "down". Several factors, such as not getting information from other sources, unwillingness, fear to make the change, etc., have created a strong interdependency relationship toward one way direction.

Parties have no interest in changing this people legitimated format of voting, with little or no content of their policies. The other group (people) is interrelated by a solid form of clientelist relationship. The benefit it generates is only at the micro level, with no utility in wider society groups in general.

In this form, parties, especially large ones, maintain their stability in this relationship. Even if they make changes, these follow the direction of strengthening the not profitable for the country's democratic development contentless relationship.

It is worth mentioning that the Albanian electorate voting behavior, in a large part of it, is not directly depended on...
their living conditions. They will not abstain on election day, even if the wellbeing indicator which directly affects the electorate is decreased. The non satisfaction of public needs, lack of proper utilities supply, the high level of poverty, the high level of voting manipulation, ect. do not impact the voting trend as they should. Even with these negative factors, the electorate does not have the will to punish the government in power or the other parties, for not fulfilling them. This non rational voting behavior could be interpreted as an extreme ideology line, clientelism, not such a good voting behavior in contributing to the democracy development.

This results show that this group of voters have high chances of being manipulated from the interested political actors. Becoming so far even pragmatist voters, or absent ones, if they don't get the wanted offer from them.

References

Bërdufi, D. Statistical Detection of Vote Count Fraud Albanian Parliamentary Election and Benford’s Law), MJSC, Vol 5 No 2, January 2014
Social Media and Consumer Behavior – How Does it Works in Albania Reality?

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Abstract

Nowadays, Social Media represent a new sophisticated and uncontrollable element influencing consumer behavior. They have also dramatically changed the way businesses and consumers communicate with each other. This paper is focused on Social Media and their ability to influence consumer behavior world-wide and specifically in Albania reality. The adaption and growing popularity of Social Media by so many users world-wide is first discussed. It is examined the reasons for the use of Social Media and user attitudes towards them. Then the authors proceed with a multidimensional examination of the impact Social Media have on users' consumer behavior and purchase intentions. The survey data are from all users of Social Media and this led to significant results about consumer behavior.

Keywords: consumer behavior, social media, attitudes, purchases intentions, communication.

1. Introduction

Nowadays we live in an environment that is constantly changing, where everything is characterized by the economic crisis and a crisis of values, and where human need for communication and exchange of views has become even more important. It is in such an environment, social media found the field to be developed and to take their place in the daily lives of people. As any acquisition of a new trend, social media also contributed to each of our everyday space.

It is a fact now, that Social Media have introduced a new complex and uncontrollable element affecting the behavior of consumers and which have dramatically changed the way consumers and businesses communicate with each other (Hennig-Thurau & al., 2004). Today, consumers are using social media as an effective tool in their purchasing experiences. Through them they gather information, communicate and share ideas with other consumers for products and services, and are in direct contact with companies and brands they prefer. All these elements constitute a new generation of consumer, called Social Consumer generation.

Social media have a real impact on consumer behavior. Their ability stems mainly from factors such as eWOM, advertising, official business profiles, which someone meet in the world of Social Media. Purchasing decisions is always affected by social influence. The social impact is simply attained on line by Social Media.

This study through a combination of literature and empirical research aims to examine and interpret the ability of social media to influence consumer behavior and intent to purchase goods or services, taking into account a number of factors such as advertising, eWOM, the presence of businesses with official profiles in Social Media.

2. Review of Literature

According to Mayfield (2008), Social Media present some basic features such as :

- Participation: media encourage the contribution and comments from concerned parties. This usually weakens the borders between media and public.
- Openness: almost all social media services are open for participation and feedback, but there are not always barriers to enter and use the contents.
- Conversation: unlike traditional media who is only related to broadcasting toward the audience, Social Media represent a two crossings chat.
• Community: Social Media allow to directly establishing communities that share common interests, such as their affection about pictures or TV shows.

• Connectedness: Most types of social media connect to other sites, resources and people to develop its stability.

U & G Theory, can better explain why we use the media in general and social media in particular. According to McQuail (1994) there are four incentives that push us to use: 1) information, 2) entertainment, 3) social interaction and 4) personal identity.

Brandtzæg & Heim (2009) in their research, in the light of the theory U & G, considered reasons for using social networking sites, which constitute the most known part of social media. The research was conducted in Norway, with over 4000 participants from whom he selected only about 1,200 to ensure the solvency of the investigation. It seemed that the most important reason to use social networks was to meet new people and the second most important was to communicate with friends. Followed in descending order, there are other reasons such as: the reason for socializing, information gathering, discussions and exchanges of views with other people. The findings matched the pattern of U & G theory and show that the main purpose of the use of social networking is social interaction, that is, communication between people.

A similar study was conducted by Dogruer & al (2011), and was focused entirely on incentives that push the new generation in the use of Facebook. The search was conducted in the Eastern Mediterranean University, including a total of 302 participants. Participants were asked to choose between a multitude of words based on usage, such as: to play games, to flirt, to communicate with others, to promote themselves and take positive comments, to spend more beautiful your free time, to see pictures. Results of the study showed that the most important reason for students to use the specific social network of students was to "meet" and communicate with people they already know, and to restore their relationship with people who had forgotten.

Seeking Li (2007) conducted in the USA, showed that the main reason for the use of social media by the Americans, was the desire of users to connect and communicate with their friends.

Finally, according to the World Report on Social Media in 2012 (Nielsen), predominant reason for using social media continued to be the user's desire to keep contacts with people who already know. Other minor reasons are: to collect information about global developments etc.

Modern Social Media now is implemented in the fields of science, education, labor, operational areas, and even medical applications.

Albania counts a population of 3,020,209 inhabitants. The vast majority of the inhabitants are Albanians, with ethnic minorities which represent only about 2% of the population. Minority population is mainly composed of Greeks and Macedonians. In 2014, users of social networks in Albania reached a total of 1,815,145 or 60.1%, according to the ITU (International Telecommunication Unit).

According to a study (2003), conducted in 2903 participants, consumers tend to look for information sources and more specifically eWOM opinions of other customers online, for the following reasons:
• To decrease the risk and time of research.
• To evaluate products, because of the social orientation through information
• To feel a part of the community.
• To learn how to consume a product

Finally, according Frederix (2008), the most important reason that leads consumers to this process is due to the usefulness of the source of information, which leads to better decisions and faster purchase.

3. Research Methodology

In this study, the aim is to know the amount of influence that electronic media have in consumer behavior and desire to consume of the Albanian users. The sample consists of 116 people, including 55 females and 61 males. Women make up 47% and men 52% of the selected sample. 3% of them are aged 12-17 years, 77% aged 18-24, 18% aged 25-30, 1% and 1% 31-40 age group over 40 years old. Regarding the level of education, there are not students of primary school, 16% of them are high school students, 17% have completed secondary school and 66% are master graduated, and 1% are doctoral graduates.

52% of respondents were in labor relations during the course of the study, while 48% were not.

The methods used for this study are: a) the method of primary data collection, which is known as quantitative method and is based on a survey with a standardized questionnaire and through
b) the review of international literature for secondary data.

The questionnaire was the main tool for collecting primary data in this research. The high intensity of the questionnaire use as a primary method of gathering information on similar studies in the literature, contributed decisively to use the same method in this research. Further advantages offered by the use of such an instrument to collect data, also assisted in the decision.

To ensure cooperation with the respondents, the questionnaire should be short. The respondent is asked to be honest, accurate, and only, to all the questions and return the questionnaire back to the researcher. These given question and answers will then be analyzed and based in them conclusions will be drawn. The answers received from the questionnaire can be categorized as: knowledge and information (i.e. what the interviewee knows), value and preferences (i.e. what the interviewer like and do not like) and the attitudes and beliefs (i.e. what the interviewee think). All these elements are important for the success of a questionnaire.

4. Results

Regarding the use of electronic network, there were no people who stay online less than 1 hour per day. 28% claims it is 1-2 hours per day, 35% stayed 2 - 4 hours and 37% more than 4 hours a day. Connection to the Internet is carried out mainly from home and facilities with Wi-Fi, and there is also a good part of them (48%) who say they are on the web via their mobile phone. Almost all (99%) of them use the electronic media, while 83% of them claim to have even their profile on a website.

By studying the amount of some specific electronic media use in two dimensions (amount of use and the order of preference), the conclusion is that the most famous social networks are Facebook, YouTube, Wikipedia, Google Plus, while Linked In, every day increases the number of users in Albania having 31% of the responders to use it, but not on a daily basis. On the other hand, 90% of users state that Facebook is used in a daily base, a trend that agrees with the reality, as we saw in the theoretical study where we found that Facebook represents "monopoly" of the social network.

Figure 1. Social networks use

Twitter is used by 30% of the sample, with daily users to grow in number. YouTube is used from 100% of the users. Linked In is considered a professional website with users growing slowly. The most active users of social media are aged 18-24, except Linked In, where users which are mainly postgraduate degree or doctoral degree. In particular, active Facebook users are 18-24 years old, Twitter 17-30 years old and YouTube 25-30 years old.

It became clear that the main reason for using social media to communicate with other people, especially with the old classmates and friends, family or famous people who are abroad.
60% of respondents use social networking sites to communicate,
52% say that the reason for the use of social media is the contact with old friends
58% of respondents claim that social media are useful to communicate with relatives and friends abroad only 26% agree on the idea that social media is used to create new contacts.
Figure 2. Why is Social media used?

The second main reason to use social media is to inform them about the social and political developments. 56% use social networking sites to be informed about social developments. 21% have identified a form of entertainment in social media through games and 50% said they use social media services in the field of music and movies.

The vast majority of users (85%) argues that the Internet is a source of research information to make their purchases, 61% of the sample makes purchases online, 21% of the sample watch advertisement in social media in a very interesting way, 20% noticed advertising whenever they are interested in the product advertised and 22% look at them occasionally, 40% said that has been updated for at least one product through social media, 33% say they occasionally shares his purchasing experience and only 13% always share their experience when they are satisfied with their buying experience. 88% say they are members of a particular brand in social media and the main reason is the update for bids.

Figure 3. Do you search in internet about a product before purchasing it?

14% do not agree with their suggestion that their consumer behavior is influenced by social media, 31% are neutral on this proposal, while 55% disapprove. Therefore it is clear that half of our sample admitted the impact of social media in their consumer habits. 43% of them said that the experience of shopping interacts with other customers, and 42% neither agree nor disagree with this proposal, 15% responded negatively. 44% say they have confidence in the value of great customer reviews of other publications that they make in their profiles or social networks in general while 21% disagree. 35% neither are nor disagree. Only 41% said they are influenced by the number of consents (like) or comments about buying a product. 30% disagree with this proposal and 29% neither are nor disagree.
Users under the age group they belong, use social media for various reasons. More specifically, users aged above 17 use social media to communicate with friends more than other age groups. Because it was not possible to find a study to establish the theoretical foundations of this result, we can assume that the evidence available is that, bigger the market in which interacts a consumer, more social media he uses to decide on purchases.

5. Conclusions and Recommendations

Using social media appears to positively affect consumption behavior of users. The social media affects differently both genders in the purpose of buying and in the consumer behavior. Although we can’t get reliable conclusions about most influenced gender, our results confirm various surveys, which suggest that the factor “Gender” differentiates the degree of impact on consumer behavior through social media (Frederica RUDEL, 1995; Thompson & Lougheed, 2012). Information on the Internet about products and services positively affects the intention to buy. Also, registering as a member / friend / fan / follower on the page profiles of companies, products, services, increases even the intention to purchase products (or products of this company) and consumer behavior with respect to these products, thereby increasing the chances of market.

Another interesting finding that emerged from regression is that people who show themselves in Social Media have limited opportunities to be influenced in their intention of purchase by other users.

Some interesting results include:
- The great part (60%) of the sample uses a certain form of Social Media.
- It is seen a daily use of social media.
- The main reason for the use of Social Media is communication with other people, especially with old teammates, friends and family or famous people who are abroad. The second main reason for the use of social media is to inform the social and political developments.
- The most common activity performed in Social Media is reading content (spectator), and there is very little activity in the creation of content (creative). Also commenting on the content is the preferred activity of the sample.
- A large part of the sample agrees exactly with the idea that positive eWOM within social media, positively influences the intention to purchase a product/service.
- Half of the sample agrees exactly with the idea that consumer behavior is influenced by Social Media.
- Whatever the reason for the use of Social Media, intent to purchase and consumption behavior of some users seem to be affected.
- Social Media users are influenced in their consumer behavior in all its spectrum. Users seek for information on the Internet and Social Media for products, services, and say they are influenced by eWOM consumers, advertising and the presence of companies and brands with official profiles and membership pages within them.
- Internet and Social Media updates for products and services increase market opportunities.
- Registration as a member / friend / fan / of a brand / company / product at social media networks affects the intention to purchase and consumption behavior of users.
- Social Media users despite the fact that they use them, they also recognize negative characteristics of Social Media, which impact the positive influence in purchase.
- To fulfill social needs and improving self-confidence through the use of social media has a negative relationship with their ability to influence the willingness of consumers to buy products / services. Social “Pleasure” overshadowed consumer behavior.

References


Gunawardena Charlotte N, Mary Beth Hermans, Damien Sanchez, Carol Richmond, Maribeth Bohley, and Rebekah Tuttle, (2009), “A
Italy and the Economic Crisis: Political Change and Crisis of Legitimacy

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Abstract

Have concepts such as political legitimacy as well as democracy been further undermined by the recent financial crisis of 2008? This is what many social scientists have asked among many other questions which have addressed the effects of the crisis on political institutions and political processes. The change of government in Italy in 2011 and the Italian election of 2013 reflect these assumptions and they reflect the crisis of European politics. In fact, EU countries, notably Southern European countries have had their political and economic agenda dictated by EU bureaucrats and influenced by the Big Three credit rating agencies. There are different indicators which show that the political and democratic institutions of a country are challenged. For instance, the public opinion mistrust about political elites or the effects that globalisation and deregulation have had on societies, in turns, reflect the problem of corruption and illegality, and the erosion of national sovereignty. Within this context, this paper will investigate the crisis of legitimacy and the democratic deficit by analysing the recent events which characterised Italian politics following the economic crisis. Firstly, it will be discussed the relation between the concepts of legitimacy in the context of democratic institutions. Secondly, it will be discussed the political situation of Italy since 2011 and the way a technocratic government replaced a democratically elected government as well as a political agenda explicitly dictated by the EU bureaucrats. Moreover, it will be taken into consideration the different factors which led to such a dramatic change.

1. Introduction

The economic crisis of 2008 was set off primarily by the Anglo American finance sector and by central banks, which tolerated aggressive financial practices (Helleiner 2010). Nevertheless, the crisis also exposed negligent banking practices and long-term government overspending which aggravated the economic performance of countries, particularly in Europe where extraordinary measures have been taken to contain increasing public deficit. Although it seems evident that since at least the 1970s the condition of crisis has characterised the economy of capitalism, it is within these events that the political system of many countries have been put under particular stress. The crisis, in fact, hit particularly European countries, which had an already weak economy, and it caused a crisis of the entire Eurozone.

There are many analyses discussing the impact of the economic crisis on the political structures of modern democracies (Van Rijckeghem and Weder 2008; Gallie (ed.) 2013; Morlino and Piana 2014). Such analyses mainly consider the effect of the crisis in terms of the erosion of sovereignty and democracy, since some states had their economic agenda dictated by the EU commission and by the pressure of economic international institutions. In fact, EU countries, notably Southern European countries have had their political and economic agenda imposed by the EU Commission and influenced by the Big Three credit rating agencies. The change of government in Italy in 2011 and the Italian election of 2013 reflect this outcome and they reflect the crisis of European politics.

Within this context, this paper will investigate the democratic deficit and the crisis of legitimacy in Italy, bearing in mind, however, that the crisis of democracy and legitimacy is a constant of advanced capitalist democracies. Firstly, it will be considered the theories, which analyses the crisis of political legitimacy, of Jürgen Habermas ‘Legitimation Crisis’ and the ‘post-democracy’ approach elaborated by Colin Crouch (2004). Moreover, Lauk’s argument that in the political structure of the EU there are not the principles, which originated in the European Enlightenment. Secondly, it will be analysed the political situation of Italy since 2011 and the way a technocratic government replaced a democratically elected government as well as a political agenda explicitly dictated by the EU bureaucrats.

These events point out at least two dimensions of the issue of democratic deficit and the crisis of legitimation. One is about public opinion mistrust of political elites and the second is about the effects that globalisation and deregulation

1 Standard & Poor’s, Moody’s, and Fitch Group.
have on societies. It is in times of economic crises that governments have to take drastic measures to tackle and prevent economic recessions and such events expose their efficiency in resolving, within short time, such problems. In the case of Italy, the economic crisis of 2008 uncovered the inefficiency of the state institutions related to both bad administration and corruption within Italy’s political elite. Moreover, EU measures, under the SGP (Stability and Growth Pact) thought to contribute to face the crisis were in fact measures to limit state expenditure, which also prevented investment in innovation. The growing budget deficit put pressure on the government to ensure financial stability through the approval of several cost-cutting policies and since 2011 this model of austerity and fiscal constraint suffocated the fragile Italian economy bringing it in line with negative performances of other countries such as Greece, Portugal, Spain and Ireland (Passarelli and Tuorto 2014:153). The effect of the recession together with the external pressure of the EU institutions forced an unconventional change of governments. In fact, Berlusconi resigned in November 2011 and was replaced by a technocratic government and since 2011 Italy has witnessed three different governments from which at least the first two, influenced by the austerity policies imposed by the EU.

2. The Crisis of Democracy and Legitimacy in Western Democracies

In analysing the crisis of legitimacy in advanced democracies, different aspects can be defined. For instance, the negative effects of economic related issues and the effects of globalisation as reflected in the role of supranational institutions and related to this, the inability of democratic institutions to represent the interest of societal groups. In this section, three main approaches, which have characterised the debate about the crisis of legitimacy in Western democracies, will be analysed. The first is that articulated by Jürgen Habermas, “Legitimation Crisis” which points out the government’s inability to solve economic crises and the second is that of Colin Crouch (2004), the post-democracy debate, where globalisation, deregulation, loss of collective organisational capacity in society have eroded democracy. A third understanding of the crisis of democracy and legitimacy can also be seen in the position of Lauk (2014). He maintains that the institution of the European Union and thus EU legislations, were not conceived and established within the principles of the Enlightenment and therefore they lack the kind of consent characteristic of representative democracy and that developed from the Enlightenment movement.

Habermas points out four different types of crisis which are chronologically inter-connected: ‘Economic Crisis’ related to the economy, ‘Rationality Crisis’, related to the administrative structure of the state, ‘Legitimation Crisis’ related to the institutions of democracy and ‘Motivational Crisis’, related to individuals and their work ethics (Habermas 1975). For Habermas these for dimensions of crisis are identified with the contradictions in capitalist economies in the West. In terms of legitimation crisis, Habermas argues that lack of mass support for democratic institutions occurs because governments are not able to solve economic downfalls, unemployment and social security issues which lead to the legitimation crisis of the state. This may also lead to a crisis of social integration and ultimately to an erosion of work ethic and a ‘rejection of capitalist principles of the whole capitalist and democratic order’ (Merkel 2013).

The second analysis about the crisis of legitimacy in Western democracies is addressed by the post-democracy debate elaborated by Colin Crouch (2004). The latter argues that the ‘democratic moment’ has passed for the Western world. Globalisation, deregulation, ‘loss of collective organisational capacity’ in society have eroded democracy. Although formal democratic institutions continue to exist, they have lost their essence (Crouch 2004:22). Crouch focusses on the new ‘imbalance collective organisations of capital and labour’. The less advantaged groups in society do not have a collective identity and the ability to organise collective action. For this reason, private funds for political campaigns, the powerful position of multinational companies, influential lobbies together with the inability of concerted action of the lower classes have created a post-democratic situation. Privatisation and neo-liberalization are in contrast with the principle of democracy in the post democratic age and traditional mass democracy based on party discipline is slowing getting weaker and eventually will dissolve.

A third analysis that highlights the erosion of democracy by supranational institutions is that of Lauk who analyses the political institutions of the EU and maintains that in the political structure of the EU there are not the principles which originated in the European Enlightenment. Which means that the law making process is without legitimation. This is

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2 The Maastricht Treaty of 1992 set the rules for all member states to achieve the Economic Monetary Union (EMU), targeting low inflation, low interest rates and contained public debt and spending. The intention was to keep state expenditure under control in order to create a stable condition for the new currency to come. The SGP was than agreed in 1997 and these rules were set to keep the annual budget deficit below 3% of the GDP and the total public debt 60% of the GDP. Failing to respect these parameters resulted in the country to take measures to reduce its deficit. If it broke these rules for three consecutive times, the Commission could impose a fine of up to 0.5 of the GDP (CIVITAS).
because there is not a European parliament that has the right to initiate and create any law. Moreover, the EU parliament is denied from the function of a democratic parliament where the ‘will of the people’ has the characteristic of self-determination. In the European settings, the right of the legislative branch to initiate is conferred to the executive branch, the EU Commission which is not democratically elected. In these settings, there is not just a ‘democratic deficit’ but also a totalitarian feature since the Commission is composed of unelected bureaucrats. If the European parliament does not have the right to instruct the EU Commission it follows that in the EU an unelected executive determines how the EU should be governed (Lauk 2014:5-6).

Lauk identifies two factors which are responsible for the question of illegitimacy of EU legislation. The first is that there is a high number of lobbyists (17,000) which have more political weight than the EU voters who are also mostly unaware of the decisions taken in Brussels. The second factor is that when an unelected official of the Commission appoint the members of the unelected so-called expert groups to draw a law, those experts are drawn from lobbyist or industry insiders. Moreover, former EU officials hold positions in those industries that they have asked to regulate. According to Lauk, the financial industry was regulated in this way and paradoxically, the same groups of experts appointed with the task of finding solutions to the crisis were the same insiders implicated in the crisis.

These three theories about the crisis of democracy point out three different dimensions of the crisis which are interconnected. In the case of Habermas’ ‘legitimation crisis’, the economic factor is important since it triggers a series of events which eventually results in the lack of public support for the administrative system and the legitimation crisis of the state. In the case of the post democratic theory, the cause of democratic and legitimacy deficit is the effect of globalisation on national governments and the way administrative systems are delegitimised because they do not represent the interest of social groups but are influenced by powerful multination companies. In this respect, the EU institutions, with its democratic deficit, due to the way they are functioning, have the effect of circumventing the governments of national states where democratic representation takes place. This was particularly true when actions under the name of austerity measures were taken in order to deal with the effects of the 2008 economic crisis.

3. The Economic Crisis and Democratic Deficit in Italy

The 2008 economic crisis had an effect on the political structure of Italy. In 2011, a technocratic government replaced a democratically elected government and particularly measures were taken, by the EU commission, for countries which had a high public debt in order to save the Eurozone. Since 2011 Italy had also fallen into recession and severe economic contraction, which only recently (end of 2015) has started to give timid and positive responses. The economic crisis also has had an effect on Italy’s economic performance. In 2013, the GDP fell causing the longest recession in 20 years. Individual and household consumption expenditure decreased from 2012 until early 2015, also with critical labour difficulties to the point that unemployment reached a peak of more than 3 million (13%) with 40% amongst the youth (Passarelli ve Tuorto, 2014:153). Italy also faces some challenges also in the sphere of research and innovation. Firstly, there are insufficient reforms and low performance of the higher education system and there is low share of skilled human capital. The higher education system lacks financial and human resources and the effects of the crisis and corruption on the finances of the government are impeding future development.

The technocratic executive led by former EU commissioner Mario Monti took office in November 2011 replacing the Berlusconi government after he had resigned. This change was described as an emergency measure to deal with financial and economic difficulties. The crisis deposed the leader who dominated Italian politics for two decades, Silvio Berlusconi and its Pdl (People of Freedom party). The reason for this downfall was Italy’s soaring bond yields which entered the 7% danger zone, generally regarded as unsustainable (EU Austerity Drive - BBC 2012). The markets were very uncertain about Italy’s public debt, which rose to 1.9 trillion euros (approximately 120% of GDP) at the end of 2011. It was in fact a technocratic government with people outside the world of politics with the support of the centre-right and

3 (Art. 17. No. Lisbon Treaty)
4 The In 1999 the EU established the Financial Service Action Plan (FSAP) with the purpose to create a single market and financial corporations had a great influence on the FSAP. An important player was the Commission High Level Review Group with its members coming from the financial sector. Other expert groups were industry bias. The Report Alliance for Lobbying Transparency and Ethics Regulation denounced concern about the democratic decision making within the Commission for not taking into account all concerned views. According to its own rules the Commission, when drafting new legislation, is supposed to consult as widely as possible to minimise the risks of vested interest affecting the advice. In fact from 167 expert of the Exper Groups, 160 were from the financial industry. The De Larosiere group appointed with the task of proposing a reaction to the crisis was dominated by the financial sector insider implicated in the crisis (Lakus 2014:7).
centre-left parties PdL and PD (Democratic Party) (Marangoni 2012:140-43). The government in fact took office with the task of managing and seeking to withstand the period of economic and financial crisis and reducing the huge size of public debt. In addition, this was a move to show the Eurozone leaders credible leadership in the country. The first stability budget law included pension reform and a property tax in order to reassure the markets. Nevertheless, the government greatest achievement was that of restoring credibility for the Italian political system. The Monti government also held a spending review that brought a €3 billion cut in spending out of a €300 billion budget.

Although Monti enjoyed high levels of personal credibility during his short period as prime minister, his anti-crisis measures disappointed many Italians due to their reform and cuts on pensions and increase of property taxes. On 21 December 2012 Mario Monti, after a year as a prime minister, resigned. The resignation of Monti, however, coincided with the end of the electoral mandate and the 2013 general elections produced an extremely complicated puzzle and turnout dropped to an oddly low level for a parliamentary election in Italy (75%) (Diamanti 2013).

The Democratic Party (PD) and the PdL, the two main parties, lost millions of votes in comparison with their performance at the 2008 elections (Passarelli and Tuorto, 2013). The real winner of the election was the M5S (Five Star Movement), which obtained 25% of the vote. This new party, formed and led by the comedian and popular blogger Beppe Grillo, also prevented the formation of a centre-left government. Following the consequences of the economic crisis, Italian voters punished the political parties and prevented the opposition to acquire a substantial majority. In fact, almost half of the voters chose to give their votes to an anti-party movement or preferred abstention (D’Alimonte 2013).

In this situation, and with the inability to form a government, the Italian president Giorgio Napolitano, in order to avoid another election appointed a government of national unity that could continue with the reforms requested by the EU. The Letta government took sit on the 18th of April 2013 and sought to take advantage of the degree of autonomy guaranteed to it by the situation of emergency generated by the economic crisis. The new government also had to manage a majority sustaining a grand coalition which was very diverse and fragmented (Newell and Carbone 2013). However, the Letta government was replaced in February 2014, by a new government. This change was explained by the failure of Letta’s attempt or to the lack of effectiveness of the executive he led. This was the political line of the newly elected general secretary of the PD, Matteo Renzi, who demanded and obtained a government change, with the purpose of changing the strategy of the government.

The Renzi government, thus, entered office without being elected. Nevertheless, Renzi obtained a certain degree of democratic legitimacy by winning 40% of the vote in the European elections. Several elements explain this success. Firstly, as soon as he entered office he spoke out against European austerity and German domination. He called for the revision of the EU treaties and he disputed the idea that there had been an economic recovery. In such circumstances, he was able to propose himself as the man who wanted change immediately, which would improve the living conditions of all Italians. With this approach Renzi also managed to get substantial support from the public opinion and main stream media, who saw in him an element of change and did not seem to be too much concerned about the unorthodox way he came to be Prime Minister.

4. Conclusion

The effects of the crisis on Italy’s economic and political sphere can then be seen in the drastic economic measures imposed by the EU commission under the parameters set by the SGP. All the governments that followed, after the resignation of Silvio Berlusconi, were not formed with the consent of the people given that the coalitions that made possible these governments were made of parties with radical differences. The various changes of government and economic policies which aimed at cutting public expenditure and at radical pension and labour reform, even though necessary, were not the result of internal political discussions within parties but the directives from a supranational level, the EU. Moreover, the results of the general elections in 2013, which did not produce a clear majority, showed the dissatisfaction of the electorate which preferred to give their votes to the M5S as an act of protesting. This act of protest aimed at the main parties of the centre left and the centre right accused by the majority of the public opinion of corruption and inability to solve the problems of the country. Indeed, the economic crisis of 2008 exposed the long-term problems of Italy, which would prevents its development in economic terms but also in terms of public administration, in line with the others EU countries. Starting with the problem of corruption which affects the Italian public administration at local and central level and the issue of tax evasion which just in 2014 costed the state 4,1 billion euro.

5 Giorgio Napolitano interventions have changed the political process or the parties. Napolitano’s decision to choose Monti as prime minister also introduced new rules of the game to the practice of government in Italy. This can also be said for the appointment of the Letta government in a situation of political stagnation after the 2013 general elections, and thereafter for the appointment of Renzi.
Within this context, it is possible to see three aspects of the crisis of democratic and political legitimation in Italy. The first one is that proposed by Habermas and it is concerned with the inability of Italian political parties to solve political and economic problems, together with the dissatisfaction of public opinion and lack of trust in political elites. Much of this discontent is related to the corruption of the political class, mentioned before, and the lack of engagement with the problems of the country. The advent of the crisis, not only weaken the Italian economy but also exposed inefficiency of the Italian political class. If we look at the reforms implemented by the various Italian governments, beginning with the Berlusconi government, which was in power at that moment the crisis began, no particular efforts were made to respond appropriately and contain the economic downfall. The second aspect is related to the effect of supranational institutions and agencies such as the EU, the IMF and the Big Threes. Such institutions can affect the economic policies of a country. Moreover, in the case of the EU, an unelected body of bureaucrats imposed an economic agenda of austerity. This was very much the case of Italy, where the EU Commission demanded change of executive and proposed a list of measures that the government should implement. Lastly, the fact that in modern democracies, the self-regulating market pretends to govern society through technical criteria, questions the concept of legitimacy of political institutions. This is an example of how the economic crisis can be used as a tool of power to implement measures that in normal times would probably be difficult to implement.

References

Bosco, Anna and McDonell, Duncan (2012), Italian Politics: From Berlusconi to Monti Berghahn Books, United States.
Passarelli, Gianluca and Tuorto, Dario (2014). Not with my vote: turnout and the economic crisis in Italy, Contemporary Italian Politics, C.6 No 2, s.147-158.
Faculty of Social Sciences, University of Tirana:
"Assessment of the Standards of Social Care for Victims of Trafficking in Albania"

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Abstract

Approaches to public policy evaluation in the study consist of one or more criteria: -Justice, which verifies that the objectives of an intervention sufficiently cover all dimensions of socio-economic problem that it regulates. -Efficiency, which verify that the expected effects of an intervention are achieved thanks to the actions performed.-Usefulness, which verifies the justification of a challenge against not only the expected, but also against other side effects produced, especially the possible negative effects.-Internal coherence, which verifies that different strategic objectives and operational program are in a logical relation between them, that they are complementary and not inflated.-External coherence, which verify that the objectives of an intervention or contribute correspond to those of other policies of the institution or other institutions operating on the territory and there are, on the contrary, contradictory or antagonistic. -Stability, which verify that the results achieved are not fragile or achievements that "break" quickly but have consistency in time to be considered as real achievements. -Qualifying, It examines whether the action taken has increased the capacity and competence of operators who have participated. This paper aims to assess and identify the most critical issues dealing with social care standards for victims of in Albania, specifically in the National Reception Center for Victims of Trafficking, focusing on the study criteria efficiency and sustainability.

Keywords: victims of trafficking, standards, justice, efficiency, usefulness, internal coherence.

1. Introduction

Albania, which is a country in transition for more than two decades, has experienced major economic, political and social changes. The efforts of the Albanian society to ensure economic growth and social development are associated with previously unknown several challenges, including poverty, extreme unemployment, lack of job opportunities and lack of basic social services, involving here education and health, and a massive wave of emigration. The Albanian government developed its social policy, as part of the political changes in the 90s, treating issues of victims’ trafficking in full compliance with the principles of the Convention of the Human Rights, ratified by the Government in 1996, which made the necessary improvements in the legislation, in order to provide a protective environment for the victims of trafficking.

Finally, the 2011-2013 National Action Plan on combating trafficking of human beings, identifies a set of strategical and generally institutional priorities, to monitor the implementation of the rights of trafficking victims in their residential centres.

2. Assessment Approaches to Public Policy

Approaches to public policy evaluation are related to the study of one or more criteria:

- Justice, which verifies that the objectives of an intervention can sufficiently cover the dimensions of the socio-economic problem that it regulates.

- Effectiveness, which verifies that the expected outcome of an intervention is achieved thanks to the actions carried out.

- Efficacy which verifies that the results have been achieved at a reasonable cost, compared to other types of intervention.

- Usefulness which verifies the justification of the intervention not only related to the expected effects, but also to other side effects arising, especially the eventual negative effects.

1 Ratified by Law no. 8137, date 12.08.1996, the Official Journal of 20 August 1996
2 Republic of Albania, the National Action Plan 2011-2013.
- Internal coherence which verifies that various strategic and operating objectives of a program have a logical relation, so that they can be complementary but not inflated.
- External coherence which verifies that the objectives of an intervention correspond or contribute to those other policies of the institution or other institutions, which operate on the territory and are not, on the contrary, contradictory or antagonistic.
- Stability which verifies that the results achieved are not fragile or "break" quickly but have consistency in time so that they can be considered real achievements.
- Capability, decides whether the action taken has increased the capacity and competence of the operators who have participated.

3. The Aim and Types of Services

The service provider offers a complete and efficient package of services, in accordance with the complex needs of the beneficiaries, in cooperation with the primary and alternate provider, to ensure the protection of people at risk of trafficking as well as the rehabilitation and reintegration of those who are already victims of trafficking.

The National Reception Centre for Victims of Trafficking in Tirana has published leaflets and informative materials in two languages (Albanian and English), special ones for children and women being trafficked, leaflets which involve (i) the purpose and mission of the Centre establishment and functioning (ii) targeted vulnerable groups and services offered in this institution (iii) the organizational methods of services, (iv) collaborators etc.

In these information materials the centre has reflected only the first set of services described in the standard 1, starting from the specific profile of this center (center of high security) and based on article 589, date 28.08.2003 "On the establishment and operation of the National Host Center for the Victims of Trafficking", Article No. 7710, date 18.05.1993 "On the Assistance and Social Care", by-laws for its implementation4, in accordance with the Convention of the Human Rights, as well as the mission defined  for the establishment of this institution.

Referring to the Justice5 criterion, also regarding this standad, confusion is often created about the real services that this institution need to develop, as a result of uncertainty and lack of information given in the appendices in order to meet the standards as well as documents that do not respectively define specific services that residential and community institutions must offer.

4. The Assessment of the Needs and the Care Plan for the Beneficiary

Before I evaluate the elements of this standard, what is worrying in this large group of standards relates to the fact that, while talking about documentation, needs assessment, assistance programs, support staff, etc., in the document of the Standards for Victims of Trafficking in Residential Centres, not a phrase or paragraph referring to the procedures to be followed for admission or age acceptance of the victims of trafficking in residential centres, has been written.

Victims of trafficking are admitted to residential institutions based on referrals or contacts that the centres have with the State Police (Border Police, Office of the National Anti-traffic Coordinator) Regional Offices of SS in different parts, and other relevant organizations of this field, family etc. After the initial identification and interview of a referred case by the above-mentioned actors as a victim of trafficking or potential risk of trafficking, the person accommodates in the respective institutions, always with his full willingness to receive the necessary services.

The organizational structure as well as a job description for each employee is an integral part of the internal regulation of the institution, a structure which is adapted to meet this standard. There have been constant changes within short periods of time regarding the professional staff in this institution, dismissing or hiring workers (who in many cases do not have relevant education, or they lack experience etc.). As a result the quality of services offered at this center has been improved.6

The "internal coherence" implementation, which verifies that the various strategic and operating objectives of a program have a logical relation, if they are complementary and not inflated, as well as the structure of constantly making redundant and changes of the supportive staff constantly, indicates the low effectiveness of this standard, which is

5 Allan Mac Connell, Understanding Policy Success, 2010 p.104.
expressed by lowering to % of cases for victims of trafficking who undertake all the phases of the aid program.7

The profile of victims: age 14-20 years, they live in the village and are subjected to the restriction of liberty, rape, physical and psychological violence and sometimes even murder. As for their level of education, most of them have finished the 9-year school system. Most girls and women who are trafficked come from the lowest economic and social class or social groups that live in misery.8

Their physical profile is a proof of the negligence by their pimps, violence exercised by their users and lack of medical assistance given at the right time. They can have broken bones, gunshot or knife wounds, or cigarette burns and they often suffer from chronic respiratory and sexually transmitted infections, unwanted pregnancies and abortions performed in inadequate conditions.9

This profile of VT is a significant indicator, which shows not only the terrible conditions which they face during the exploitation for profit, but it also represents a useful and helpful element for the experts during the evaluation process of their needs for assistance. It is impossible to respect the time limit specified in this standard (2 weeks) taking into consideration the way in which they are treated during the trafficking time. Even when the evaluation is carried out within 2 weeks after VT’s accommodation in the institution, experience has shown that the assessment was not accurate or complete, in accordance with the real needs of the victim.

This shows that the “Functionality,” the excuse for an intervention in the expected effects, but also in the other side effects arisen, especially the eventual negative effects, is not true, and therefore the standard is problematic and not drafted in accordance with the problems on the first scene. Details of the Annual Report of the NRCVT10 show that during 2013, from 47 cases assisted, only 10% of these cases, referring to the evaluation of psycho-social, educational and health needs were carried out by specialists within the time limit prescribed.

5. The Rights and Responsibilities of the Beneficiaries

From the monitoring of this standard, its main indicator, that is the display of the rights and obligations of beneficiaries in the apparent premises of the Center, is assessed and identified, in accordance with the language and specificity of the vulnerable group, where each beneficiary has equal opportunity to be informed and to profit quality services, thus avoiding gender, religious, or racial discrimination.

How real and genuine can this process be, when we talk about this particular group (children), not forgetting the fact that the majority of trafficked children, who come from the Roma community, are illiterate and do not have the right knowledge to write and understand the Albanian written language?!11

This is another unsolved problem, which experts of this field face, because they themselves do not possess the basic knowledge of the Roma language, but also knowledge of the outlook and culture of this community in our country.12

6. Internal Management of the Service Center

Personnel structure: The number of staff employed depends on the size and type of institution. There are three major groups: administrative staff, professional and support staff. In smaller institutions, the organizational structure is more simple, the ratio of beneficiaries with less personnel and where staff members perform a number of duties at the same time.

In Public residential institutions, administrative structure is as follows:13

**Administrative personnel includes:** the director, head of social service and the administrative head.

**The Professional staff includes:** a teacher, doctor, lawyer, psychologist, social workers.

**The Supportive staff includes:** cleaners, cooks, maintenance workers and a driver.

Referring to the critera of "External coherence" for the assessment of policies, from research made, it is a known

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7 Annual Analysis of the State Social Service, 2013, p. 58.
8 Baseline Survey Research, Section of the Central Region, IOM, September 2010.
9 It’s here.
10 Annual Report 2013 of the National Reception Center for Victims of Trafficking, p. 22.
11 It’s here
13 Instructions Manual of the Minister of Labour, Social Affairs and Equal Chances no. 316, no. 10.02.2010 “Implementing Standards of Social Care for Trafficked People or at risk of being trafficked.”
fact that there is no legal basis, procedures or terms of reference regarding the recruitment of staff, especially the staff of specialists in residential institutions (whether public or those run by non-profit organizations). Employment is not based on competition and not any particular attention is paid to the tendency of employees in respecting the rights of VT.

This results in the low performance of specialists, not well-qualified services, discontinuation of the aid program by VT, therefore affecting the long-term sustainability of the functioning of the institution.

7. Founding and the Cost for the Victims of Trafficking in the Center

The "Ability" criterion, examines whether the action taken has increased the capacity and competence of the operators who have participated.

Regarding the temporary financing of the non-governmental organizations, it is insufficient, considering the needs and requirements which organizations in the aid of the trafficking victims are having. This centers, except food, offer other services such as medical, psychological, legal, educational assistance, etc. It is known today that they have a high financial cost. The law has not well-defined the criteria, on the basis of which organizations should receive funds and how to ensure the sustainability of organizations when the funds provided by central and local government finish. This can lead to the abuse of funds or in the worst case the services will not be received by target groups.

8. Conclusions

- Monitoring capacities for the welfare of victims of trafficking after rehabilitation and reintegration are limited. This affects the process of "recycling" in the phenomenon of trafficking.
- Providing supportive social services through public and private residential institutions, represents the most widespread form of protection given to victims of trafficking in Albania. Meanwhile the world today recognizes and promotes many other forms of support such as volunteering communities, etc, casa family etc.
- Institutions spend 50-70% of their budget on administrative expenses (food, clothing, water, electricity, etc.) and about 10% is spent on social awareness and integration activities for victims of trafficking, community, society and families.
- Standards of working with victims of trafficking have not set clear policies in order to enable the reintegration of victims of trafficking in the family of origin. From 45 cases assisted in CCVT in 2013, only 5 of them were returned to their families, while the rest continued the assistance program at the reintegration center in Tirana, Elbasan and Vlora.

9. Recommendations

Referring to the criteria for the evaluation of the effectiveness and quality of the policies drafted to help vulnerable groups, theoretical basis, which intersects and converge towards expertise, should be given priority. After evaluating the standards starting by the theory it was shown that many policies appear problematic, unrealistic and not in accordance with the current needs and specifications of the country being referred for the phenomenon of trafficking.

It is the right time to improve the legal basis and the assistance policies for the victims of trafficking by:
- setting and respecting standards (environmental standards, quality of life standards, standards of outcomes, professionalism and commitment).
- supervising the services quality (licensing, accreditation and certification, periodic inspection and measurement of indicators, Ombudsman).
- By improving working conditions and processes (improving motivation, providing trainings, developing professional ethic, setting up the system and form of management, and ensuring the involvement of service providers).

References

Annual Analysis 2013, the State Social Service, p. 58.

IOM, Baseline Survey Research, Section of the Region, September 2010.
Inspection of Social Service Centres, SSS, in October 2012.
Instructions Manual of the Minister of Labour, Social Affairs and Equal Chances no. 316, dt 10.02.2010 "On the Application of Standards of Social Care Services for people being trafficked or at risk of being trafficked".
The National Reception Centre for Victims of Trafficking, Annual Report 2013, p 22.
The Republic of Albania, the National Action Plan 2011-2013 in the fight against trafficking of human beings.
Issues of Order in Grammar and Studies of the Albanian Language

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Abstract

Our research aims to follow the path of order development of clauses, words and sentences through the periods of time in grammar and studies of the Albanian language. Highlighting the achievements regarding our issue and identifying the problems, we aim to pave the way for new studies on the order of Albanian language. Knowing that such achievements are necessary not only because there is an Albanian linguistic tradition in the study of the order, but also to shed light on the opinions related to the order in Albanian, as well as some problems concerning it. To see how such units are dealt with in our linguistics, we considered the known grammars of the Albanian language in a chronological order, starting from the earliest days until today. The focus of consultation for a series of issues closely related to our work has been also the research made by various local or foreign authors.

Keywords: order of clauses, order of sentences, period, syntax.

1. Introduction

The order of words and parts is one of the most important tools in forming a speech. It is conditioned by different factors and carries out several functions within a sentence. In the Albanian language, the order of words is relatively free, the parts of the speech can be put in different places without changing their syntax function. The order of periodic sentences is important for the structure and the value of the period. Ranking periods have a fixed and unchanged order due to semantic reasons. Any changes in them would lead to a change in the previous semantic relations. For instance, in the following speech “Kishte nxehntë dhe i pijej ujë”, we cannot reverse its order, because we would ruin the meaning. In any other case, this order cannot change for structural reasons, i.e., in the second sentence, there are words that mention or refer to a word which is in the first sentence and a reversed order would be meaningless, for instance: “Urbani u ndal në qendër të qytetit dhe prej tij zbritën pasagerët”. Here, the phrase “prej tij” describes the word “urban”, therefore we cannot have any other order. The change of order, in this case, would change the logical flow of events.

The order of ranking sentences cannot be changed, even when we have a passage of time, for instance: “Ajo hodhi dru në sobë dhe u ul prañë meje.”

In the Albanian grammar, the order of composite periodical sentences with sub ranking words and the order of parts in these sentences has been dealt with very little. Spiro Floqi says that at least, up until the time that he wrote, the issue of the order of words in a sentence and the periodical sentences with sub ranked periodical sentences, has not been dealt with at all by Albanian syntaxologists or it has been dealt with to a very small extent. Floqi (1969: 125) in his syntax, A. Xhuvani (1922:22), divides speeches into speeches with a direct order and speeches with an indirect order. Thus, the author divides sentences with an ordinary order: subject+predicate + direct object+adjunct and sentences with an unnatural order and vice versa.

Ilia Dilo Sheperi (1927) makes a more in depth analysis of the topic of order. Like A. Xhuvani, he divides sentences with an ordinary order and those with a non ordinary order and makes important remarks on the order of sub ranking sentences.

In his school text, Justin Rrota (1942), like prof. A Xhuvani, talks about the order in a simple speech and divides the direct order from the indirect order, according to him, are defined by the position of the main parts subject-predicate. In other words, we have a direct order, when the subject is in front of the direct object and when the direct object comes after the subject, then this is an indirect order of words in a speech.

The author also talks about the order of the second parts of the speech, also mentioning the order of short forms of the object or personal pronouns, which, like he points out, are located after the verb, if they are in the first person singular or plural, but they can even go before the verb without ruining the semantic of the sentence.

As far as the order of sub ranking sentences are concerned, J. Rrota says that in the Albanian language, the
topical is free and sub ranking sentences can come out in three positions as opposed to the main sentence:

1) After the main sentence and this is the most ordinary order; for example: Mate vrapin, sa të kesh hapin.
2) In front of the main speech; for example: Kush ec kahdalë, shkon shëndosh e larg.
3) Sub ranking sentences can enter between the parts of the main sentence; for instance: Mali, si ti thuash, të përgjegjë. (Rota, 1942: 57).

In his syntax, S. Prifti (1971), after stressing the importance of the order as a very important instrument to express syntax relationships in a speech, makes several theoretical generalizations, seeing order from a functional point of view. Although, like Prifti notes, there hasn’t been any special studies in relation to the order of words in the Albanian language, he rejects the thesis of the foreign researcher Klaus Hebler for the borrowed character of the order of time and subjunctive sentences in the Albanian language and he also rejects arguments that protect this thesis. Making a comparison with the order of words in Greek, Floqi rejects the arguments about the borrowing of the order of words in subjunctive sentences from Greek.

Although in general, Floqi is focused on the order of parts in time and subjunctive sentences, he also lays out a number of theoretical issues which relate to the order of parts in sub ranking sentences in general and namely:

1) When we look into the order of words in sub ranking sentences, we must not see the position of the predicate as opposed to the subjunctive tool, but the position of the main parts and secondary parts, starting with the most simple types subjective-predicate up to the most complicated types. Thus, we must look into all the possible combinations of the parts in the sub ranking sentence.

2) The order of parts in a sub ranking sentence is conditioned by three main reasons: a) by mere structural reasons (in definitive sentence); b) by the narrative weight of a part or a group of parts during the actual analysis of the sentence; c) by new nuances that relate to the meaning, adding to the basic meaning of a particular type of period in a sub ranking sentence.

3) In subjunctive sentences, the position of the predicate and the subject doesn’t directly depend on the subjunctive tool. However, one type of conjunction can have an indirect effect on the order of words through their semantic, such as consequential conjunctions originating from adverbs, while explanative conjunctions, which are empty on the semantic point of view, do not have this effect.

In the same line with S. Floqi is also M. Totoni (1997), expanding his studies on order. In his article “The order of parts in sub ranking sentences and the problem of the impact of Greek” (Totoni, 1997:642), the author deals with not only problems of the order of parts in time and time sentences, but also in other sub ranking sentences. For Totoni, the principles and rules that are followed by Floqi, are right in essence and their application would offer important results in both the synchronic aspect and also the diachronic one, but of course, according to him, they can be elaborated even more.

Like Floqi, Totoni too rejects Hebler’s thesis. According to Totoni, Floqi rightfully points out that by putting the predicate before the conjunctive tool in time and definitive sentences, goes well for fairy tale genre. He argues that this order is conditioned by the current fragmentation and is determined by the stylistic features of this genre, where action and short sentences dominate. But in the literary language, it’s not the same thing, which by expressing a deeper content, it has refined more complicated forms of the order of words.

We also support Floqi’s and Totoni’s opinion according to whom, explainable regularities act within the Albanian language in the order of parts in a sub ranking sentence, conditioned by morphologic, syntax and stylistic features. During its development, the Albanian language has and still uses its internal tools and has not been affected from abroad. The main function of the order of the words in the Albanian language, at least since Buzuku, is the actualizing-stylistic function; the order of parts in a speech is made according to the weight that they have in the saying that contains a phrase. The order of parts in the sub ranking, be it in colloquial language, be it in the fairy tale language, be it in different styles of the literary language, is regulated to adapt to this function.
Hebler would be right if he pointed out a diversion from this rule, a diversion which would be similar to all specific rules of the order of parts in Greek. But neither the one, nor the other is true. The similarity in the order of words in Albanian with Greek cannot be considered as an impact, given that this order in the Albanian language is later documented in the Greek language. Something cannot be called a borrowing of a certain order or even a specimen which is in compliance with today’s rules of the Albanian language.

The novelty that Totoni brings is that he justifies the embedded order of the predicate with the distribution that determines the different function of several words such as conjunctives or adverbs (for instance, si, sa, tek, posa, nga, etc). This embedded order of the predicate after these words has been forced to avoid double meanings that can be created in some cases. (Totoni, 1997: 643).

R. Përmaska (1979, 1987) points out that the order of parts is closely linked to the functional perspective, with an actual fragmentation. He also talks about a direct order, when the order is subject+ verb predicate or noun predicate, predicate+ direct object; predicate + adjunct and an indirect order, when we have, for instance, verb or noun predicate + subject. He too stresses that the main function of the order of parts in the Albanian language has to do with the current fragmentation of the saying. The logical accentuation plays an important role in the current fragmentation in the organization of functional perspective, but such thing, according to him, deserves special attention.

For this article, R. Përmaska also defines the language tools (lexical and grammar), which serve to express the meaning of the saying. Among them, besides the question which serves to find the phony, the order of parts in a speech, tone, nouns (according to the type, general or impersonal, concrete or abstract), adjectives, pronouns (të gjithë, të tërë, diçka, etc), parts (enforcing-complementary or separate, definitive-affirmative, negative), some specialized syntax constructions, the forms of a noun and the short forms of personal pronouns, etc.

Th. Rushi (1983, 1988) has paid special attention to the order in his works. In the article “About the order of parts in a narrative sentence”, the author analyzes issues of the parts in a narrative sentence, talking about factors that condition the order of parts in a simple narrative sentence with a subject, predicate and direct object. (Rushi, 1983:46).

The author admits that the order of parts in a narrative sentence in the Albanian language is free, but this must be understood in a relative manner. In rare cases, this order can also be embedded: subject at the beginning, then the predicate and then the direct object. As far as the latter is concerned, Th. Rushi mentions the case of sentences in which the subject and object are expressed in the same form, when other grammatical, lexical and contextual indicators are lacking, to help define their function. (Rushi 1983: 29). In this case, it’s the order of parts that this function determines, which decides which one is the subject and which one is the direct object. Therefore, it points out one of the cases of syntax function of the order of words, where other grammatical indicators which carry out this function, are lacking.

Another important function in the Albanian language is the one that relates to the current fragmentation of the Albanian language. According to him, the order of order in this case is that the part or the parts that make up the topic, are put at the beginning of the speech; while on the other hand, the part or parts that make up the phone, are put at the end. Th. Rushi sees this function of the order of the words as closely tied to the tone, especially with the logical accentuation. Rushi also lays out the cases of the order of parts in a systematic way.

In the Academy Grammar (Grammar, 1996), the study of the order has been analyzed in depth. The following is said about the order of parts in a sentence in this words: “The place of the parts of a sentence is determined by different factors, mainly actual fragmentation, stylistic reasons and rarely from their syntax function.” (Grammar, 1996: 415) Given that actual fragmentation also determines the order of parts in a sentence. We can do the same by relying on the order of parts to determine the topic and its phony, in some cases even helped by the logical accentuation, which always falls on the phony and also indicated by indicators such as: enforcement parts, separate or negative, the use or non use of the short form of the predicate, the use of personal pronouns of the first and second person, the form and the meaning of nouns, etc., furthermore, the terminology that relates to current fragmentation will be used: topic, phony, direct order (subject+ predicate, predicate + object, predicate+ adjunct), reversed order (predicate + subject, object + predicate etc.), neutral order (topic + phony) or the emphatic affective order (phony+ topic). (Grammar, 1996: 414).

We also believe that the order of parts in a sentence is seen and is taken into account with the aim of determining the topic and the phony, which are known and unknown, the novelty of the saying. In this aspect, when we look at the position of the flowing sub ranking sentence in relation to the main or directive sentence, we will take into account the above mentioned lexical or grammatical tools, which can help us in order to determine the type of the order of the sub ranking sentence in the period.
2. Conclusions

In conclusion, we can say that the grammars of the Albanian language have spoken about order, although not to a great extent. What joins these analyses relates to the main functions of the order of words and parts in a sentence, the relatively free order of words and parts in the Albanian language, the link of order with the current fragmentation and the emotional power of a particular construction, the impact of the type of sentence based on the narration and the use or not of the short form object of the personal pronoun in particular constructions depending on the order.

It's fair to make a distinction between the direct order (subject + predicate, predicate + object, predicate + adjunctive) and a reversed order (predicate + subject, object + predicate, etc) on one hand and neutral order (topic + phony) or emphatic affective order (phony + topic). In both terms, we are in the functional domain of the analysis of the sentence. Thus, we are dealing with the order of the functional parts of the sentence: subject, predicate, object and so on. In the second case, we are in the domain of actual fragmentation of the sentence into something known and something unknown, thus we have to do with communication.

It has been widely accepted that in the Albanian language, order is relatively free, thus the parts can assume different positions without changing their syntax function.

The relatively free order of parts in a sentence seems to be a general feature of the Albanian language, which has a developed inflection, therefore the order doesn’t play any special role in the syntax or meaning of the sentence or the period in general. In relation to the topical of words in a sentence, E. Cabej too says that the richer a language is in the inflection system, the freer the topical of words is in a sentence. And vice versa, the poorer the inflection is, the stricter the topical is. For instance, we have the Latin expression: Civis diligit patriam (The citizen loves his fatherland). According to the author, here it’s clear that civis is subjunctive and patriam relates to the object.

Even if this topical is reversed: Patriam civis diligit, the meaning doesn’t change. (Çabej, 2008: 223).

He bases this on the Greek linguistic, F. Kieckero, who also speaks of the order of words in the Albanian language and the Austrian researcher, Wolfgang Dresler, who points out that the Albanian language often has a tendency to put the verb before the subject. (Çabej, 1976: 125).

References

Floqi, S. (1976). Disa vrojtime për rendin e fjalëve në periudhë, Studime filologjike, Nr. 3.
Xhuvani, A. (1922). Njohuni’t e para të sintakses shqipe, pjes’ e parrë për klasët e nalta të fillore, Vlorë.
Natural and Human Resources that Support the Development of Curative Tourism in Albanian Territories

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Abstract

Tourism is one of the main directions of economic development of Albania, Kosovo and other Albanian regions. Tourism assets of Albanian regions are suitable for the development of diverse tourist activities, among which curative tourism. This paper aims to identify the location, natural features and curative value of thermal and thermal-mineral springs of Albanian territories. Human resources that support the development of this kind of tourism are also taken into consideration. The study is based on available publications, fieldwork results, statistical sources and maps have been designed, generating conclusions and suggestions addressed to the heads of local governments, communities and entities that intend to invest in the development of sustainable curative tourism, according to the most successful contemporary models. At a time when tourism is considered as one of the most perspective branches in our region, becomes important the role that curative tourism plays in areas with curative tourism potential. According to the importance that it has, it is necessary to intensify efforts to promote: the enhancement of natural and human resources; policies and strategies for the development of curative tourism; development of curative infrastructure based on European standards; curative values left in limbo; preparation of guides etc.

Keywords: curative tourism, tourism potential, natural resources, human resources, promotion etc.

1. Introduzione

Il turismo curativo consiste nello spostamento di una categoria di persone dalla propria abitazione verso altri luoghi al fine del miglioramento delle anomalie fisiologiche e della cura di una malattia.

Alcuni autori definiscono le destinazioni turistiche ed i vari tipi del turismo curativo in base alla motivazione e al luogo:

- **Turismo curativo tradizionale** che consiste nello sfruttamento delle acque termo-minerali. Gli inizi di questo tipo di turismo risalgono all’antichità. I luoghi dove viene applicato si chiamano terme (llixha).
- **Turismo curativo montano** legato all’aria pura e il clima salutare. Questo tipo di turismo si applica principalmente da persone affette di malattie dell’apparato respiratorio, dagli anziani e da quelli che vogliono avere una salute sana.
- **Turismo curativo del benessere**, il quale alterna il turismo curativo tradizionale con degli elementi di ricreazione e di divertimento. Si applica specialmente da persone con un reddito più alto della media.
- **Turismo balneare (talassoterapia)**, consiste nello sfruttamento dei vantaggi che offre il mare, le spiagge e il clima costiero per il riposo e il miglioramento della salute sotto l’effetto del sole, della sabbia e dell’acqua.
- **Turismo terapeutico** che ha avuto inizio alla fine del ventesimo secolo, si applica principalmente da persone con redditi alti, che frequentano i centri medico-turistici per mantenere il corpo in buona forma, addirittura per assicurare l’"eterna giovinezza ". I trattamenti includono i massaggi e gli interventi chirurgici1.

Il turismo curativo oggi si identifica con il movimento delle persone verso i centri curativi non solo per il trattamento curativo delle patologie, ma anche per garantire il benessere del corpo e della mente (Becheri 2007). Recentemente in questo campo sono inclusi termini quali SPA (termale) e wellnes (benessere). Lo sviluppo e la fioritura di tutte le forme del turismo curativo vengono sostenuti dalle risorse naturali e umane che offrono le aree terapeutiche.

1 [http://www.dec.unich.it](http://www.dec.unich.it)
2. Le Risorse Naturali, la Base per lo Sviluppo del Turismo Curativo

L'offerta geografica-naturale rappresenta la base della potenzialità turistica. Essa trova sostegno nelle risorse naturali che influenzano direttamente lo sviluppo del turismo (Dh. Doka, B. Draçi 2009). I fattori naturali sostenitori del turismo curativo termale sono:


- La ricchezza idrica. Lo sviluppo del turismo curativo è direttamente legata ad essa. Sono esattamente le numerose sorgenti termali e minerali che hanno permesso sin dal passato il movimento della popolazione verso queste sorgenti per curare le malattie, per garantire il benessere dell'organismo.


Alcuni fattori di rilevante importanza per lo sviluppo del turismo curativo sono anche il rilievo montuoso, i mari ed i laghi. Il clima puro e salubre delle zone montuose favorisce il movimento turistico verso esse. Prendere il sole e curarsi di sabbia spesso appaiono più attraenti di altre offerte naturali.

2.1 Le risorse termali e minerali in Albania e negli altri territori albanesi

L’Albania, Il Kosovo e gli altri territori albanesi offrono delle considerevoli potenzialità naturali per lo sviluppo del turismo curativo. Le principali risorse delle acque termali si trovano a

- Elbasan, le sorgenti delle Llixhave Qendrore (le Terme), Hidraj, Kozan (il pozzo geotermale);
- Peshkopi, le sorgenti all’est della città;
- Përmet, le sorgenti termali di Bënjë;
- Fushë Krujë, le sorgenti termali al villaggio Bilaj;
- Leskovik, le sorgenti di Sarandoporo, Vromon ed al sud di Leskovik;
- Kosovo, le sorgenti di Pejë, Istog, Klikot, Mitrovice ecc (Laçi 2006);
- I territori albanesi in Macedonia offrono le sorgenti di Diber (Banjisht e Kosovrast), quelle di Kumanova ecc;
- La valle di Presheva (territorio albanese nel Sud della Serbia) offre le sorgenti di Bujanoc e Sijarina (Ejupi 2013).


L’Albania nonostante le piccole dimensioni, ha una serie di importanti sorgenti di importanza turistica e geotermale. Le sorgenti ed i pozzi delle acque termali in Albania sono localizzate in 3 aree geotermiche: l’area geotermica di Kruja, l’area geotermica di Ardenica e l’aerea geotermica di Peshkopia.
Tabella 1. Le risorse termali e minerali in Albania

<table>
<thead>
<tr>
<th>Nr</th>
<th>Nome del sorgente e della regione</th>
<th>Le coordinate geografiche</th>
<th>Afflusso l/s</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Mamuras 1 dhe 2</td>
<td>21-22</td>
<td>11.7</td>
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<td>2</td>
<td>Shupal</td>
<td>29.5</td>
<td>&lt;10.0</td>
</tr>
<tr>
<td>3</td>
<td>Le terme di Elbasan (Llixha)</td>
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<td>15.0</td>
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<tr>
<td>4</td>
<td>Hydrat, Elbasan</td>
<td>55</td>
<td>18.0</td>
</tr>
<tr>
<td>5</td>
<td>Peshkopi</td>
<td>43.5</td>
<td>14.0</td>
</tr>
<tr>
<td>6</td>
<td>Il ponte di Katiu, Langaricë, Përmet</td>
<td>30</td>
<td>&gt;160.0</td>
</tr>
<tr>
<td>7</td>
<td>Vromonert, Sarandoporo, Leskovik</td>
<td>26.7</td>
<td>&lt;10.0</td>
</tr>
<tr>
<td>8</td>
<td>Finiq, Saranda</td>
<td>34</td>
<td>&lt;10.0</td>
</tr>
<tr>
<td>9</td>
<td>Il ruscio di Holla, Gramsh</td>
<td>24</td>
<td>&gt;10.0</td>
</tr>
<tr>
<td>10</td>
<td>Postenan, Leskovik, Sorgente di vapore</td>
<td>24</td>
<td>&gt;10.0</td>
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<tr>
<td>11</td>
<td>Kapaj, Mallakastër</td>
<td>16.9-17.9</td>
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<tr>
<td>12</td>
<td>Selenicë, Vlorë</td>
<td>35.3</td>
<td>&lt;10.0</td>
</tr>
</tbody>
</table>

Fonte: Atlante Geotermale dell’Albania (A. Frashëri, V. Cermak et al, 2004).

Nella seguente mappa si mostrano le sorgenti termo-minerali in Albania secondo la temperatura.

Figure 1. La distribuzione geografica delle sorgenti termali secondo le temperature in Albania

Come l’Albania anche il Kosovo ha risorse naturali che permettono lo sviluppo del turismo termale curativo. La composizione tanto complessa dei tipi delle rocce ha determinato numerose ricchezze minerarie (Laçi 2006). In Kosovo ci sono circa 30 sorgenti termali e minerali (Ministero dell’Ambiente e della Pianificazione Ambientale 2010) che vengono utilizzati per bere e per lavarsi.

In generale, le risorse idriche termo-minerali del Kosovo hanno temperature dal 17°C fino a 54°C (Bërxholi 2013) e la scala della mineralizzazione varia da 2-5 g / l. Si distinguono le sorgenti delle Terme di Peja, di Klokot, di Skënderaj ecc. Particolare interesse presentano le Terme di Klokot. Le acque termali emergono nella valle di Binçe, sulla strada Ferizaj-Gjilan con temperature che variano tra 32°C-36°C. Le acque termo-minerali di Klokot si classificano di un’elevata importanza per la loro qualità di argilla (pelloïda). Non possiamo lasciare senza nominare le acque termali...
di Uglar con temperature fino a 290°C e quelle di Kmetovic con temperature 270°C.


Nei territori albanesi oltre confine TTSHPK² mostrano interesse anche le acque termo-minerali della Valle di Presheva. Le sorgenti termo-minerali più importanti sono: Bujanoc, Banjka e le Terme di Sijarin. Le prime sono sorgenti ipertermali con temperature da 24,5°C fino a 43°C e pH 6,8. Le acque termali e minerali di Sijarin riportano segni di attività vulcanica (Ejupi 2013) recente, con temperature fino a 75°C e un flusso di 8 l/sec. Nella zona delle Terme di Sijarin ci sono 18 sorgenti termo-minerali. Vale la pena nominare anche le sorgenti termo-minerali nei territori della Macedonia dell’ovest come quelle di Kosovrast e Banjisht.

Figura 2. La distribuzione delle sorgenti termali secondo le temperature in Kosovo e nei territori albanesi della Serbia

2.2 Le risorse umane

Lo sviluppo del turismo viene sostenuto anche dalle risorse umane. In una data zona l’offerta turistica si presenta completa se si alternano le risorse naturali con quelle umane. Nel turismo curativo termale un’elevata importanza hanno non solo le risorse minerali ma anche il patrimonio culturale, materiale e spirituale delle zone curative. Questi elementi favoriscono la permanenza più lunga dei visitatori nei centri curativi. Nello sviluppo del turismo curativo delle terme una notevole importanza offre anche la cultura sociale ed economica (potenzialità umana) della zona e della comunità che ospita i visitatori. Hanno importanza:

− l’infrastruttura, le strutture alberghiere;
− gli staff specializzati al servizio del cliente;
− il livello dell’istruzione in funzione dello sviluppo del turismo termale;
− l’influenza degli altri aspetti dell’economia in servizio del turismo delle terme;
− il livello degli interventi locali per assicurare lo sviluppo economico sostenibile delle zone termali ecc.

Il soggiorno dei turisti diventa più gradevole nelle zone con una ricca tradizione spirituale. Citiamo qui: l’ospitalità della comunità, la culinaria, i canti e le danze, senza dimenticare gli elementi del patrimonio materiale come: i costumi tradizionali, i prodotti di artigianato, gli strumenti musicali ecc.

Le potenzialità culturali che favoriscono lo sviluppo del turismo curativo sono le rocce e i luoghi del culto religioso (le chiese, le moschee, il tekke). Non mancano i siti archeologici, le costruzioni etnografiche, il folclore, i costumi e le canzoni. Questi elementi sono parte importante dell’offerta turistica che i luoghi curativi offrono insieme all’offerta naturale.

2 TTSHPK-Territori albanesi oltre confine.
L'offerta culturale in alcune zone è più’attrattiva di quella naturale (curativa) favorita anche dalla continuità durante tutto l’anno. Il turismo curativo si intreccia anche con le visite nei luoghi di culto, i siti archeologici e quelli culturali) come a Elbasan, Peshkopi, Bënëjë, Peja, Kumanova ecc. Vale nominare anche l’agriturismo a Bënëjë, Peshkopi e Kllokot favorendo il fenomeno dell’escursionismo. Il fenomeno dell’escursionismo nel nostro territorio si concepisce con l’attività motoria dei visitatori verso i luoghi storici, culturali e archeologici inoltrate alle visite nei centri curativi termali vicini ad essi. I tour operator devono promuovere le visite dei turisti nelle città le quali nelle vicinanze hanno centri curativi.

2.2.1 La cultura materiale in funzione dello sfruttamento dei valori curativi delle terme

Il soggiorno dei visitatori nelle terme spesso si accompagna con delle visite agli oggetti più conosciuti della cultura materiale. Per i territori albanesi l’intreccio dei valori curativi delle terme con quelli culturali appare come segue:

Elbasan: I turisti visitano Elbasan il suo castello (Kala), come una delle fortezze costruite in pianura, l’unica nei Balcani, altre strutture religiose di culto, la tradizione e la cultura (Bevapi K., et al, 2003). Dopo le visite possono frequentare la zona curativa delle Terme di Tregan e di Hidraj. Lo spostamento può aver luogo nella direzione opposta. Dopo aver completato i trattamenti nei centri curativi, i visitatori possono trascorrere il loro tempo libero sempre a conoscenza di valori culturali e storici della zona di Elbasan. Elbasan offre ai visitatori una lunga lista di monumenti culturali e storici: Rrapi i Bezistanit (Il Matusalemme di Bezistani), i ponti antichi, il castello di Mengel, la torre dell’orologio, la rocca di Sulova, la moschea reale ecc. Non possiamo non citare anche la moschea di Naziresha del XVII secolo, il hammam del XVI secolo, la chiesa di Santa Maria che é situata nel quartiere Kala, il museo etnografico, il grande tekke e il tekke di Baba Xhemal. Solo 4 chilometri dalla città dista il monastero di San Giovanni Vladimir. Recentemente un particolare interesse dimostra anche la scoperta archeologica al centro della città vicino al Matusalemme di Bezistan (Rrapi i Bezistanit) La scoperta rappresenta una basilica paleocristiana (del V-VI a.C)3 e uno dei siti archeologici più interessanti.

Durante i lavori per rivitalizzare la torre sud-est della Kala di Elbasan sono stati scoperti tre stelle funebri illiriche (lapidi ). Si pensa che furono usate come materiale da costruzione. Queste stelle risalgono al I- II secolo d. C. La città di Elbasan ed i suoi dintorni offrono la migliore combinazione delle potenzialità culturali con quelle naturali in funzione dello sviluppo del turismo. Vicino alle Terme di Elbasan si trova Gjinar (Shpati), (Opportunity Albania 2011) zona con delle potenzialità naturali e culturali. Le visite al centro curativo possono alternarsi con le visite in questa zona di attrazione turistica che si distingue per l’aria pulita e il clima salubre. La zona di Shpat offre anche importanti valori culturali come: la chiesa di Shelcan e di Valësh con le famose icone di Onufer e di Kostandin Shpataraku.

Oltre le terme di Tregan, Elbasan è noto anche per le acque termo-minerali del pozzo geotermico di Kozan. Queste acque, a differenza delle prime sono meno utilizzate per i bagni curativi, a prescindere che le prospettive per il futuro siano buone. Il pozzo geotermico di Kozan è situato molto vicino alla città e al monastero di San Giovanni Vladimir a Shijon.

Figure 3. Le ricchezze naturali e culturali di Elbasan in funzione dello sviluppo curativo.

3 L’Istituto dei monumenti in Albania

Fushë-Krujë (Bilaj): Dopo le terapie nei centri curativi i visitatori possono passare il tempo libero conoscendo le potenzialità storiche e culturali di Kruja. Kruja è molto ricca in questo aspetto. Possiamo citare la fortezza di Kruja e vicino ad essa il caratteristico bazar, il Museo nazionale storico, il museo etnografico, l’orologio della torre, la chiesa vicino all’orologio della torre, il tekke di Dollmë, i hammam ecc. Tanti visitatori attira anche il museo dell’eroe nazionale Skanderbeg.


Leskovik: Leskovik è noto per il suo ricco patrimonio culturale. Tra le strutture più popolari e più visitate è la chiesa di Santa Maria Lashova dichiarato monumento culturale. È stata costruita nel 1800-1820 ed è famosa per le icone e le opere in legno delle figure della chiesa (Comune di Leskovik 2007). Oltre ad essa si distinguono la chiesa di Santa Maria nel villaggio Cërckë e la chiesa di San Sotir nell’altopiano di Melesin. Non mancano i siti religiosi di culto dell’ordine islamico Bektashi al centro della città. La prova della civiltà precoce sono le scoperte di insediamento illirico vicino alla città di Leskovik.

Kllokot: La zona di Amanarova dove si concentrano le sorgenti termo-minerali di Kllokot e di Uglar, è ricca di elementi del patrimonio materiale e spirituale. Le visite al centro curativo possono essere alternate con le visite a strutture culturali: il castello di Propragje, la chiesa di Santa Varvara, il monastero di San Nicola, le chiese, le icone, i tumuli, gli oggetti etnografici, i santuari, i tekke ecc (Kadriu 2012).

Peja: Peja è ricca di storia. Molti sono gli scavi archeologici, i monumenti cristiani (12), i monumenti musulmani (23), i santuari e le torri dei bektashi. Nel centro della città si trova la vecchia moschea costruita nel 1471. Le visite turistiche a queste strutture si possono concludere con le visite nel centro curativo solo 12 km dalla città di Pejë. Gli elementi del patrimonio materiale e spirituale si alternano con quelle naturali. Il soggiorno diventa attraente grazie alle passeggiate nella gola di Rugova.


Dibër (Kosovrast e Banjëshë): I visitatori che soggiornano in questi centri curativi possono fare delle visite a Dibër conoscendo le sue tradizioni culturali. Il centro curativo offre ai visitatori gli elementi del patrimonio del passato attraverso l’antica piscina (1720) e le tracce della Via Egnatia. Il centro ha adottato misure per regolamentare la piscina (struttura di valore storico e culturale) per attrarre visitatori e per migliorare l’immagine del centro.

Kumanovë: Kumanovo offre un ricco patrimonio materiale e spirituale. Le visite nelle terme di Kumanovo si alternano alle visite nelle strutture culturali, storiche e religiosi. L’antica Moschea di Eski nel centro storico, costruita nel 1751 (La guida di Kumanova), è la struttura più importante storico-culturale. Altri edifici importanti sono la chiesa di San Nicola, il Museo Nazionale, il Teatro Nazionale e molti siti archeologici nei suoi dintorni.

La Valle di Presheva: Il patrimonio naturale viene rappresentato da questi oggetti: la grotta di Ilincës, la caverna dell’Orso, il Tronco di Qarr (Ejupi 2013) ecc. Un’importante offerta turistica e anche il patrimonio culturale rappresentato da siti archeologici, oggetti di culto (chiese, moschee, tekke e santuari), edifici residenziali (case a torre e stanze antiche (ode), strutture pubbliche (locande, sale da tè, mulini e fontanelle) (Salihu 2013). Le visite possono concentrarsi anche ad importanti strutture culturali: la roccaforte di Presheva, la località di Përzhbar, la fortezza di Bushtran e le tracce delle antiche fortze delle Dardani.

Il movimento turistico nei luoghi curativi ha come scopo l’apprezzamento dei motivi etno-sociali e culturali. Gli abitanti tradizionali, i cantori e le danze, gli strumenti musicali, le tradizioni e i costumi, le strutture religiose di culto, i proverbi e le leggende attirano molti visitatori.
3. **Le Conclusioni**

Il turismo curativo termale è strettamente legato all’esistenza delle sorgenti termali e minerali. Il territorio delle nostre terre con una variabile costruzione geologica offre molte fonti termo-minerali. Il turismo curativo oltre le potenzialità' naturali viene sostenuto anche da quello culturale. I centri curativi hanno la possibilita’ di offrire ai visitatori visite guidate nei luoghi del patrimonio culturale. Questo permette il prolungamento della loro permanenza in questi centri e favorisce lo sviluppo durante tutto l’anno.

Nei territori albanesi, lo sviluppo del turismo curativo è passato in diverse fasi ed è stato influenzato da sviluppi storici e politici. Il potenziale turistico offerto, consente il suo sviluppo attuale. In un’epoca in cui il turismo è considerato come uno dei rami con più prospettiva nella nostra regione, diventa importante il ruolo che il turismo curativo svolge in aree con potenziale turistico curativo. Secondo l’importanza che ha, è necessario intensificare gli sforzi per rafforzare:

- Le politiche e strategie per lo sviluppo del turismo curativo;
- Lo sviluppo delle infrastrutture curative secondo gli standard europei;
- La promozione dei valori curativi lasciati in limbo;
- La preparazione di guide turistiche;
- Il coinvolgimento della comunità nello sviluppo del turismo;
- La qualifica professionale della nuova generazione con nuovi concetti sul turismo curativo e di benessere;
- Gli investimenti locali e stranieri nel settore del turismo curativo ecc.

**References**


**Il comune di Tregan, 2012**

**Il comune di Petran, 2012**

**Il comune di Peshkopi 2012**

L’Accademia delle Scienze (1991), Geografia fisica dell’Albania, 258-259.


L’Ufficio per la riabilitazione e la cura fisica, Ahmet Blakaj, Peja maggio 2012.

L’Istituto dei monumenti in Albania.


La guida di Kumanova, 7.


Ministero dell’Ambiente e della Pianificazione Ambientale 2010, risorse idriche del, 5.

Opportunity Albania (2011), Benvenuti a Shpat, guida turistica, Elbasan.

Piano di sviluppo del turismo, comune di Tregan, Petran, FSHZH, Il centro di ricerca e di sviluppo, giugno 2009, 7.

Consumer Food Safety in Albania

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Abstract

At a time when new resources are needed for economic growth, the development of policies for customers is an area that can have a significant contribution to achieving the objectives for a safe consumer and a well-functioning market. Empowering consumers is not only a right, but has to do with creating an overall environment that enables them to use those rights and benefit from them, which means creating a system in which they can supported and which guarantees the safety of goods and services and effective protection of their economic interests when these are put at risk. Strategy for South Eastern Europe (SEE) 2020, which reflects the European 2020 highlights growth and smart, sustainable and inclusive. The policies for the protection of consumers enabling them to make well-informed choices that affect fair competition and support the goal of sustainable growth. SEE 2020 strategy aspires to empower consumers to play a pivotal role in the market, which requires strengthening their confidence in buying goods and services.

Keywords: Consumer, information security products, SEE strategy etc.

1. Introduction

Our country is going through a long period of transition, it is striking is that the market has a variety of food products. The findings made not all food products have security feature to have in a consumer market safe and protected from various dangers. For a customer as safe as possible it is essential to inform him. Consumer information and advice are essential elements of their defense. Increasing the ability of consumers to purchase knowledgeable brings undoubtedly increase the impact that they have on strengthening operational market, fostering innovation and economic growth, the demand for variety and quality of goods and services at competitive prices, market opening and growth employment. Guaranteeing the free movement of safe products on the market with the same technical requirements with European ones is the basis for any policy to customers and one of the fundamental freedoms laid down in the Treaty on the Functioning of the EU and one of the measures envisaged in the Strategy SEE 2020. An effective policy on the customer can change for the better life of EU citizens. Customer safe, informed and emancipated is the engine of the economy.

The internal market has played a central role in the economic challenges facing the membership which is Europe and forwarded to by EU citizens tangible benefits. The question arises what would you mean by consumer? 'Consumer' means any natural person who is acting for purposes which are in the framework of his trade, business, craft or profession that commits. In the Treaty of Maastricht it was agreed to create the European Union (EU), which would itself appointed the European Community (EC), membership established by the Treaty of Rome in 1950. The Treaty of Rome was signed in 1957 and entered into force in 1958. In Article 39 membership of this treaty are determined only five points on agricultural joint objectives. The fifth has the purpose to ensure that supplies reach consumers at reasonable prices. Any abuse carried out by a dominant firem inside the Common Market or in a substantial part of it shall be prohibited as incompatible with the Common Market to the extent that it may affect trade between Member States. In 1992 will be the Maastricht Treaty that will bring innovation in the field of consumer protection.

1 http://ec.europa.eu/consumers/archive/overview/cons_policy/doc/cps_0713_it.pdf
2 Direttiva 2011/83/UE Del Parlamento Europeo e del Consiglio.
4 Ibid.
5 Ibid , Article 86.
2. The Right to Consumer Information

Policy on Consumer Protection includes a wide range of issues, such as consumer safety, informing the consumer, consumer education, protection of economic interests, compensation for consumer protection, market surveillance, consumer complaints, and their representation. This protection is for any good or service provided to the customer or used by them or is likely to achieve in the consumer market, consumers enjoy this protection without any discrimination or distinction. One of the points on which we will focus in this paper is to inform the consumer.

Consumer information and advice are essential elements of their defense. Only a well-informed consumer can maintain a critical attitude to the transparent variety of products and services in the market and can make an informed choice, contributing in this way to improve the quality of products and services. Some companies can do advertising preliminary prior to introduction of a product on the market in order to take measures for the protection of consumers through various forums or by voting online without possibility for identification of the individual to express suggestions, with the purpose of expressing very free of opinion on various products or goods, whether this good will enjoy a rich or poor, or no gender or racial differences.

Information and advice given to consumers must be independent, reliable, accurate and decentralized, in order to ensure the achievement of the right of ensuring social justice between individuals. Food labeling is a necessary element for consumer information and ensuring its health, food must have relevant tags. Providing information food will pursue a high level of protection of health and the interests of consumers by providing the basis for consumers to make informed choices and the use of food safety, in particular with regard to considerations of health economic, environmental, social and ethical.

The customer enjoys protection from any commercial practice, misleading which contains false information. By law, merchants are obliged, within the limits of the relevant activities, to give consumers a complete and accurate set of goods and services or to be placed on the market. The data must be true, accurate and clear for all of the goods and services, as well as their trading conditions. The only persons who can provide information appropriate and necessary for the consumer on goods or services are traders who place in the market it. Law "On protection of consumers" explicitly sets of data attributes and their contents.

Data must be true, accurate, clear all of the goods or service, but also for their trading conditions. Traders forced on the premises of their business activities not discriminated against consumers, make the exposure of goods on customer's request, if the nature of the commodity permits this. Must meet sanitary conditions, to provide the declaration of conformity where their production is based, in cases where it is required.

3. Food Safety

During the last 5 years our country has undertaken a series of horizontal and sectoral initiatives field of consumer protection policy. These initiatives have been taken in implementation of this common strategy "Consumer Protection and Market Surveillance for 2007-2013 and the Strategy" For the development of quality infrastructure in Albania. As a result of the economic downturn, the products that the customer buys on the market do not always provide guarantees, to development and effective implementation of a strong legal framework has a special importance, because it increases the confidence of consumers in the market. Consumer market growth brings increased purchases, the latter strengthening the local economy.

Strategy for Consumer Protection and Market Supervision 2014-2020, is a political document which places at its center aim to empower consumers and their active role in the market, exercising their rights and power of the informed choice to buy goods and services. This strategy is in addition to the measures envisaged in the previous Strategy for Consumer Protection and Market Surveillance (2007-2013), specifying the areas that will require more attention in the coming years 2014 to 2020.

To provide a consumer protection Albanian government has been a priority of creating the legal framework and institutions in the field of food safety. Food safety is a matter of concern not only in our country but throughout Europe. Since 1980 consumers felt increasingly threatened by listeria in cheese, salmonella in eggs and chocolate, use of

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hormones in meat production, genetically modified vegetables.\textsuperscript{10} Legal structures and policies of the European Union directly favors certain practices that devalue the quality of food.\textsuperscript{11} Fall of avian influenza has been a disturbing factor on food safety for consumers in our market, as that offered protection gave no guarantees high as in neighboring countries.

Consumption of products seized by the disease constitutes a danger to the health of the population, causing damage to health, but underestimated and harmful effects on the economy as a result of not drawing with these product categories in the market as a result of sitting that consumer confidence.

To ensure the protection of the health of consumers must ensure effective functioning of each link in the food chain from farm to table.\textsuperscript{12} Measures taken for consumer protection does not constitute a difference whether the products are manufactured in Albania or are importuba from other countries, the implementation of their effect on equal terms. For this reason, the Albanian government has had and will continue its attention to strengthening the control and monitoring of foods produced and marketed in the Albanian market intended for human consumption and food for animal use.\textsuperscript{13}

3.1 Areas covered by the Law on Food.

In terms of legislation, the Law "On Food" adopted in 2008 is harmonized with the acquis communautaire in the field of food safety, is intended to reduce, eliminate or prevent risks to consumer health through analysis of three basic components: assessment risk, risk management and risk communication in the field of food and feed, plant protection and agricultural inputs, etc...

Secondary legislation adapted to the European one includes package hygiene, microbiological criteria, the criteria health for products of animal origin imported contaminants food, food additives, materials in contact with food, labeling of food products, health requirements for aquatic products, food for children ect..

Besides developments in the legal field, a major achievement in terms of ensuring food security in the country is the materialization of the National Food Authority (NFA), as the institution responsible for the control of food products of animal origin, not animal, plants and plant products as and agricultural inputs and control of raw materials used in the food industry as well as eventual product. NFA became operational on 1 September 2010. Our country has made progress with regard to the legal framework in the field of food safety, despite this remains partially harmonized with the European one.

In Article 3 of Law No.9863, dated 28.1.2008 "Food" clearly defines what will not understand its food by:

1. "Food" or "food product" means any substance or product, whether processed, partially processed or unprocessed, determined to be or, for any reason, it is consumable for people. The term "food" also includes drinks, chewing gum, food additives and any other substance, intentionally, it becomes part of the food during processing, preparation or treatment.

2. The word "food" includes water:
   - a) used as drinking water for public supply of the population;
   - b) use and / or join the food during manufacture, preparation or treatment thereof;
   - c) packaged as table water, mineral water and spring water.

Protect the interests of consumer law, the protection of his interests is a key element to design effective policies in the present and in the future. This law protects the interests of consumers and provides the basis for their selection of information needed for the consumption of food. Law to ensure protection has a preventive effect in these cases (Article 9):

- a) forged or fraudulent practices;
- b) violation of the quality of food by improper use of components;
- c) any other practice that falsely directs consumers.

Any food that is not safe for human health can not be launched. Any food that is produced according to standards and is not harmful to health is safe. Foods that can cause a damage on human health, whether in the future are uncertain and can not be offered to consumers in the market for consumption. Product labeling is another area that is covered by this law. Imported products in our country must be labeled. Labels must be written in Albanian, be distinct, legible and
understandable. Food, which is marketed, provided the label, recording:  
- a) the product name;  
- b) a list of ingredients;  
- c) the amount of specific ingredients or categories of ingredients;  
- d) the net quantity in the case of unpacked food;  
- e) date of minimum durability or, in the case of foods that pose a risk of microbiological standpoint, marked "used to ...";  
- f) any special condition of storage and / or use;  
- g) name or business name and address of the manufacturer, packager and / or dealer;  
- h) gj) country of origin;  
- i) instructions for use when food can not be used without it;  
- j) degrees alcoholic beverage volume, containing more than 1.2 percent of the volume of alcohol;  
- k) content or composition of GMOs and GMOs contained.

Food before placed on the market and labeled may be exercised an official control. Official food control includes one or more of the following activities:
- a) inspection;  
- b) sampling and analysis;  
- c) control the label and official documentation;  
- d) examination of the documentation for traceability;  
- e) review of self-control system.

4. Conclusions

Consumer protection in our country is a novelty, years before there were no special measures to ensure its protection. Policy-making for customers is an area that can have a significant contribution to achieving the objectives for a safe consumer and a well-functioning market. In this paper I stopped in the treatment of two points of customer information and the treatment of certain moments on food safety. First customer information is one of the most important policies related to it. Only a well-informed consumer can maintain a critical attitude transparent variety of products and services in the market and can make an informed choice, contributing in this way to improve the quality of products and services. Secondly, in terms of legislation, the Law "On Food" adopted in 2008 is harmonized with the acquis communautaire in the field of food safety and aims to reduce, eliminate or prevent risks to consumer health. Product labeling is another area that is covered by this law, the label must be written in Albanian, be distinct, legible and understandable. Besides developments in the legal field, a major achievement in terms of ensuring food security in the country is the materialization of the National Food Authority (NFA), as the institution responsible for the control of food products of animal origin, not animal, plant or plant products as and agricultural inputs and control of raw materials used in food industry as well as eventual product.

References

The Treaty of Rome.  
Direttiva 2011/83/UE Del Parlamento Europeo e Del Consiglio.  
The crosscutting strategy "On consumer protection and market supervision" from 2014 to 2020.  
Law No.9863, dated 28.1.2008 "On Food".  
http://www.epg.acp.int/fileadmin/user_upload/rometreaty2.pdf

14 Article 36 of Law 9863, dated 28.1.2008 "Food".  
15 Ibid, Article 38.
Fashion Conscious Consumers, Fast Fashion and the Impact of Social Media on Purchase Intention

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Abstract

The fashion conscious segment is an influential force within the fashion industry, which has been facilitated by the growth of the new media. However, very little research has looked at the behaviour of fashion consciousness consumers, and the impact of the social media with regard to the adoption of fashion trends and purchase intention. The study investigates the correlation between positive negative conversation in social media channels, fashion conscious consumers and increase of decrease of purchase intention. Data was gathered from a self-administered questionnaire online which was sent to women and men ages 21-65, using Google Drive. A questionnaire of 276 respondents has been encoded and the scales have been adjusted. Validated tests were performed using Step Wise linear Regression. The hypotheses that fashion conscious consumers are more influenced by social media buyers' reviews and discouraged by a negative opinion was confirmed. The study, contributes to a further theoretical understanding of the fashion conscious segment, impact of social media social media, and shopping behavior. The fast fashion segment which adopted late the social media will have to adapt to the increase impact of social media amongst different types of segments

Keywords: Consumers, Fashion, Fashion Consciousness, Social media.

1. Introduction

Due to increasing demand for fashion, luxury lifestyle mainly among the urban population and global growth in gross domestic product the fast fashion industry is growing 9.7% per year over the last five years, while their traditional-apparel counterparts have grown just 6.8% per year over the same period. (Euromointor statistics 2009 -2004 , 2009)

The growth of the fashion industry is attributed to the Fast Fashion business model that offers new fashionable clothes every few weeks at affordable prices. Thus from an operations standpoint, fast fashion requires a quick response to new trends and frequent assortment changes (Caro & Martinez de Albeniz, 2014)

There is an ongoing research on fast fashion dealing with consumer (Sull, 2008) behaviour (Sull & Turconi, 2008)but few researchers move to analyses consumers' practices and habits towards fast fashion products considering the impact of the social media.

Focusing on the specific segment -fashion conscious consumers, the present study intends to fill this gap in literature, analyzing the impact of the social media on the consumption two dimensions:

a) The increase or decrease number of visiting fast fashion retailers and b) the increase or decrease of actual purchasing fashion garments as a result of social media influence.

2. Theoretical Background

2.1 Fashion conscious Consumers

Buying Behavior is the decision processes and acts of people involved in buying and using products of consumption choices and behaviours from a social and cultural point of view, as opposed to an economic or psychological one.

This academic study of consumption choices is based on economic and cultural points of view that evolve in the last 3 decades (Arnold & Thompson, 2005). In the last 5 years due to changes in consumer level of knowledge and awareness, a new approach has focused on a new type of consumer: Strategic consumer (Cachon & Swinney, 2009)).
Strategic consumer buyer behaviour theory assumes that the constantly varying demands of consumers like waiting for price reduction and the changes in lifestyle have fuelled the process of renovation and more affordable prices in the fashion industry (Cachon & Swinney, 2011).

Fashion conscious consumers can be also defined as strategic consumers as they are early fashion adopters. Having more interest in fashion, they search for more fashion-related information, shop more often, and try more new fashion items than others (Bertrandias & Goldsmith, 2006.) (Iver & Eastman, 2010).

It should be understood that fashion involvement is an influential driver in the consumer's fashion adoption process. Part of the fashion involvement mean seeking information about new trends, new brands, or price reduction. How much a consumer will be involved in the fashion will depend on his/her intention to buy that fashion. Involvement has the strongest influence on the consumer's buying behaviour.

Thus, the high information seeking, the quick adoption process of new trends (Cholachatpinyo, Padgett, & Crocker, 2002) and the average amount spent (Wan et al 2001) on clothing of this segment separate fashion conscious consumers from other fashion segments (Cholachatpinyo, Padgett, & Crocker, 2002).

According to Iyer and Eastman ((Iver & Eastman, 2010) these consumers “want to keep their wardrobe up to date with the latest style and gain pleasure from shopping’.

As increasing amount of information about new clothes is now available on social media and fashion knowledge and awareness of new fashion trends influences the adoption of new fashion items, fashion conscious consumers are more likely to be exposed to this information, and, thus, motivated to visit fast fashion retailers more frequently.

Social media

Social Media could be defined as “a new form of media that contain online sources that were generated, explored, utilized, and spread by online users with intent to educate others about products, brands, services, events, and other topics of interest”. (Rehmoou & Khan, 2011)) Nowadays, internet communities, blogs, forums, and social networks have become a part of life for most people, so that the social media have become alternative communication tools, supporting existing relationships and activities in a joyful way that can enrich the users’ experience. Moreover, the increased use of the social media provides a platform for nurturing brands and affecting consumers’ purchase decisions.

In one of the earliest research on fashion blogs (Rickman & Cosenza, 2007) it was found that fashion conscious consumers pick up fashion ideas today from media and movies, social sharing and friends, street styles and many other places. They often talk about these ideas online and before you know it, the ideas can grow into trends.

This is why Social media is now viewed in the fast fashion industry as an opportunity to improve customer relationships and to ultimately capture a larger audience (Mohr, 2013), for example Zara has currently in 6.2 million followers on Instagram.

The importance of nowadays social comparison is becoming valid when measuring consumer conversation and interactions on Facebook, Instagram and other social media channels.

Since consumers enjoy the interaction and communication with each other and like to receive advice, either positive or negative, about different products or services, virtual communities have an impact on the consumers’ purchasing decision (Heinonen, 2011).

Consumer behaviour and social media

Social Media was at the beginning used to maintain relationships with relatives or colleagues/friends, but as the social media evolves we can see online a noticeable influence on the behaviour and consumer buying intent and implicitly on the purchase decision.

Today social media allows for the dissemination of a great deal of information about a company or product. This information isn’t limited to what a company alone puts out there, because many sites within a social media network are devoted to consumer-collected information. The increased availability has changed the common consumer into a researcher. Before making a purchase, the consumer can log on to a social media network and see what other people think about products and how the company handles customer service. The more information available as outcome of conversation photos, the more likely the consumer will make the buying choice that fits his or her needs.

Social media today empowers customers to help each other, which is a rewarding experience for them and builds a knowledge base for the brand. Generally, today customers as a whole know more about the products than the brand does.

According to (Mir, 2012) thousands of internet newsgroups and online chat rooms have emerged, which are
influencing the buying decisions of consumers. These are useful, as when a large number of online users provide the same opinion about a brand, the credibility of the brand is increases. Jonas (Jonas, 2010) also agrees with this phenomenon.

Both the social media and social networks contribute to every stage of the consumer decision-making model. Today with the social media a person who is "fashion conscious" will be aware more quickly on fashion trends and styles latest looks.

As a result of these conversations and knowledge this segment often care more about some things than a brand realizes and less about what the brand thinks is important. This can affect product decisions (Kozinets, Andrea, Sarah, & Valck, 2010).

3. Research Hypotheses

This study established a model in which being fashion conscious consumers, a personality trait towards adopting new fashion goods, have a direct impact on purchase intentions. In addition, this study looks at the moderating effects of the social media on this segment.

Figure 1 shows the hypothesized relationship among these variables in the model.

Hypothesis 1.1: As compared to late adopters, fashion conscious consumers are more likely to purchase more items of clothing products on a shopping spree to fast fashion retailers.

Hypothesis 1.2: As compared to late adopters, fashion conscious consumers are more likely to use the social media as a channel that is strengthening fashion awareness, thus, visiting fast fashion retailers more frequently.

Hypothesis 2.1: As compared to late adopters, fashion conscious consumers are more likely to buy more clothing products on a shopping spree.

Hypothesis 2.2: As compared to late adopters, fashion conscious consumers that are using the social media as a channel that is strengthening fashion awareness are spending more fashion consciousness (more or less) on a shopping spree.

4. Methodology

For the empirical portion of the study, two revised scales were adapted to suit the objectives of this study. Gould & Stern, (1989) developed the first scale, used to measure fashion consciousness. Bakewell, Mitchell, & Rothwell, (2006) used an adapted version to measure male fashion consciousness in the United Kingdom (UK) market. For this study, items from both scales were used to reflect the dimensions of fashion consciousness (six items) and fashion conscious behaviour (six items).

Responses to scaled items were measured by using a five-point Likert scale (1 = strongly disagree to 5 = strongly agree). In addition, the questionnaire included a section, designed demographic information.

The questionnaire was translated into Hebrew and back-translated into English in order to provide coherence and an equivalence of meaning.

The data used in the research was collected by online survey through google doc.

For the sampling frame, a total of 276 questionnaires were received.
Gender

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td>0 = &quot;Female&quot;</td>
<td>155</td>
<td>56.2</td>
<td>57.6</td>
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<tr>
<td></td>
<td>1 = &quot;Male&quot;</td>
<td>114</td>
<td>41.3</td>
<td>42.4</td>
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<td>269</td>
<td>97.5</td>
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</tr>
<tr>
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<td>System</td>
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<td>2.5</td>
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</tr>
<tr>
<td>Total</td>
<td></td>
<td>276</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

Table ---- How many times do you visit fashion shops in a month (TVFS)?

<table>
<thead>
<tr>
<th>Factors</th>
<th>Beta coefficient</th>
<th>t-value</th>
<th>Sig. level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fashion Awareness (M)</td>
<td>.705</td>
<td>4.441</td>
<td>.000</td>
</tr>
<tr>
<td>Do buyer's reviews on lines rating on social media affect your purchase intention for a particular brand?</td>
<td>.277</td>
<td>3.565</td>
<td>.000</td>
</tr>
<tr>
<td>Consumer's behavior of consumer fashion Awareness (H)</td>
<td>.510</td>
<td>2.751</td>
<td>.006</td>
</tr>
</tbody>
</table>

Notes: Significant at: p<0.05; F(5, 235) = 2.221.5; Adjusted R²=0.93

Hypothesis 1.1: There is a correlation between fashion conscious consumers and the frequency visits to fashion stores, which is confirmed.

Hypothesis 1.2: There is a correlation between the impact of social networks on fashion conscious consumers and the frequency visits to fashion stores – confirmed.

That means that fashion conscious consumers are more influenced by a social media rating and discouraged by a negative opinion.

Dependent Variable: How much money do you spend per shopping trip (in NIS)?

<table>
<thead>
<tr>
<th>Factors</th>
<th>Beta coefficient</th>
<th>t-value</th>
<th>Sig. level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>.036</td>
<td>5.788</td>
<td>.000</td>
</tr>
<tr>
<td>Do buyer's reviews on lines rating on social media affect your purchase intention for a particular brand?</td>
<td>.206</td>
<td>3.263</td>
<td>.001</td>
</tr>
<tr>
<td>Consumer's behavior of consumer fashion Awareness (H)</td>
<td>.454</td>
<td>6.310</td>
<td>.000</td>
</tr>
</tbody>
</table>

Notes: Significant at: p<0.05; F(5, 237) = 864.2; Adjusted R²=0.89

Hypothesis 2.1: There is a correlation between fashion conscious consumers and spending (more or less) on a shopping spree. - This hypothesis was confirmed

Hypothesis 2.2: There is correlation between the impact of the social media and the spending of the fashion conscious (more or less) on a shopping spree. - this hypothesis was confirmed

What is the role of the social media in your decisions to buy apparels

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td>1 = &quot;It has NO ROLE to play in my apparel purchases&quot;</td>
<td>68</td>
<td>24.6</td>
<td>26.0</td>
</tr>
<tr>
<td></td>
<td>2 = &quot;Helps me in COMPARING PRODUCTS&quot;</td>
<td>56</td>
<td>20.3</td>
<td>21.4</td>
</tr>
<tr>
<td></td>
<td>3 = &quot;It helps me in my PRELIMINARY SEARCH about fashion trends&quot;</td>
<td>52</td>
<td>18.8</td>
<td>19.8</td>
</tr>
<tr>
<td></td>
<td>4 = &quot;It helps me in SPEEDING UP THE BUYING PROCESS. so I can avoid queues at the store&quot;</td>
<td>46</td>
<td>16.7</td>
<td>17.6</td>
</tr>
<tr>
<td></td>
<td>5 = &quot;It helps me in ALL ASPECTS of the purchasing process&quot;</td>
<td>40</td>
<td>14.5</td>
<td>15.3</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>262</td>
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<td>100.0</td>
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<td>System</td>
<td>14</td>
<td>5.1</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>276</td>
<td>100.0</td>
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</table>
5. Discussion

Over the last decade the market has witnessed dramatic changes in the buying behaviors of consumers owing to the persistent introduction of new technologies followed by progress in the social media especially. Due to these changes in the market there has been constant need for changes in our approach to consumer behaviour theory.

The fashion industry was a latecomer to the social media scene, and arguably only started to make the most of the medium around 2009-10.

The findings of this study suggest a strong correlation between fashion consciousness and fashion conscious segment purchase intention and a positive impact of the social media toward shopping.

What social media and the web and the era of mobile devices have given brands is the ability to speak to consumers who are hand raisers.

Several managerial implications might be derived from this study.

The role of the social media in the process of purchase, when it involves fashion consensus consumers is not only an informational tool.

Consumers are believing today that social media helps them to speed up the buying process.

So when a company builds social audiences that are direct, the value of this important segment- fashion conscious- can now be calculated in numerable ways.

The research shows that managers can reduce today dependency on paid media and ultimately increase the speed with which new ideas and new products can go into the market that goes into the market.

Consumers believe in seeking value for money, as they shop often and spend more or less, the research indicate the impact of the social media as an important attribute of value perception.

Thus, fast fashion apparel brands should utilize the social media to influence the decision of its consumers in buying their product, making their product known or using social media as a catalyst to positively influence different segments.

For managers of today every opportunity they have to syndicate content and increase visibility is valuable. Social media makes an easier accessibility for new customers, and makes companies more familiar and recognizable for existing customers.

Despite its limitations, this study contributes to existing literature by highlighting the powerful role that the social media can play in today’s marketplace.

Social media is a place where brands can act like people do, and this is important because people like doing business with other people, not with companies.

However, there are several issues that need to be borne in mind, when reading the results of this study. Firstly, as this was a one country study, further research such as this is needed to test whether these findings can be generalized to other countries. Secondly, the study focused on the social media, the types of social media need to be explored to see if findings are transferrable in a different context.

References


Human Rights Protection in Albania

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1. Introduction: Consideration Over the Current Albanian Constitution

The current Albanian Constitution was approved and entered into force in 1998, since a precedent attempt of constitutional referendum was rejected by the majority of people in 1994. The Albanian constituent Assembly, assisted by experts provided by the Council of Europe, for what concerns the question of the relationship between international and internal law has tried to be as clear as possible. In particular, in the first part of the Constitution regarding the basic principles of the Albanian legal system, the validity of general international law is recognized in direct and automatic way. According to this «solution», the international law binding upon the State is composed, besides internationally recognized general rules (principles and customs), even by treaty law. If, at first sight, this equalization between treaty norms and International general norms (principles and customs) could bring to any apparent confusion, in truth it should be interpreted as a clear and precise choice of the Constitutional legislator in order to guarantee a greater protection extending, exactly, even to the treaty obligations the same Constitutional protection granted to the general international law. This «equality» of strengthened Constitutional treatment should not be realized as an attempt of equalization of international treaty law with general international law (considering that hardly could be reached this goal by mean of internal legislative techniques or methods); instead, it should be seen as a further corollary guarantee that the constituent decided to grant to international treaty law binding upon the State.

Anyway, considerable part of the Albanian doctrine influenced by «kelsenian» pure normativism sustains that the dictation of art. 5 of the Albanian Constitution is to be interpreted in a sense that it should include not only international treaty law, but also general accepted rules of international law, customs and principles (sic!); inevitably a basic objection emerges. It concerns the conception this doctrine has in regard with the nature of international law itself, as it considers international treaty law the milestone of international law without giving proper importance and place to general international law (principles and customs). Apart the glaring doctrinaire and methodic confusion of this position inasmuch...
as it relegates principles of international law at the same degree of custom and treaty law, emerges in this case even an interpretative incoherence with regard to the Constitutional provisions under exam.

International treaties in particular, as well as conventional International law in general, bind the signatory Part because a formal principle of International law (that originates from the auctoritas of the International community) – exactly, the pacta sunt servanda principle – prescribes this juridical effect. For these reason, the ratio of this presumable «equalization» between primary and secondary norms of international law within art. 5 of the Constitution should be interpreted as a clear intention of the constituent to extend to duly ratified treaties the same constitutional guarantees; that does not imply any substantial equalization of these norms. International treaties, as any other international instrument subject to ratification, «become part» of the (Albanian) domestic law only as a consequence of completion of internal procedures of ratification, properly sanctioned in the Constitution; the act of ratifications has only a sub-constitutional rank (art. 116, § 1, Const.). Constitutional, in this case, is only the principle binding upon the State with regard to proper international obligations; that is nothing else but the tout court «internalization» of the pacta sunt servanda principle. According to the Constitution, International treaties, duly ratified, «become part» of the Albanian legal system and, in the hierarchy of the sources, occupy an «intermediate» position between Constitution and ordinary law of the State.

c) At this point, a particular attention should be granted to the question of the collocation of human rights law in the constitutional framework. The communist model of the so-called «popular democracy», in force in Albania before the Nineties, used to consider the respect and guarantee of human rights direct and natural consequence of the social and economic equality of the citizens. This equality should have been reached only after the transformation of the economic bourgeois relationships in economic socialist ones, with no class conflict that produces oppressors and oppressed; all would have implied the real equality of the citizens. Only with the elimination of the social and economic inequality – distinguishing element of the capitalist society, according to Marxism – highest human rights guarantee and protection standards could have been reached.

To be more precise, fundamental rights and liberties, though being formally sanctioned in the Constitution, were strictly conditioned on the economic relationships of the communist society; they were the superstructural reflection of (socialist) production relations. As long as the relations between individuals were not characterized by the class conflict dialectics (between bourgeois and proletarians, to be clear) even individual rights – considered, exactly, a superstructure – would have been the reflection of this relations and would have not been affected by any inequality.

The institute of human rights and its relative guaranties, as an integral part of the socialist public order, according to this theory, concurs to the indisputable goal of the socialism: «the progressive development of the popular democracy and the satisfaction of all the material and cultural needs of the workers» (intended the latter as the unique ruling class in the socialist society). This kind of juridical relativism, contrarily of what emerges in bourgeois occidental societies, originates from the very basis of the socialist systems, inasmuch the norms concerning human rights protection are...
traditionally conditioned on the principle of the safeguard of the public order and the development of the socialist State.\footnote{11} 

Diametrically different is the new constitutional framework of the «occidental» Albania. The human rights had to be the inspiring principle of the democratic society.\footnote{12} The whole social, economic and legislative framework of the Country could not prescind from that essential and fundamental core of individual rights and liberties that characterizes the occidental model of society. So, in the same Constitution of 1998, was sanctioned in a clear and unequivocal way the compliance with the fundamental principles of the International community in the field of human rights.\footnote{13}

For what regards the rank that International human rights law occupies in the Albanian Constitution, the constituent, even on International experts recommendation, demonstrated particular attention and sensibility towards the European system of human rights protection. \emph{European Convention on Human Rights (echr)}\footnote{14} became part of the constitutional provisions binding, in a direct and indisputable way, the legislative activity of the Parliament, particularly with regard to (potential) limitations of human rights in peremptory hypothesis of public interest and protection of rights of others.\footnote{15} Direct consequence of this mechanism is the exclusive competence of the constitutional judge to question the compatibility of the limitations in object with what permitted by echr, also in the light of the interpretations of the Court of Strasbourg. Any failure to respect the European minimum standards, in this case, would be considered a violation of art. 17 of the Constitution and thus declared unconstitutional by the (Constitutional) Court.\footnote{16} The constitutional placement of echr, although in «negative» terms of prohibition of limitations if violable of those permitted in the European system, represents an absolute originality for the human rights cause. In case the Parliament decided to restrict the core of human rights and liberties beyond limitations permitted by echr, the constitutional mechanism represents the perfect instrument in the hands of the guardian of the Constitution – the Constitutional Court – to invalidate, in legal ways, attempts of this kind.

Actually, the value of echr in the Albanian legal system has a double dimension: on one hand the Convention guarantees at constitutional rank the minimal core of human rights as provided for at European level placing an insuperable limit to any attempt of human rights restriction within the hole legal system; on the other hand, as sanctioned also in the art. 116 of the Constitution, the echr inasmuch as international agreement ratified by Parliament’s law, assumes a pre-constitutional rank within the Albanian legal system and, thus, prevails on any contrary ordinary law.\footnote{18} In this case, echr assumes the role of an intermediate constitutional norm in the sense that it becomes a constitutional reference parameter for the ordinary legislation in case of possible contrast. It depends on Constitutional Court to decide, if requested, over the compatibility of ordinary laws with echr according to art. 116 and 131 of the Constitution and, eventually, to declare their illegitimacy.

The same constitutional guarantee is extended to all international agreements in the field of human rights (and not only) given that the Constitution (art. 122, § 2) expressively provides for the prevalence of any duly ratified international

\footnote{11} Emblematic in this case art. 39 of the Constitution of 1976: «The rights and duties of citizens are built on the basis of the reconciliation of the interests of the individual and the socialist society, giving priority to the general interest. The rights of the citizens are inseparable from the fulfillment of their duties and cannot be exercised in opposition to the socialist order. The further extension and deepening of the rights of citizens are closely linked with the socialist development of the country».

\footnote{12} Art. 15 of the current Constitution of 1998: «1. The fundamental human rights and freedoms are indivisible, inalienable, and inviolable and stand at the basis of the entire juridical order. 2. The organs of public power, in fulfillment of their duties, shall respect the fundamental rights and freedoms, as well as contribute to their realization».

\footnote{13} «The independence of the state and the integrity of its territory, dignity of the individual, human rights and freedoms, social justice, constitutional order, pluralism, national identity and inheritance, religious coexistence, as well as coexistence with, and understanding of Albanians for, minorities are the bases of this state, which has the duty of respecting and protecting them», art. 3 of the Constitution.

\footnote{14} Albania joined the Council of Europe on 13 July 1995 while ECHR entered into force on 2 October 1996.

\footnote{15} «1. The limitation of the rights and freedoms provided for in this Constitution may be established only by law for a public interest or for the protection of the rights of others. A limitation shall be in proportion with the situation that has dictated it. 2. These limitations may not infringe the essence of the rights and freedoms and in no case may exceed the limitations provided for in the European Convention on Human Rights»; art. 17 of the Constitution.

\footnote{16} See, in Albanian language, also Sadushi, Jurisprudencia e Gjykatës Kushtetuese në frymën e Konventës Europiane për të Drejta e Njërit (Constitutional Court’s jurisprudence in the light of ECHR), in E drejtë parlamentare dhe politikat ligjore, No. XI, Tirana, 2003, p. 28-42.

\footnote{17} Art. 131 of the Constitution: « The Constitutional Court decides on: a) compatibility of the law with the Constitution or with international agreements as provided in article 122 […]»; art. 132: «1. The decisions of the Constitutional Court have general binding force and are final. The Constitutional Court only has the right to invalidate the acts it reviews».

\footnote{18} See art. 122, § 2 of the Constitution.
agreement on ordinary law. Fall within this category the un Covenants on human rights of 1966\textsuperscript{19} as well as all those international and regional instruments ratified by Albania in the human rights field\textsuperscript{20}.

2. Democratic Standards and Human Rights

The change of the precedent political system towards the occidental model of society at the principle of the Nineties inevitably brought to the complete replacement of the old economic, social and legislative infrastructure of the Country. The result of this profound opening towards a liberal democratic society had to bring to radical transformations in the human rights conception. Starting from the Constitution of the 1998, the whole legislative activity of the rising democracy faced with the human rights question. It was not a question of producing (and introducing) à la carte, any human rights and liberties catalogue as already recognized and protected in other developed Countries; it had to do with the construction of the fundamentals of a democratic society, guarantor of individual and collective human rights in a period when the heritage of the dark past publically and jealously challenged the embryonic democracy. In a country where human rights for almost fifty years have had an precarious and sometimes inexistent status, the sudden transformation used to request the demolition of the past totalitarian legislative structure.

Although any Constitution was not adopted immediately, at the beginning of the Nineties important goals were achieved. Though brief and provisional, the «Constitutional Chart» of 1991\textsuperscript{21} sanctioned, for the first time at constitutional level, the defense and the fundamental guaranties in the human rights field\textsuperscript{22}. The modest constitutional framework recognized, in the section dedicated to general provisions, the essential rights of the people under a perspective of equality of the citizens in front of the law\textsuperscript{23}.

An important bill of rights issued on 1993 completed the provisional constitutional mosaic\textsuperscript{24}. It was a catalogue of fundamental rights and liberties that sanctioned, for the first time in the Albanian legal system, the centrality and the dignity of the individual, rendering him a milestone of the whole society. Human rights and liberties, as sanctioned in all democratic Constitutions and guaranteed and protected in international Covenants, this time entered from the principal gate of the Albanian juridical order\textsuperscript{25}. In addition, in accordance with the provisional Constitution, a criminal and procedure criminal code were approved\textsuperscript{26}.

In practice, however, several problems related to the implementation of the human rights legislation framework emerged. As underlined even in non-governmental international organization’s reports, during the first years of the Albanian transition the capacity of the Albanian society to guarantee the full enjoyment of human rights and liberties was seriously questioned\textsuperscript{27}. The one-party mentality inherited by the old regime and the non independence of judiciary power


\textsuperscript{20} For a complete consultation of all international and regional treaties regarding human rights subscribed by Albania visit: http://www.mfa.gov.al/.

\textsuperscript{21} The provisional Constitution of 1991 was composed of only 46 articles concerning essential and temporary functioning of juridical and social order of the country.

\textsuperscript{22} Article 2 [Foundations] «(1) The Republic of Albania is a juridical and democratic state. (2) Man's dignity, his rights and freedoms, free development of his personality as well as the constitutional order, equality before the law, social justice, and pluralism are the foundations of this state, whose duty is to observe and defend them», Article 4 [Human Rights, Minorities]: «The Republic of Albania recognizes and guarantees the fundamental human rights and freedoms, those of national minorities, admitted in the international documents».

\textsuperscript{23} See art. 6 to 14 of the provisional Constitution.

\textsuperscript{24} (Constitutional) Law No. 7692 of 31 March 1993 on amendments to law No. 7491 of 29 April 1991 (Constitutional provisions).

\textsuperscript{25} In particular, the bill of rights enumerated, ex nullis, the right to life (art. 1), the freedom of thought and speech (art. 2), the absolute prohibition of torture and forced labour (art. 3 and 4), the inviolability of private liberty (art. 5), nulla poena sine lege principle (art. 6), the principle of presumption of innocence (art. 7), the right to a fair trial (art. 8), ne bis in idem principle (art. 12), the freedom of religion and conscience (art. 18), right to private property (art. 27), inviolable rights of minorities (art. 28), right to family life (art. 32-33) etc.. In other words, a catalogue of constitutionally protected rights, in full accordance with international and comparative standards of the time.


\textsuperscript{27} See at this regard a detailed report of Human Rights Watch Human Rights in Post-Communist Albania (1 March 1996).
from the executive and political one jeopardized the human rights cause. During this embryonic period cases of violence exercised by police forces against individuals, restrictions of individual liberties as those of media, association and manifestation were registered.

Anyway, steps forward with regard to political and civil rights as well as to economic and social rights are not to be ignored. The free enterprise was guaranteed at all levels without any distinction while the old-style economy of the country gradually transformed into a capitalistic model.

But, following irregularities registered during the 1996 political elections, Albania faced the most serious institutional and political crisis of its transition. The first step towards the general stabilization was the adoption of the 1998’s Constitution.

With the adoption of this Constitution, followed by the general stabilization of the political situation, the legislative framework regarding human rights and liberties continued to improve. The new democratic Constitution endorsed the most important principles relating human rights and raised them to constitutional rank; (individual and collective) human rights and liberties finally lied in their natural habitat. This constitutional catalogue does not only jealously safeguard the centrality of human rights in the Albanian legal culture but also aims to eradicate those archaic notions inherited from the old communist mentality according to which the unconditioned protection of human rights threatens the discretion of public institutions and challenges the State sovereignty. The centrality and indefeasibility of human rights and dignity, instead, are the milestone of the new legal order imposing to all organs of the State their full and unconditioned implementation.

A further fundamental element of the human rights protection system is certainly represented by the art. 17 of the

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28 «Of particular concern is the state’s continued interference in the judiciary. Despite many improvements, the court system is still used as an instrument of the state, especially against the political opposition. The leader of the largest opposition party is currently in prison after a trial fraught with due process violations. Since 1992, numerous other critics of the government have been harassed, tried, imprisoned or, in a few cases, physically attacked by unknown assailants usually without any response from the government. Judges who make independent decisions on sensitive cases are sometimes reassigned to lesser posts or fired. More than 400 persons, predominantly selected by the Democratic Party, were appointed as judges and prosecutors throughout the country, upon completion of a special six-month law course, thereby strengthening governmental influence over the judiciary and law enforcement officials», (Ibid., § 5).

29 Very particular was the situation of the independent electronic media, where still in 1996 did not exist any organic law on private radio television. As widely demonstrated: «Freedom of the press is also circumscribed. No legislation exists to allow for the transmission of private television or radio, leaving the state-run programs that favor the government as the sole provider of news for the majority of the population. While there are many private newspapers throughout the country, they are restricted by a repressive press law and obstacles to their distribution. Since 1992, a large number of journalists, including foreign correspondents, have been harassed, arrested or beaten by unknown assailants after writing articles that were critical of the government», (Ibid, § 8).

30 During 1997, in fact, Albania crossed the most serious institutional crisis of its transition. The right-handed ruling government was accused by the socialist opposition of poll-rigging during the political elections of May 1996; there followed worldwide protests among the country. In addition, because of the bankrupt of some investment funds which had collected considerable part of the citizen’s savings, by the end of 1996 and the principle of 1997, especially in the South, the situation became particularly grave. The enormous intensity of the protests, provoked even by the complicity of the opposition of the time, overcame the government’s intransigence; the natural consequence of that was the total collapse of public power and institutions in general. The events of 1997 widely demonstrated the weakness of the democratic institutions and the frailty of a transition towards a rule of law that hard put to arrive. For further deepening of the question of the Albanian transition see Vickers-Pettifer, Albania: From Anarchy to a Balkan Identity, New York, 1997; de Guttry-Pagani (ed), La crisi albanese del 1997, Milano, 1999; Bogdani-Loughlin, Albania and the European Union. The Tumultuous Journey to Integration and Accession, London, New York, 2007; Kaltsounis, The Democratization of Albania. Democracy from Within, New York, 2010.


32 See, for more details, Dhima, E dreja, ., p. 141-163.

33 «[...] ne Kushtetuten e Shqiperise, ne dallim nga formullime te tjera ne disa kushtetuta te vendeve demokratike, i eshte dhene dinjitetit te Njerit, vendi i qarte i parimit themelor kushtetues. Ai sherben si nje baze themelore per te interpretoar te gjitha pijet e Kushitetutes dhe respektimi e mbrojte e tij, qendron te gjithë rendit juridikë»; English translation: «To the Men’s dignity, in the Albanian Constitution, unlike similar dispositions of other democratic Constitutions, is reserved a clear status as fundamental constitutional principle. It serves as a fundamental reference for the interpretation of the rest of the Constitution’s dispositions and its respect and protection is the milestone of the whole juridical order», [Omari-Anastasi, E dreja kushtetuese (The Constitutional Law), Tirana, 2010, p. 69].

34 Art. 3 of the Constitution: «The independence of the state and the integrity of its territory, dignity of the individual, human rights and freedoms, social justice, constitutional order, pluralism, national identity and inheritance, religious coexistence, as well as coexistence with, and understanding of Albanians for, minorities are the bases of this state, which has the duty of respecting and protecting them». 
Constitution. From its analyze clearly emerge the peremptory hypothesis of human rights and liberties restriction: public interest and protection of rights of others; all in full and rigorous respect of the proportionality of the action and, most of all, only by the means of a law of the Parliament. Furthermore, in any case, these restrictions or limitations shall never exceed those provided for in the echr. In this sense, the Constitutional Court, in a verdict of 2006, literally interpreting the article in question, firmly rejected the possibility of the Council of Ministers to intervene with proper acts (so-called normative acts) aiming the restriction or limitation of fundamental human rights and liberties stating that only the Parliament is the competent organ to legislate in similar cases.

3. The Role of the ECHR and National Institutions in the Implementation of Human Rights Dispositions

A fundamental contribution in favor of the cause of human rights is given certainly by the institutions and organs provided for in the internal legal system. They are the principal actors invested with the arduous task of converting legal dispositions in concrete actions. In this sense, important organs as Constitutional Court, People’s Advocate, judiciary power as well as all the organs of public administration are some of the most clear examples. It is also to be underlined the contribution given by the non-governmental organizations, international and, inasmuch as defenders and sustainers of requests coming from the social base. In many cases they are bearers of experiences of exemplar social battles as those regarding death penalty, environmental rights, bioethics, rights of categories of marginalized persons, rights of women, of children as well as those in case of humanitarian crisis. The mosaic of the involved actors would not be complete without mentioning the undisputable role of the European Court of Human Rights (Court of Strasbourg) whose contribution to the cause of human rights in the Albanian society is (and has been) of fundamental incidence. If steps forward have been made in the field in question (which in certain aspects are indisputable), it is because of the joint distribution and coordination of the responsibilities among these same actors, serious interlocutors between public power and social base.

In this context, the Constitutional Court, in full and rigorous respect of its competences, left an indelible mark in favor of human rights cause. Considering echr (as well as the Constitution) a strong reference point, the Constitutional Court intervention has given further clarity to the core of human rights compelling even the legislator to take concrete legislative initiatives in order to render internal legislation compatible with echr.

In other occasions, the Court has gone beyond the spirit of Rome Convention itself and its interpretations given by the Court of Strasbourg, extending for example, even on the basis of the interpretation of the Albanian Constitution, some criminal and civil procedural guaranties relative to the right to a fair trial even in hypothesis of administrative cases.

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35 Art. 17 of the Constitution: «1. The limitation of the rights and freedoms provided for in this Constitution may be established only by law for a public interest or for the protection of the rights of others. A limitation shall be in proportion with the situation that has dictated it. 2. These limitations may not infringe the essence of the rights and freedoms and in no case may exceed the limitations provided for in the European Convention on Human Rights».

36 Constitutional Court of Republic of Albania, Court Verdict. n. 20, Albanian Helsinki Committee et. Others v. Council of Ministers, 11.07. 2006. In this verdict the Court declared the non-compatibility with the Constitution of three normative acts issued by the Council of Ministers, respectively no. 43, 44 and 48 of 27.01.2006 in the base of the argumentation that, according to the art. 17 of the Constitution, the only body entitled to issue any restrictive law in the field of human rights and liberties is the Parliament: «The expression only by law means that in case of restriction of any right sanctioned by the Constitution this evaluation is an exclusive discretion of the Parliament and not of other bodies, Council of Ministers included»; verbatim in Albanian language: «Shprehja “vetëm me ligj” ka kuptimin që në rast se është i nevojshëm kufizimi i një të drejtë të parashikuar në Kushtetutë, atëherë ky vlerësim është në diskrecion vetëm të ligjvënsët dhe jo të organëve të tjera, përfshirë edhe Këshillin e Ministrave». For further elaboration on Constitutional Court’s jurisprudence concerning interpretations of art. 17 of the Constitution, see Court Verdict. n. 9 (2003); n. 29 (2005); n. 24 (2007); n. 39 (2007); n. 41 (2007).

37 In this sense, the Constitutional Court in a decision of 1999 (Constitutional Court of Republic of Albania, Court Verdict n. 65, 10.12. 1999) found incompatible with the echr the internal dispositions concerning death penalty in peace time, present either in criminal code or in the military criminal one, on the basis of the argumentation that those dispositions contrast with the Constitution (art. 21 and others) and echr (Prot. No. 6). Although, at the time, Albania had not ratified the Protocol relative to the abolition of death penalty (this Protocol was entered into force in Albania on 1 October 2000) but had temporarily suspended executions, the Constitutional judge interpreted in an extensive way the significance of art. 17, § 2 of the Constitution, considering death penalty a negation, rather than a limitation, of the rights and liberties sanctioned in both instruments (Constitution and echr).

38 Emblematic, but not solitary, the position of the Court in the Case Rakipi v. Parliament, Court Verdict n. 76, 25.04.2002, as it censured the conduct of the Parliament which had removed from office the General Procurator of the Republic without conceding him the possibility to defend himself from charges addressed by the Parliament, underlining in this sense the violation of the right to a fair trial, though of administrative nature; verbatim, in Albanian language: «Gjykata Kushtetuese ka parasysh edhe dallimin që ekziston..."
several occasions the Court expressed its firm opposition in case of improper restriction or limitation of fundamental constitutional rights tracing a clear minimum threshold that should never be surpassed. Having to the Court been assigned the exclusive power of judge of the laws, even with reference to the Strasbourg’s jurisprudence, it has repeatedly sanctioned that any indirect restriction of the right in object (right to a fair trial) provides sufficient evidence in order to censure prejudicial laws or conducts.

A further important element in the institutional geography of the constitutional bodies involved in the human rights question within the Albanian legal order is certainly represented by the figure of the Ombudsman, or People’s Advocate. The political independence and impartiality, deducible even by the qualified quorum (3/5 of the members of the Parliament) requested for its election, combined with the constitutional guaranties granted for carrying out proper functions render this institution an important factor in the achievement of human rights standards. Though its competencies are circumscribed to issue recommendations towards institutions considered guilty for human rights violations, its legal capacity to solicit the intervention of the Constitutional Court (art. 134, § (f)) render it an active and effective institution in defense of human rights.

Nor could be ignored in this occasion the undisputable contribution given by the Court of Strasbourg thanks to its decisions in favor of the human rights cause, especially for what regards cases concerning Albania. The Court’s jurisprudence is considered an essential point of reference for all the national judges within European continent while for what regards cases involving Albania, its decisions have contributed considerably to the improvement of the exact application of human rights dispositions.

The attention of the Court of Strasbourg, for what concerns cases relative to Albania, has been concentrated mostly, but not exclusively, on art. 6 of echr (the right to a fair trial). Aiming to give an as more as possible extensive interpretation of the right in object, the Court never lost the opportunity to firmly underline the importance of the substantial elements of the right to a fair trial; for example, in several occasions, the Court has affirmed with force that, according to art. 6, the execution of a judgment given by any court must therefore be regarded as an integral part of the “trial” for the purposes of Article 6. In concrete terms, in the cases Qufaj Co. Sh.p.k. v. Albania (2004) and Balliu v. Albania (2005), the “judge of Strasbourg”, referring to consolidated jurisprudence, underlined that art. 6 of the Rome Convention does not concern only the right to a fair trial in the strict sense, but rather a set of minimal guarantees aiming an «effective remedy for an alleged breach of the requirement under Article 6 of the Convention».

The constitutional dictate, the competencies and powers of the People’s Advocate are defined in details by the Law No. 8454 of 04/02/1999 «On the People’s Advocate». Though not being invested with executive or decisional powers this institution has the right to make recommendations of legislative nature addressed to the Parliament (or of administrative nature addressed to the respective institutions) aiming the improvement of the legislation in the field of human rights. For what regards the sub-legislative acts considered in violation of human rights and liberties, the silence of the competent institution for more than thirty days from the People’s Advocate solicits implies the suspension and non-applicability of the same act (art. 24 of the Law No. 8454).

In its decisions the Court Verdict n. 26 of 26/04/2001 and n. 4 of 17/02/2003 the Constitutional Court, fully accepting the People’s Advocate petition invalidated as unconstitutional, in both occasions, the normative acts issued by the government.

Albania has been arraigned before Strasbourg’s Court thirty-two times and has been found guilty exactly 27 times mostly for violation of art. 6, art. 8, art. 13, art. 46 and art. 1, Prot. I.

With regard to art. 6 see Case of Marini v. Albania, 18.12.2007; Case of Driza v. Albania and Ramadhi and Others v. Albania 13.11.2007; Case of Xheraj v. Albania 29.07.2008; Case of Dautli v. Albania, 03.02.2009; Case of Behrami v. Albania, 27.05.2010.

«The Court reiterates that Article 6 § 1 secures to everyone the right to have any claim relating to his civil rights and obligations brought before a court or tribunal; in this way it embodies the “right to a court”, of which the right of access, that is the right to institute...
In other occasions, the Court of Strasbourg certified infringement of several rights and liberties sanctioned in the echr: in particular right to life (art. 2), prohibition of inhuman and degrading treatment (art. 3), right to liberty and security (art. 5), nulla poena sine lege (art. 7), right to respect for private and family life (art. 8), right to effective remedy (art. 13), right to private property (art. 1, Prot. 1) etc.

In absence of any jurisprudential tradition in the field of human rights because of the non-importance of these during the communist regime as well as the inexistence of a Constitutional Court, the long and precious experience of the Court of Strasbourg offers a unique occasion to the Albanian constitutional (but even ordinary) judge in order to introduce in the domestic law standards already accepted at European level rendering effective, in the same time, those fundamental rights and liberties sanctioned in the Constitution and the laws of the country.

For what regards, instead, the operation and the contribution of the non-governmental organizations (NGOs) in defense of human rights, there should be mentioned, ex multis, Komiteti Shqiptar i Hekuriktit (Albanian Helsinki Committee – AHC), Fondacioni Shqiptar per Shoqerine Civile (Albanian Civil Society Foundation – ACSF), Grupi Shqiptar per te Drejtat e Njeriut (Albanian Human Rights Group – AHRG), Qendra Shqiptare per te Drejtat e Njeriut (Albanian Center for Human Rights – ACHR), Institutu Shqiptar i Medias (Albanian Media Institute – AMI), Forumi i Pavarur i Gruas Shqiptare (Albanian Independent Women Forum – AIWF) etc. 46. The lack of a civil society during almost fifty years of communism rendered too difficult the task of these NGOs in the new democratic dimension of the society47. This inexistence of civic responsibility tradition has been further on worsened by the unavailability of the ruling class to consider both NGOs and trade associations as direct interlocutors for the definition of the policy-making, inasmuch as representatives of the interests of society48. In consequence, the civic conscience of the Albanian society still remains fragile, thanks also to the strong political hostility and polarization that reigns in the Country which has brought sometimes, even to the politicization of considerable part of civic elite exponents49; this obviously generated loss of trust on public opinion towards them50.

proceedings before courts in civil matters, constitutes one aspect. However, that right would be illusory if a Contracting State’s domestic legal system allowed a final, binding judicial decision to remain inoperative to the detriment of one party. It would be inconceivable that Article 6 § 1 should describe in detail procedural guarantees afforded to litigants – proceedings that are fair, public and expeditious – without protecting the implementation of judicial decisions; to construe Article 6 as being concerned exclusively with access to a court and the conduct of proceedings would be likely to lead to situations incompatible with the principle of the rule of law which the Contracting States undertook to respect when they ratified the Convention. Execution of a judgment given by any court must therefore be regarded as an integral part of the “trial” for the purposes of Article 6. It is not open to a State authority to cite lack of funds as an excuse for not honouring a judgment debt” (Case of Qufaj Co Sh.p.k. v. Albania, 18.11.2004, § 38).

46 «The overall goal of these organizations has been and continues to be the promotion of civil society by encouraging citizens to assist in three basic ways: to get along with each other, to show interest in fulfilling their responsibility in influencing politicians and government officials to serve the common good, and to take responsibility for directly contributing to the common good through voluntary and independent civic engagement. The focus of each NGO is narrow, but when all of them are considered together, they constitute a significant force in pressuring elected officials to work for the benefit of the people. NGOs are funded by a variety of sources, but most of them get their financial support from outside the country», (Kaltounis, The Democratization of Albania. Democracy from Within, New York, 2010, p. 93).

47 «Albania did not inherit a ‘civil society’, because there was no separation between the state and society during the communist period, as the state and the communist party had absolute control and penetrated every aspect of society and life. Even before that, Albania lacked civic traditions and independent social organizations and associations. These historical and communist legacies have been and still are among the major obstacles to the construction of a powerful civil society in Albania», (Bogdani, The Democratization of Albania, cit. p. 187).

48 «The political elite has neither encouraged, nor has been willing to accept the contribution from civil society. Another barrier has been its lack of real autonomy from the state and especially the political parties. NGOs, think-tanks and different associations and organizations are often not free from and are usually very dependent on political influence or control. Therefore, civil society has not yet become the source of alternative views and approaches to the challenges Albania faces and which could greatly influence the decision-makers […] Unlike the industrialized countries where the role of the social partners is crucial and where they actively participate in policy-making (especially economic and labor policies), corporatism in Albania is almost non-existent. Trade unions are weak organizationally and have limited affiliations as a result of de-industrialization and high unemployment» (ibid., p. 187).

49 «Albania’s civil society sector remains weak and struggles to find space for meaningful activity in a highly politicized environment. Even civic activists appear to view running for office as the only real way to influence policymaking; a large number of them competed in local elections in 2011, especially in elections to municipal councils. Workers’ unions in Albania remain weak due to the presence of a large informal economy and the fact that very few large companies operate in the country. Albania’s civil society rating remains at 3.00» (Freedom House, Nations in Transit, 2012, Albania, p. 49).

50 «Public trust in nongovernmental organizations (NGOs) is low and state as well as non-state actors often use them as scapegoats for various problems. […]In 2011, a number of civil society activists ran as party- or coalition-affiliated candidates in local elections, mostly for positions on municipal councils. While this situation narrows the almost thin line between civic and political engagement, it is still viewed as the most effective way for civil society to influence policymaking at either the local or central level» (Ibid., pp. 55-56).
4. Conclusive Remarks

In a country as Albania, where the indelible legacy of the disastrous experience of the past communist regime still threatens the progress of the rising democracy, the human rights question remains an open challenge. The actual situation in the country shows that steps forward have been made but there is still a lot to do. It is not a challenge against; it’s a challenge for the guarantee of human rights and liberties, for the construction of a society that gives voice to the interests and requirements of its members, that creates the necessary conditions in order that these rights and liberties become a common good at the service of proper citizens. We think there is no example to follow or emulate with fanaticism; the capacity of a well-governed society is expressed exactly in its ability to translate in concrete dispositions and actions the necessities for justice and liberty coming from the social base, in full respect of its history, culture and its best traditions.

51 «There has been partial progress on addressing the key priority on reinforcing the protection of human rights and the effective implementation of anti-discrimination policies. There have been important developments in this area, in particular the adoption of the Law on Protection of the Rights of the Child, the adoption of the new National Strategy on Gender Equality and the Fight against Domestic Violence, and the start of implementation of the Law on Protection from Discrimination. However, some important legislative gaps remain, including as regards persons with disabilities, and implementation of existing legislative and policy tools in this field is still inadequate. General awareness of the anti-discrimination legislation and the complaints mechanism needs to be increased. Concerns remain over continued discrimination against certain vulnerable groups, such as LGBT persons and Roma. Implementation of policy tools targeting the Roma minority and access of this community to social protection and services is still insufficient, leading to persistent marginalization» (European Commission, Albania 2011 Progress Report, pp. 17-18).
Topic in Case of Penology Execution of Criminal Sanctions in the Republic of Albania

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Abstract

After the 1990 reform of the penitentiary system in Albania included all aspects of the system: reform in the legal system, reform of the administration, the way of organizing. It is a major role in the reform process has played the Council of Europe, which drew up concrete programs and managed the legal and institutional reform. Currently operating in Albania are 13 prisons and four other construction stageCriminal Code of the Republic of Albania was approved in 1995, Law no. 7895, dated 27.01.1995. For the first time the new code was predicted alternatives to imprisonment in chapter VII of its General Part. Although the doctrine recognizes alternatives to criminal penalties, the title of the code still talks about alternatives to imprisonment, even after legal changes that were made in 2008 to reform the alternative measures 1.

Keywords: Albanian criminal code, criminal penalties, cases of violations.

1. Introduction

Criminal Code of the Republic of Albania was approved in 1995, Law no. 7895, dated 27.01.1995. For the first time the new code was predicted alternatives to imprisonment in chapter VII of its General Part. Although the doctrine recognizes alternatives to criminal penalties, the title of the code still talks about alternatives to imprisonment, even after legal changes that were made in 2008 to reform the alternative measures 2.

The Criminal Code of the Republic of Albania provides these type penal punishments:

a - The main penalties:
  - The punishment with life imprisonment,
  - The punishment of imprisonment and
  - The punishment with fine (punishment of life imprisonment imposed only against the perpetrators, and the sentence of imprisonment or a fine he also imposed against perpetrators of violations (Article 29 of the Criminal Code).

b - Supplementary Penalties which can be provided together with the main punishment to persons who have committed crimes or criminal offenses (Article 30 of the Criminal Code)

c - Alternatives to imprisonment (Articles 58,59,59 / a, 63.64 CC)

d - Medical and educational measures (Article 46 of CC)

1.1 Types of penalties under the Criminal Code of Albanian Republic

In 1995, the Penal Code foresaw four types of alternatives to imprisonment, the imposition of which was the basic requirement, the court had appointed prison sentence to the convicts. These alternatives were:

1. Fragmentation of imprisonment (Article 58)
2. Suspension of imprisonment and put on probation - known as penalty
3. Proviso (Article 59);
4. Suspension of execution of sentence of imprisonment and compulsion to perform work in the public interest (Article 63)
5. Release on parole (Article 64).

The presentation of these alternatives was not associated with executive structure necessary for supervising their implementation. This absence is defined as the dominant factor in poor practical implementation of these alternative measures.
measures of Albanian court jurisprudence. Due to the lack of supervisory structure, equal alternative measures perceived effects of decisions to dismiss criminal proceedings or decisions of innocence.3

Through the changes introduced by Law no. 10023 dated 27.11.2008 “On some amendments to Law no. 7895, dated 27.01.1995 “Criminal Code of the Republic of Albania ‘changed’, already has five options:: “Semi freedom” (Article 58’);
“Suspension of the execution of a sentence and put on probation” (Article 59);
“Stay at home” (Article 59 / a);
“Suspension of the execution of imprisonment and compulsion to perform work in the public interest” (Article 63);
and “Parole” (Article 64).

So, there are presented two new alternatives, one of which replaced the fragmented alternative sentencing, and is changing the content of the three existing alternatives (despite the fact that they were in the alternative, is the same).

2. Literature Review and Hypotheses

The way, how a state punishes those who commit crimes and how executes sentences given to them is undoubtedly indicative of its civilization.

The answer to the question, is how contemporary reality penal sanctions against persons convicted, is always a matter related to critical reviews of legislation are the legal basis for the execution of criminal sanctions as well as relevant surveys conducted at institutions penitentiary.

To make an objective analysis regarding how criminal sanctions actually executed in Albania, we have to deal with many components that have to do not only with the reading of laws and regulations applicable at this stage of the procedure, but the study also reports and monitoring results penitentiary system links with the implementation of the suggestions study reports international partners, to study the level of coordination of the system, the existence of staff, etc.

It requires that all analyzes and deductions you answer the question:

Is it effective the last stage of the criminal proceedings? Is it good or bad managed the penitentiary system to all categories of prisoners?

Does it the approach exist and how much access is there to international standards?

After 90 years of all Albanian legislation and the justice system was "subject to" a process of continuous reform. After ratification of the ECHR and after the adoption of the Constitution in 1998, reform the legal system and criminal justice in that size was not only quantitative but also qualitative. These as well as other documents enabled the safe path towards well-defined standards.

This reform has not really ended. We are still unsure if the penitentiary system works well and challenges to achieve the best are increasingly raised.

It is necessary that the penitentiary system in every stage should respond to the demands of the present and future prospects, in order to laws and regulations, to the penitentiary procedures, to the institutions involved in the stage of execution of criminal sanctions and is convicted, which should be worth a lot of rehabilitation of convicts and prisoners.

In the system of execution of criminal sanctions execution of a sentence of imprisonment, a fine and penalties as alternative measures to imprisonment, occupy primary place. For this reason, the object of this subject in the course of Penology will be the way of the execution of these three types of sentences in Albania.

3. Execution of the Sentence of Imprisonment

After the 1990 reform of the penitentiary system in Albania included all aspects of the system: reform in the legal system, reform of the administration, the way of organizing.

It is a major role in the reform process has played the Council of Europe, which drew up concrete programs and managed the legal and institutional reform. Currently operating in Albania are 13 prisons and four other construction stage.4

In 2009 it approved the decision by Ministry Council "General Regulation of Prisons", a normative act that defines

3 OSCE “Manual for the application of alternatives to imprisonment”, 2010, fq.41
4 Internet source, info@dpbsh.gov.al
the way of exercising the rights and obligations of prisoners, whether sentenced to imprisonment or detained, the organization of their life, the manner and conditions penitentiary imprisonment, the development of the activity of work and remuneration for work performed, as well as the functioning of the Directorate General of Prisons and the institutions of the penitentiary.

In the framework of this regulation, the process of rehabilitation must pass through the implementation of vocational training programs, employment, education, participation in activities and sports and recreational activities, participation in providing library service in the institutions (Articles 77-88 of regulation).

3.1 Employment

Every institution of execution of criminal sentences (prison) has developed labor organs for prisoners, based on their needs and the requirements for inclusion in employment activities. According to the General Directorate of Prisons, the number of prisoners engaged in employment activity in January 2014 was 606 persons from 3125 that was the number of prisoners at the Institute of Serving Criminal Sentences in the country.

4. Research Goal

Prisons General Directorate notes that since 2010, working organs specifically is designed for each IEPD by various crafts and daily cost of prisoners have not been completed, although it has been sent for approval to the Ministry of Justice since 2010. This ministry has not allocated funds for remuneration for prisoners labor and I think that this is a contributing factor to the exclusion of prisoners from the work process, which does not serve their rehabilitation process.

4.1 The education

In terms of education it can be said that in the institutions of Albanian education process is not performed as regulation requires them and international standards too. In the framework of the Stabilization and Association Agreement, among other things, is required as a measure implementing the reform of the penitentiary system and the establishment of schools opening in the penitentiary institutions of imprisonment. In 2008 between the Ministry of Justice and Education signed a memorandum of cooperation for the opening of cycle 9-year compulsory education in the prison system.

In academic year of 2012-2013 besides 5 schools in five prisons in the country, they opened 3 schools in the Minors Section into custody in Tirana, Vlora and Lezha and a school to Rrogozhina prison for adult convicts. According to data taken from the General Directorate of Prisons, in December of 2012 they registered schools were 228 convicted. The educational process of minors to 9-year compulsory education in the case of imprisonment decision that takes final form, according to the GDP, theoretically it is continued at the Institute of Minors in Kavaja.

Although the Law "On the rights and treatment of prisoners" pays attention the education of minors, and in practice, compulsory education 9-year, juveniles or young people up to the age of 25, due to lack of infrastructure, can not continue in their education progressively.

4.2 The way prison sentences are executed for juveniles

In Albania ways how are executed prison sentences for juveniles; it presents another problem, often raised as a concern by international partners.

Albania has not yet set up a fully functional management and for juvenile justice.

In this country there are more separate pieces of a system, which are not clearly orientated. According to a study conducted in 2006 by the Center for Children's Rights in Albania with the support of the European Council for a review of the system of administration of for juvenile justice in Albania, the situation of children in prisons is still far from the required standards. Although, in recent years there has been a growing interest from public institutions responsible and donors to improve the infrastructure and management of these systems and still are persisted cases of violation of children's rights.

Approved by COM decision no. 303, dated 25.03.2009

Article 37 determines that education and cultural and professional training done by the school organization, mandatory for minors, as well as vocational training, according to the applicable systems. Special attention is paid to cultural and professional training of prisoners under 25 years of age.
5. Sample and Data Collections

During the preparation of the study, the group of researchers met with over 80 minors and visited more than once a number of police stations, pre-trial detention and prison in the city of Shkodra, Lezha, Kruje, Burrel, Tirana, Durres, Lushnje Fier, Berat and Elbasan, Korca Librazhd etc.

The country has some prisons that accommodate and care for children. The prisons, a kind of two-floor building around 10 km from Tirana, has a male juvenile section. Over the years in this jail houses up to 30 children, but at the time of the study in this institution were only 14 minor.7

Vaqarr Prison Juvenile section is almost separated from adults.

It is located on the left side, on the second floor of the building, adjacent to the prison library. Although apparently there are no concrete opportunity meeting adult prisoners with those children, because this section is not completely separate from prison, t happens that minors often meet with adults. This can happen mostly in showers and toilets, which are common, and in areas of the game, behind prison.8

Prison 325 in Tirana is a mixed prison security low, which is in the "Ali Demi" inside Tirana. A special section of this institution cares for women prisoners.

All the difficulties encountered in running the detention system and prisons have given their negative impact in terms of respect of the rights of children in these institutions.

Convention on the Rights of Children in principle should be applied directly to the places of detention and penitentiary of minors. However, there is a profound lack of knowledge of CRC from almost all staff working with children and juveniles in the prison environments. This makes the implementation of the CRC in national laws and to respect the rights of children too hard. Under the Convention, States purposive Parties are required to enable adequate education, recreational activities, adequate food, health care and other social services for children. Meanwhile, the penitentiary institutions should guarantee freedom of information, expression and respect for the views-thoughts of children and minors.9

The observation mission of the Center for Children's Rights in Albania during the preparation of the study in question stated that there was no opportunity to meet with a girl-child in conflict with the law.

For reasons not studied yet a good number of girl-children performing infringement or offense in Albania remains extremely low. It can also be a positive sign of the traditional values that the family plays an mporant role in children growth.

According to experts, this is a phenomenon that requires a further analysis to explain the differences and causes between criminal behavior of boys and girls in Albania, in order to see why the gender group has a greater tendency than the other group to commit criminal offenses.

However, a major concern is the lack of adequate facilities for keeping children-girls in police stations, detention rooms and prisons. So far in Albania there is still no concrete action plan, in order to set up special areas for children-girls in conflict with the law.

The small number of girls, who are perpetrators of criminal acts, should not impede public officials to think about setting up adequate facilities for this genre.10

For minors in prisons is implemented the Law "On the Rights and Treatment of Prisoners "and the General Regulation of Prisons". Also, every prison has also its internal regulation, which is prepared in compliance with laws and regulations mentioned above.

There is still no specific regulations for the maintenance and care of juveniles in detention rooms and prisons, which makes difficult the recognition minors with all internal regulations of penitentiary institutions.

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7 Juvenile justice in Albania. Analysis of the management system of juvenile justice and the situation of minors in conflict with the law in Albania.62
8 Juvenile justice in Albania. Analysis of the management system of juvenile justice and the situation of minors in conflict with the law in Albania.62
9 Juvenile justice in Albania. Analysis of the management system of juvenile justice and the situation of minors in conflict with the law in Albania.62
10 Juvenile justice in Albania. Analysis of the management system of juvenile justice and the situation of minors in conflict with the law in Albania. pp 63.
5.1 Keeping the imprisonment of women

In the prison system in Albania women appear to a sentence of imprisonment in Tirana, in two sections, which are located within two institutions: Prison 325 on the 'Ali Demi’ street and 313 prison on the ‘Jordan Misja’ street.\footnote{Internet source, info@drbsh.gov.al}

According to statistics of 2009 in Prison no. 325 were 102 women, and 313 were in prison serving a sentence 45 women.

These sections within prisons where women serve their sentence, do not have any particular sub-section for the girl child. The small number of girl child who commit crimes in Albania, seems to have pushed the prison leaders not to create environments for the girl child in prisons. According to the General Directorate of Prisons the law allows convicted women who have children, at least 4 times a month.

For convicts(female) who have recently given birth at the prison that is in “Ali Demi ” street has established a the nursery where mothers can stay with their babies three times a day at different times. For the neonatal is taking care a medical staff of 24-hour service.

In Albania is turned into a chronic problem the overcrowding of prison.

The latest amnesty, which was conducted in March 2014 had as main argument precisely overcrowding in prisons, after the 100th anniversary of the Declaration of Independence of the Albanian state, in 2012 a law was passed by Parliament a broad amnesty, as the result of which was spared further suffering punishment for a significant number of convicts.

6. Execution of Fines

In Article 467 of the Criminal Procedure Code of the Republic of Albania is determined that decisions containing the fine is enforced by the Bailiff Office. However, in Albania service execution processes, organized since 2008 as a private service through the licensing of private enforcement, the provisions of Law no. 10031 dated 11.12.2008 “Private Bailiff Service” does not contain any definition, for private bailiffs to execute criminal decisions of fines.

From my work as a lawyer for a period of 10 years during which I have had criminal record of fines, I found that the fine decisions mostly are executed there. This is a big cramp, which will be solved by finding appropriate ways through rigorous legal instruments.

State Office of Enforcement recent years is turned into an almost inefficient service. With the establishment of the private bailiff service, organizational and state enforcement almost halved. This change, besides not changing the legal framework is one of the factors that currently disable the penitentiary with a fine in Albania.

Criminal fines as a wealth punitive measure has a significant effect on the realization of the purpose of criminal punishment and enables prevention of criminal conduct.

In order to enable efficient connection with the execution of the penalties, Albania will need to enable a deep legal reform and institutional ones following the best examples of the system in European countries.

7. Execution of Alternative Sentences

Besides reforming the alternatives to imprisonment, I mentioned above, the creation of appropriate infrastructure for alternative sentencing supervision is another aim of the reforms that have been implemented in the penitentiary system in Albania after 1990. In 2008 in Albania State Institution was established Probation Service.\footnote{Law no. 10024 dated 27.11.2008 "On amendments and additions to Law no. 8331 dated 21.04.1998 "On the Execution of Criminal Judgments"}.

In accordance with Law no. 10024/2008, adopted two sub-laws are of normative character:

1- Decision of the Council of Ministers no. 302, dated 25.03.2009 "On Approval of Regulation and "On organizing as well as Probation service functioning, the establishment of standards and procedures for supervision for execution of alternative sentences".

2- Minister of Justice Order no. 6325, date 31.07.200945 "On Approval of the Regulation" On Probation Service collaboration with NGOs and Mediation Service'

These regulations set out the rules of cooperation with the Probation Service and NGOs Mediation Service in order to ensure the supervision of persons sentenced to alternative measures; assisting prisoners to reeducate and integrated into society, as well as crime reduction and prevention.
According to the normative framework the Probation Service is charged not only to supervise the implementation of alternatives to imprisonment, but also help the proceeding (court and prosecution) for specialized explanation in terms of the substance of alternatives to imprisonment. The institution was renamed "Probation Service" launched by European models of legislation.

Nomenclature relates to the basic function of this service: "supervision measures or obligations of prisoners at the time of trial as better alternatives to imprisonment for achieving educational purpose and her rehabilitation to the convicts". Since the beginning of operation of the Probation Service in 2009 and by the end of 2013 the number of people who are placed with a court decision in one of the alternatives to imprisonment is about 9356 people.13

Their supervision implemented on the basis of individual treatment programs. If there would have been applied alternatives to imprisonment, then these 9356 persons would have been sentenced to prison in one of the institutions for the execution of criminal penalties (IEPD). Thus, in 2013, the number of those sentenced to alternative punishments was added to the number of convicts who were supervised by the Probation Service, in the whole country was 1939.

Alternatives given by the court often is "Suspension of imprisonment and placement on probation. With this alternative measure 7553 convicted were sentenced. Alternative measure "Parole" about 823 convicted, the "public interest work" about 798 convicts, "stay at home" about 181 convicted. The alternative "semi-liberty" remains unimplemented. This option is provided only on one occasion during the entire period 2009-2013.14

"Half freedom" as a new alternative aimed at alignment with the Council of Europe recommendations and the best traditions of the criminal legislation of European countries.

The term "semi-freedom" is borrowed from European legislation, in which used "semi-liberty". A rough terminology and its formulation used in the Criminal Code of Kosovo. Article 58 of the recast, which replaced "Fragmentation of imprisonment" enforce a court decision provides up to one year in jail with "semi freedom". Duties are performed at a time determined by the court outside the prison. With their termination in accordance with the court decision, the citizen convicted is back in prison.15

It can be said that in 5 years of work, the Probation Service is now a consolidated institution in the criminal justice system in Albania, which has significantly improved restorative justice in this country. The essence of the role of this service is that evaluation, prevention and treatments in order to reduce crime in society and increase safety for community living.

In the context of the criminal justice reforms in Albania, in March of 2013 was realized "Electronic surveillance." Implementing Institution is the Probation Service. Electronic surveillance is used for persons who are subject to the alternative penalties and punishments. Restrictions imposed by judicial decision supervised through the device, which is placed in the body of the convicted person.

Supervision realized by operating room set up for this purpose. The device communicates operating room exit from the allow area or entry into the restricted area. At the moment when a violation of provisions of court decision occurs the operating room confirms the incident and informs the relevant authorities.

Electronic Control provides a powerful system to reinforce the efficiency of the penitentiary for people who have limited mobility and can promote increased public safety by improving monitoring of individuals in the community. Restriction of movement can also help in imposing discipline and daily structure for the prisoners, In breaking criminal behavior traits and can enable participation in work activities, education or training.16

8. Conclusions

Making an objective analysis regarding how criminal sanctions actually are executed in Albania, we have to deal with many components, which have to do not only with the reading of laws and regulations applicable at this stage of the procedure, but even with the study of reports and monitoring results of penitentiary system links with the implementation of the suggestions study reports by international partners with the study the level of coordination system, of the staff existence, etc.

After 90 years of all Albanian legislation and the justice system was "subject to" a process of continuous reform.

12 Internet Source, statistical data, the Probation Service, Tirana.
13 Internet Source, statistical data, the Probation Service, Tirana
14 Drejtësia për të mitur në Shqipëri. Analizë e sistemit të administrit të drejtësisë për të mitur dhe gjendjes së të miturve në konflikt me ligjin në Shqipëri, fq 41
15 Burim Interneti, “Rreth Mbikqyrjes Elektronike”
Reform the legal system and criminal justice in that there has been a quantitative dimension but also qualitative. Reforming laws and other acts adopted under them enabling safe journey towards well-defined standards. The reform has not really ended. We are still unsure if the penitentiary system works well and challenges to achieve the best are always raised up.

Penitentiary system needs at every stage to respond to the demands of today and the future prospects in order to laws and regulations, to the penitentiary procedures, to the institutions involved in the stage of execution of criminal sanctions and to every convicted, which should be valid in rehabilitation of convicts.

The process of rehabilitation of convicts serving a sentence of imprisonment in the penitentiary institutions must pass through the implementation of vocational training programs, employment, education, participation in activities and sports and recreational activities, participation in service that provides libraries in Institute of Criminal penitentiary. In Albania should critically be assessed the implementation of standards regarding the way the prison system is organized, how are distinguished the categories of prisoners while serving a sentence in facilities within the system, especially minors and women, how the process of education and employment of convicts and how the conditions for medical service and hygiene and sanitation.

One of the factors that currently disables the penitentiary with a fine in Albania is the lack of legal framework and failure to meet the State Office of Bailiff, which the establishment of the private bailiff service has diminished its function. Criminal fines wealth as a punitive measure has a significant effect on the realization of the purpose of punishment and enables restrictive prevention of criminal conduct.

In order to enable efficient connection with the execution of the penalties, Albania will need to enable a reform of the legal and institutional depth, following the best examples of the system in European countries.

The creation of appropriate infrastructure for supervising the alternative sentence is another aim of the reforms that have been implemented in the penitentiary system in Albania after 1990. In 2008 in Albania was created National Institute of Probation. Since the beginning of operation of the Probation Service in 2009 and by the end of 2013 the number of people who are placed with a court in one of the alternatives to imprisonment is 9356 people. The alternative "semi-liberty" remains unmitigated giving only in a court case over a period of 5 years, although as an alternative to imprisonment it seeks alignment with the recommendations of the Council of Europe.

In the implementation of alternative sentences, electronic monitoring provides a powerful system to reinforce the efficiency of the penitentiary for people who have limited mobility and promotes increased public safety by improving monitoring of individuals in the community. Restriction of movement may also help in imposing a discipline and a daily structure for the prisoners, in breaking criminal behavior traits and can enable participation in work activities, education or training, which is a function of convicted rehabilitation for petty offenses.

References

Internet source, info@dpbsh.gov.al
Internet source, Probation Service Tirane,2014
CRCA, “Juvenile justice in Albania. Analysis of the management system of juvenile justice and the situation of minors in conflict with the law in Albania” Tirane 2006
Criminal Code of the Republic of Albania in 1995, changed
Criminal Procedure Code of RA, changed
Law no. 9888, dated 10.03.2008 "On the Rights and Treatment of Prisoners" changed
Law no. 10031, dated 11.12.2008 "On the private bailiff service"
Law no. 10024/2008 "On Probation Service"
OSCE "Handbook for the application of alternatives to imprisonment" 2010
Order of the Minister of Justice no. 6325, dated 31.07.200945 "On approval of the regulation" On Probation Service cooperation with NGOs and Mediation Service "
Decision No.303, dated 25.03.2009 "General Regulation of Prisons"
Decision no. 302, dated 25.03.2009 "On approval of the Regulation" On the organization and functioning of the Probation Service and the establishment of standards and procedures for supervising the execution of alternative sentences' ventive measures for the salvation of companies rom failure.
Water Management in the Private Domain:
A Comparative Analysis of Urban Water Management Practice in Nigeria’s Niger Delta

Iniubong E. Ansa
Imoh E. Ukpong

Abstract

The paper compares three contextually different urban areas in Nigeria’s Niger Delta to understand how private involvement in the management of water has affected the spatial and socio-economic circumstances of the population. A wide range of methods including semi-structured interviews, observations and analysis of secondary records were used to collect data. The paper observed different forms of private water services including commercial/private borehole, sachet/bottled water services, mobile supplies etc. Their mode of operations and services were not significantly different between the three urban areas despite differences in institutional histories. Findings show there is pervasive impact of private engagement in the supplies and management of water services in Nigeria’s Niger Delta. However such engagement is haphazard, uncoordinated, unclear and highly unregulated. We observed that while public supplies target high income residential areas, the low income areas have been taken over by commercial water vendors to further capital accumulation. Consequently the low income earners employ all forms of daily rationing practice of allocating water to minimize expenditure while indirectly maximizing potential for health and other socio-economic problems. The paper argues that the involvement of the private sector in the management of water resources in Nigeria is a neoliberal agenda translated to reflect the demands and pressures of some major international financial organizations including the World Bank and IMF, rather than practical concerns for the citizens’ interest and needs.

Keywords: Water management, private sector, urban areas, Niger Delta, Nigeria.

1. Introduction

The problem of water is much more pronounced especially in Africa where a combination of resource limitation and growing demand as well as poor management have rendered access to water supply highly inadequate. It is claimed that in rural Africa, about 65 per cent of the population do not have access to adequate supply of water. The report further noted that in urban areas, 25 per cent do not have access to adequate water (UN-Water/Africa, 2003). In Nigeria, the situation is as serious as the general situation in Africa as there are marked disparities not only between the north and the south, such disparities also occur within regions. In the face of these realities, the international community has responded with a number of proposals, the most relevant of which are, firstly, the UN Millennium Development Goals (MDGs), aimed at halving the proportion of the world’s population that have no sustainable access to safe drinking water and sanitation by 2015 and, secondly, the Africa Water Vision for 2025, aimed at equitable and sustainable use of water for socio-economic development.

Due to the many dimension of problems posed by water resources, countries have been forced to make rational choices between competing domestic, industrial, agricultural and commercial uses, among others. In one of the responses to these issues, a new paradigm has evolved to place water within the mechanism of market allocation. This entails the consideration of water as an economic good that would be subject to the dictates of demand and supply as well as emphasis on demand-oriented management strategy. Consequently, since the early 1990s, private sector participation (PSP) in water supply has been introduced into a number of transition and developing countries (Braadbaart, 2001: 5; Nickson, 1996: 2). The advocates of private sector involvement, ranging from international financial institutions (IFIs), bilateral agencies, OECD countries’ governments, transnational corporations (TNCs), professional associations and scholars, have argued that PSP will improve efficiency, enable the extension of water services, raise the necessary investment finance, and relieve governments from budget deficits. On the otherhand, oppositional arguments against private sector involvement in water management have always centered their positions on the inherent universal and human right imperatives of water, which cannot be guaranteed within the context of profit drive and market concerns
(Budds and McGranahan 2003, Marvin and Laurie 1999, K’ Akumu 2006, etc). To address the question of social equity, infrastructural investments and human rights concerns, these and many other scholars have made cases for strong public interest, investments and supplies of water services for the people.

In Nigeria, Decree No. 25 of October, 1988 constitute the organizing legal framework for privatization and commercialization in the water sector. The policy was a part of the wider Structural Adjustment Programme (SAP) put in place for the purpose of restructuring the national economy. In spite of the many reasons for privatization, some people still believe it will not serve the interest of a greater number of Nigerians.

The debate on whether private or public has not been conclusive as scholars seem to be more polarized on these issues. In Nigeria, this polarization has become glaringly manifest, and is largely due to a lack of knowledge and information on the nature, depth and forms of private sector involvement in the water sector as well as the impacts and challenges of such involvements. If one looks around our urban centres various forms of private water services and management are noticed with haphazard and seemingly undefined operation. The most noticeable ones are sachet water sales, mobile water services (in tankers), commercial and private borehole operators, among others. At government and water corporation/companies levels, water services are increasingly being considered for outsourcing in addition to many other forms of commercial practices including lease of water equipment; commercialization of water services; contracting out water services and many other forms of partnership between public and private agencies.

At these levels, the study is comparative and is aimed at understanding the social, spatial and economic challenges associated with these forms of public-private relationships in the water services sector as well as the level of institutional supports underpinning their activities.

2. Study Areas and Methods

2.1 General Background

The study is part of a doctoral thesis on ‘private sector involvement in water management in the Niger Delta: analysis of performance and challenges.’ Three urban centers with diverse developmental and institutional histories were compared in Nigeria’s Niger Delta region. The areas include Uyo urban (Akwa Ibom state); Calabar urban (Cross River state) and Port Harcourt urban (Rivers State) (Fig 1). These states share almost similar broad ecological characteristics with some internal variations. They all share physical boundaries with the Atlantic Ocean in the south with changes in variation, soil, geology and groundwater resources as one moves northward. The climate is generally humid tropical with some local variations in the northern part of the three states depending on local relief changes. Annual rainfall varies between 4000mm in the coastal areas and 2000mm in the inland areas. For northern Cross River, annual rainfall could be as low as 1500mm because of significant variation in local relief configuration (NDES 2000).

General socioeconomic activities revolve around fishing, agriculture, small scale businesses, public sector occupation and petroleum oil-based activities. In spite of the wealth accruing from the exploration of petroleum resources in these states, NDES (2000) reported several developmental challenges in the areas of poor roads and telecommunication network, unstable power supply, housing problem, low level of literacy and educational development, waste accumulation, poor water supplies and sanitation services, poor healthcare infrastructure, among several others. The exploration of oil in the region has led to many environmental problems through frequent spillage, acid rain, destruction of the ecosystem and other social and economic livelihood supports (Akpan and Akpabio 2003). These have led to massive poverty for the populace and often create avenues for militancy and restiveness.

Specifically on water supply, data from the federal office of statistics (NDES 2000) show that water in these areas come from unsafe supply facilities, including rivers, lakes or ponds, unprotected wells and boreholes. The statistics classify available sources of potable water for household consumption as: pipe-borne, untreated pipe, borehole, protected well, unprotected well, river/lake/pond, vendor trucks and other categories. Poor access to adequate drinking water has serious implications for the general health, environment, economic activity and sustainable livelihoods. The lack of potable water in the rural areas, as well as severe shortages of pipe-borne water in urban centers, necessitates new policies and sets of institutions normally devised in ensuring supplies, but how effective are such institutions in addressing the problems? This is the central focus of this study.

2.2 The three Urban Centers

Port Harcourt, Calabar and Uyo have been used as the main urban centers for this study. These urban areas have different socio-economic and institutional histories.
The growth of Port Harcourt, for instance, in population and areal extent has been very phenomenal. Its population has grown from 500 in 1915; 30, 200 in 1944; 180,000 in 1963; 231,000 in 1973 and about 911,731 (Izeogu, 1989). Currently, Port Harcourt has an estimated urban population of about 2.7 million (Agbor and Onukwu, 2011). Besides rapid population growth, Port Harcourt has seen very high incidence of physical expansion, mostly in the rural-urban fringe to the north and the waterfronts to the south. Based on the Rivers state government estimate, there are not less than 14 distinct and well-known water side squatter settlements with an estimated population of 30,000 (cited in Izeogu, 1989). Most of the rural and semi-rural settlements taken over by Port Harcourt include Elekohia, Rumuomasi, Rumuokoro, Rumueme, Rumuola, Oworukwo, Oromezimbu and Orogbum. It fringes have extended to Iriebe, Rumulumeni, Choba and Rumukokoro. According to Izeogu (1989), the city has grown from 15.54 square kilometres in 1914 to a metropolis covering an area of 360 square kilometres in 1980s. The growth and expansion of Port Harcourt urban is largely attributable to its position in the former eastern region of Nigeria, as the nation’s second port and the region’s foremost industrial and commercial city, its location in the oil-rich Niger Delta and its function as a State capital.

The rise of Calabar is closely linked with its status as an international sea port (shipping out goods such as palm oil) which was recognized as far back as the 16th century (Iliffe, 1995). During the era of the Atlantic slave trade, Calabar became a major port in the transportation of African slaves (Spark, 2004). Calabar once served as the seat of government of the Niger Coast protectorate, southern protectorate and oil Rivers protectorate. By this Calabar is effectively seen as the first Nigerian capital city. As the capital of Cross River state, Calabar is divided into Calabar municipal and Calabar south local government areas. It has an area of 406 km² and a population of 371,022 at the 2006 census (Ottong et al, 2010). The inhabitants are mainly from the Greater Calabar district-Calabar south, Calabar municipality, Akpabuyo, Bakassi, Biase, Odukpani and Akamkpa. As commonly used in Nigeria, the term ‘Calabar people’ could also refer to both the indigenes of Greater Calabar as well as the people of the original south eastern state of Nigeria which is at present the people of Akwa Ibom and Cross River states. As a state capital, Calabar is currently growing in its population at a rate of about 5% while basic infrastructural services are not able to cope with the expanding demographic reality.

Uyo, the capital of Akwa Ibom state, assumes it present status following the creation of Akwa Ibom state in 1987. Its transformation from a small commercial town into an administrative capital has not only led to the rapid growth of economic activities, there is tremendous expansion in the physical infrastructures over the years. The population of Akwa Ibom state as an oil producing state has equally played a role in attracting industrial expansion and corresponding state investments in public infrastructures as a result of tremendous petroleum oil resource revenues. These have combined to make the city of Uyo the main centre of economic activities attracting migrants from different areas of the country. Obot et al (2009) noted progressive increase in land use from 5.30km² in 1960 when the city was a district headquarters to 186.30km² in 2005 as a capital city. The authors equally observed a rising trend in population growth from 87,311 persons in 1987 to 518511 in 2006 while 2010 population for the city was estimated at about 1000,000 at a growth rate of 5%

The most important concerns of urban growth and expansion in the Niger Delta region have to do with the capacities of available public infrastructures to cope with the phenomenal increase. Indeed, the urban sector, with its concentration of informal sector activities, plays a growing role in the economy of the Niger Delta region. Trading (17.4 per cent), services (9.8 per cent) and miscellaneous activities (11.1 per cent) are the most important areas of employment, after agriculture, fishing and forestry (UN Human Development Reports, 2006). Many problems have been identified as characterizing the phenomenal expansion and growth of urbanization in the Niger Delta to include poor quality housing and residential environment, problem of waste disposal; air, land, noise and water pollution as well as inadequate public infrastructures. One aspect of such problems easily manifest in the area of urban public water services. The inability of public water agencies to cope with the rising water needs of the urban citizens has led to the emergence of different forms of private engagements in the provision of water services. This trend is common across the main urban areas in the Niger Delta prompting the interest to understand the nature and effectiveness of such engagements in meeting the needs of the urban population.

3. Study Methods

This study was comparative specifically focusing on the three urban centers of Uyo, Calabar and Port Harcourt. A combination of case study approach, in-depth interviews and analysis of secondary documents/grey literature was used to understand the broad and local issues associated with water privatization, as well as the extent to which identified issues/practices differ from one area to another. For interview purpose, a two-stage sampling procedure was adopted for each urban location: a total of 20 streets were initially randomly selected, with a further random selection of 10
households from each of the 20 streets. We ended up with 200 households from each of the urban areas for in-depth interviews, summing up to a total 600 households for the three urban locations. The head of each household was interviewed in a semi-structured manner. We emphasized on a whole range of issues including but not limited to sources of water, access to public and private water services, quality of water supply services, preferences and rating of service performance, household expenditure on water, challenges associated with water access, regulatory practices, general perception etc. We equally visited the respective urban water corporations for some interviews and clarifications bordering on institutional issues, regulatory practices, services provision, relationship with the private water suppliers etc. we interviewed commercial water service providers/operators to clarify some issues as well as understand their ideas/opinions. General institutional arrangements underpinning water privatization in Nigeria were analyzed within the framework of institutional decomposition and analysis (Saleth and Dinar 2004). This enabled us to access the availability and efficiency of relevant policies, legislations, administrative arrangement, regulatory practices, organizational and inter-agency coordination practices, conflicts and conflict resolution mechanisms, among others.

Emerging results were subjected to descriptive analysis using tables, frequencies and general discussions.

4. Results

Across the urban areas in the Niger Delta the private sector have been visible in the areas of commercial and private boreholes, sachet/table water, mobile supply services and various other forms of partnership with the public agencies in forms of service, management, lease and concession contracts. Others include build-operate-transfer (BOT), joint venture and divestitures (Table 1).

Table 1. Private Sector Participation in Water Provision Services in the Niger Delta

<table>
<thead>
<tr>
<th>Service Type</th>
<th>AKS response</th>
<th>AKS %</th>
<th>CRS response</th>
<th>CRS %</th>
<th>RS response</th>
<th>RS %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Borehole</td>
<td>94</td>
<td>47</td>
<td>108</td>
<td>54</td>
<td>138</td>
<td>69</td>
</tr>
<tr>
<td>Private Borehole</td>
<td>78</td>
<td>39</td>
<td>46</td>
<td>23</td>
<td>32</td>
<td>16</td>
</tr>
<tr>
<td>Sachet/Bottled water</td>
<td>20</td>
<td>10</td>
<td>36</td>
<td>18</td>
<td>28</td>
<td>14</td>
</tr>
<tr>
<td>Mobile supplies</td>
<td>8</td>
<td>4</td>
<td>10</td>
<td>5</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Others</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>200</td>
<td>100</td>
<td>200</td>
<td>100</td>
<td>200</td>
<td>100</td>
</tr>
</tbody>
</table>

By Table 1, service types tend to vary across the urban areas probably due to environmental circumstances, development history and the degree of public institutional commitments to water service delivery. For instance, commercial borehole services tend to be most prominent means of securing water in the Cross River state (69%) than in Akwa Ibom (54%) and Rivers (47%) states. On the other hand, private ownership of borehole tends to be higher in Akwa Ibom state (39%) than the Cross River (23%) and Rivers (16%) states. Although Calabar urban (Cross River state) had the initial advantage of being the Federal Capital Territory, the urban area still depend on commercial water services than Uyo urban (Akwa Ibom state) and Port Harcourt urban (Rivers state). Possible explanation to this may be due to differences in environmental contexts, the degree of public commitment to water services and institutional regulatory practices. Table 2 describes the respondent’s perspectives bordering on access to public water supply within the context of dominant private service.

Table 2. Do you have access to Public Sources of Water Supply in Your Areas?

<table>
<thead>
<tr>
<th></th>
<th>AKS response</th>
<th>AKS %</th>
<th>CRS response</th>
<th>CRS %</th>
<th>RS response</th>
<th>RS %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>19</td>
<td>9.5</td>
<td>67</td>
<td>33.5</td>
<td>74</td>
<td>37</td>
</tr>
<tr>
<td>No</td>
<td>181</td>
<td>90.5</td>
<td>133</td>
<td>66.5</td>
<td>126</td>
<td>63</td>
</tr>
<tr>
<td>Total</td>
<td>200</td>
<td>100</td>
<td>200</td>
<td>100</td>
<td>200</td>
<td>100</td>
</tr>
</tbody>
</table>

While Table 2 may not seem to adequately support the hypothesis of significant impact of public commitment in water services provision across the areas, it has, at least given some useful insights into the state practices in the provision of water services. Over 90% of the respondents said they do not have access to public sources of water supplies above
66.5% for Cross River and 63% for Rivers states. Taken together the main sources of water supply (commercial and private borehole), it is clear that Akwa Ibom has the highest number of 86% respondents, closely followed by Rivers state (85%) while the Cross River has 73% respondents. It is possible to argue that long years of institutional and urban development partly account for whatever differences observed. The Cross River state may have had the benefits of initial infrastructural supports and established public water services over the other two states.

Apart from relatively poor public services, the degree of private involvement in water services in the study areas is enhanced by the relative differences in the general environmental circumstances of the three states. Relative static water levels vary across the three states with Akwa Ibom and Rivers states having relative advantages over Cross River state. This, possibly, has been the major factors for individual investments in private and commercial supplies. While the minimum cost of drilling a borehole could range between #150,000 ($937.5) and 200,000 ($1250) in Akwa Ibom and Rivers states, the cost could be relatively higher for Cross River state. More so, Akwa Ibom and Rivers states rank the highest and second highest petroleum oil producing states respectively in the Niger Delta over Cross River state which virtually remains very insignificant in terms of oil production. Oil revenues mean more money in government and private hands which tend to create incentives for private investment in water production and services. This probably may be responsible for more private involvement across the three domains.

In general, the private sector seems to dominate water production and services in the study areas. Over 68% of the respondents recommended the private sector in the whole of the study areas. Based on Table 3, over 80.5% of the respondents in Akwa Ibom state judged the private sector favourably over the public sector. For Rivers state, 64% of the respondents said the private sector performed better over the public sector while 61% of the respondents made similar judgments in Cross River state (Table 3).

Table 3. Evaluation of the Public and Private Sources of Water Supply

<table>
<thead>
<tr>
<th></th>
<th>AKS</th>
<th>CRS</th>
<th>RS</th>
</tr>
</thead>
<tbody>
<tr>
<td>The public sector performs better</td>
<td>39</td>
<td>78</td>
<td>72</td>
</tr>
<tr>
<td>Response (%)</td>
<td>19.5</td>
<td>39</td>
<td>36</td>
</tr>
<tr>
<td>The private sector performs better</td>
<td>161</td>
<td>122</td>
<td>128</td>
</tr>
<tr>
<td>Response (%)</td>
<td>80.5</td>
<td>61</td>
<td>64</td>
</tr>
<tr>
<td>Total</td>
<td>200</td>
<td>200</td>
<td>200</td>
</tr>
<tr>
<td>Response (%)</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

Numerous irregularities, high cost of initial participation, low and selective coverage and general poor services were used by the respondents in downgrading the public water services provision in the study areas. For instance a male respondent in Uyo (in his early 40s) gave insight into the problem as follows: ‘...now before you are linked into the public supply network you have to have an initial capital of not less than #30,000 ($187.5)...for a person like me...with family members...who may not earn up to #20,000 ($125) such amount is like asking me to steal...I can’t save such money...even if you can afford it, the services are such that you still have to keep spending extra money to buy water from commercial operators because of irregularities in the public sector...it is better to spend daily to buy water from the commercial vendors...’ Apart from the initial high cost of being linked into the public network, the respondents were not even assured of regular public supplies given the general complaints of irregular public water services by those who use it. More so, the notion of running public water services as social services imply that people are likely to see government water services as free which tends to work against cost recovery. Akpabio et al (2007) had identified the idea of seeing water from the spiritual perspectives as the most important reason sustaining the notion of free public water service which certainly works against cost-recovery practices in the public sector. This seems to be one of the reasons the public sector gets more inclined towards those who are willing and more capable of paying for water services.

In response to the wider neoliberal policies of the Nigerian state, public water services in the states of the Niger Delta have introduced diverse forms of commercial and market practices to cater for the interest of certain capable segment of water consumers. A number of outsourcing practices in the areas of metering and billing services, capital investments, revenue collection etc. were being experimented by all the states urban Water Company limited. We gathered that while the state retains asset ownership and contribute in financial investments the respective urban water companies do enter into funding agreements and partnerships with external organizations such as the ADB and World Bank etc. with guarantees from the state. As at the time of this report, these practices were ongoing practices which were a bit too early to assess the results.

One important aspect of interest was the level of institutional arrangements as support mechanism for private engagement in water services across the three urban areas. Table 4 highlighted the level of institutional framework for private practice in the water services sector in the Niger Delta.
Table 4. Institutional Framework for Private Sector Involvement in Water Service Management across the Niger Delta

<table>
<thead>
<tr>
<th>Institutional standards</th>
<th>AkS</th>
<th>CRS</th>
<th>RS</th>
<th>Performance Differences</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water pricing and cost recovery policies/practices.</td>
<td>-heavy state subsidies on water services -private operators engage in arbitrary pricing.</td>
<td>Same condition.</td>
<td>Same condition.</td>
<td>No significant difference (in spite of state subsidies, water services are not affordable to the larger population across the study areas)</td>
</tr>
<tr>
<td>Water services to the public.</td>
<td>Highly demand responsive at public and private levels.</td>
<td>Same condition.</td>
<td>Same condition.</td>
<td>No significant difference (low income earners are disadvantaged)</td>
</tr>
<tr>
<td>User involvement in water services decisions.</td>
<td>Akwa Ibom water company Ltd once organized a stakeholder meeting involving urban water users in 2008.</td>
<td>No records of stakeholder platform and engagements.</td>
<td>No records of stakeholder platform and engagements.</td>
<td>Urban water companies mostly run arbitrary services without user participation.</td>
</tr>
<tr>
<td>Legal sharing of responsibilities in water management between governments and private sector.</td>
<td>-Federal laws dominate water services legislations. -no clear role definition for the private sector. -some laws have indirect effect on private exploitation of ground water, e.g., Land use Act 1978. -No single state law on water services and management responsibilities.</td>
<td>Same condition.</td>
<td>Same condition.</td>
<td>No significant difference (there is no single governing authority and explicit rules for regulating private activities in the water sector across the region.</td>
</tr>
<tr>
<td>Water rights of citizens.</td>
<td>Subsumed under the land use Act for groundwater.</td>
<td>Same condition.</td>
<td>Same condition.</td>
<td>No significant difference (as there is no clear definition of right of access to water resources, ground water pumping race has become very common.</td>
</tr>
<tr>
<td>Accountability mechanism for private water users and service providers.</td>
<td>-No explicit legislation at both Federal and State levels.</td>
<td>Same condition.</td>
<td>Same condition.</td>
<td>No significant difference (this has encouraged reckless exploitation of groundwater resources).</td>
</tr>
<tr>
<td>Regulatory framework for private engagement in water resources exploitation.</td>
<td>-Urban water company supervises operation and draw up arbitrary standards for private providers. -environment agency gives standard on water project development, e.g., borehole drilling.</td>
<td>Same condition.</td>
<td>Same condition.</td>
<td>No significant difference (regulations are hardly enforced)</td>
</tr>
<tr>
<td>Enforcement mechanisms on private or commercial practice.</td>
<td>-Standards on borehole location and water quality are handled by urban water companies and the respective state ministries of Environment. -No pricing and tariff regulatory agencies and authorities.</td>
<td>Same condition.</td>
<td>Same condition.</td>
<td>No significant difference (enforcements on location of private water projects and quality are not regularly enforced. -arbitrary pricing and tariff regimes rule private water operation).</td>
</tr>
<tr>
<td>Organizational arrangements</td>
<td>-public water company Ltd operate commercial services -private individuals operate private and commercial boreholes -small scale private water firms involves in sachet water sales -regional and multilateral organizations e.g., ADB, World Bank/IMF etc partner with public water company for conditional funding.</td>
<td>Same condition</td>
<td>Same condition</td>
<td>No significant difference (regional and multilateral funding agencies encourage full scale material and service privatization of urban water across the region as incentive for funding public water projects).</td>
</tr>
<tr>
<td>Funding</td>
<td>-self-funded private operators -absence of public incentives for private operators -loan supports from multilateral organizations to public water companies are conditional on privatizing and commercializing water services</td>
<td>Same condition</td>
<td>Same condition</td>
<td>No significant difference (private water operators receive no support from public funding agencies).</td>
</tr>
<tr>
<td>Coordination activities</td>
<td>Individuals, firms and public water service providers operate independently of each other -inter-agency and inter-governmental coordination in setting standard and enforcements are hardly practicable</td>
<td>Same condition</td>
<td>Same condition</td>
<td>No significant difference</td>
</tr>
</tbody>
</table>
The result shows that none of the sampled states has clear law or edict to set standard and regulate practices. At interview with officials of the respective states, general reference was made of legislative Bills in the making. Respective state water agencies work on arbitrary guidelines and irregular monitoring practices. Akwa Ibom state water company limited (AKWCL), for instance, imposes a license fee of #16000 ($100) as yearly license fees for private borehole operators. While some private borehole owners claimed being aware of such fees, most respondents seemed not quite aware of such fees. This is an indication of weak monitoring practice.

It was also observed that although the water agencies in the three states are said to be privatized, actual funding attention, staffing, supervision and other logistical supports all come from their respective governments. Not even any document has been tendered to the effect that the water companies operate as independent private organizations despite media claims. As other government parastatals and agencies, the study observed that the water agencies are characterized by daily bureaucratic and management problems including corruption, inadequate funding attention, and absence of staff capacity, among many other problems. There is a general confusion as to the role and status of the respective water agencies in the three states. This confusion manifested clearly in the contradictory presentation fielded during interview with agency experts and management staff. While the state water agencies depend solely on the scanty national institutional framework, we observed that none of the national institutional framework actually reflected debates and realities of water privatization. Most of the experts and staff seemed not quite informed and clear on the true situation on this in their respective states. This was reflected in the contradictory and inconsistent responses to information from some officials in the three state water agencies. There was an observable general trend of weak and uncoordinated institutional arrangements across the study areas. Because there were no clear institutional guidelines and standards, issues bordering on service regulation, tariff, water quality monitoring, water resources development, among others remain very weakly regulated and enforced. Consequently, private sector activities in the water sector function in unregulated environments posing challenges to standard and service quality.

5. Discussion and Concluding Remarks

The involvement of the private sector in the management of water supply services in Nigeria demonstrates the pervasive influence of the neoliberal policies in Nigeria’s critical sector namely, water resources management. International policy translation and subsequent domestication at the national and local levels depend, to a large extent, on the capacity of the national and local system to meaningfully process and adapt such policies for the overall benefit of the system (Akpabio 2012 cites Mukhtarov 2009). As the findings in this paper have shown, there is pervasive impact of private engagement in the supplies and management of water services in Nigeria’s Niger Delta. However such engagement is haphazard, uncoordinated, unclear and highly unregulated. Across the study areas, private management of water records no significant difference. The sector records large patronage and customer base over the public sector, not because of a healthy competitive advantage but largely the last resort of the highest number of the population owing to established cases of inefficiency and highly poor services in the public services sector. High incidence of irregular services, selective and very low coverage of the public water supply services were observed as important incentives for private and commercial borehole ownerships, mobile water services, sachet water phenomenon and other forms of private infiltration into water services delivery.

As important in life existence and economic activities, water services across the Niger Delta have been increasingly commodified beginning from 1998 when the idea of privatizing water services started receiving policy attention. Depending on location, we observed that service charge ranged between #5 and #20 per 25 liters of water. While public supplies target high income residential areas especially individuals with the financial capability to attract public taps and mains to private residence, the low income areas have been taken over by commercial water vendors to further capital accumulation (see Smith, 1984). The resulting spatial inequalities in water access have always worked to the disadvantage of the low income earners who are involved in daily rationing practice of allocating water to minimize expenditure while indirectly maximizing potential for health and other socio-economic problems. The current situation in Nigeria’s Niger Delta is not significantly different from the observation in the literature that water services in medium and low income countries tend to work against the interest of the poor. Within this argument, Blakely et al (2005) recorded experiences in low income countries whereby households earning less than US$ 1 per day were almost nine times more likely to lack improved water and sanitation than those earning more than US$ 2 per day (cited in Akpabio 2012).

Although the idea of privatizing public service agencies set the direction for private involvement in water services, practical translation of this idea in Nigeria’s water management situation remain largely unclear. For instance the water corporations of the three states under focus were converted to private companies in line with the privatization policy, and as a measure of strengthening efficiency and quality services. In the present circumstance, we observed that all
administrative, funding and staffing, among others are still in the domains of government bureaucracy and political control. Staff capacity remains very low, and all the staff interviewed were still within the mental frame of public bureaucratic orientation, completely ignorant of the clear status of their organizations. Although the water agencies have changed names to reflect what should be their new ‘privatized entities’, it was quite difficult to substantiate such privatized image with some legal, legislative and other forms of necessary documents. What seems as a little change is the massive participation of individuals in water services provision through private and commercial borehole operation. The Land use Act of 1978 (which indirectly ceded available land resources on individual owners) was identified as the only legal framework that empowers individual land owners to have access to available water resources within their land areas. But the Water Resources Act of 1993 and 2004 (which ceded Nigeria’s water resources exclusively in the control of the federal government of Nigeria) presents a contradiction to the land use Act and which tends to encourage ‘forum shopping.’ Given unclear regulatory mechanisms and weak monitoring framework, private water appropriation and commercial water trading have dominated water services operation in the study areas.

The main challenge here is that the private sector involvement in water services is not thoroughly regulated. This gives room to all forms of water services outlets without measures to control quality or check exploitation. Although it is the duty of the state and public agencies to monitor and regulate the private water spaces, such duties are hardly enforced. Consumer consciousness is equally absent as consumers hardly ask questions of rights, responsibilities, service costs and qualities. Lack of such consciousness leaves room for impunity and poor quality of services across the region. Given the role water plays in the livelihoods and economies of societies, the involvement of the private sector in its management could generate ample opportunity for delivering on access and complementing the activities of the public agencies. However, such opportunities would not be practicable if necessary ground rules of regulations are not highlighted and rigorously pursued.

In conclusion, we argue that the involvement of the private sector in the management of water resources in Nigeria is a neoliberal agenda translated to reflect the demands and pressures of some major international financial organizations including the World Bank and IMF, rather than practical concerns for the citizens’ interest and needs. As a measure to engender support for policy, public sector interest and investments in water services have gradually and deliberately been weakened thereby offering incentives for private interest. Given the reality and observations from the study areas, it would make more meaningful sense to understand and solve the water needs of the general populace before outright pursuit of the privatization agenda.

**References**


January 1996.
International Monetary Fund Lending Effectiveness: Case of Albania

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Abstract

The main aim of the paper is to analyze the effectiveness of IMF funds that Albania receives, and are they good sources to stimulate economic development, reduction of poverty, increase health and help environmental issues. In many countries IMF programs appear to be ineffective and also in Albania somehow, funds did not achieve to be the main source of development. But, it is not only IMF that makes the programs ineffective because very important factor in realization are official people working in corresponding countries, external shocks, policy changes and compatibility of programs with country public policies.

Keywords: IMF, effectiveness, development, Albania.

1. Introduction

Financial support for development is a phenomenon that became largely spread after World War II. In “Bretton Woods” conference in July 1994 nations were conceived that World needs a multilateral organization, whose focus will be to help economic development and progress of nation states in the whole world. International Monetary Fund (IMF) was formed in 1946 with 46 member states and today it has grown and includes 188 countries. The main proposes of the organization founded in the Article of Agreement of IMF in Article I are; promoting international monetary cooperation; expanding the balanced growth of international trade; facilitating exchange rate stability; eliminating restrictions on the international flow of capital; ensuring confidence by making the general resources of the Fund temporarily available to members; and adjusting balance-of-payments imbalances in an orderly manner. World Bank (WB) is considered as sister organization as their operation framework is nearly same and together they do universal lending.

IMF has introduced reforms in its operation expanding its role not only providing short term loans and helping under developed and developing countries but also as a financial crises manager and helping hand. After Bretton Woods’s system collapse in 1970 continued with the oil crises in that decade, world debt crises in 1980 and collapse of socialism have dropped down the original mission of IMF making it as the main actor to respond to crises and economic changes in the world. Lastly the fundamental mission published by IMF is to help ensure stability in the international system by; keeping track of the global economy and economies of member countries, lending to countries with balance of payments difficulties and giving practical help to members(IMF).

Republic of Albania became part of IMF on 5th of October 1991. Based on the regulations and quota reforms that entered into force in 2008 the Albania’s quota is 60 million, currently has 0.05% of the total votes of IMF members. Albania is in the same consistency with Italy, Greece, Portugal, Malta and San Marino. Albania since the end of communism in 1990s has had continual development in economic, social and environmental issues. But the political issues of 90s have left Albania’s economy still under recovery; national debt, trade imbalances and dependence on monetary policies of European Union in order to become part of EU have left place for development. IMF has shown continual support for Albania, lastly in February 2014 IMF has approved 36 month fund from 330 million Euros under Extended-Fund Facility (EFF) for Albania in support of the authorities reform program. (IMF, 2014)

2. Literature Review

Based on the literature, effectiveness of IMF loans have been decreased lastly as the mission and overall aims have
changed. In many countries in the world even though the continuous support of IMF still people are dying from hunger and environmental problems. The programs of IMF are criticized for many irregularities, transparency and moral hazard.

A study done by ODI (1993) if IMF funds are helping developing countries or not conclude that from evidences on programme effects their achievement is over rated. Funds generally secure sustained improvements but to not achieve growth and inflation controlling. Eventhough some of the aspects of developing countries have been improved related to the sustained development of their environment, economy and politics still Fund is not capable to be the main actor of regulating the countries. OECD governments decide on Fund’s policies and the way of implementation so a important burden of effectiveness is related to developing countries policies and determination of usage of the fund.

Boockmann and Dreher (2002) have done a study on contribution of IMF on economic freedom of countries in developing process. The results show that IMF programmes contribute less than World Bank in economic freedom, estimates taken into consideration are structural, growth oriented policies. This is closely related to the critics done for IMF that is demanding scale back the mandate of the Fund in order to restrain its activities to key areas of expertise, providing short term balance of payments credits and let World Bank deal with the development goals.

Eke and Kutan (2009) have made a very significant study for countries of East Europe testing the effectiveness of IMF programs and emphasising that they have failed to meet the main objectives of providing temporary assistance and only 21% of the programs in transition economies from 1990-2003 were completed successfully. Also the study have included the before-and-after analysis and again they showed to be ineffective. Authors in the paper have concluded that IMF programs effectiveness or ineffectiveness is determined by the nature of the IMF programs and policies, the commitment of the country officials to implement the program, policy changes, and external shocks. So it is not IMF the main actor of failing or success.

A significant study done by Lamdany (2009) emphasizes the importance and effectiveness of structural conditionals of IMF programs. The study assesses that structural conditions are meant to lead policy reforms but from evidences from 1995-2004 for 17 programs only 5 % of structural conditions called for lasting structural reforms and only one third of these were complied with. More than 40% of conditions called for preparing plans or drafting legislation. These low percentages of compliance with the conditions suggest that they are not properly playing its main role of safeguarding Fund resources. In the same time many of the conditions were criticized for intruding policymaking process and detracting from society’s sense of ownership of the programs.

Another study related to effectiveness of IMF and World Bank funds was done for Sub-Saharan Africa countries by Wohlwend (2010), considering that the funds given to these countries are riddled with idealism, high expectations, disappointing results and subsequent cynical backlash. Even though the good intention of the organizations to help these countries they have not achieved the main objective of lowering hunger and poverty.

From the literature review presented it can be concluded that IMF have lost its main mission and objectives that have been implemented in the beginning and the reason of existence from Bretton Woods Conference. Because of continual changes in the conditions of living, environment, social and political life IMF now has become an institution to give long term loans and preventer of the crises. Fund’s effectiveness is still under the question mark for developing countries and even more for under developed African countries, those are taking huge amount of aid and still are under poverty and hunger.

3. IMF Lending Effectiveness to Albania

From the beginning of relation of IMF and Albania, country has taken in total 5 loans. Four of these loans were delivered in 2 or 3 divisions in order to have more control from IMF on the money landed and to use them more efficiently.

Based on the study done by ODI (1993) the effectiveness of the programmes in practice is difficult to be measured.

Given in the study that empirical research makes it possible to offer some generalisations about programme effects:

- Fund programmes usually strengthen the Balance of Payments
- Programmes usually break down before being fully completed
- Programmes do not have effect on inflation rate
- Programmes have a muted impact on economic growth
- There is little evidence that programmes typically impose large social costs, although the urban labor force commonly suffers reduced real earnings, and cuts in budget subsidiaries can have serious effects
- Programmes that break down do so because of adverse external developments
- Programmes often fail to trigger additional inflows of capital from the rest of the world, despite claims that Fund’s seal of approval has a catalytic effect on capital inflows
• Programmes often do not have influence on fiscal and monetary policies
• There has been a good deal of political interference in Fund lending decisions

Funds in all the developing countries that have been landed have been “noisy”. Based on the criteria given above by Overseas Development Institute a relation of Albania’s situation can be drawn up.

<table>
<thead>
<tr>
<th>Time Period of the Loan Approval</th>
<th>Amount of Loan/ in Dollars</th>
<th>Type of Loan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov-97</td>
<td>12 Million</td>
<td>Credit</td>
</tr>
<tr>
<td>May-98</td>
<td>59.9 Million</td>
<td>ESAF loan</td>
</tr>
<tr>
<td>Jun-02</td>
<td>36 Million</td>
<td>PRGF 3 year loan ( 3 years, 6 reviews)</td>
</tr>
<tr>
<td>Jan-06</td>
<td>24.7 Million</td>
<td>PRGF AND EFF ( 3 years, 6 reviews)</td>
</tr>
<tr>
<td>Feb-14</td>
<td>457.1 Million</td>
<td>EFF fund</td>
</tr>
</tbody>
</table>

Source: IMF

3.1 The First Loan in ’97

IMF in 1997 has approved the emergency post conflict assistance for Albania. This assistance was given as support for government to proceed with economic program for 1997-1998. In that time Albania was a country in transition from isolation and fighting with poverty. From years 1993 it has shown substantial progress having growth of 9%, decreasing the inflation from triple digits to 6% and external imbalances were reduces etc. Than in 1997 because of election-driven policies budget deficit was raised, collapse pyramidal schemes and other management difficulties the whole Albania was near the economic and political collapse having a civil war. The program of recovery that Albanian government prepared was going to be helped by IMF. The government’s primary macroeconomic goal, for 1997-98 were rapid disinflation and resumption of growth. The key macroeconomic objectives of the program were: (i) to limit the decline of real GDP to 8 percent in 1997 and achieve real growth of about 12 percent in 1998; (ii) contain the annual inflation rate to the range of 51-54 percent in 1997, and bring it down to 15- 20 percent in 1998; and (iii) keep gross international reserves above the equivalent of 3.5 months of imports through 1998.

The program of IMF contained structural reforms and addressing social needs. IMF was very positively looking up on Albania as it has experienced it before in 1993 to decrees rapidly the inflations, so also in 1997 the inflation could be reduced. In the end of this 6 months program the economy of Albania started to recover in those years, but it cannot be concluded that the main reason for this are IMF funding as the program was more managed by Albanian government.

3.2 Second Loan in ’98

One year after the first loan immediately Albania was in need of being helped again, IMF in May 1998 approved a three year loan under the Enhanced Structural Adjustment Facility (ESAF) equivalent to 47 million dollars, in support for government in its economic program. Being refered from the country reports for Albania the new government that won the elections in mid-1997 adopted a two stage strategy. The first one that lead to macroeconomic stabilization and rebuilding of institutional and administrative capacity which was supported by IMF and the second stage was considered the one that was supported by ESAF program of IMF to help medium-term macroeconomic and structural program. The main aims of this strategy were to increase growth, reduce inflation, generate new job places and reduce poverty. The projection were to achieve 7-8% growth, inflation 3% and decrease the current deficit to about 6.5% of the total GDP in 1998. Also monetary policy in the short term should have some reforms, the Bank of Albania should have decreased at minimum deposit rates. However, there should be scope later in 1998 to lower nominal rates as inflation falls and pressure on the financial system to finance the budget deficit is reduced. This program was also in support of the foreign administrations of the firms in order to not allow the private sector to collapse, banking sector reforms were essential to increase the rule of law in this sector and also enterprise privatization, agriculture, public administration, lower corruption and remittances coming in from abroad were part of structural reforms which would help Albania in those years to recover its economy. IMF loan was used in all of these areas. The main challenge in the time of this loan was the security in the country and region which was lowering the interest of foreigners to invest and help economy to generate development. The second part of the loan was given in June, 1999 as the augmentation takes into account Albania’s increased balance of payments needs arising from the impact of the Kosovo was. Prior to this Kosovo crisis, macroeconomic stability had been restored and economic trends were highly encouraging. This impact was not possible to be stopped so the only way
was to take also help from abroad and other European countries.

Based on the report of IMF (1999) for the performance of Albania under the adjutment strategy; country has achieved to have more stable macroeconomic situation in 1998.

### Adjustments of Albanian Economy

1. Deficit was decreased to 6.5% of the GDP from 10.3% that it was in 1997.
2. Inflation declined to 8.7 percent in the year to December 1998, having peaked at 42 percent during 1997.
3. The restoration of law and order and of macroeconomic stability in 1998 underpinned a strong revival of growth, estimated at 8 percent.
4. Recovery in imports was less than expected, while inflows of private remittances recovered strongly, the current account deficit fell to about 6 percent of GDP from 12 percent of GDP in 1997.
5. Foreign administrators, who were appointed in 1997, sold some of the assets for which clear title is available, and have now turned over to local administrators the task of disposing of the remaining assets and distributing the proceeds to investors.
6. The auditors' final report on the schemes was presented in April 1999. Moreover, parliament has passed legislation designed to prevent a recurrence of the pyramid scheme phenomenon.
7. Banking System Law (drafted with assistance from the IMF and designed to prevent illegal activities and ensure that only financial institutions can take deposits) was approved by parliament in June 1998, draft Money Laundering Law has been prepared by the Bank of Albania, and the enforcement of the Companies Law and other commercial laws is being improved.
8. The reforms needed to sustain recovery have continued. To complement the cleanup of the informal financial sector, the government has taken measures to restructure the state-owned banks: the Rural Commercial Bank was put into liquidation, the National Commercial Bank (NCB) has been prepared for privatization and a foreign strategic buyer selected, and the Savings Bank is now required to adhere to a governance contract which gives veto power in key operational decisions to foreign advisors.
9. 450 small- and medium-sized enterprises (SMEs) have been privatized since the beginning of 1998.
10. Agricultural land registration has proceeded at a brisk pace.
11. Staffing in the civil service has been reduced with employment cuts of more than 10 percent since the beginning of 1998.

All this recoveries make this IMF loan efficient in the way it was distributed to different sectors in order to have the effect in the whole development of the country in not just in some specific sectors.

On November 22, 1999, the IMF’s concessional facility for low-income countries, the Enhanced Structural Adjustment Facility (ESAF), was renamed the Poverty Reduction and Growth Facility (PRGF), and its purposes were redefined. It is intended that PRGF-supported programs will in time be based on country-owned poverty reduction strategies adopted in a participatory process involving civil society and development partners, and articulated in a poverty reduction strategy paper (PRSP). So also the lending of year 1998 was changes for Albania, as it was a program consisting 3 years and 3 review, from ESAF to PRGF. (IMF, 2000)

In every review, when the drawings of the money were being made IMF was indicating that Albania is having progress and is completing the projections, which makes the program to be effective and helpful. Despite this progress, in 2000 Albania still had the lowest level of per capita income in Europe and was in war with poverty. In consistence with the initiative under the Stability Pact, Albanian government prepared a Poverty Reduction Strategy Paper (PRSP) by mid-2001 and launch a new national poverty reduction plan. The plan in order to be more effective and allocative was prepared in accordance with suggestions and participation of representatives of civil society, local communities, the poor and the donor community. Poverty in Albania in those years was high and it needed to be addressed and solved. In 1996 Albania based on the study done by Living Standard Measurement Survey (LSMS) indicated that the poverty is a problem of rural areas with 90% under poverty. Key elements in the program poverty reduction are;

#### 3.3 Third Loan in ‘02

In 2002 Executive Board of IMF approved another three year arrangement under PRGF loan in amount of 36 million
dollars. This new PRGF program aimed to build on the progress made under the previous ones. The program in the first year was addressing Policies related to energy sector and recent problems in tax collection. Another important aim was achieving medium-term fiscal sustainability and sustaining high growth and ensuring a sustainable external position over the medium term which required wide range of reforms to improve the business climate and establish a fully functioning market economy. Crucial to this program were reforming the electricity sector, reconciling inter-enterprise, strengthening governance and the rule of law, and completing the privatization process. (IMF, 2002)

After three reviews and loans delivered the IMF Country report (2004) concluded that despite the political problems because of local election, majority party convention, government reshuffling, Albania again can be considered as a progress story related to macroeconomic indicators and structural reforms that have implemented.

### MACROECONOMIC PERFORMANCE UNDER THE PRGF (2002-2004)

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Growth</td>
<td>Growth has recovered to 6.0% thanks in large part of domestic demand, deposit increase, exports increase (trade balance was improved by 1.5% of GDP).</td>
</tr>
<tr>
<td>Inflation</td>
<td>Mitigated substantially during 2003, 2.3%. Investment Environment became more favorable because of lower prices for repos between April and December 2003. Savings Bank was sold to Raiffeisen Bank which improved the overall panorama of banking sector.</td>
</tr>
<tr>
<td>Fiscal Policy</td>
<td>Fiscal Consolidation remained on track during 2003 and the targets for the deficit were met. Improvements in tax administration, new excise tax law increased the tax revenues. Authorities have set aside a contingency expenditure plan so as to protect priority spending should unforeseen risks arise.</td>
</tr>
<tr>
<td>Structural Reforms and basic infrastructure</td>
<td>Two main long pending issues that were achieved; Savings Bank privatization and Power sector has shown remarkable improvements. All targets in terms of the reduction of technical and financial losses have been met, KESH financial situation has significantly improved, privatization and distribution system are under consideration, privatization of INSIG, insurance company also started. Tirana-Durres-Rinas railway project also started to be projected.</td>
</tr>
<tr>
<td>External Relations</td>
<td>Albania has shown improvement in the current account and had no difficulties in meeting external debt obligations. Fund payment was on schedule also. Albania started to look for stimulating investment for infrastructure, exploiting the geographical locations in EU. Government starting to use bilateral agreements and technical assistance in the areas of institutional reform, financial and capital market and infrastructure development.</td>
</tr>
<tr>
<td>Governance</td>
<td>Governance also has been strengthened. Good governance has always been critical in development of Albania and to the strengthening of the private sector role in the economy, they have been looking forward to identifying a better program framework in this respect so as to achieve more comprehensive results. This was one of the main challenging tasks but the authorities has all the time been strongly committed to improve the performance, in all the programs.</td>
</tr>
</tbody>
</table>

Source: IMF country reports

This results indicate that Albania has been improving these periods, which means that IMF has been helping this improvement even though the country itself was in transition and improvement was crucial.

#### 3.4 Forth Loan in ’06

In 2006 IMF approved three year arrangements under PRGF and EFF amounting to the equivalent 24.7 million dollars. This program supported by IMF was aiming to be the last Fund for Albania. The program focused on having financial policies, promoting reforms aimed at enhancing growth potential, strengthening government solvency, reducing vulnerabilities, protecting priority expenditure, and improving governance and the business climate. The main objectives were; real GDP to be 6% by 2007, inflation remain 3% with (pulse/minus 1 %). Reforms in taxes, expenditures management would permit the quantity and quality of public investments to increase alongside, decline the debt, domestic borrowing gradually to be reduced. PRGF loans carry an annual interest rate of 0.5% and are payable over 10 years with 5.5 year grace period on principle payments.

The loan of EFF aims to support programs that seek to overcome balance of payments and difficulties stemming from macroeconomic imbalances and structural problems.

Based on the Country Report of IMF (2009) in the end of all the reviews of the loan in 2008, PRGF-EFF arrangements Albania has non-inflationary growth, which made Albania to pass to the rank list of middle income countries. Growth was continually over 6%, while inflation was nearly 3%.

Public finances were improved. Improvement were shown in; revenue administration, tax revenues to GDP ratio increased by over 2%, improvements in public debt management have led to a reduction in the debt to GDP ratio from
56% in 2006 to 52.6% in 2008 and to the doubling of the average maturity of public debt, the deterioration in the current balance from -7.3% in 2006 to -11.8 in 2008. Policy implementations in 2009 had been broadly in line with the program and authorities maintained tight macroeconomic policies which means that Albania has worked very efficiently on the program of IMF. All quantitative performance criteria and structural benchmarks were met. The only criteria not met is the one of the end of October for effective electricity collection rate for the electricity company KESH. In 2009 Albania was facing the adverse consequences with global economy. Albanian authorities have looked upon 2009 with the aim to preserve macroeconomic stability and reduce vulnerabilities and still improve structural reforms.

### Policy commitments for 2009

The authorities have worked for fiscal policy. In the face of less favorable financing conditions and heightened rollover risk, they have tightened the 2008 budget. 2008 deficit target was 5.2 percent of GDP. The 2009 budget envisages a deficit of below 4 percent of GDP. Against a background of intensified financing pressures and uncertainty in early 2009, the authorities agreed to further strengthen the budget by increasing wholesale electricity tariffs, as well as by postponing the planned reductions in the employer social security contribution rate from January to May. Moreover, the 2009 budget includes contingency reserves of about 2 percent of GDP. Albania is using inflation target range with flexible exchange rate regime.

### Impact of the global financial turmoil on the financial system

Impact of the global financial turmoil on the financial system. In 2008 some banks withdrew bank deposit. Large liquidity buffers. Albania’s financial system compares favorably within the region. Despite those strengths, the authorities have had intensified efforts to improve crisis management in case of a further worsening of financial conditions.

### Structural Reforms

Further progress has been made in structural reform. The privatization program has properly worked by coming to the end with the sale of the oil company ARMO and the insurance company INSIG. Successfully electricity company KESH in June 2007, a 76 % stake in the power distribution system operator OSSH took the tender, and final negotiations with the winning bidder started in November 2008. Efficiency of collection of electricity bills would be increased by 82% by 2014. The authorities remain committed to ensure complete cost recovery tariffs for KESH.

### Relationship with the Fund

Fund-supported programs have served as a policy anchor since the early 1990s.

Source: IMF country reports

#### 3.5 Fifth Loan in ‘14

Executive Board of IMF on February 28, 2014 approved 36 month loan in support of the authorities’ reform program in value of 457.1 million dollar. EFF program in 2014 gave an outlook for Albanian economy by expecting improvements the whole 2014, reduction of risk in fiscal areas, clearance of arrears, tackling of high nonperforming loans and the launch of structural reforms. High public indebtedness needs fiscal consolidation which requires significant tax and expenditures policy measures, supported by extensive public financial management and tax administration reform, moderation of monetary policy, preserving financial stability while promoting access to credit necessary facilitates durable recovery. Authorities in 2014 planned to reform pensions system, energy, local government finances, public administration, business environment etc. Aiming to attract foreign direct investments and have sustainable growth.

In March 2015 a review was made by IMF, in order to have a view on have things are going in the reforms program of the government of Albania.

Concluding remarks of this review were; according to IMF, Albania’s economic performance is on track, they have reached the agreement on future collaboration on forth review of the loan. Economic growth will be recovered during the 2015 in order to reach 3% projections even though the slowdowns because of oil sector. Growth will be generated from domestic demand, energy prices, interest rates and bank landings. But, output is considered to be lower than the potential.

Fiscal policy is also on line with the targets, authorities remain committed to achieve the targets. Monetary policy should continuously support economy improvements and maintain price stability. Credit growth is recovering but is effected by non-performing loans and weaknesses in contract enforcement which leads to the conclusion that rule of law is low in Albania. Power sector reform implementation is on track, which is helped from World Bank. Electricity theft has been reduced, tariffs have been adjusted and revenues increased. All these indicators can lead us to the conclusion that Albania is on the good track of being improved and achieve to have reforms.
4. Conclusion

Albania is not an undeveloped country, the percentage of people dying from hunger and environmental problems are not as much as in African countries and other poor countries, so relating this fact with literature, which is concluding a decrease in effectiveness of the IMF loans, may not be true to Albania also. Based on country reports for Albania, country shows significant improvements but all these progress cannot be addressed only to IMF loans. Albania as a country in development is not whole dependent on IMF fund. It is generating profits from GDP, from bilateral agreements and group-countries agreements and it has passed through transition and the growth is normal. The programs of IMF are criticized for many irregularities, transparency and moral hazard and this makes the reports to be under doubt sometimes.

But based on the country reports and overall economic, political and social performance of Albania, improvements has been observed in many in sectors that IMF fund money was used. It can be concluded that funds has been used in proper and efficient way and have generated progress and improvement in overall picture of Albania.

In general, it can be concluded that IMF loans can be considered as a driving force toward improvement and enhancement of Albanian economic and political situation.

References


IMF. (2015). Statement at the Conclusion of an IMF Mission to Albania. IMF.


The Attitudes of Students of Master in Education Regarding the Teaching Profession

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Abstract

The main aim of this paper is to present a general view of the attitudes of the students of Master in Science in Teaching regarding the teaching profession. The participants in this study were 30 students of the first year attending the Master of Science in Teaching, respectively, from the Natural Science Faculty and the Foreign Language Faculty in Tirana University. From all the population of the students that attend master degree in teaching in those faculties it was drawn a sample of 30 students through the dimensional sampling method. In this study the qualitative analysis were used, and more specifically, the thematic analysis. The instrument that was used for the gathering of the data was the semi-structured interview. The aim of the interviewing process was to explore and to understand these attitudes. As a conclusion, one of the more important findings of the study is that, a significant percentage of the students liked the teaching profession and wanted to practice this profession in the near future. But they were pessimistic about employment opportunities. According to them, it is very difficult to be employed as teachers in public schools in Albania.

Keywords: Students, master of science in education, attitudes.

1. Introduction

Albania today is aspiring for its membership in the EU and the Albanian government must meet a lot of standards in different areas. One of these areas is education, where the main aim is to improve all standards in this section.

Thus, in all reforms that are undertaken from the Ministry of Education and Sports, universities that offer pre-service training for all level of education, have given a lot of importance to the improving of all curricula of masters in teaching. These new curricula are intended to prepare teachers that are able to face nowadays challenges. These challenges are reworded in numerosness competences that are crucial initially to the new teachers, and later on for all the students that will be taught and prepared from these teachers to be. While all this investment has been made for the preparation of new teachers, and meanwhile in all education undergraduate system is undertaken a very powerful reform to replace exciting teacher centered methods with student centered methods, what is the situation of the attitudes of the students that are studying to be teachers regarding the teaching profession?

In this context, a descriptive qualitative study is undertaken. The main aim of this paper is to present a general view of the approaches of the students of Master of Science in Teaching, regarding the practice of the teaching profession.

2. Literature Review

School leaders, teachers, and parents are all concerned about getting and keeping the best teachers for their schools. An introduction to career ladders in teaching has become more viable and attainable. Teachers who have the incentive to continue in education can become staff developers, building administrators, chair-people in their subject areas, and leaders in higher education. The possibility of district-wide appointments that influence school reform in a local, state, and national level can be pursued through easily accessible higher learning institutes. But, most teachers come to their classrooms through traditional routes: that is, an undergraduate pathway that usually involves the study of basic knowledge in the bachelor degree, and a master’s degree with an emphasis in childhood, secondary, or special education. Trainees are given a half-year of classroom observation and then the experience of student or teaching practice. Mentoring and supervision are all supposedly part of the program with guided practice and directions before entering their own classroom domains. Even with this experience, and the ability to survive that first year of teaching, a lifetime commitment to classroom teaching has declined over the past 10 years (Mulvey & Cooper, 2009).
Tozer et al., (2002), recommended some key ideas for improving teacher preparation for future classrooms. Among the recommendations there were five criteria to address the quality and licensing of teachers: 1. To make the education of teachers intellectually more solid. 2. To recognize differences in teachers’ knowledge, skills, and commitment in their education certification and work. 3. To create standards of entry to the profession—examinations and educational requirements—that are professionally relevant and intellectually defensible. 4. To connect our institutions to schools (for teacher preparation and development). 5. To make our schools better places for teachers to work and to learn.

New teachers have their common experiences in schools that have similarities in their physical environments, serve students who live near or below the poverty line, and serve communities that are not necessarily connected to or supportive of the school. The effects of poor leadership on the school, peer collegiality and support, interest in student achievement beyond the dreaded assessments, resources, and student attitudes, reflect an atmosphere that has lost the intention of teaching and learning. Johnson (2001) cited in Mulvey & Cooper (2009), supported the concept of disillusionment of teachers who are attracted to the field of teaching for “the love of learning or the delight of working with children” due to responsibilities that lack the educational flavor and due to lack of support from competent school leaders.

3. Methodology

Subjects included in the study. In this study there have participated 30 students. These were students of the first and second year of Master of Science in Teaching from the Foreign Languages Faculty and students of the first and second year of the Master of Science in Teaching from Natural Sciences Faculty. Given that this study was a small scale research, to select the sample a non-probability sample was used and more specifically it was used the dimensional sampling. Dimensional sampling is a further refinement of quota sampling. It involves identifying various factors of interest in a population and obtaining at least one respondent of every combination of these factors (Cohen, Manion & Morrison, 1970, p 104). For this purpose a sampling plan was built. Sampling plan is a form of a multidimensional table with “branch of the study” across the top and ‘year of the study’ down the side.

The demographic data was gathered during the phase of personal interviews. The students’ ages ranged from 22 to 24 years old, 10% were male and 90% were female. The area, from which they came, was another factor that is taken into consideration. 72% of the students that participated in this study were from urban areas and only 28% were from rural areas. The exclusion criterion was personal refusal to take part in the study.

Procedure of data collection: The data collection was conducted in two public institutions of higher education. This procedure is done after getting the permission form these institutions. Data were collected in two stages. In the first stage 20 interviews were conducted and all the responses were individual responses according to the aim of the study. The interviews lasted about 40 minutes and were structured in an attempt to identify the students’ opinion with respect to the matters of the study. In the second stage two focus groups were formed and each of them had 5 participants. During all the procedure of the data collection the researcher recorded what the participants thought about the issues that contributed to the main aim of the study.

Instrumentation: For the gathering of the data an individual interview was built. The individual interview included 10 questions. All the students were asked to discuss the facts, as they perceived them. The following issues were discussed: Students’ expectation regarding the performance of the teaching profession; responsibilities of the profession; tasks that have to be met; their employment opportunities in this profession, etc.

Data analyses: According to Krueger (1994), data analyses in the qualitative studies consist of examining, categorizing, tabulating, or otherwise recording the evidence. The data must be analyzed to address the initial proposition of the study. The depth and intensity of analyses are determined by the purpose of the study. During the first stage, a data analysis is done through exploring the process of all respondents’ opinions. Coding and identification of all categories that have emerged from the transcription of non-documentary material is realized during the second stage.

Meanwhile, Stake, (1995), emphasizes that the search of the meaning is a search for patterns. The researcher can look for patterns while reviewing documents, observing or interviewing. Patterns can also be discovered by coding and combining frequencies.

In the last stage of the data analyses, interpretation of the main ideas found is realized through the data and only the interpretation of the real context of the situation was taken into consideration.

Ethics and validity. The way that the research was developed was to minimize non-authentic results. Before conducting the interviews a sensitization of the participant was done and anonymity was guaranteed.

Financial and human resources for this study were very limited and a selection of a small sample violates the external validity of the study. As a consequence, results obtained from this study do not represent the entire population of...
all students who pursue scientific or professional master’s degrees in teaching and for this reason generalization can not be made.

Results. The results of this study represent the peak of a working process, based on the processing of information derived from non-documentary materials. The decision to organize the results of the study in its current form has come from the combination of the collected facts examination process and the adjustment of these facts. All this process constitutes a framework of understanding of all issues being discussed. The results have emerged as a structure which consists of two main topics (MT), in three sub-topics (ST) and in ten categories (C).

A detailed set of results is presented below:

MT1: The students’ views about the teaching profession.
ST1: Commitment in this profession.
C1: Professional preparation
C2: Methodological preparation
C3: Weaknesses of their education

ST1: Responsibilities in this profession
C1: Willingness to practice this profession
C2: Preparation for responsibilities and duties
C3: Fear of failure
C4: Further qualifications

MT2: The employment situations
ST1: The glass half-full or half-empty
C1: The expectations they have in relation to their employment.
C2: The area in which they like to practice the teaching profession
C3: Difficulties they will face in the employment process

4. Discussions

MT1: The students’ views about the teaching profession.
ST1: Commitment in this profession.
C1: Professional preparation

The interviews of the students revealed that they are satisfied and feel prepared professionally. They say that during the faculty years they have addressed important professional issues in the branch for which they are going to teach in the future.

C2: Methodological preparation

For this issue students thought that preparation in this area is very unlimited and knowledge does not end with the completion of the studies. They would like to continue their training in methodological subjects in the future. According to their opinion, all modules they have treated in pedagogical field were very efficient and provided them with the basic skills in this field as well as have trained them to enrich teaching methods, to increase the motivation of students in the classrooms, to be more efficient in classroom management issues, and increase their knowledge in the assessment process. Above all, the modules have been affective in improving their own process of thinking and learning.

One of the students said: I feel good about all I have learned, especially on the aspect of pedagogical training courses. Subjects such as teaching methodology, classroom management or students evaluation, helped me become more confident as a future teacher.

C3: Weaknesses of their education

In this category all the problems that students mention as weaknesses of their education were classified. For instance, the foreign language students, mentioned that it would be more appropriate if they had more classes with foreign lecturers. Also, the hearing and active practice that are applied in the higher school should be taken more seriously from all instances, because according to their experience, practice in the proper classrooms is one of the key elements to success in this profession and an experienced teacher acts better and more competently than a teacher without the proper experience.

ST1: Responsibilities in this profession
C1: Willing to practice this profession

It should be noted that especially female students were really willing to practice this profession. According to them,
one of the motivational reasons to practice this profession is the good salary, in both public and private schools. They also wanted to help other people learn and acquire new skills and ways of discovering knowledge. It is worth highlighting that a large number of students who were interviewed were from families where either both parents or one of them were teachers. (This fact was totally casual, it was not involved in the study goals and was discovered during the process of interview).

One of the students interviewed said: - I come from a family where both my parents are teachers. When I was a little girl, I always played games, when I acted as “a really compassionate teacher when I taught” my peers. Now I am completing my studies to be a teacher and I wish to practice this profession. No doubt there are difficulties, as I see in my parents’ experience, but I liked it a lot and I can say that I will succeed. I see myself as a very prepared teacher in the future.

C2: Preparation for responsibilities and duties
According to the opinion of the students practicing the teaching profession it demands engagement in assuming more responsibilities and duties. The teacher has class responsibilities, has to face students, their parents and school principals. Respondents are also aware that such elements like; diversity in teaching methods, task orientation, involvement in the students learning process, and rate of success of students will be a very important part of their future daily work.

C3: Fear of failure
Students said that teaching in high school is a very difficult job because the standards are very high. Today's youngsters are very clever, very prepared and have sensitive feelings regarding the teacher’s performance in the classrooms. For this reason, they thought that more practice in the auditorium would be the best preparation for them and would prepare them not to fail in their fulfillments of duties and responsibilities.

Opinions from the Focus Group: Being a teacher today is very challenging because the student’s generations have changed a lot. We are only 23 or 24 years old and it feels like we are very different from them. In the first years of work, we believe that it is normal that the teacher will face a lot of difficulties, and perhaps the fear of failure will be present because to work with people, especially with adolescent is a very challenging duty. Over the years and continuing practice that sensation will be reduced until it will disappear. Because of their vast experience the senior teachers are very self-confident and they do not have these feelings.

C4: Further qualifications
For this issue they think that further qualifications are very important for their preparation. They wish to pursue further professional qualification. According to their opinion the institutions responsible for teacher training should be more careful in the training and qualification planning and possibly this training should be free of charge, so that every teacher, despite his/her financial situation, should have possibilities to attend them.

MT2: The employment situations
ST1: The glass half full or half empty
C1: The expectations that they have in relation to their employment.

Students are less or not at all optimistic about their employment, and from their perspectives, “the glass is half empty”. This situation occurs because, among them there are too many students that are graduated with very good grades, and for them it is very difficult to find work opportunities, especially in the public schools.

One of the students said: I am not very optimistic that I will start work after graduation. My grades are very high but to be honest I see this issue as very difficult because in my opinion in our country employment does not function according to the merit. However, if I am not employed in the public schools, I believe that I will find possibilities to be employed in private schools.

C2: The area in which they like to practice the teaching profession
From the data interviews the students wish to practice their profession as future teachers in the capital city or in the big cities in the country. But among them there are some students, which want to return to their birthplaces and to begin to practice the profession.

One of the students interviewed said: I am from Tirana’s suburb and I want to return home and start teaching in the high school that I was graduated myself. I believe that this is an achievable goal because they are short of foreign language teachers.

C3: Difficulties that will face in the employment process

One of the students said: I am from Tirana’s suburb and I want to return home and start teaching in the high school that I was graduated myself. I believe that this is an achievable goal because they are short of foreign language teachers.
For this issue they claim that they will face lengthy and not transparent procedures. Certain instance administrations that are responsible for their involvement in the employment system apply non-transparent procedures. This opinion was stronger among the natural science students focus group.

5. Conclusion and Recommendation

This study used qualitative analysis of information collected from 30 subjects. Its core was to explore the attitudes of student teachers regarding the practice of teaching profession.

In this aspect two important general finding should be emphasized.

One of the most significant findings related to this issue is a very positive predisposition of students regarding the teaching profession, thus, a significant percentage of them, want to practice this profession. They feel good, also with their professional preparation, especially with methodological preparation, which according to them has trained them in many directions.

A second critical finding is that most students are less or not at all optimistic about their employment by giving a number of reasons why they feel so. One of the recommendations that can be given at this point is to facilitate employment policies for new teachers.

What new teachers need is sustained, school-based professional development, guided by senior colleagues. Principals and teacher leaders have the largest roles to play in fostering such experiences (Johnson & Kardos, 2002).

References

Language and Communication: A Matter of Intercultural Competence?

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Abstract

Nowadays, language competences have a strategic role both to establish social relations and favour mental processes and logical/cognitive capacities. So, only language competences are not sufficient to determine the complete acquisition of a language because other dimensions need to be considered, such as the socio-cultural context, so that a specific communicative competence is necessary. Communication is what members of a culture use to share certain perspectives and visions, to follow beliefs, values, behaviours and make them known. Misunderstandings and communicative issues are often due to culture. Hymes (1988), introducing the concept of communicative competence, argued that we need to use our language appropriately with regard to the communicative context. Hymes (1972b) also affirmed that a person "acquires competence as to when to speak, when not, and as to what to talk about with whom, when, where, in what manner.". In other words, it is about showing our own linguistic competence off in a variety of communicative situations considering the socio-cultural context at first. Being "variously competent" allows us to give clear and effective communication, mediating our social interactions. It becomes clear the relevant role of communicative and cultural elements in learning or speaking a language and that linguistic competence is strictly linked to intercultural communicative competence. The purpose of this paper is to contribute to a greater consideration of the concept of intercultural competence not only with regard to our ability to communicate appropriately but also to our cultural appropriateness.

Keywords: language, communication, intercultural competence, culture.

1. Introduction

Nowadays, people are continuously involved in social, cultural and interpersonal contacts and numerous dimensions need to be considered in order to avoid or limit misunderstandings and communicative issues. Language competences have a strategic role in our relations, language is the primary way people use to communicate and interact, and these dynamics represent a constant part of our everyday life. Through language we communicate our experiences, thoughts, meanings, intentions, feelings and identity. Having only appropriate language competences is not sufficient because communication is a complex process involving several elements: communication is what members of a culture use to share certain perspectives and visions, to follow beliefs, values, behaviours and make them known. Hymes (1988), introducing the concept of communicative competence, argues that we need to use our language appropriately with regard to the communicative context. Hymes also affirmed that a person "acquires competence as to when to speak, when not, and as to what to talk about with whom, when, where, in what manner". Bonvillain (2003), perfectly defined the relationship between language and communication, "language is the primary means of communication between people. (...) Language links interlocutors in a dynamic, reflexive process. We learn about people through what they say and how they say it; we learn about ourselves through the ways that other people react to what we say; and we learn about our relationships with others through the give-and-take of communicative interactions.". Language is our main link with the outside world: through it we can "reliably cause precise new combinations of ideas to arise in each other's minds." (Pinker, 2000). It becomes clear the relevant role of communicative and cultural elements during our interactions or in learning or speaking a language and it is also evident that the linguistic competence is strictly linked to the intercultural communicative competence. Brown (1989), affirms that "Language is the roadmap of culture. It tells you where its people come from and where they are going". The communicative, cultural, communal and social functions of a language are relevant and need a specific consideration. Firstly, language helps to preserve and transmit culture; secondly, it "links individuals into communities of shared identities" (Philipsen, 1989; in Cooper P.J., 2007); thirdly, it manages all human interactions, it serves as social identification aspect unifying speakers as members of a single speech community. In
other words, it is about using our own linguistic competence in a variety of communicative situations considering the socio-cultural context at first. As we understand, language and culture are strictly linked: when we learned our native language, we also unconsciously learned our culture. Gudykunst and Kim (1995), affirmed that, "we communicate the way we do because we are raised in a particular culture and learn its language, rules, and norms". Sapir and Whorf (1956), claimed: "human beings do not live in the objective world alone (...) but are at the mercy of the particular language which has become the medium of expression for their society. (...) The fact is that the «real world» is unconsciously built up on the language habits of the group (...) we experience the world because the language habits of our community predispose certain choices of interpretation." In our relations and interactions, we could perfectly master the language but we also need to know that the way we see the world may not be the same as the way another culture does. Consequently, a different view of the world comes up when we come into contact with a speaker of a different language: communication cannot be considered only as a simple information exchange but it should be regarded for its capacity of creating and maintaining relations according to the encountered cultural context. Language and communicative competences refer also to a significant intercultural competence. The purpose of this paper is to contribute to a greater consideration of the concept of intercultural competence not only with regard to our ability to communicate appropriately but also to our cultural appropriateness.

2. Language and Communication: A Cultural Relation

Culture is a complex concept to be defined for its numerous hidden meanings. It is a set of beliefs, values, behaviours that are learnt and shared within a group; it includes language, communication style, practices, costumes and different perspectives about roles and relations. We belong to more than one culture that can be, for instance, social, professional or religious. Culture defines they way we see the world, affecting our interactions and perceptions, our verbal and non-verbal language, our identity. There is no doubt about the evident and complex relation between culture and communication. The specific meanings, symbols and value systems belonging to a culture, emerge and are known through communication. Morillas (2001) affirmed that, "humans communicate linguistically in a cultural environment that constrains the form and nature of communication. Culture constrains both what is acquired and how it is acquired. In turn, communicative processes shape the culture that is transmitted from generation to generation". According to Aldridge (2002) culture is, "the shared system of symbolic knowledge and patterns of behaviour, derived from speech communication (...)We learn cultural codes for social life, role expectations, common definitions of situations, and social norms in order to provide predictability and survival of the human species. Human language is the symbolic glue for human culture. Moreover, Haslett (1989) affirmed that "culture by definition is a shared, consensual way of life and sharing and consensus are made possible only by communication". It appears clear the strict relation linking culture, communication and language. As far as this relation is concerned, Valdes (1986) found that in order to become linguistically competent, it is necessary to be aware of ourselves as “cultural beings” in the process leading to explore our own cultural complexity. Accepting our own culture, “comes with the acceptance of their language and a greater willingness to let go of the binding ties of the native language and culture”.

"There is an interrelationship between a language and its people and if cultural information is not taught as a part of communicative competence, complete communication cannot happen” (Alptekin, 2002). Language and culture are inseparable: beliefs, ideas and identities are communicated through the language. "Culture is about shared meanings. Meanings are produced and exchanged through language, which is the medium through which we «make sense» of things. Meanings can only be shared through language" (Hall, 1997).

Culture and communication affect each other. Communication itself always arises and happens within a culture. In other words, communication brings culture and inevitably influences its structure. Our own culture shows off through communication and vice versa culture teaches us how to behave and communicate appropriately. Hall and Hall (1990) defined culture as “a system for creating, sending, storing and processing information” and considered it as strictly linked to communication implying that culture is about our daily life. Communication allows the members of a culture to share, not in all aspects, certain perspectives and visions of the world. We experience, consciously or unconsciously, our culture every day. Culture predominantly enters the dynamics of communication because, when meeting or interacting with the others, it is fundamental to understand their meanings, values, behaviours in order to have a functional, reciprocal and effective dialogue. Consequently, the communicative relation becomes crucial in learning the cultural competence that arises when approaching and knowing other cultures through a process based on awareness, knowledge and capacity. The more people are “culturally competent”, the easier it will be for them to reduce the cultural gap and favour understanding and sharing of linguistic and cultural elements. In fact, the development of an intercultural communicative competence is a process of dynamic and continuous learning implying a transformation of our identity during the
interaction with different cultures.

3. **The Concepts of Communicative Competence and Cultural Competence**

The concept of competence includes both the ability to act and the knowledge of the contexts where the action itself finalises. Boyatzis (1982) defines competences both as personal (self-awareness, self-management, adaptability, self-control, conscientiousness), and social (social awareness, empathy, social capability). Being competent is not a state but rather a process consisting in the mobilisation of all our individual resources, personal, theoretical, procedural, experiential and social (Le Boterf, 2000).

As already mentioned, Hymes (1988), introducing the concept of communicative competence, argues that we need to use our language appropriately with regard to the communicative context. Hymes also affirmed that a person "acquires competence as to when to speak, when not, and as to what to talk about with whom, when, where, in what manner". Savignon (1972) considered competence "in terms of the expression, interpretation, and negotiation of meaning", taking into account also the socio-cultural and linguistic context. Different aspects need to be considered when speaking about the communicative competence because, as we have already affirmed, it is not sufficient to know the language but it is rather more important to know how to use the language as an action tool in different contexts. The concept that Hymes proposed can be integrated with various other competences: linguistic, paralinguistic, kinesics, proxemics, pragmatic and socio-cultural, that is the capacity to verify whether and to what extent a specific linguistic statement is appropriate in relation to the socio-cultural context of reference. In other words, it is about showing our own linguistic competence off in a variety of communicative situations considering the socio-cultural context at first. Therefore, the communicative competence becomes, "the ability to function in a truly communicative setting – that is, in a dynamic exchange in which linguistic competence must adapt itself to the total informational input, both linguistic and paralinguistic, of one or more interlocutors" (Savignon, 1972).

The nature of such competence is not static but rather dynamic, interpersonal and extensively defined by the socio-cultural context where the speaker is. It is also about being "socio-linguistically competent", being aware of the rules, norms and conventions at the base of an appropriate comprehension and use of the language in various socio-linguistic and socio-cultural contexts-

As far as the concept of cultural competence is concerned, Cross, Bazron, Dennis and Issacs (1989) claimed that "cultural competence is a set of congruent behaviours, attitudes, and policies that come together in a system, agency or among professionals and enable that system, agency or those professions to work effectively in cross-cultural situations. The word culture is used because it implies the integrated pattern of human behaviour that includes thoughts, communications, actions, customs, beliefs, values and institutions of a racial, ethnic, religious or social group. The word competence is used because it implies having the capacity to function effectively". Moreover, Mays, Siantz and Viehweg (2002) affirmed that "for the individual, the process of cultural competence involves becoming culturally aware, gaining cultural knowledge and achieving cultural skills". Certainly, this process requires the abandonment of ethnocentric attitudes and the increase of open behaviours, flexibility and non-judgmental perceptions (Stewart, 2006). Additionally, cultural competence can enhance empathy, awareness and allows us to understand and recognise that others may observe the world through different cultural lenses.

We can affirm that people, in order to become "culturally competent", should have a specific knowledge of behaviours, perceptions, attitudes, traditions and the language characterising a certain culture. They should also consider diversity as a value, being able to communicate effectively with people having a different cultural background. So, communication becomes a vital part of our social life: a specific and necessary competence to activate and develop social relations, characterised and driven by culture, beliefs, traditions, stereotypes, prejudices affecting their existence. Our cultural and communicative competence becomes mediator of these relations. These cultural differences, provoking also a clash of cultural identities, become indispensable in our life because within the actual multicultural society everybody measure up with each other to value their own cultural diversity. Culture is strongly responsible for building up our individual realities, our specific competences and our communicative behaviours. Intercultural competence is a bridge, a connection to the others, a necessary element to increase and encourage an effective communication among cultures.

4. **Intercultural Competence: A Bridge between Cultures**

The communicative and cultural competences contribute to intercultural awareness, skills, and know-how because within the globalized world intercultural contacts are greater and greater, and people need both to understand and negotiate
Meeting the difference implies acting competently, in order to communicate, share, mediate, accept, include
effectively, bearing in mind that diversity helps to discover both what makes us unique and what joins us.

5. Conclusions

Language is our primary resource to communicate and build social relations. Language is what use to express ourselves, our thoughts and our identity but, noticeably, it is not sufficient within multicultural contexts where we need to interact with people having a different cultural background. We may speak fluently and master another language but we may, anyway, run into misunderstandings or cultural clashes. Nowadays, the globalised world is also a multicultural world but a passive acceptance of the other is not enough: an intercultural way of interacting is necessary. That is why language and communication are more and more a matter of culture, or better, of intercultural competence. As already stated, a different view of the world comes up when we come into contact with a speaker of a different language: communication cannot be considered only as a simple information exchange but it should be regarded for its capacity of creating and maintaining relations according to the encountered cultural context. Culture is a complex dimension. It defines the way we see the world, affecting our interactions and perceptions, our verbal and non-verbal language, our identity. Culture and communication affect each other. Communication itself always arises and happens within a culture. Our own culture shows off through communication and vice versa culture teaches us how to behave and communicate appropriately. Becoming culturally competent is a process of continuous learning supported also by experience. To communicate and interact effectively with other people, we need a relevant language and communicative competence but also, and above all, other numerous dimensions such as empathy, curiosity, open-mindedness, respect, emotion, flexibility, tolerance, motivation, awareness, all included in what we may define intercultural competence. It is a sort of “forte talent” to be used in critical cultural situations to face unknown and original contexts.

Research shows that we possess, consciously or unconsciously, intercultural competences, strengthened through a continuous learning process, a critical reflection and experience, too.

The world around us is inevitably changing, is evolving and becoming more and more multicultural. It means that we need to adjust inevitably and become more competent, acquiring an intercultural perspective. A significant culture of diversity should be encouraged in order to stress why we are so unique and why we are so different, or simply distant. Intercultural competence may be a bridge to go near that diversity, to approach it effectively and positively, not just accepting but above all respecting and sharing it. Intercultural competence involves both language and communicative dimensions, going beyond and encouraging and enhancing what we may already possess and what we may still acquire. There is a great variety of dimensions and elements that people need to handle in order to be considered competent. Developing intercultural competences inevitably transforms us because we increase perceptions of our own culture and other people's cultural background. We gain awareness of who we are, we become more flexible, sensitive and open to other cultures, we have a more successful communication building meaningful relations with other cultures.

References


Heyward, M. (2002). From international to intercultural: redefining the international school for a globalised world. In Journal of research in international education 1 (9), 9-32.


An Overview of Factors Affecting Auditing Quality in Albania

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Abstract
The effects of the financial crisis during the last decade derived by major financial scandals in major corporations and the uncertainty that still follows the economic situation has emphasized the need to regain the confidence of the users in the financial information. In these conditions, the need for certified and reliable financial information is a challenge that mostly affects the auditors, which should be stimulated to improve the audit quality. There is a wide range of studies and authors who try to determine the most influence factors that affects the auditing quality. The objective of this paper is to study how various internal and external factors like audit firm culture, quality of people, management and audit committee as well as general cultural and political factors affects the audit quality in Albania. Identifying the main factors that can improve the auditing quality in Albania can contribute to our understanding of how the Albanian auditors adopt the auditing standards to accomplish the quality control and other related reporting responsibilities. The study will be widely based on international standards on auditing and assurance engagements to identify the main factors affecting the quality control of auditing according to most popular and used classification. The objective of this study will be completed by analyzing the views from the respondents (CPA and independent auditors) obtained from the utilization of the questionnaires and interviews as well as the usage of foreign and national literature.

Keywords: auditing quality, internal factors, auditing standard, CPA.

1. Introduction
Auditing is a concept that emerged when the first formal record-keeping systems were first instituted by organized business and governments in the Near East to allay their concerns about correctly accounting for receipts and disbursements and collecting taxes. Today's audit involves performing procedures to obtain evidence about amounts and disclosures in the financial statements so as to evaluate the appropriateness of accounting estimates made by management (KPMG, 2008). Financial reporting scandals in major corporations like Enron, Sunbean, Worldcom etc. has shown how fragile our modern economy is and what consequences can cause a non effective performed auditing tasks. The necessity of auditing is becoming more evident in today's modern economy where a large number of persons are depending on reliable financial information in order to invest in companies listed in international stock markets. The complexity of today's economic transactions, the separation in geographic aspect, time and expertise, between stakeholders, managers and potential investors has made the auditors and auditing process a necessity for the continuity of the modern economic system. Some of the more important auditing procedures include: Inquiring of management and others to gain an understanding of the organization itself, its operations, financial reporting, and known fraud or error; evaluating and understanding the internal control system; performing analytical procedures on expected or unexpected variances in account balances or classes of transactions; testing documentation supporting account balances or classes.

1 Sridhar Ramamoorti (2003), internal auditing: history, evolution, and prospects. IIARF publishing.
2 http://www.grfcpa.com/media/AuditorDoesandDoesntDo_Final.pdf
of transactions; observing the physical inventory count; confirming accounts receivable and other important accounts with a third party.

Auditing is a process of certifying the financial information weather they represent a fair view of economical transactions. Auditing adds credibility to the financial information by providing an opinion regarding the correctness of the financial report provided by the economic entities. The more credible the financial statement can be the more the potential investors can invest in companies and the more is economic growth expected to be. The audit quality plays an important role in the usage of the financial statements by the potential investors as well as the users of this financial information. Quality of auditing is a wide concept and intangible from its matter because it cannot be measured in a quantitative manner nor it can be concluded objectively in a qualitative manner. Many authors describe and define the auditing quality from different aspects. Some authors define it as the capability of an auditor to find and report material errors, misrepresentation and weather the financial statements are based on international accounting standards. These factors are general and can be valued in different perspectives depending in the auditors professionalism and objectivity. The definition of DeAngelo (1981) about the quality of audit stating that: “the quality of audit services is defined to be the market-assessed joint probability that a given auditor will both (a) discover a breach in the client’s accounting system, and (b) report the breach” is a very used citation among the quality audit studies. Some authors describe the auditing quality as it is inversely related to reporting failures. That is, a quality auditing is presumed to distinguish more accounting and reporting failures from their clients and vice versa. Some authors simply describe the audit quality as a function of the auditor’s ability to detect material misstatements and reporting the errors. Although there are different definition regarding the auditing quality, in general there are two main factors evolved in the auditing quality definition: the auditor ability in both finding and reporting the misstatements and the auditor independence. These are the two factors that mostly can compose the auditing quality.

2. Classifications of Factors Affecting the Auditing Quality

There are is a relatively a wide range of factors that may affect the quality of auditing. As the number of factors affecting the auditing quality is relatively high, there are also various classifications of these factors according to the different authors and entities. Some authors divide in two main groups the factors that can affect the audit quality in direct and indirect measures. Direct factors include factors that are related with the audited company like financial reporting adopted with IAS, quality control reviews, company performance, earning quality etc. Indirect measures contains factors related to the auditing company like audit company size and characteristics, auditor tenure, industry expertise, audit fees, auditors dependence, reputation and the delivering of non-audit services.

IAASB (2011) generalizes the audit quality at the three perspectives: inputs, outputs and external factors. The audit quality can be affected by the resources an audit team input such as auditor skill and experience, ethical values and adopted audit process; audit quality can also be reflected by the production of audit process, which is the auditor’s report, or the output; and the third perspective, a strict legal environment may have positive impact in audit quality which are included in external factors.

In this study we will follow the first classifications of direct and indirect measures to classify and analyze in detail these factors.

2.1 Direct measures

Although there are various direct factors that can influence the audit quality, the most influence direct factors that can directly affect the audit quality, especially in the Albanian reality are: the earning quality, company performance and client importance.

Earning quality is one of the main elements that can give a presumption regarding the auditing quality. Other authors are convinced that in determining the auditing quality it is sufficient to check the reported earnings of their clients. Generally in developing countries where informalism is common the main trend of the management is to avoid as much as it is possible he income taxes. In this situation a company that tends to show their profits as close to the reality, means

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that its auditor is efficient in performing in a fair and professional way his tasks. The higher the presumptions of a good quality auditing the higher are the reported earnings of the clients financial tables. In same manner, the lower the reported earnings of the clients the lower is presumed to be the auditing quality. Factors that should be taken in consideration to determine the earning quality are: discretionary accruals, meet or beat earnings target, earnings response coefficient, likelihood of reporting a profit etc.

Company performance, is another direct measure that can affect the auditing quality. It is now widely accepted that the internal control has a great influence on the company overall performance. The internal control effectiveness is proportionally related to the company performance. Thus the more efficient the company performance, the greater are the chances that the internal control of that company are efficient. The more efficient the internal control is, the higher is the expected success rate of the external auditing company, and consecutively the auditing quality.

Client importance is the degree of auditors being economically dependent on the client. That is the economical benefits form a certain client has a relatively important part in the auditor's portfolio. The auditor is dependent on the client to pay the audit fee. The public accounting profession may argue that losing an audit client is nowhere near as serious as losing one's job. Indeed, if an auditor has 100 clients all of equal size, it may not matter much if the auditor loses one of the clients. However, if the auditor only has 2 clients of equal size, it is obvious that the consequences of losing a client will be rather serious to the auditor; in this case it would be hard to argue that the auditor is not biased in favor of the client.

2.2 Indirect measures

As mentioned above there are various factors of indirect measures that can affect the audit quality such as auditor characteristics, independence, Level of competition in the audit services market, non-audit services, audit tenure etc.

In auditor characteristics are included several factors such as auditor size, auditor type, skills, expertise etc. Auditor size is a main factor that can affect the auditing quality, Audit firms that are greater in size are considered to be more resistant from management pressures. There exist lot of empirical studies that attempted to find the relationship between audit firm size and auditor's independence. Audit independency has a direct and positive effect on audit quality. The greater the size of the auditing company the greater are the possibilities that this auditing company will try to be as much professional as it can in order to protect its name and reputation by providing higher audit quality.

Auditor skills and expertise in certain sectors, gives the auditors the chance to differentiate themselves from the others, influencing positively their independency and thus the audit quality. The higher the auditors skills and expertise the higher the audit reporting quality is expected to be generated.

Another important factor that can affect the auditing quality is the auditor independence. Auditors' independence is another discussed topic as an important aspect of ethical and a professional issue, crucial to auditors. Auditor independence is a very important in the auditing profession, a crucial element in the statutory corporate reporting process and a key prerequisite for the adding of value to an audited financial statement. There are different definitions of the independent auditor. An independent auditing can be defined as a systematic review of the accuracy and truthfulness of the accounting records of a particular individual, business, or organization by a person or firm skilled in the necessary accounting methods and not related in any way to the person or firm undergoing the audit. Auditor independence is the ability or the state in which the auditor can express it's opinion without being provoked or influenced by external or internal factors. There can be lots of factors that can influence the auditor's opinion in the relation auditor - client relationship such as: auditing fee, non-audit service, intimidation and auditor tenure. Auditor's independency is a crucial element in the auditing profession. If the auditor's independency is not accomplished, then the auditor cannot guarantee the auditing quality.

Audit fee is a primary factor that can be used to percept the auditing quality. In a rational way of thinking, it is presumed that the auditors fees should be proportionally with the auditors work and expertise quality. Thus the higher the auditors fee the higher is the perception of the auditing quality. Although a higher auditing fee in comparison with other auditors gives a perception of a auditing company with grater staff's expertise, skills some authors think that the auditor's

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high fee can also be a sign of the extra payment that a company should make to an unqualified report.

Non-audit services are the services that the auditor can make apart from normal auditing procedures, by offering different services to the clients from which he can earn extra revenues. In the last years the demand for business expert services has increased and expended in different range of services which include: training, risk management advice, mergers and acquisition, taxation, portfolio monitoring, recruitment and human resources and corporate governance. An auditor needs to pay much attention when both audit and non-audit services are provided to the same client, because these non-audit services may threaten the independence of auditor.

Intimidation, is the political power and ability to bargain with officials when an auditor examines their quality control methods. Intimidation is proportionally inversely related to the auditing quality. In cases where the intimidation is present the chances for a quality auditing are highly reduced.

Auditor tenure, is the period of time under which the auditor works with a client. Auditor tenure examines whether the length of relationships between auditors and clients could affect negatively on auditor independence. This is a very discussed topic, where some authors think that if there is a long-time cooperation between the auditor and the client the possibility for familiarization is considerably and due to this familiarization the independency of the auditor can be diminished. Other authors think that a long-term cooperation increases the auditors knowledge regarding the audited clients and thus it enhances the chances to distinguish the reporting failures based on familiarity of its business operations and reporting issues.

Level of competition in the audit services market is a crucial element in the quality of the report that the auditors taking part on this market can prepare. Competition is one of the most important environmental factor affecting auditor independence. Firms operating in an intensely competitive environment may have difficulty remaining independent since the client can easily obtain the services of another auditor. A number of empirical studies have proven that the high level of competition in the audit firm has resulted in less auditor independence.

3. The Main Factors Affecting Auditing Quality in Albania

In Albania the certified public accountant (CPA) can practice the independent auditor based on law no.: 10091 dt. 5.03.2009 “For the lawful auditing, organization of the CPA profession and certified accountants”. The organization that regulates and control the auditing quality under this law is IEKA (Institute of certified public accountants), which has proposed a regulation that includes:

- Quality control of auditors
- Quality control in regard of the inner organization of the auditors

The quality control is obligatory and is organized by this institution through an independent committee which is supervised by the board of public surveillance of CPA in Albania. The quality control of the auditors in Albania must be performed, at minimum once in four years for the auditors with experience greater than five years and once in two years for auditors with experience under five years.

The auditing quality is obligatory and it includes several aspects of auditing firms such as auditing files and reports, auditor’s ethics, independency of auditors, the applied auditing fees and other related aspects. Although there is a regulation and an supervising board for auditing quality, still these mechanisms are not enough active and proportionally sufficient in establishing the observance of these rules, including auditor’s ethics and quality.

In order to test the factors that are more influencial in the auditing companies in Albania, we conducted a questionnaire addressed to the certified public accountants in Albania practicing auditing services. The questionnaire was distributed based on the database of the institute of certified public accountants (IEKA) where there are registered all the CPA in Albania. The questionnaire contained general information about the auditor, and the auditors were asked to evaluate at their opinion how a given factor affect the auditing quality in Albania, by evaluation in a scale from 1 to , where 1 is no effect on auditing quality and 5 extremely high effect on auditing quality. The response rate was low and only 12% of the questionnaires were completed.
4. Main Findings and Conclusions

From the section of direct measurements, according to the respondents the factors that mostly influence the Albanian auditor’s quality was the earning quality. From the returned questionnaires 47% of the respondent thinks that the reported earning quality of the audited company generally are slightly over the allowed fiscal limitations. In this perspective the earnings reported from the audited firms are perceived to be formal rather than the real earning power, from the Albanian auditors. In this situation the low, reported earnings of the audited companies have a direct, negative perception on the auditing quality of auditors, auditing these companies. From the returned questionnaires 27% of the respondent think that the client importance has a vital role in the auditing quality. The companies that have a relatively important part in the auditor’s portfolio are treated in an asymmetrically way compared with companies with low incomes form the auditors portfolio perspective.

From the indirect measures the factors that mostly influence the Albanian auditors quality were the auditors independency rated by 34 % of the respondents. As observed form the responses the auditors independency in Albania is still an issues that needs further attention. The auditors independency in Albania is in low levels, from the perception of the Albanian auditors, where elements of auditor’s ethics are not in the desired levels. 27 % of the respondent rated auditor tenure as another main factor that influences the auditing quality Concretely auditor’s tenure is long-term , and affecting considerably the familiarity with the clients. This connection affects directly and negatively the auditors independency, resulting in a low quality performance.16% of the respondent, listed auditors characteristics as main factor in affecting the auditing quality, where issues such as auditors skills and expertise were the more concerned issues affecting negatively in Albanian auditor’s independance. Non-auditing services are still new products for the Albanian market, and only 6% of the respondents claimed that this factor affects negatively the auditing quality in Albania. From the returned questionnaires 17% of the respondents listed other factors affecting the auditing quality in Albania , rather from those specified in this study.

Throughout this study we tried to list and make a classification of the main factors affecting the auditing quality in Albania. Although the listed factors, we are conscious that there are still many different factors and audit quality issues happening not only in Albania, but worldwide. As this issue concerns there is still lot of progress to be made in a better understanding of the importance of the audit quality and the factors that affect it.

We encourage the national regulators and institutions instead of just adopting the international standards, to also, monitor the process of the implementation of this standards in order to increase the audit quality in Albania. We are conscious, that it is impossible to totally eliminate the audit quality issues as the audit quality is a dynamic concept, where the factors that contribute and affect the audit quality can change over time due to and politic and market indicators and overall perception. In this perspective only by evaluating the role of each factor in auditing quality can minimize the risks of auditing quality.

References

Sridhar Ramamoorti (2003), internal auditing: history, evolution, and prospects. IIA publishng.
http://www.grfcpa.com/media/AuditorDoesandDoesntDo_Final.pdf
http://www.ieka.al/
The Romanian- Russian Bilateral Register as a Symbolic Projection under the Folds of Immediate History

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Abstract

The present research approach places in its analysis nodal center the achievement of an interdisciplinary research in a unique area of crucial interest for the social sciences field, namely that of public image – public image which actually refers to an attribute of psychic life based on the capacity of human psychic to build mental representation, and is subsumed to the study of images-. In other words, in the research undertaken, the central scientific interest will focus on the issue regarding the image which presents itself as an impression created in the public's mind about a person, institution, product or a particular phenomenon, in this case referring implicitly to the public image assigned to the Romanian-Russian bilateral register in the immediate period. Starting therefore from the realities ascertained in the previous researches undertaken with regards to the Romanian-Russian immediate relations, in the present research attempt, we aim to highlight the manner in which the Romanian-Russian algorithm has been configured as a symbolic projection and a psychological reality under the sign of immediate history. Succinctly, this research attempt desires to be first of all and in a patented manner, a coherent and rennet approach to complement all that the immediate constellation of Romanian-Russian bilateral relations means, implies and presupposes as a collective representations fresco. Integrally, this research approach aims to be an investigative format that thus addresses a completely distinct facet of the bilateral spectrum issue, in fact pays considerable attention to the dynamics of the bilateral register.

Keywords: public image, symbolic projection, bilateral register, Romania, Russia, immediate history.

1. Introduction

For the most specialists advised in the field, the analytical horizon related to the current Romanian-Russian binomial is not an easy one, the more so because it implies a laborious demarche in relation to a report which reflects in an conclusive manner, an atypical, discontinuous and even syncopated portraiture. Fragmented rather than linear, the Romanian-Russian relationship has unraveled and continues to presently unravel in a sinuous and imprecise manner with little concrete signals of mutual cooperation, obviously contrasting with the perpetual periods of recoil and suspension. It particularly borders on an ambivalent mistrust, subordinate to a convulsed history, encumbered by light and shadow, responsible for shaping these relations. Precisely because of these considerations, „the usage of classical instruments afferent to the analysis of international relations is insufficient for understanding the type of interactions which exist between Romania and Russia. The usage of the methods pertaining to the collective imaginary psychology is necessary in order to attain the goal proposed” (Abraham, 2006). In other words, in order to understand exactly the complexity inherent to the Romanian-Russian immediate universe, it is more than necessary to understand the manner in which this bilateral register appears and is perceived as a psychological reality and as a symbolic projection during the entire period mentioned. On these lines, this is exactly what the present research approach intends to highlight and to demonstrate in the following section.

2. The Bilateral Register as a „Universe Of Contrasts” under the Folds of Immediate History

Undoubtedly and undeniably, the Romanian Revolution of December 1989 has represented a nodal trademark for the establishment of a new type of relations between Romania and URSS. De facto, the changes in December 1989 have imposed, at the level of the new Romanian political elite, and at the level of the temporary political formation entitled „National Salvation Front” (Iliescu, 2011) respectively, the necessity for crystallizing an eminently distinct frame of approach towards the rapport with the Eastern neighbor, more exactly, a frame within which a philosophy of normal rapports with the Soviet Union is primordial. Actually, within this strategy of inherent corrections, tributary to the bilateral
spectrum, strategy that pleaded for the restoration and reestablishment of a „modus vivendi” (Iliescu, 2011) at a bilateral level, but also for blurring until extinction the remains of the old regime, has been inscribed both the policy of rapid start, characterized by an exceptional dynamics of the contacts established between the two countries in 1990, and the attempt to reconfigure the judicial physiognomy of the bilateral rapport, attempt that was ultimately doomed to fail.

However, this preliminary dialectics on the basis of which the governing elite has acted with the view to reconsider the type of relations existing at that present time between the two countries, couldn’t ignore the dimension of certain episodes that proved to be true moments of difficulty for the bilateral rapport zodiac, but also the most difficult to surpass exams at a bilateral level. Thus, events such „as the dissolution of the Warsaw Pact” (Filip, 2006) and „the retrograde putsch in Moscow” (Graciov, 1995), beyond the fact that they have directly affected the Romanian state, they couldn’t ignore the bilateral rapport spectrum, placing an implacable print on the following evolution of the bilateral itinerary. Actually, for the governmental formation whose foremost representative was President Ion Iliescu, the most difficult test was to elaborate a strategy, susceptible to ignoring and abandoning the crucial implications that the dimension of such episodes could have induced at the level of bilateral relations mechanism. Naturally and predictably, in the absence of an intuitive political spirit, and under the skirts of an inconsistent approach and vision, for the governmental structure whose undeniable leader was President Ion Iliescu, such a test was insurmountable from the beginning. This is precisely why it is not surprising that towards the end of 1991, but especially under the political reign of the fesenist structure, there have been no substantial changes nor notable advances in the bilateral relations dimension, the political formation that took over leadership of Romania after December 1989 thus succeeding the performance to leave the relationship with URSS uncultivated, but also to contribute to the situation in which the bilateral relations have registered a considerable and visible impasse.

Besides, the context created by the de facto disappearance of the Soviet Union and by the takeover of main prerogatives by the Russian Federation, had not induced spectacular mutations at the bilateral register level either. Although it should have represented the nodal event in which the Romanian-Russian bilateral rapport dimension was about to be inscribed on the alignment of inherent normality and political evolution, the episode occasioned by the official death of URSS had proved to be the exact opposite, the collapse of the Soviet giant leaving thus behind both a bilateral cleavage and an almost void space in what concerns the relations with its main successor, Russia. In addition, not even the event occasioned by the affiliation of the Romanian state to the Euroatlantic structures hadn’t generated background mutations at the bilateral thopos level, and hadn’t fundamentally changed the decorum of relations with the Russian Federation. Quite the contrary, in the context where the objective of re-coupling the Romanian state to the Euroatlantic constellation prevailed, the governing elite had no longer manifested a special appetite for establishing a substantive dialogue, compensating for the Eastern proximity. Moreover, the epic of reinserting the Romanian State on the institutionalized Europe coordinates has contributed to foreshadowing the two interludes (the cleavage interlude and the bilateral cooling), interludes that have reinstated in the most eloquent manner the true frame of mind that has characterized the bilateral register at that time. Thus, if on the occasion of the bilateral cleavage interlude „,– on which the government of the Romanian Social Democracy Party (President Ion Iliescu’s party) had placed an undeniable print – the zodiac of Romanian-Russian bilateral rapport was characterized by a definitive rupture, strengthened by the differences of opinion within both parties with regards to problematic aspects” (Popa, 2001), with the occasion of the bilateral cooling interlude (1996-2000) „,– draped under the skirts of President's Emil Constantinescu Romanian Democrat Convention policy „– the Romanian-Russian bilateral rapport itinerary was strongly encumbered by the deliberate will from both sides to maintain the constellation of the bilateral relations under such a completely blocked and ill climate” (Severin,2012).

Consequently and in these conditions, the ensemble image taken is the one that highlights that under the coordinates of the 3 leaders (FSN, PDSR, CDR), the configuration of the Romanian-Russian bilateral rapport has held a syncope texture, and the evolution of the bilateral tandem has oscillated between a short episode of advance on a bilateral level (1990) and the perpetual moments of inflexion and recoil characteristic to the bilateral spectrum, the portraiture of immediate relations thus being strongly embossed both by the communist halo and by the burden of a burdensome historical litigation.

Therefore and in this optics, if within the previous scene it has been revealed how the main political actors that stood at Romania’s leadership between 1990-2000 have chosen to shape and outline the landscape of the immediate Romanian-Russian relations, within the next one, the main objective was to see how the film of Romanian-Russian bilateral rapport has been calibrated, under the montage of PSD and DA Alliance government, that have held the political reigns between 2000-2007. In this sense and from an explicit desire to highlight the coloring specific to the bilateral dimension for each individual government, the main scientific interest was to resort to a clear delimitation between the two periods, referential for the configuration of the immediate binomial, the period 2001-2004 and 2005-2007, respectively.
Naturally and as expected, it can be observed, on the basis of an integrated optics, that the above mentioned periods has clearly portrayed a picture that sums the perennial moments of flux and reflux, characteristic to the bilateral zodiac. This is practically why, if with the occasion of the first period, but also under the leadership of a social-democratic political elite – elite that has otherwise assumed the audacious task to fundamentally re-think the nature of some eminently blocked and vitiated rapport, and to also bring them to an incentive level – there have been recorded a series of notable advancements on a bilateral level, that have culminated with the episode of signing „the Romanian-Russian basic political Treaty in July 2003“ (Matache, 2003), on the occasion of the second stage and implicitly under the coordinates of a liberal-democratic political elite, the course of Romanian-Russian bilateral relations that had initially started under the best of auspices, has shortly met the valences of enhanced global cooling, extremely difficult to re-acclimatize. The reference is thus to a first period on the occasion of which the social-democratic political elite, that had positioned itself as an active factor in the relations with the Russian Federation, has pointed its strategic and tactical instruments towards restoring the dialogue with Russia in the foreground, as well as towards re-engaging the bilateral mechanism in all possible ways. A more than eloquent proof to this has been certified by the obvious ascending and progressive trend registered by the bilateral course ever since 2001 on the basis of a policy, grinded on deepening the high level dialogue, and has met its height through signing of the Treaty for amity and cooperation between Romania and the Russian Federation on 4 July 2003, respectively through signing the judicial instrument, susceptible to revitalizing the bilateral frame, but also to eliminating historic and psychological barriers that had obstructed until that moment, a natural and normal bilateral evolution.

Thus, if the entire period of 2001-2004 stood under the mark of the social-democratic political elite’s will to confer substance and essence to the Romanian-Russian bilateral relations configuration, the probing testimony of this will being certified by the progressive current of the bilateral course ever since 2001, persistently maintained until 2004, the period 2005-2007 stood under a zodiac of capital changes in the rapport with the Russian Federation. Thus, although for the new liberal-democratic political elite sponsored by President Traian Băsescu the relations with the Russian Federation were of great interest in terms of a range of factors, as soon as possible, however, this vision involved a radical change of optics. This is practically why, if in 2005, under the dome of President Traian Băsescu’s lines of action, the relations with the Russian Federation were commencing in a thoroughly enthusiastic and promising logic, announcing a natural and normal itinerary at a bilateral level, at the end of the year, on the basis of an eminently intransigent account – seasoned with unfriendly and bellicose declarations towards Russia -, President Traian Băsescu was succeeding, slowly but surely, the performance to freeze and to cripple any bridge of communication with the Russian Federation. Actually, such a frondist policy, seasoned with elements of strident language towards Russia, had represented both an immutable constant, and the main characteristic that embossed the evolution of the bilateral tandem over the following years as well. In addition, the situation was not going to record notable changes not even in 2007, when it was perfectly clear that at the bilateral relations frame level, a clearly revolutionary tone was to prevail, and it was evident that the future perspectives of the bilateral repertoire were not anticipating pleasant elements, thus continuing to predict a bilateral route strongly impregnated by the feature, and the game that President Traian Băsescu chose to attribute to the bilateral dimension.

In conclusion, one can appreciate that the image subtracted from this landscape of eclectic formulas on the basis of which the main political decision makers have chosen to approach the bilateral context, is the one that highlights the fact that besides the passenger episode whose protagonists were the Social-Democrat Party leaders, leaders that have focused their entire strategic and tactical interest towards conferring a new course to bilateral relations, with the occasion of all the other governments, the paradigm of approach, tributary to the bilateral ethos, was separated through a lack of substance and consistency, thus evidently lacking a clear and coherent strategy of managing and implicitly developing the relations with Russia. Practically, with the exception of the PSD government interlude, at the level of all other governing formations there has not been seen a direction of action susceptible of articulating an active, autonomous policy, adapted to the nature of complexity, exceptional and specific character of the bilateral thopos. In other words, there has not been a doctrine of Romanian external policy specifically stalled on the reality of bilateral space.

Therefore, if it is perfectly valid the aspect according to which a clear, linear, and substantive direction of action could not be identified at a majority level of the governing elite, thus implicitly there has not been a strategy with a specific coloring of the bilateral zodiac, but also a strategy that truly induces a major and in-depth change on bilateral relations, it is as true that under such conditions, neither the configuration of immediate Romanian-Russian relations has held a different chromatics. De facto, with the occasion of this immediate historiographical register, the balance picture, afferent to the bilateral zodiac, had highlighted a universe of contrasts, taped with short episodes of bilateral expansion, but most of all with perennial moments of inflexion and recoil characteristic to the bilateral thopos. In other words, under the constellation of immediate history, the Romanian-Russian bilateral dimension has revealed an atypical, discontinuous, and mostly syncope configuration, evolving mostly on the basis of a sinuous and rough grid, rather than on the basis of
linear, precise, and constant evolution parameters. At the same time, it is not less significant that in this section of immediate history, the Romanian-Russian bilateral rapports register could not ignore the historical ambiance, co-substantial to the bilateral frame, rearranging and reconfiguring itself in relation to the communist period and implicitly to the burdensome bilateral legacy. In addition, beyond the perennial, thorny aspects, co-substantial to the bilateral register, with the occasion of the immediate interlude, the Romanian-Russian bilateral agenda had added an extra set of subjects and hot topics that have caused considerable issues for the bilateral dialogue.

Thus, if it is true that the portraiture of immediate Romanian-Russian rapports was highlighted by a syncope dimension, and has revealed a *chromatics of bilateral contrasts*, re-configuring itself in relation to the weight of an obsessive past, it is as true that the dimension of Romanian-Russian political relations dimension has registered, with the occasion of the immediate interlude, an extremely low level of development, below the level of expectations and existing potential. In few words, in the immediate history section, the Romanian-Russian political relations physiognomy was eminently „rigid and blocked, with certain moments that have otherwise been true exceptions, thus implicitly under the skirts of immediate interlude, neither Romania nor Russia have had an existential stake in building a fundamentally normal political relation“ (Dungaciu, Tănăsescu, 2013).

3. Conclusions

Subsequently and in this optics, respectively in the context where the immediate Romanian-Russian episode can be diagnosed as an *universe of contrasts*, inducing a recurrent deja-vu sensation with regards to the bilateral choreography, specific to the previous interlude, but also taking into account the conjuncture in which the political dimension of bilateral relations can be considered void of pragmatism, of debate, but mostly of content, an heuristic approach of the bilateral dimension is imposed, an approach susceptible to eliminating the deficit at a bilateral level. From a palette of pivotal reasoning, of an economic, political, cultural, scientific, security order, the Romanian state, through the voice of its governing elite can not afford the luxury to manage the relations with Moscow in a conjuncture and fundamentally deprived of content, manner. Ultimately, the Bucharest decision makers must take into account that Romania can not build trenches in its Eastern proximity, quite the contrary, the Romanian state, through the voice of its legit political representatives, needs to approach responsibly and with maximum interest the dimension of Romanian-Russian bilateral relations, to build substantive realities at a bilateral level, to find a common action language through which it can accelerate the collaboration in all areas of mutual interest, in short, to restore the bilateral rapport constellation to its true parameters of normality and political evolution.

References


Dungaciu, D., Tănăsescu, G. (2007) Romania and Russia after 20 years: Perceptions, Realities, Perspectives (pp.6-7), Bucharest: Institute of Political Sciences and International Relations


Interview with Ion Iliescu, Former President of Romania between 1990-1996, taken at 11 May 2011

Interview with Adrian Severin, Former Minister of Foreign Affairs between 1996-1997, taken at 16 March 2012


Popa, C. (2001). *Under the sign of counter historical time. An attempt to assess the relations between Romania and URSS/ Russia* (p.48), The Political Sphere

*The funding for the publication of the present paper has been done by the Sectorial Operational Programme for the Development of Human Resources through the project “Integrated system of improving the quality of doctoral and postdoctoral research in Romania and of promoting the role of science in society”: POSDRU/159/1.5/S/133652.*
ICT Impact in Fighting Corruption in Albania: New Ways in Increasing Transparency

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Abstract

Although there is a scarcity of reliable data, there is at least some evidence that ICT can be an effective tool to combat corruption. The combination of ICT with real administrative reforms highlights the real potential of ICT in combating corruption. Different researches have shown that one of the positive findings is that ICT also drives such reform. ICTs use offer great opportunities to everyone to access public records, establish linkages among geographically separated systems for a better accountability, that means make it possible to enhance transparency in the transactional level.

Keywords: ICT, corruption, transparency.

1. Introduction

Referring to the literature review there are evidence that corruption exist in all sectors of society. The simple definition more mentioned for the corruption, is the one that defines it as a function of both the opportunity to request/receive bribes and the risk of detection. Among the negative sides of the corruption in national level there are damage of the country’s development by undermining faith in public institutions, increase costs for firms and discourage both foreign and domestic investments. Referring to the impact of corruption in the economy, its negative effects are faced in two direction, business sector and at the level of individual firms. According to Transparency International’s 2009 report corruption is a growing challenge for the business sector. Its impact in the business sector is present in both the developing and industrialized countries. At the level of the individual firm, its negative impact is presented in the form of raising transaction costs and reputational risks, as well as “great” possibility for extortion. The common idea of all mention above is that corruption, doesn’t matter where it is faced, sector or level of transaction, it impedes the development of a country the same.

2. Definition of Corruption

2.1 What is corruption

Referring to the literature review, there are numerous definitions for corruption, but the common idea that is found at each of them is the abuse of public power for private benefits (World Bank 1997; McMoy and Heckel 2001). Examples of activities that can be considered as corruption are bribery, kickbacks, ethics violations, illegal asset accumulation, violations of procurement regulations, political nepotism, cronyism, campaign and party finance violations, money laundering, illegal transactions, freedom of information, public governance, financial accountability (see, for example, World Bank 1998; 2000a: 103-109; Transparency International 2001). Public office is abused for private gain when an official accepts, solicits, or extorts a bribe. It is also abused when private agents actively offer bribes to circumvent public policies and processes for competitive advantage and profit. Public office can also be abused for personal benefit even if no bribery occurs, through patronage and nepotism, the theft of state assets, or the diversion of state revenues.”

2.2 Corruption costs

As Della Porta and Vannucci (1999:10) agree, the impact of different forms of corruption are made present for the public in the form of increased prices of public work and services, inefficiencies of contractor, reduced resources as a result of illicit activities covering, manipulated political decisions, which unfortunately extend their impact in all areas of life. Long term economic costs of corruption are the result of the transformation of the public administration in an ineffective one and loss of trust by citizens in the public institutions. Referring to the same authors, “the spread of corruption within the
public service introduces elements of inefficiency, where the primary purpose of an operation becomes generation of payoffs. … the confidence of those in an organization not directly involved in corruption is undermined, leading to generalized inefficiency. At the level of the political system as a whole, the spread of corruption erodes the support and trust of citizens in democracy, in public institutions in general, and in the political class in particular. The impacts of these costs are extended to the democratic institutions as well resulting to a reduction of the public support and trust in political institutions. The most important one, among the long term costs of corruption is the degradation of the political system on a country, and this happens when networks of organized crime access the political system of a corrupted state.

3. E-Governance and Corruption

There is a different between governance and government. Field researchers define the government as an activity that consist in the execution and implementation of activities by those who have legal and formal derived authority and policy power, while define governance as the activities that are backed by common goals of citizens and organizations who may or may not have formal authority and policing power, and consisting of creation, execution and implementation of activities. Following the same logic, field researchers agree that e-government and e-governance are not the same, going a little bit further with their arguments that the first one make possible e-governance. E-government derives from the use of ICTs like Internet, World Wide Web (www.) and mobile phones, customized software for tracking progress of government projects, to carry out the activities connected with government, facilitating the process of delivering of information and services to citizens and business. Referring to Bhatnagar (2003: 1), there are a lot of examples from the simple one to more complex like using the website of an institution to get information, download applications, to the possibility of offering services online such as filing a tax return, renewing a license, etc. We can categorize these e-government examples into two groups, internal and external. In the first group which are included government to government (G2G), which occur during the interaction between government offices or within a government office, and government to employee (G2E) and in the second one there are included government to business (G2B) and government to citizen (G2C). E-governance derives from the use of ICTs facilitating the conduct of government enabling citizens with more access to services offered by government which result in a better interaction between government and citizens. There is a long debate for the definition of corruption. The common element that field researcher agree is the fact that corruption can make different meanings in different societies. Thompson (1993:369) identified three main elements of the general concept of corruption: a public official's hidden gain, a private citizen's receipt of a (sometime hidden) benefit, and the connection between the gain and the benefit. To Kaufman, Kraay and Zoido-Lobaton (1999: 8) corruption is the exercise of public power for private gain while Schleifer and Vishny (1993: 599) stated corruption as the sale by government officials of government property for personal gain. Transparency International defines corruption as the abuse of entrusted power for private gain (www.transparency.org). There are a lot of examples of success stories in which ICT play an important role combined with leadership, management, stakeholders participations in minimizing corruption through increasing of transparency (Bhatnagar, 2003; Heeks, 1998). E-governance is a new trend for a lot of countries. The emphasis is on transparency which lead to the increase of competition, and as a result a long chain of benefits for both the government and the citizens of a country.

4. E-Governance, New Ways for Fighting Corruption

Corruption is considered a serious problem to both developed countries and developing countries. Among various tools to combat corruption, e-governance is a considered as the new one. Some of the countries have already implemented it and many others are taking in consideration to take the initiative to start using it. Considering corruption as a real obstacle for the economic and social development of a country, field researcher agree that the bigger negative impact of it is faced by the poor, who are the one that faced the hardest negative effect of an economic decline. This category is least capable of paying the extra costs that derives from corruption, like bribery, fraud, and the misappropriation of economic privileges. Fighting corruption means coordinating the efforts for a good governance, which by its self can lead to easy access to information for the public and citizens, more transparency and as a result corruption reduction. The ways ICTs can contribute for corruption reduction may be:

- Improve transparency in the public sector by increasing the coordination, dissemination and administrative capacity of the public sectors, as well as improve service delivery by employing user-friendly administrative systems.
- Facilitating collection of digital footprints and complete audit trail which increase the opportunity to hold individuals accountable and ultimately increase the possibility to detect corrupt practices.
Facilitating the work of civil society organization working towards greater transparency and against corruption by supporting a mix of methods of campaigning on transparency and educating citizens on what corruption is about and their civil rights.

Facilitating information sharing and social mobilization and ultimately provide digital platforms where citizens can report incidents anonymously.

5. E – Procurement in Albania

The practice of all public procurement procedures in Albania had changed to the electronic form from January 2009. The first experience of e-procurement in Albania dated in December 2007. During that time, according to the agency responsible for public procurement in Albania (PPA), some of the public tender procedures, were excluded from the electronic procedures, and these included tender procedures for small purchases and those that are negotiated without being published. New practice of electronic procurement in Albania, offers a lot of facilitations for the interested groups, enabling the economic operators to participate online in a tender procedure, prepare electronically and submit a considerable set of documents, access the agency’s official website any ware and anytime. At the same time it reduces the financial and time costs of economic operator giving them the possibility to reuse this document at the same time in different online tenders procedures. These actions result to an increase of efficiency, transparency and data confidentiality. These efforts lead to a better government in Albania by improving transparency, accountability and responsiveness in the public sector (United Nations’ Department for Social and Economic Issues - UNDESA). The Public Procurement Agency (PPA) has been awarded second-place prize for Public Service in Europe for the development of an electronic procurement platform, made possible by USAID through the MCC Albania Threshold Programme. On 12 July 2010, the Government with the support of UNDP organized the award ceremony to honor the PPA. The prize will encourage all institutions to follow the same path by aiming transparency and better service to citizens.

The e-platform for procurement is a software, web-based application, the use of which can provide a more secure transactions among public institutions and both national and international business communities. For all the public tender procedures that are above the threshold of 3000 ALL, there is obligatory to proceed with the electronic public procurement procedures. Albania is the first country to develop such an obligatory procedure.

6. Concluding Remarks

Field researcher agrees to the benefits of using ICTs as a tool for reducing corruption. Corruption reducing can be achieved by enhancing transparency and accountability of government administration. In different phases of the fight against corruption, like prevention, detection, analysis and corrective actions, there are different ICTs tools that can be used. Public procurement procedures differ from country to country, and this is due to different goals an environment between them. Driving force in making possible public sector reforms, part of which are public procurement procedures, is the strong leadership. The key element in this reform is not just computerizes of the existing system, but the transformation of rigid, inefficient bureaucracies into more efficient, responsive organizations by redesigning workflows and decision making processes.

Albania has made remarkable progress in improving its business climate by streamlining and modernizing key processes, which is followed by diminishing possibilities for corruption and increasing the trust and confidence of citizens, business and foreign investors. Automated systems now provide business owners with simpler, faster procedures to register, pay taxes, and bid on government tenders.

References

Albanian Legal Newsletter, 10th edition, July 2009


The use of electronic procurement as a way to achieve the goals of a procurement system. Caroline Nicholas.

The World Bank Public Sector Korea’s move to e-procurement July 2004, No. 90.

http://www.transparency.org/publications/gcr/download_gcr#summary
http://usinfo.state.gov/topical/econ/bribes/gf2declaration.htm
http://web.worldbank.org
www.karis21.or.kr
www.kalo-attorneys.com
www.ictworks.org
www.chemonics.com
www1.worldbank.org
www.ifc.org
www.dsdg.gov.al
unpan1.un.org
www.kas.de
www.nrn.org.au
www.usaid.gov
www.technologytimes.pk
www.baselgovernance.org
Antonymy in the Legal Terminology: Diachronic Analysis

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1. Introduction

Antonymy is a phenomenon that comes from the relation between the words with opposite meaning in the lexical system of the language. The antonymic relations are the base of scientific and practical recognition of the world reflected through the language. These relations reveal the meaning of the antonym pairs by distinguishing them from each other in the degree of understanding the newer distinctive features. Various scholars state that in terminology there are the same principles of the notion confrontation, the formation of the antonym pairs and the semantic relations between these pairs as in the everyday language.

However, antonymy in terminology has some features that are associated with the number of terminology elements that form antonymic terms, with the possibility of creating antonimic pairs according to the meaning of the word and the relations it creates in the terminology system, or by creating new antonymic links in terminology but different from those that may be created in the area of general language (Pasho, 1986). The systemic character of the antonymic relations notes: a) the relationship of the compound nouns with a common or similar lexical meaning because of logical-material relation that exists between opposite notions. For example the antonymic pairs civil - penal, privat - publik, each are joined with a similar word circle as: e drejtë, përgjegjësi, çështje, kod dhe pronë, e drejtë; b) in different antonymic relations that are created from the same word, when in different meanings there are formed different terminologic compounds. For example the adjective fizik in the compound person fizik creates an antonymic relation with the adjective juridik (person juridik), but in the compound dëm fizik creates an antonymic relation with the adjective moral (dëm moral); the noun lindje in the compound lindje e personit creates an antonymic relation with the noun emrin vdekte (vdekte e personit); but in the compound lindje detyrimi the relation is with the shtarje (shtarje detyrimi); c) the idea that on antonymic pair gives to another pair as a result of the rules that characterise the opposite relations for example the qualities as i pjesëtueshëm, i kërkueshëm (detyrim) relate to the opposite i pajjesëtueshëm, i pakërkueshëm. Antonymy is a phenomenon which expresses the systematic character of the terminology development through the systemic relations of the notions.

2. The Diachronic Analysis

The phenomenon of antonymy in the legal terminology in Albanian language in this study will be analysed by comparing the development and the changes that have happened in two time periods: a. From 1945-1990 and b. From 1990 to today.

1. In the legal terminology from one time period to the other, based on what they name we notice these antonymic pairs:

a. Pairs that name features and qualities:

Before 1990: (provë) direkte - (provë) indirekte, i fajshëm - i pafajshëm, (person) fizik - (person) juridik, (palë) gjetqësore - (palë) gjyqtues, i ligjshëm - i kundërligjshëm, (mandat) i pakufizuar - (mandat) i kufizuar, (organ) individual - (organ) kolegial, (kontratë) konsensusuale - (kontratë) reale, (dispozitë) lejuese - (dispozitë) ndaluese, i paditur - i kundërpaditur, (i burgosur) i pagjykuar, i parashkuar, (e drejtë) absolut - (e drejtë) relative, (rezervë) e domosdoshme - (rezervë) fakultative, (organ) gjyqësor - (organ) jogjyqësor, (kontratë) kryesore - (kontratë) aksesore, (send) i gjetur - (send) i humbur, (traktat me karakter) ofensiv - (traktat me karakter) difensiv, (dëm) pasuror - (dëm) jopasuror, (çështje) penale - (çështje) civile, (direktivë) e përgjithshme - (direktivë) individuale /e veçantë, (banim) i përkohshëm - (banim) i përhershëm, (organizatë) regionale - (organizatë) universale, (detyrim) solvbël - (detyrim) insolvbël etc.

After the '90: (ortak) mazhoritar - (ortak) në minorancë, (tatinpreqëse) rezident - (tatinpreqëse) jorezident; (servitut) aktiv - (servitut) pasiv, (arrestim) arbitrar - (arrestim) i regullt, kushtetues - jokushtetues, (e drejtë komunitare) origina -
(e drejtë komunitare) e derivuar, (ent) privat - (ent) publik, (organizatë) qeveritare - (organizatë) joqeveritare, (përmbarues) shtetëror - (përmbarues) privat etc.

b) pairs that name phenomenons:

Before the ’90: centralizim (i pushtetit) - decentralizim (i pushtetit), emigracion - imigracion, huadhnënie - huamarrje, kolonializem - dekolonializëm, mitëdhënëie - mitërparaqitje, monogami - poligami/bigami, suzerenitet - vasalitet etc.

After the ’90: kriminalizim - dekriminalizim, penalinizim - depenalizim etc.

c) pairs that name people according to their actions they perform:

Before the ’90: depozitues - depozitëmbajtës, huadhënës - huamarrës, kreditor - debitor, mitëdhënës- mitëmarrës, paditës - kundërpaditës etc.

After the ’90: depozitar/depozitmarrës - depozitëdhënës, enfiteozdhënës- enfiteozmarrës, franshizdhënës - franshizmarrës etc.

d) pairs that name an action:

Before the ’90: dhënie (e dënimit), heqje (e dënimit), emërim - shhkarkimi, fitim (i pronësisë) - humbje (e pronësisë), lidhje (e martesës) - zgjidhje (e martesës), lindje (detyrimi) - shuarje (detyrimi), njojje (e atësisë) - çnjohje (e atësisë), pranim (i padisë) - rëzim (i padisë), shpalje (e gjendjes së jashtëzakonshme) - heqje (e gjendjes së jashtëzakonshme) etc.

A particular group is the one of pairs which are created from the opposition through the terms of action and inaction for example before 1990: dhënë (pa ligji) - mosdhënë (pa ligji), dhënë (i mjetëve për jetesë) - mosdhënë (i mjetëve për jetesë), ekzekutim - moszekutim, fillim (i çështjes penale) - mosfillim (i çështjes penale), kallëzim (i krimt) - moskallëzim (i krimt), njohje (i ndryshimit të vendbanimit) - mosnjohje (i ndryshmit të vendbanimit), njojje (e ligjit) - mosnjohje (e ligjit), paraqitje - mosparaqitje (i dëshmitarit), përmbushje - (detyrimeve kontratore) - mospërmbushje (e detyrimeve kontratore), pranim (i kontratës) - mospranim (i kontratës), ulje (e dënimit) - shtrim (i dënimit), uheqje (i së drejtës së ankimit) - mosushtrim (i së drejtës së ankimit), veprim (i paligjshim) - mosveprim (i paligjshim), vërtetim (kushit) - mosvërtetim (kushiti), zbatim (detyrimi) - moszbatim (detyrimi) etc.

After the ’90: adminstrimi (i provës në seancë gjyqësore) - mosadminstrim (i provës në seancë gjyqësore), denoncim - mosdenoncim, penalinizim - mospenalinizim, gjykim - mosgjykim etc.

e) pairs that name different right notions:

Before the ’90: aftësi (për të vepruar) - paafësi (për të vepruar), dhunueshmëri (e banesës) - padhunueshmëri (e banesës), pashkës - pafajës, ligjshmëri - paligjshmëri, masë - kundërmasë, dityrë - kundërpaditë, papajtueshmëri (i ligjeve me kushtetutën) - papërgjegjësi (i ligjeve me kushtetutën), përpjegjësi (penale) - papërgjegjësi (penale), propozim - kundërpropozim, shtetëri - pashtetëri, zotësi (për të vepruar) - pazotësi (për të vepruar) etc.

After the ’90: ankim - kundërankim, apelueshmëri (i vendimit) - paapelueshmëri (i vendimit), kushtetueshmëri - pakushtetueshmëri, ligjshmëri - kundërligjshmëri, pozitë - opozitë, rekurs - kundërrekurs, shpërbërim - kundërshpërbërim, tjetërueshmëri (pronës) - patjetërsueshmëri (pronës), transmetueshmëri (e detyrimit) - pattransmetueshmëri (e detyrimit) etc.

2. The antonomic pairs according to the types of the logical relations between them may show:

a) opposition based on the presence or absence of a quality or feature of the item for example (pronë) e luajtshme - (pronë) e palaqetshme, i fajshëm - i pafaqjetshëm, (detyrimi) e kërkuveshmë - (detyrimi) i pakuqetshëm, (ortak) i kuinquar - (ortak) i pakuinquar, ligjshmëri - paligjshmëri, ndëshkueshmëri - pandëshkueshmëri, shtetës - pashtetës, (organizatë) qeveritare - (organizatë) joqeveritare, (padi) direkte - (padi) indirekte etc.

b) opposition based on the degree of the different measurement of the presence of the same quality of the item of phenomenon. For example (sorvanitet) absolut - (sorvanitet) relativ, (bashkë) e madhe - (bashkë) e vogël, (gjobë) e rëndë - (gjobë) e lehtë, (dënim) maksimal - (dënim) minimal, (pronë) shërbyese - (pronë) mbizotëruesa etc.

c) opposition based on the opposite notions, for example (dekret) emërimi - (dekret) shhkarkimi, fitim (i pronësisë) - humbje (e pronësisë), (deklarim) i luftës - (deklarim) i paqes, (rrethana) lehtueshës - (rrethana) rëndueshës, (dëm) material - (dëm) moral, (dëshmi) me të dëgjuar - (dëshmi) me shkrim, (dispozitë) ndalueshë - (dispozitë) lejuese, (diskriminimin) negativ - (diskriminimin) pozitiv, (detyrimi) në para - (detyrimi) në natyrë, (detyrimi) penal - (detyrimi) civil etc.

3. The antonomic pairs according to the view of the language heritage of the compounds can be created:

a) between two foreign terms for example (sorvanitet) absolut - (sorvanitet) relativ, centralizim (i pushitetit) - decentralizim (i pushitetit), (proces) civil - (proces) penal, (invokabilitet) maksimal (direktivash) -...
There are some antonymic pairs created from a word and a compound as: (gjykim)

b) Between an Albanian word and a foreign word for example (rezervë) e domosdoshme - (rezervë) fakultative, (nomë) juridike - (nomë) zakonore, marrëveshje - konflikt etc.

c) Between two Albanian words for example p.sh dhurimmarrës - dhurues, (gjobë) e rëndë - (gjobë) e lehtë, (pronë) e luajtshme - (pronë) e paluaajtshme, fajësi - pafaajësi, (vendim) i ligjshëm -(vendim) i paligjshëm, (akt) ligor - (akt) joligor, (deklarim) me gojë - (deklarim) me shkrim, (gjykatë e shkallës) së fundit - (gjykatë e shkallës) së parë, të drejtë (bashkëshëntore), (gjykim me dyer) të mbillyura - (gjykim me dyer) të hapura, trashëgimtar -trashëgimlënës, (ekzekutim) vullnetar - (ekzekutim) i detyrueshëm etc.

4. Based on the lexical and grammar belonging the antonyms are nouns and adjectives and less verbs.

a) inside the group of the antonymic pair nouns according to the meaning we can notice terms that label: i) abstract notions as: apeluëshmëri - paapelueshmëri, fajësi - pafaajësi, kushtetueshmëri - pakukshtetueshmëri, ligjshmëri - paligjshmëri, pozitë - opozitë, tjetërsueshmëri - patjetërsueshmëri, suzerenitet - vasalitet etc.; ii) actions: veprime: dhënë (e dënimit) - hegje (e dënimit), emërim (i administratorit) - shhkarkim (i administratorit, lidhje (e martesës) - zgjidhje (e martesës), lidnjë - shuare (detyrimi), pranim (i padisë) - rëzim (i dënimit), ulje (e dënimit) - shtrim (i dënimit) etc.; iii) persona: debitor - kreditor, depozitues - depoziqëshënt, dhurimmarrës - dhurues, enfilezuarzët - enfilezuarzët, franshizdhenës - franshizmarrës, mitëdënhënës - mitëmarrës, paditës - kundërapaditës, trashëgimtar - trashëgimlënës etc.

b) Antonymic pairs adjectives according to their meaning may be gathered in qualifying adjectives as: (sovorëtetit) absolut - (sovorëtetit) relativ, (servitud) aktiv - (servitud) pasiv, (dënëm) maksimal - (dënëm) minimal, (diskriminim) negativ - (diskriminim) pozitiv, (bashkëshortore) - (bashkëshortore) e vogël, (gjobë) e rëndë - (gjobë) e lehtë, (servitud ) i pëkhershëm - (servitud) i përkohshëm etc.; and relative adjectives as: (organ) gijqësor - (organ) gijqësorës, (detyrim) i kërkueshmëri - (detyrim) i përkërkueshmëri, (akt) i ligjshëm - (akt) i paligjshëm, (ligj) kushtetues - (ligj) antikushtetues, (dispozitë) lejuese - (dispozitë) ndaluese, (dëm) pasuror - (dëm) jopasuror, (organizatë) qeveritare - (organizatë) joqeveritare, (organizatë) regionale - (organizatë) universale, (pronë) shërbyuese - (pronë) mbizotëruese etc.

c) Antonymic pairs verbs are some as: marr me qira - jap me qira, padit - kundërapdit, penalisoz - depenalisoz.

d) Antonymy between the terms which belong in the same lexical grammar category, not rarely are the source for the new formation of the more complete or more limited terms. It is case when the meaning opposition of the terms from the terms of the same root there are new terms formed with opposite meanings to the producing terms. For example centralizoj, centralizim, i centralizuar, centralizes - decentralized, decentralizim, i decentralizuar, decentralized; kushtetues, kushtetueshmëri - antikushtetues, antikushtetueshmëri; padit, paditës, i paditur - kundërapdit, kundërapditës, i kundërapditur, penalisoz, penalisizim, i penalisozuar, depenalisoz, depenalisizim, i depenalisozuar, mitëdënhënës - mitëmarrës, suzerenitet, suzeren - vasalitet, vasal; i ligjshëm, ligjshshmëri - i paligjshëm, paligjshmëri; fajësi, i fajshëm - pafaajësi, i pafaajshëm etc.

e) A particular group consists of the antonymic pairs in which the opposition is realized from words that belong to various lexical and grammar categories as: (ortak) mazhoritar -(ortak) në minorancë, (dëshmi) me të dëgjuar - (dëshmi) me shkrim, (shqogëni) e personit -(shqogëni) kërkueshmëri etc.

There are some antonymic pairs created from a word and a compand as: (gjykim) me një gjyqtar - (gjykim) me trup gjykujes, (seancë) publike - (seancë) me dyer të mbillyura etc.

5. From the structural composition we distinguish antonymy with different base and antonyms with the same base.

a) The pairs with different base the antonymic meaning is a consequence of the meaning opposition of the terms for example: (sovorëtetit) absolut - (sovorëtetit) relativ, (rezervë) e domosdoshme - (rezervë) fakultative, (nomë) juridike - (nomë) zakonore, (dëm) material -(dëm) moral, mazhorancë - minorancë, (çështje) penale - (çështje) civile, suzeren - vasalitet etc.

b) In the antonymic pairs with the same base, the opposition is the result of the process of words with prefixes of opposite meaning: njohej(e ateisişë) - çnjohje (e ateisişë), kushtetues - jokushtetues, rekurs - kundërekurs, kallëzim - moskallëzim (i krimi), i sekueshrueshëm - i pasekueshrueshëm, centralizim - decentralizim (i

ISBN: 978-88-909163-6-6
25-26 September
Rome, Italy
pushetit), (provë) direkte - indirekte, (detyrime) solvabël - insolvabël etc. and the second is realized by forming words with different prefixes joined to the same word formation base for example mikroshtet - makroshtet, i paralindur - i paslindur.

A special place is occupied by pairs in which the antonymic opposition is realized from the opposite meanings of the composite components such as enfiteozmarrës - enfiteozdhënës, franshizdhënës - franshizmarrës, gjyqbjerrës - gjiqfitues, mitëdhënë – mitëmarje etc.

Antonymic pairs which come from the process of word formation, according to the number of morpheme bases in the word structure can be: 1) antonymic pairs between simple terms that have only one such morpheme base such as: njohje (e atësisë) - çnjohje (e atësisë), ankim - kundërankan, njohje (e ligjit) - mosnjohje (e ligjit), pajtueshmëri (me ligjin) - papajtueshmëri (me ligjin), ligjshmëri - paligjshmëri etc.; 2) antonymic pairs that consist between the compound terms that have two morpheme bases such as: huadhënie - huamarrje, mitëdhënë - mitëmarje, mitëdhënës- mitëmarje, franshizdhënës - franshizmarrës, enfiteozmarrës – enfiteozdhënës etc. and 3) antonymic pairs between simple terms and composite terms such as: depozitues - depozitëmbajtës, depozitar - depozitëdhënës, dhurues - dhurimmarrës, trashëgimtar - trashëgimlënës etc.

6. In the area of the antonymic issues another problem is the degree of the opposition meaning
a) Antonymy is complete when the meaning of the antonymic pairs are totally opposite as: (diskriminimin) negativ - (diskrinimin) pozitiv, (gjithë) e rëndë - (gjithë) e lehtë, (gjithë me djer) të hapura - (gjithë me djer) të mbylitura, (servitet) aktiv - (servitet) pasiv, (e drejtë) absolute - (e drejtë) relative etc. and b) in a lower degree when the opposition is not complete as in the case of the fromation with the prefixes such as: jo, mos, pa for example (organ) gjyqësor - (organ) jogjyqësor, ( vendim) për furnishimtar - ( vendim) jopër furnishimtar, (ortak) statutar - (ortak) jostatutar, pasuri - jopasuri, zbatim (i një urdhershërbimi) - moszbatim (i një urdhershërbimi), dënim - mosdënim, (mocion) besimi - (mocion) mosbesimi, (send) i ndashëm - (send) i pandashëm etc. c) A term may be an antonym with some other terms in various degrees as monogami - bigami - poligami so, in this case the opposition increases and gets more complete from bigami to poligami. The degree of opposition is different between the terms as shtetësi - dyshtetësi - pashtetësi. There are cases when the same term enters in a opposite relation with terms of the same degree as (vendim) i ndërmjetëm - (vendim) për furnishimtar - (vendim) jopër furnishimtar. In the legal terminology there are also antonymic pairs that are realized in the preset contexts or determined lexical relations when out of them these pairs would not be the same for example (kontribut) në natyrë - (kontribut) në shërbinë, (pagim) në natyrë - (pagim) me para, (dëm) material - (dëm) moral, (person) fizik - (person) moral etc.

3. Conclusions

The phenomenon of antonymy in terminology has become an important mean of expression of the essential and inevitable phenomena of the science (Samara, 1984, 207). In accordance with this opinion from the analysis of the emergence and development of the phenomenon of antonymy in legal terminology from one period to another is noted that:

From the quantitative side, there are new antonymic pairs added to the terminology. The main place in two periods take the antonymic pairs that name characteristics and the ones that name actions. In the time period after 1990's it should be noted there is a significant increase of the antonymic pairs that name people according to the functions they have or the activities they perform in the relations between them. Antonymic pairs are created on the basis of opposition the words alone or within semantic relations of compound words. The antonymic relations specify the meanings of antonymic terms distinguishing what separates and what unites them in order to determine the best place and use of their special communication.

From the lexical and grammatical affiliation the antonymic pairs are formed by opposition of the terms of the same lexical and grammatical class mainly adjectives, nouns and few verbs, but there are also antonymic pairs that are formed between terms in different lexical and grammatical classes. New word formations were created on the basis of antonyms of words formed by means of terms of the existing terms. After 1990's there is an increase of the nominal antonymic pairs formed by the opposition between abstract qualifying nouns and between action nouns.

From the structure, there are antonymic pairs formed through word formation, which constitute the main part of the antonyms in the legal terminology. In this aspect it is noted the increasing role of prefixes for the formation of antonymic pairs form adjectives and nouns, but also is seen an increase in the nominal antonymic pairs formed by compound terms with the opposite meaning in the structure of the composition terms.

Antonymy through the prefixes is realized through prefixes with opposite meanings or different prefixes joined to the same base. It should be mentioned that with any prefixes, as in the case of prefix jo-, except the antonymic pairs
adjectives that are characteristic for the general language, in the time period after 1990's, the noun antonymic pairs constitute a special feature of the terminological lexicon for example tregtar - jotregtar, kushtetueshmëri - jokushtetueshmëri etc.

References

Delija, Sh. (2010), The lexicon-semantic relations of the antonyms and their composition in the linguistics, Tirane, Geer.
Pasho, H. (1986), An overview on some presentation of the multimeanings od synonymy and antonymy in the terminology of the economics in Albanian language, SF, 3.
Abstract

The current study follows a historical perspective to analyse the partisan positions and contents of the political discourses around the Single Union Law in Portugal, which was put forward in the revolutionary context that followed the 25th April 1974 revolution. It was enacted in 1975 and led to the first major dissent among the left-wing parties, namely the PS (Socialist Party), the PCP (Portuguese Communist Party) and their respective allies. The identification of the most controversial discourses was done using publications on the history of labour unionism under the perspective of the CGTP – General Confederation of Portuguese Workers (report entitled “Contributions towards the history of labour and trade union movement. From its roots to 1977” – Silva et al., 2011) and the UGT – General Workers Union (Brito & Rodrigues, 2013), the two labour union federations in Portugal. The results are discussed in the conclusion, as well as the influence of labour unionism in the current times of crisis.

Keywords: Portugal, 25th April 1974 Revolution; Unions; Single Union Law; political discourses.

1. Introduction

Labour relations in Portugal have undergone significant changes. The conquest and gradual consolidation of the democratic regime after the 25th April 1974 revolution have brought radical changes versus the previous situation – the fascist regime. This happened right from the beginning and specifically in terms of union freedom and the right to strike, free collective negotiation, workers’ participation and workers’ representative structures (i.e., trade union associations and workers commissions) in the life of organisations, activity sectors and the economic and social system in general.

Immediately after the 25th April 1974 revolution, Intersindical (the federal union structure linked to the Portuguese Communist Party, which would later be replaced by the General Confederation of Portuguese Workers – CGTP/Intersindical) conquered the union structures cited by the previous regime and demanded – and obtained – the legal enforcement of the Principle of the Union Uniqueness from political power.

By the end of the 1970s, the creation of the General Workers Union (UGT) was a consummated historic fact, with a union core fundamentally sustained by the political and unionist currents socialist and social-democrat, but equally supported by democrat-Christian unionists as well as others, with an independent profile.

This marked the end of the unionist monopoly detained by the CGTP – Intersindical Nacional. It was the famous political and doctrinal quarrel of the “trade union unity” versus “union uniqueness” that made up one of the most acute historical moments in the strict political battle fought in Portugal to introduce democracy.

Therefore, as aforementioned, the first unionist political cycle ended with the creation of the UGT.

Thus, the 1980s started with a significant alternative made up of union programmes and strategies, from which the right to difference developed between the two union organisations.

From here, there were deep consequences to the matrix of the Portuguese social system.

In fact, according to Estanque (2011):

If we take out any value judgements and especially, if we are able to avoid the trend of valuing unions as “good” and “bad” (the first as the ones one can supposedly have a dialogue with and the latter, the so-called conservatives or the ones ‘at the service of…), we will be led to understand unionism’s social and transformative role (both contestation and political dissent are equally valid in the social plan) and maybe then, it can be accepted that combative and movement unionism is the one that has mostly contributed – and can still contribute – towards society and progress (p. 59).

In a review of the history of unionism in Europe, Costa (2011) states that, in the fight to extend political democracy
to the most unprotected classes, trade unions have developed “historical alliances with political parties at a time when universal suffrage was still uncommon” (p.15). The resulting heritage led to “distinct political directions, relations and divisions in unionism to our current time” (Costa, 2011, p. 15).

In Portugal, after the 25th April 1974 revolution, the great debate in the unionism arena was focused on unity, union uniqueness or union pluralism, opposing the Portuguese Communist Party (PCP) and its unionism ally (Intersindical) as well as most far-left political formations, to the Socialist Party (PS) and its ally in the Provisional Government of the time, the Democratic Popular Party (PPD), a precursor of the current Social-Democratic Party (PSD).

Costa (2011) clarifies the concepts under debate:

In a plural (pluralist) society, trade unions are legitimate representatives of workers’ interests at the workplace, with the right to challenge and manage these interests. Contrary to a “unitary” vision, where unionism did not have a representative role or a role of conflict regulator, pluralism considered trade unions as an institutionalised way to regulate order and collective negotiation as the means to regulate the conflict between the employer and the employee (p. 25).

Differently to pluralism, the Marxist theory entailed that labour relations were deal with in a political perspective and were part of a class struggle.

It is in this ideological context that the draft law of the single union principle can be understood, as undertaken by Intersindical and the PCP. This principle advocated “one union for workers in the same industry and profession and a single trade union confederation” (Silva et al., 2011, p. 277). As an Intersindical proposal, it was submitted to the Second Provisional Government in August 1974, which decided to submit it to public discussion. There were worker assemblies in November and December 1974 (Silva et al., 2011) which led to the decision, by a majority, to include the Principle in the Law, with the approval of the law on the 21st of January, 1975 (Brito & Rodrigues, 2013).

The controversy over this law, between the Socialist Party (PS) and its ally in the Provisional Government (the PPD) on the one hand and the Portuguese Communist Party (PCP) and its ally in the unionism sector (Intersindical) as well as several far-left formations, on the other hand, has culminated on a demonstration at the Labour Ministry. This was convened by Intersindical on the 14th January 1975 and allegedly counted on the participation of 300,000 demonstrators, according to the Confederation’s official newspaper (“Grande manifestação Da Intersindical: ‘Quem tem medo do Povo?’ ”, 1975; in Alavanca, 17th January 1975) followed by a rally by the opposite end of the Socialist Party, of a considerably smaller size. It is in this context that historical research enables the identification of the content of the discourses in the political controversy in question, today.

The issue of Uniqueness was indeed one of the first cracks between the political and social movements that, after the military coup, remained united around the backbone of the Armed Forces Movement’s (MFA) programme, a movement that led to the overthrow of the fascist regime.

Obviously, it was recognised that union reorganisation was inevitable, considering the overrun of the fascist union structures (Brito & Rodrigues, 2013; Silva et al., 2011).

Brito and Rodrigues (2013) advocate:

Throughout 1974, Intersindical had a position that changed as the conjuncture evolved: it never lost touch with the idea that it was essential, it did not get distracted from the production process of the new legislation, nor from its content. This explains why the great priority of constituting a “union reorganisation commission”, consecrated in the July 1974 plenary, ended up diluting and why in October, upon the celebration of Intersindical’s 4th anniversary, the commission had stopped assembling and had confined itself to producing a document on Unionist Structure (pp. 76-77).

However, it is worth noting that Intersindical, as the entity that almost entirely coordinated the Portuguese unionist movement, never stopped worrying about its central and regional organisational structure. On the contrary, it invested in the construction of a system of relations and standards that could permanently assure the consolidation of the organisation.

At the rally to commemorate Intersindical’s 4th anniversary, which counted on the presence of the Prime Minister (Vasco Gonçalves) and the Labour Minister of the Provisional Government (Captain Costa Martins), interventions were focused on the MFA’s support and the Single Union. Jerónimo de Sousa, current Secretary-General of the PCP was at the time the representative of the Metalworkers Trade Union in the Lisbon district. This union was part of Intersindical and called for the worker unity in trade unions, for the unions that integrated Intersindical.

Despite an apparent political consensus, PS and PPD, along with some small left-wing Maoist party formations, rose up against the possibility of the legal imposition of unity/uniqueness through communiqués and declarations to the media.
Marcelo Curto, in charge of the union and labour sector at PS, already considered the following, in an interview to the República newspaper (Curto, 1974; cf. República 2nd October 1974):

*It is unacceptable that a law has to impose a single confederation. In all Western capitalist countries (England and Germany), this unity is a result of their own historical line of reasoning, not an imposition by the legislator. If unity is desirable, it has to be assured by objective circumstances in Portugal (p. 18)*

2. Study Objectives

This study aims to address, from an historical point of view, the content of the main political discourses that opposed the contending parties, namely the PS and its ally in the Provisional Government at the time (PPD) and, on the other hand, the PCP and its ally in the unionist field (Intersindical). This is done based on published works on the history of unionism under the perspective of the CGTP (report entitled “Contributions towards the history of labour and trade union movement. From its roots to 1977” – Silva, et al., 2011) and the UGT – General Workers Union (Brito & Rodrigues, 2013), as well as the works by Valente (2001) and Barreto (2005). The aim of this research, as a follow-up to the research by Amaral and Pereira (2014) on the polemic around the control of the media at the time of the revolution, is, first of all, to identify the social structure of the political reality of the time, especially regarding unionism and the labour world. Secondly, to revisit the past, reflect on some issues regarding the ways of intervention in the labour world and trade unions with an impact on the current times of deep crisis.

3. Results: Confrontation in the Media at the Time of the Revolution

In the Socialist Party, several political and union project trends converged, including the support of unity in trade unionism and the defence of Intersindical’s conquest from within.

Socialist leader Marcelo Curto, in the aforementioned interview, clarified the initial position by the PS, stating that, there cannot be “trade union unity without, for instance, the independence of unions, because this will not have any significance if unions are not representative” (Curto, 1974).

Furthermore, the approval of a document by Intersindical that demanded the publication in the Law of the principle of “uniqueness at all levels in trade union organisations” and not just at the level of general confederation (“Unidade, a vontade dos trabalhadores”, 1974, p. 1; cf. Alavanca, 9th December, 1974) helped feed further controversy around unity or union uniqueness.

In response to Carlos Carvalhas, Secretary of State of Labour at a time when he had defended the consecration of unity in the law in a statement to public television, the then minister of justice, Salgado Zenha, told the Diário de Notícias newspaper “The union government bill imposes a single union confederation. Now, and with the due respect for the opposing opinion, I consider this provision as unconstitutional” (Zenha, 1975, p. 7; cf Diário de Notícias, 7th January 1975). Remitting to the MFA’s programme, which considered “a real constitutional bill”, the PS leader stated that “the freedom of association and union freedom will be violated if a union confederation uniqueness is imposed” (Zenha, 1975, p. 7).

Under the perspective of the leader of the PS, the fact that union freedom is not recognised at the confederate level “is serious, because the Armed Forces Movement programme is a political commitment that provides the same obligations to all the democratic forces that support it” (Zenha, 1975, p. 7). The declarations by Salgado Zenha unleashed an enormous controversy in the public and political sphere.

In an article published in Diário de Notícias (13th January 1975), the communist leader Carlos Carvalhas responded, considering it unconstitutional not to approve union uniqueness and saying that this did not oppose freedom, since the law enshrined union freedom, the choice by leaders, and this enabled the establishment of “vertical unions and new associations as well as representative unions chosen by the majority” (Carvalhas, 1975, p. 7).

Stating that, what would be unconstitutional would rather be the lack of the provision of uniqueness in the law, he considered that uniqueness did not “oppose to union freedom” (Carvalhas, 1975, p. 7). According to him, the law proposal advocated union freedom, the freedom to choose the leaders and that it foresaw the inclusion of some standards “that would guide the statutes to confer them a wide internal democracy” (Carvalhas, 1975, p. 7).

The PCP (on a press release by the Political Commission, on the 13th of January, 1975) considered that, “the single union strengthens class unity, ensures the free constitution, direction and management of trade unions by workers. . . Conversely, the so-called pluralism, the proliferation of unions, would in fact oppose the freedom and independence of the trade union movement” (PCP, 1975). The PCP argued that trade union uniqueness had been widely discussed by
workers and therefore, “no one in good faith can deny the overwhelming approval that it received” (PCP, 1975).

The PCP also responded to Zenha (1975), confirming “once again, its position that, the principle of uniqueness in unions is the best assurance of union freedom in the current concrete circumstances in Portugal”. According to the PCP’s Political Commission (on the same press release):

Union uniqueness strengthens class unity, assures the free constitution, direction and management of trade unions by the workers, guarantees the independence of trade unions in relation to the State, the Government, the parties and the employers. Inversely, the so-called pluralism – the proliferation of trade unions – would in fact be contrary to the freedom and independence of the trade union movement. The PCP states that is position in defence of union freedom is part of its general policy of defending democratic freedom and is integrated in the objective of establishing a democratic regime in Portugal, in which the Portuguese people enjoy the widest of freedoms and which the organisation and defence of the opinions of all the Portuguese willing to live freely and respect the democratic order.

According to the PCP, union uniqueness had already been democratically debated by the workers and thus, “no one in good faith can deny the overwhelming approval that it received”. To the PCP, “the new memberships that have been constantly recorded by the popular movement” to the principle of union uniqueness have given it a free and democratic expression (PCP, 1975).

Yet, the PPD considered, on its official newspaper Povo Livre (16th January, 1975) that the law of uniqueness was oppressive and that it opposed to the freedom of association (hence the “trade union pluralism”, according to this party) proclaimed in the Armed Forces Movement’s programme (“Os sindicatos únicos são o caminho mais certo para o regresso da opressão”, 1975).

Under the title “The single unions are the right path towards the return of oppression”, the PPD expresses the following concerns on the law on union uniqueness, regarding the theme of “union freedom”:

On the recent stands taken about union uniqueness, the PPD cannot fail to insist on the need for this uniqueness to never sacrifice union freedom. . . . Union uniqueness . . . is not the result of the rule of law or of any limitations to the right of union freedom. . . . It is the law . . . that imposes single unions. . . . The regime set up is not one of union unity, but rather one of union uniqueness, of which we had an example before the 25th April and which we can still see in the left and right-wing dictatorships (“Os sindicatos únicos são o caminho mais certo para a opressão”, 1975, p. 3).

In their turn, socialist leaders Fernanda Lopes Cardoso and Marcelo Curto, on República newspaper (4th January 1975), stressed the importance of the Workers Commissions and of the bases stating that these “have acquired an undeniable importance in the Portuguese labour movement, thus constituting the expression of the long-overdue democracy” (Cardoso & Curto, 1975, p. 3). These socialist leaders stated the following, emphasising the role of Workers Commissions and bases:

Workers Commissions have acquired an indisputable role in the Portuguese workers’ movement, forming the expression of the long-awaited democracy as well as a direct and effective means of action. Indisputable, albeit contested by the union organisations with less means of control over the working class, Workers Commissions, which should logically form the starting point for the new forms of organisation have been – where unions have enough power – destroyed by all the means and neglected in favour of “Delegate Commissions”, and these have often been contested by the workers themselves (Cardoso & Curto, 1975, p. 3).

The leader of the PPD at the time, Francisco Sá Carneiro, said, in an interview to newspaper A Capital (21st January 1975), and opposing to “imposed units that limited workers’ choice” (Carneiro, 1975, p.15), clarifying the positions of his party at the time:

We defend a strong unionism, because strength is efficiency; that is why we privilege unions by branch of business and not by profession. We defend a base union, where workers are the ones that decide at all levels, the ones that choose their leaders and the ones that control the action of the different components. We defend a type of unionism that is independent from the State, political parties, religious groups, economic forces or any other institution. We defend free unionism, with the exercise of freedom of association, constitution, internal organisation and management, federation and confederation and even international association. We even advocate unity in unionism that expresses the result of the exercise of freedom rather than law enforcement. (Carneiro, 1975, p. 15)

As aforementioned, Intersindical, with the support of the PCP and several far-left organisations, convened the demonstration to take place on the 14th of January of that same year, in Lisbon, in a show of force. The Minister of
Labour stated, during that demonstration: “The problem is no longer uniqueness nor the war between parties. It is about the respect or the lack of the respect for the will of the majority” (“Grande manifestação da Intersindical: ‘Quem tem medo do povo?'”, 1975, p. 5).

According to Varela (2011), the demonstration is “also an event that proves that part of the workers relied on the policy on union uniqueness” (p. 143). According to the same author, “the PCP wanted to convince the workers of union uniqueness, but it was talking about unity, merging in its propaganda the concept of uniqueness and unity and later, the concepts of uniqueness and democracy” (Varela, 2011, p. 143).

According to Barreto (2005), the PS “has invested all its political power and mobilising capacity in the rejection of the draft law” (p. 259) with the organisation of rallies and other initiatives against the draft law on union uniqueness. But this project would end up being approved by a majority by the Provisional Government on the 21st of January, and the law was passed.

In the opinion of Brito and Rodrigues (2013), the polemic around the law on union uniqueness led to the isolation of the PCP and Intersindical:

January 1975 market the onset of a process of loss of influence for communists in the unionist organisation that would have the defeat of the communist leadership as its high moment, in the elections to the board of the northern bankers union. . . . Avelino Gonçalves, the great advocate of union uniqueness from the time he spent as the government’s Minister of Labour, would ironically become the first communist leader to lose his place in the democratic elections after the 25th of April. (p. 92).

However, according to Valente (2001), most labour unions in the industry, agriculture and transportation would remain based on Intersindical.

4. Discussion and Provisional Conclusions

The 1974 revolution in Portugal led to major changes in the labour and trade union world. In the 1980s, we saw the creation of the new federal union, UGT, supported by the socialist and social-democrat currents. The PCP has always been consistent in the defence of a single union Confederation, and the PS, which initially defended base positions, soon changed the law on trade union uniqueness, with the support of the PPD. From early on, the PPD emphasised the issue of “union freedom” and advocated union pluralism.

According to Costa (2011) we can now identify the two federal unions – CGTP and UGT – with a unionism of contestation and negotiation, respectively. However, in the present time of crisis, according to Estanque (2011), “a profound change in the scope of labour has given rise to re-emerging problems that were supposed to have been solved for decades. . . . We bear the burden of the recent past, marked by countless contrasts” (p. 55).

According to the same author, “if there was indeed fundamental progress in Europe . . . the organisational skills and collective struggle of the workers would be due. . . . This is a heritage that has been claimed by the whole left-wing, from social-democrats to the communist movement” (Estanque, 2011, p. 56).

With the current consensus in Portugal on union pluralism, the crisis and the new inorganic labour movements (such as “Geração à Rasca”, freely translated as “generation in trouble” or “Precários Inflexíveis”, freely translated as “inflexible precarious workers”) will require a new consensus among the various stakeholders to enable an effective unity in this fight. It seems to be necessary to find formulas for the two central trade unions, independent trade unions and inorganic movements to join vindictive dispute platforms at this time of a deep crisis, deregulation of labour and insecurity induced by neo-liberalism as well as a certain inertia in unions in Portugal.

References

Os sindicatos únicos são o caminho mais certo para o regresso da opressão. (1975, 16 de Janeiro). *Povo Livre*, p. 3.
Migration and the Impact of Its Remittances on Kosovo Economic Development

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Abstract

Migration should be seen more as a permanent phenomenon which started long ago. Initially, as an internal migration, and later as external migration or international migration. The main reasons for Kosovo migration, according to many surveys that have been made so far are: economic, political, family reunification, education, and 1998-1999 war in Kosovo. Migrant remittances are an important source of external financing for many developing countries, and in many cases to countries that have a large diaspora, exceed the Foreign Direct Investment (FDI). Through, this paper will reflect a history of Kosovo migration, which speaks about advantages and Kosovo benefits by this migration, and the ways of remittance usages that support the economic growth and development of our country.

Keywords: migration, Kosovo, remittances, economic development.

1. Introduction

Kosovo's economy relies mainly on remittances from emigrants living in different countries, but data and analysis on the level of impact that remittances have in Kosovo were scarce. While the Central Bank of the Republic of Kosovo provides regular assessments of the annual flow of remittances, only a few studies analyze other vital aspects of remittances as setters, use or effects on the socio-economic context. It is therefore very important that remittances be viewed and analyzed not only as statistics but as an important and influential in the country's economic development.

2. The History of Emigration from Kosovo and the Reasons for Emigration

Migration should be seen more as a permanent phenomenon which started long ago, initially as an internal migration, and later as external migration or international migration. Migration is a process of displacement or relocation from one space to another, for various reasons, mainly social, economic, political, etc., Or better to say the fundamental reason for migration lies on an individual , family or part of a population when one seeks a better life.

The main reasons of emigration from Kosovo, according to many surveys that have been made so far are: economic, political, family reunification, education, the war in Kosovo (1998-1999 war), and other reasons.

Table 1: The main reasons of international migration expressed in percentage

<table>
<thead>
<tr>
<th>Reasons for migration</th>
<th>%</th>
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<tbody>
<tr>
<td>Family</td>
<td>46</td>
</tr>
<tr>
<td>Employment</td>
<td>35</td>
</tr>
<tr>
<td>War 1998-1999</td>
<td>8</td>
</tr>
<tr>
<td>Education and training purposes</td>
<td>1</td>
</tr>
<tr>
<td>Others</td>
<td>4</td>
</tr>
<tr>
<td>It is not known</td>
<td>6</td>
</tr>
</tbody>
</table>

Source: Kosovo Agency of Statistics - KAS (Migrimi Kosovar, 2014)
Graph 1: The main reasons of international migration for the period 1969-2010 (expressed in percentage)

Source: Kosovo Agency of Statistics - KAS (Migrimi Kosovar, 2014)

As a result of the deteriorating of political situation in Kosovo in 1989/1990 a big number of population, especially those of younger people started migrating to different European countries and a smaller proportion in the United States, but bulk of them to Europe, mainly focused in Germany and Switzerland. Of course, migration from Kosovo started earlier, and in many studies migrations are mentioned in 1960 onwards. However, the biggest waves were in 1989 and 1999.

3. The Importance of Remittances

According Gëdeshi, I. (2002), one of the most important aspects of migration that has a huge economic and social impact, are remittances. Therefore, remittances represent an important aspect and have an important impact on the economy as well.

Remittances are an important source of external financing for many developing countries, and in many cases to countries that have a large diaspora they exceed the Foreign Direct Investment (FDI). As shown in the tables and graphs below both indicators of importance on the economy, FDI have a decrease, compared to the increase of remittances, and present their sustainability, implying that the economy and the standard of living and consumption in Kosovo are impacted more from remittances than from foreign investment.

Tables 2: FDI and remittances in Kosovo 2007-2014

<table>
<thead>
<tr>
<th>Viti</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>FDI</td>
<td>440.74</td>
<td>369.86</td>
<td>295.45</td>
<td>368.51</td>
<td>384.39</td>
<td>229.06</td>
<td>280.23</td>
<td>151.30</td>
</tr>
<tr>
<td>Remittances</td>
<td>515.61</td>
<td>608.72</td>
<td>585.70</td>
<td>584.33</td>
<td>584.81</td>
<td>605.63</td>
<td>620.83</td>
<td>693.68</td>
</tr>
</tbody>
</table>

Tables 3: Weight percentage occupied Remittances in FDI

<table>
<thead>
<tr>
<th>Viti</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remittances /FDI</td>
<td>117%</td>
<td>165%</td>
<td>198%</td>
<td>159%</td>
<td>152%</td>
<td>264%</td>
<td>222%</td>
<td>458%</td>
</tr>
</tbody>
</table>

Source: Central Bank of Republic of Kosovo
In most countries remittances have had a positive impact on economic growth and represent an important resource in creating economic stability and social betterment of the countries, and obviously they have an impact on the living conditions and generally increase the welfare of families recipients of remittances. The impact of remittances should be seen from the positive side but at the same time from the negative side as well. Both sides must be analyzed specifically on the impact of remittances on income and expenditure of households in the labor market, access to education, care services, health, etc.

Remittances according to CBK reports from 2004 until 2014 in most of the years were increasing, which in 2014 were indeed the highest with 693.7 million euros, with tendency to be even higher in 2015, based on statistics for the period January-May 2015 compared to the same period of 2014. Since the amount of money received by remittances during a year has a great role and impact and at the same time very important, decision-making institutions and policy therefore needs to create concrete strategies oriented investment projects in order to develop our economy.

4. Conclusions

The role and impact of remittances depends heavily on the host country and its policies to implement, especially it consists of what monetary policy and credit applies the country, therefore fiscal policy, pricing policy and competitiveness and economic liberalization, social policy, and above all, to what extent there is a harmony between these policies. There should be a harmonization of policies within a country because only then are created the necessary and essential preconditions for the realization of economic activity of economic entities and in this context the use of remittances in investment will give an appropriate result in terms of economic growth and development.

References


Different Forms of Execution of Criminal Decisions as a Key Element in Criminal Justice

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Abstract

There are different definitions for the criminal justice system. The one we are referring to in this paper is the one which describes it as an intricate machine, consisting of many parts, each of which must be properly aligned and connected to function properly. As far as increase the ability of the staff of the responsible agency for the punishment of the criminals, the result will be a more effective in the system for detecting, apprehending, investigating, prosecuting, of a country. The process of emplacing the violated justice and giving justice to the right person at the right time is presented as one of the main challenges that come before each legal and democratic state.

Keywords: criminal decision, criminal justice, execution.

1. Introduction

How is defined a crime? Different authors agree that a crime consist in any activity that result in the law break. This definition is not so helpful for us to understand the complexity of classifying criminal behavior.

An important element in determining the level of democracy of a country is the indicator how the law, authorities, and representatives of the State guarantee these rights but also the effectiveness of their implementation in everyday life. So how much takes care state for the protection and inviolability of the rights of its citizens, should be considered with special attention how much are executed the final criminal judgments in a state. The value of this moment as the last link in the examination of a criminal case is clearly understood, because only after this moment we can say that the violated justice has been emplaced.

2. Execution of Criminal Decision by the Criminal Code

Criminal Code is presented as the basis for the establishment and implementation of criminal justice. It defines the actions and omissions that are considered illegal and punishable, and convictions and other measures taken against authors of criminal offenses.

One of the most important articles in the field of enforcement of criminal punishment especially the one to imprisonment, is Article 57, which stipulates the calculation of detention as a day and a half in prison. But this situation is problematic in the case for the convicted person even though there is a final judicial decision he continues to perform the punishment in the pretrial detention facilities by violating thus a number of rights so that the person would have by being present in the status of convicted person and not any longer that of the accused.

Article 64 of the Code provides for release on parole, while a special value have also the articles that provide for alternatives to sentencing, treatment of specific groups of convicted persons, protection of minors, victims or rehabilitation measures. All these provisions are an important component that testifies to the peaceful character of the criminal law in general and the Criminal Code but should consider the fact that their use and execution in the judicial decisions gives ground on discussion, especially when compared to analogous cases in western countries. One of the elements that further emphasized the peaceful character of criminal justice was the abolition of the capital punishment. Code bisedes the humanity is accompanied by the duality of severity. It provides severe penalties as 25 years imprisonment or life imprisonment. So the code as a base document for the entire justice system has essential value in determining the fundamental bases on which will develop the executions of judicial decisions since at the time of commencement of execution of until the rehabilitation and re-integration of convicted person in society.
3. Execution of Criminal Decision under Criminal Procedure Code

Criminal Procedure Code has undergone continuous changes since its adoption until now aiming at adapting to perfection with constitutional requirements and norms of international law. This Code has a special importance in relation to the execution of criminal decisions because it is the one that determines the totality of entities that participate, the totality of the rights and principles to be followed, procedures and terms to appeal or recourse etc., the totality of the steps of procedural norms to be followed from the moment of decision making until its execution. It is this code that defines the totality of principles that should be adhered like: Adhering procedural norms, the principle of independence of the judiciary, the principle of presumption of innocence, the legal regulation of restriction of person liberty and the prohibition of torture, guarantee the protection, prevention the trial twice for the same act or omission, the principle of the use of the Albanian language, that of restoring the right etc..

Any decision, any kind of punishment or sanction contains must first become final in order to be put into execution. Execution of criminal decisions means implementation of a final decision containing sanction and implementation of decisions with immediate execution. Such decisions are presented in the form of criminal decisions containing guilt, criminal decisions that exclude the defendant from punishment, criminal decisions that provide for termination of the trial, when arrested in flagrance or detention are illegal, when to an arrested person court renders decisions equal to or smaller than the detention time, decisions that provide for sequestration like a temporary measure, criminal decisions providing for as punishment to imprisonment and finally approve the prosecutor's request for arrest security measure.

It is evidenced like an exceptional case, that of immediate execution and issuance of the order of execution, the issuance of the order of execution by the prosecutor (without become still final) due to judicial mistakes in cases where the court:
- condemns the person with the time of detention and in enacting clause of the decision not orders immediate release of convicted person in the courtroom
- condemns the person some days more than time of detention

In these two cases, the court makes available to the prosecutor the decision or its shortening and it is the prosecutor who issues the order of immediate execution of the decision. Finally we can say that the decision becomes final when it is not to be filed within the legal time limits and when the high court upholds the decision appealed.

4. Execution of Supplementary Punishment

Supplementary punishments after serving the main sentence are executed. Execution order the prosecutor sends the body responsible for carrying out the action that contains punishment. Liability for acts contrary to the decision.

The convicted person or body charged with the execution of punishment when performing actions contrary to the decision of the court, have a responsibility under Article 321 of the Criminal Code. State bodies, which conclude action contrary to the decision of the court, are obliged to inform the prosecutor, who also appointed by the court shall proceed according to the law. Prohibition to drive Order Police authorities, according to the order of the prosecutor make notes in folders and withdraw the convicted person the license as long as the court ruled. Prohibition of stay: On the execution order, the State Police act in order to prevent the entry of the convicted person at a certain administrative units and his removal when he is found in them. In implementing this measure of order police authorities in the respective territories to perform actions such as seeking person, as long as they do not contradict with the law. When a convicted person at the time of execution of the decision is a single parent with minor child and when the convicted person is unable to maintain him, through council custody made settling child.

Expulsion from the territory: sentence of expulsion from the territory is executed by the convicted person within the term preset in the execution order; otherwise the rules of execution are forced. When the convicted has had the main conviction the imprisonment, the expulsion from the territory is executed by police of the prisons immediately upon completion of main sentence of the convicted person. When the convicted person cannot return to his country, is or in another state, the prosecutor is supposed to provide entering in the convicted country’s or visa, otherwise he should submit a request to amend the supplementary sentence. In any case to foreign citizens convicted, the prosecutor through the Ministry of Justice informs the Ministry of Foreign Affairs on the order of execution of this sentence.

The execution of the sentence of forfeiture: criminal decisions that predict seizure of assets and the benefits

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1 See Articles 2-9 of the Code of Criminal Procedures of RA
derived from criminal acts carried out by the competent enforcement authority under the provisions of the Code of Civil Procedure for compulsory execution. The bailiff in the execution of the decision is not limited to objects seized, but all objects and benefits provided expressly in the court decision. Prohibition of the exercise of public duties. Supplementary punishment of prohibition to exercise public office or public service is implemented by the body that appointed or which has entered the labor relations the convicted person, with appropriate removal, observing the relevant legal rules. When the labor relations are created by selection, the decision is executed by the competent authority. When public service assignments is conditional upon licensing, is executed by the decision which grants the license. Prohibition of the exercise of an activity or skill. The body that is responsible for granting permission or authorization to practice a certain activity or skill is required on the basis of the prosecutor's order to remove a person convicted of certain documents for the time in the court decision and notifies the financial competent body.

Deprivation of the right to exercise leading duties. Deprivation of the right to exercise leading tasks, to juridical persons, made by the body that has such a right under the statute or the relevant rules and notify the competent financial authority. Liability for the publication of the decision. In the execution of this decision, the prosecutor makes available to convicted the full text or its extract as defined in court. The convicted is obliged to publish, at his own expense, in one or several media bodies, in the time and manner specified in the decision and, when there are obstacles, requiring the intervention of the prosecutor. Where the court explicitly defined, objects to reasonable cause or publication in the body is impossible, the prosecutor asks the court changing decision. On the contrary prosecutor determines the way of publication.

5. **Execution of Decision to Stay Home**

If the court decides severing the punishment given, to stay home, provided for subsection "a" of Article 59 of the Penal Code for execution immediately sends to the prosecutor the decision, and, if it is held in an institution of execution of criminal decisions, also to the Directorate of this institution. Court is the institution, which according to reports of parole service decides how to proceed with further ways of serving that sentence to the convict by the institution and that this decision sends to other organs.

6. **Serving the Sentence in the Institutions of their Suffering**

In Albania there are these institutions of serving the sentence:
- high security prisons
- common security prisons
- lower security prisons
- special Institutions of serving the punishment.
- institutions of detention

This classification has a special importance as each of the above types of institutions has a special security regime, consequently limiting the rights and freedoms of the people who live in them. International standards require that places where detainees are held, prison buildings and institutions determined to be used for the suffering of convictions meet the requirements for a life as normal as possible and ensure the implementation of programs and activities for severing the sentence and re-integration of the convicted into society.

7. **Role of the Prosecutor in Execution of Criminal Decisions**

One of the most important entities, which has the task of powering the procedure of execution of criminal decisions is the prosecutor. The prosecutor and all other bodies that execute criminal decisions, including the courts, the judicial police, state police, military police, authorities of judicial Bailiff, state bodies or other legal state or private entities, are legally obligated to exercise correctly the powers respecting the rights, honor and dignity of persons arrested, detained or convicted. These entities have the obligation to notify the prosecutor, the facts and circumstances affecting the manner and time of execution of criminal decision, and for the commencement and completions of the execution, manner of implementation, the violated rights etc.

However it should be noted that the prosecutor's duties and responsibilities are especially important at this stage,

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3 Article 463 of the Criminal Procedure Code and Articles 09/12/52 of the Law No. 8331, dated 21.04.1998 "On the execution of criminal decisions"
because the prosecutor is obliged to take all measures for the execution of decisions in accordance with court orders and requirements of the law, to control the regularity of the execution of decisions, to intervene in various competent bodies or file requests to the court, to restore law and violated rights, and to put offenders to disciplinary responsibility and criminal liability.

Very important are the preliminary actions of the prosecutor, such as the right to request the court the union of convictions when the convicted person has to serve more than one sentence, or the rights and duties and that on the basis of the decision of court and criteria "on the rights and treatment of convicted persons to imprisonment" to determine the type of institution where the convicted person will serve his sentence. When the prosecutor has evidence that is necessary to set the convicted person in specific institutions, he orders the medical check of the convicted. The prosecutor issued the order of execution that is a procedural act on the basis of which he starts the initiation of the execution of criminal decisions. This order is sent to the police where the convicted person resides. When the convicted person is detained order is sent to the place where the person convicted is. When the court decides by decision to suspend the execution of the sentence to imprisonment, the prosecutor has the right when he determines that the person convicted does not conduct or acts contrary to the decision of the court he submits a request for revocation of the sentence.

8. Execution of Decision “Activities of Public Interest”

When the court decides to suspend the execution of decision to imprisonment by the consent of the convicted, its replacement with an obligation to perform unpaid work in the public interest, the respective decision sends immediately prosecutor for the execution of alternative sentencing. It should be remembered that the court reverse the decision to suspend the imprisonment sentence based on good behavior of the convicted reports, which are submitted by the institution where he serves the sentence, compiled by social workers in these institutions and the institution possesses. The next step is to send this decision to the prosecutor, who is bound to implement this decision and immediately contact the parole service, which institution shall follow all other links. The Parole, given the skills and training of the convicted person, designs and develops a program for performing work in the public interest.

9. Concluding Remarks

Criminal Code is presented as the basis for the establishment and implementation of criminal justice. It defines the actions and omissions that are considered illegal and punishable, and penalties and other measures taken against authors of criminal offenses. First continuous improvement of legislation, and its adaptation in accordance with European Union directives, are important elements for a more efficient effort to reduce crime. Second: the role of institutions of execution of sentence, must constantly being strengthened, since they are the last link but important of criminal justice system. If this execution is not performed or not performed at all in the proper way then the entire justice system work for the punishment of the author and rehabilitation of the convicted is dismissed. But always for an execution as right as possible should be considered certain conditions in which the victim is, to give an individualized sentence and in compliance with the convicted.

References

Code of Criminal Procedure of the Republic of Albania
Criminal Code of the Republic of Albania
Elezi, I., and Hysi, V., “Criminal politics”, PEGI, Tirana, 2006
Law Nr Nr.8331, dated 21.4.1998 “For the execution of criminal decisions”
Law Nr.8328, dated 16.4.1998 “Rights and treatment of prisoners and detainees”
Nj. Shitino “Forensic Psychiatry”, 2005,
Prof. Dr. I.Elezi, Prof. S. Kaçupi, Prof. Ass.Dr M.Haxhia, Commentary of the Criminal Code (the general part) Tirana 2009 (updated and supplemented with additions and changes made to legal reforms of the years 2001, 2003, 2004, 2008 as well as case law)

4 Article 62 of the Criminal Code
Prof. Dr. I. Elezi, "Criminal Law of the Republic of Albania", Tirana, 2002
Prof. Dr. V. Hysi "Introduction to criminology and penology" Tirana 2000
The Constitution of the Republic of Albania
United Nations Rules for the Protection of Minors, who are deprived of liberty, Adopted by General Assembly resolution 45/113, dated December 14, 1990
V. Hysi "Criminology", Tirana, 2006,
www.thiennhien.net
www2.ohchr.org
highered.mcgraw-hill.com
arkiva.mfa.gov.al
www.euralius.eu
Irradiation Treatment of Animal Foods

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Abstract
The presence of pathogenic microbes in food is a serious global problem. Irradiation, as an effective method, destroy pathogens reducing threat that come by uncontrolled food. In this paper we have treated irradiation of animal foods and its effect, to decrease total microbial load on them. Foods were irradiated with a gamma irradiator GU-3 (Cs-137 source) with the rotation technique. Uniformity dose rate used was 106 % and average dose rate 4.68 Gy/min. According to standards, doses used to irradiate food varied from 0 to 5 kGy. From experimental results it was observed that with increasing absorbed dose, total microbial load was reduced with some orders. Variation of log N / N0 (N- total microbial load of irradiated food and N0 of non-irradiated food) with dose, was approximated linearly. Based on this variation was defined D10, as the dose that cause “death” of about 90 % of microbes in food (log N/N0= -1). D values found experimentally had a good correspondence with them defined theoretically (D10 = |1 / slope|).

Keywords: gamma irradiation, animal food, dose, biological effect

1. Introduction
Public concern about food safety has increased. Despite efforts to control food spoilage and improve safety, food microbiological hazards still exist. Meat and poultry account for a large number of foodborne illnesses and deaths; however, the amount of illness related to pathogens in produce now is greater (Eustice & Bruhn).
Irradiation technology is one of the techniques that has aided in the reduction of harmful pathogens in a number of foods, thereby preventing illness and death caused by foodborne illness.
This technology, in relation to the food supply, is a process in which food is exposed to radiant energy in quantities great enough to cause bacteria and other harmful microbes to become inactive (http://www.recipetips.com/kitchen-tips/t--1218/irradiation-technology.asp).
Hospitals have used irradiation for many years to sterilize food for cancer patients and others with weakened immune systems. Some perishable food taken into space by astronauts is irradiated because the food must be guaranteed free of disease-causing organisms. (http://dwb.unl.edu/teacher/nsf/c10/c10links/www.fsis.usda.gov/oa/pubs/qa_irrad.htm)
According to the International Atomic Energy Agency (IAEA), more than 50 countries have approved the use of irradiation for about 50 different types of food, and 33 are using the technology commercially (http://www.cfs.gov.hk/english/programme/programme_rafs/files/RA_37_Safety_of_Irradiated_Food_final.pdf).
Although public knowledge about irradiation continues to be limited, interest in purchasing safety-enhanced irradiated food is increasing, especially after people receive information about potential benefits and risks.
2. Materials and Methods

In this study were used different animal food products like: fresh milk, cottage cheese, pork meat, sausages, minced and chicken meat. The weight of every product was 30 gram. They were packed in sterile plastic bags and were conserved in freeze, at about 3-4 °C.

Products were irradiated using gamma irradiator GU-3 installed in the Institute of Applied Nuclear Physics (with Cs-137 source and energy 0.66 MeV) with the below technique and geometry (fig 1).

![Irradiation technique and geometry of food products (Dimensions are given in mm)]

To provide a very good dose uniformity (during irradiation period) it was used the rotation technique of vessel with the biological product inside it.

Doses used to irradiate products were 0-5 kGy. The average dose rate was \( P = 4.68 \text{ Gy/min} \) and uniformity dose rate \( D_{max}/D_{min} = 106\% \) (Klemo & Dodbiba, 2012).

After irradiation, products were sent in the Institute of Food Safety and Veterinary (the only national reference center in Albania for microbial analysis).

3. Effects of Irradiation in Food

When microbes present in food are irradiated, their DNA is destroyed causing defects in their genetic code. If this defect it’s not repaired, microbe will “die” or will be unable to reproduce. Effectiveness of the process depends on microbe sensitivity toward irradiation, the rate of DNA damage repair and especially by the DNA size of microbe (Alam & Abraham, 2010), (Ahmed, 2005).

High sensitivity of DNA by irradiation is because that DNA is greater than other molecular structures inside cell.

Damage of DNA by irradiation is caused in two ways:

3.1 Direct way

Ionization radiation produce too many damages in the DNA molecule that include the change of its base like: rupture of single and double bonds. The main action of this effect in the biological system is the rupture of DNA double bond like in figure 2.
3.2 Indirect way

Indirect damage of DNA is caused by free radicals that are formed as a result of ionization or excitation of water components in the cellular structure. Ionization creates the division of water molecules in hydrogen ion (H+), hydroxyl (OH-) and (O2-) radicals. These radicals destroy and disable bacterial components like DNA, cell membranes etc (Ahmed 2005), (Alam & Abraham, 2010), (IAEA Bulletin, 2007).

4. Results and Discussion

Results obtained from analysis done in the Institute of Food Safety and Veterinary are given in table 1, where: Dose 0 is the dose for non-irradiated product (control); N is the number of living microorganisms after irradiating with dose D; N₀ is the number of living microorganisms for control. The number of living microorganisms it is measured in col/g for all the animal products in table 1, except the milk product that is measured in col/mL.

Table 1. Microbial load results in animal food

<table>
<thead>
<tr>
<th>Animal food products</th>
<th>D (kGy)</th>
<th>(N₀ \text{ (col/g)} ) Or (col/mL)</th>
<th>(N \text{ (col/g)} ) or (col/mL)</th>
<th>(\log (N/N₀))</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fresh milk</td>
<td>0</td>
<td>3.5×10⁵</td>
<td>3.5×10⁵</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>4.2×10⁵</td>
<td>4.1×10⁵</td>
<td>-1.93</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>4.1×10⁵</td>
<td>4.1×10⁵</td>
<td>-1.92</td>
</tr>
<tr>
<td>Cottage cheese</td>
<td>0</td>
<td>5.7×10⁵</td>
<td>5.7×10⁵</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>3.2×10⁵</td>
<td>3.2×10⁵</td>
<td>-0.25</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>7.1×10⁴</td>
<td>7.1×10⁴</td>
<td>-0.90</td>
</tr>
<tr>
<td>Minced meat</td>
<td>0</td>
<td>7.3×10⁶</td>
<td>7.3×10⁶</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>1.8×10⁵</td>
<td>1.1×10⁵</td>
<td>-2.92</td>
</tr>
<tr>
<td></td>
<td>2.7</td>
<td>&lt;10</td>
<td>&lt;10</td>
<td>-5.86</td>
</tr>
<tr>
<td>Pork meat</td>
<td>0</td>
<td>1.6×10⁶</td>
<td>1.3×10⁵</td>
<td>-2.09</td>
</tr>
<tr>
<td></td>
<td>1.7</td>
<td>1.3×10⁵</td>
<td>1.3×10⁵</td>
<td>-2.84</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>2.3×10⁴</td>
<td>2.3×10⁴</td>
<td>-2.84</td>
</tr>
<tr>
<td>Sausages</td>
<td>0</td>
<td>1.0×10⁴</td>
<td>&lt;10</td>
<td>-2.04</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>&lt;10</td>
<td>&lt;10</td>
<td>-2.04</td>
</tr>
<tr>
<td></td>
<td>2.7</td>
<td>&lt;10</td>
<td>&lt;10</td>
<td>-2.04</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>&lt;10</td>
<td>&lt;10</td>
<td>-2.04</td>
</tr>
<tr>
<td>Chicken meat</td>
<td>0</td>
<td>6.4×10⁴</td>
<td>6.4×10⁴</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2.2×10⁴</td>
<td>2.2×10⁴</td>
<td>-0.46</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>1.2×10³</td>
<td>1.2×10³</td>
<td>-0.73</td>
</tr>
</tbody>
</table>
From the data table it's observed that in the case of milk, from the dose 1 to 2 kGy there isn't any change in the number of living microorganisms.

Similar case is observed also for sausages irradiated with doses 2 to 5 kGy.

With data table 1 (dose D and log N/N₀) are constructed linear regress curves for every product.

**Figure 3.** Cottage cheese product

**Figure 4.** Pork meat product

**Figure 5.** Minced meat product
Figure 6. Chicken meat product

Figure 7. Fresh milk product

Figure 8. Sausages products
From graphics above it is observed that, with increasing absorbed dose total microbial load is decreased. In many cases this decrease varies from $10^4$ col/g for control to <10 col/g for irradiated product. Referring to (Lund et.al, 2000) in many cases for high doses it is seen "a tail" in graphics (fig 7, 8).

Horizontal part in the graphic indicates that with increasing dose total microbial load does not change. Their sensitivity toward irradiation can be defined by $D_{10}$ dose value. This is the dose that makes inactive 90% of microorganisms in the product ($\log N/N_0 = -1$) (Lund et.al, 2000).

Referring to (Nketsia-Tabiri et al, 2009), the equation that calculates $D_{10}$ is given by the formula:

$$D_{10} = D / |\log N/N_0|$$

(1)

According to formula (1), $D_{10}$ is calculated as reciprocal slope of linear curve:

$$D_{10} = -1 / \text{slope}$$

(2)

For every product (fig 3÷8) are determined experimental values of $D_{10}$ (taken by corresponding curves) and theoretical values referring the above expression (2). It is observed that there is a very good accordance between these values (table 2).

<table>
<thead>
<tr>
<th>Animal food products</th>
<th>$D_{10}$ (theoretical) kGy</th>
<th>$D_{10}$ (experimental) kGy</th>
<th>Rate (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fresh milk</td>
<td>0.518</td>
<td>0.518</td>
<td>100</td>
</tr>
<tr>
<td>Cottage cheese</td>
<td>2.20</td>
<td>2.37</td>
<td>93</td>
</tr>
<tr>
<td>Minced meat</td>
<td>0.86</td>
<td>0.85</td>
<td>101</td>
</tr>
<tr>
<td>Pork meat</td>
<td>1.04</td>
<td>0.90</td>
<td>115</td>
</tr>
<tr>
<td>Sausages</td>
<td>0.98</td>
<td>0.98</td>
<td>100</td>
</tr>
<tr>
<td>Chicken meat</td>
<td>2.74</td>
<td>2.83</td>
<td>97</td>
</tr>
</tbody>
</table>

5. Conclusions and Recommendations

- With increasing absorbed dose it is observed a decrease of total microbial load. In many cases this decrease varies from $10^4$ col/g for control to <10 col/g for irradiated product (about 10000 times).
- May occur that, for high doses appear a "tail". This one indicates that with increasing dose, total microbial load doesn't change.
- For every animal product food, experimental values $D_{10}$ taken by respective curves with them defined theoretically have a very good accordance.
- It is important to apply this method also for dangerous pathogens to human lives.

References

Eustice, R. F., & Bruhn, Ch. M. Consumer acceptance and marketing of irradiated foods (Chapter 10), Minnesota Beef Council, Minneapolis, USA.


Political Discourses Around the Single Union Law and Conceptions about the Organisation of the World of Labour: From Historical to Current Dilemmas

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Abstract

The current research analyses political discourses around the controversy of the Single Union Law, which occurred in the post-April 25th revolutionary context, to understand how the contending parties built different conceptions about the arrangements of labour organisations. By reconstructing the meanings conveyed in the arguments, it is observed that each party invests some words – Unions, Freedom – with different meanings. Additionally, it is observed that each side tends to use certain rhetorical mechanisms as listed by Castro (2002), Amaral (2013) and Amaral & Pereira (2014). The conclusion provides a historical and ideological overview of the different main conceptions and dilemmas yielded in the discourse analysis provided, along with the dilemmas that labour unions are confronted with in the current times, namely considering the issue of job insecurity.

Keywords: Portugal, 25 April 1974 revolution, Single Union Law, political discourses, conceptions about labour organisation

1. Introduction

The present research covers underlying rhetorical mechanisms in the political discourses around the polemic in the passing of the law on the principle of Union Uniqueness in the revolutionary context after the 25th of April, 1974. This polemic was the first great public confrontation between the Socialist Party (PS, Partido Socialista) and its ally in the Provisional Government at the time, the Democratic Popular Party (PPD, Partido Popular Democrático) - which gave rise to the current Social-Democrat Party (PSD, Partido Social Democrata) - on the one hand, and the Portuguese Communist Party (PCP, Partido Comunista Português) and its ally in the labour and union scope, Intersindical, on the other hand.

According to findings from previous works around such polemic (Amaral, 2014; Brito & Rodrigues, 2013; Silva et al., 2011; Valente, 2001; Varela, 2014), the existence of different conceptions about the desirable forms of arrangement between the referred political formations and Intersindical was verified. These were later at the origin of the current Central Geral dos Trabalhadores Portugueses/Intersindical Nacional (CGTP) – associated with PCP and which replaced Intersindical – and the União Geral dos Trabalhadores (UGT) – associated with PS and PSD-, the two Federal Cores in Portugal since the 1980s.

As it can be verified in the analysis of the works by Amaral (2013), Amaral and Pereira (2014), Castro (2002), Castro and Batel (2008), among others, different strategies and rhetorical mechanisms as well as mechanisms for the construction of discursive argumentation can convey and articulate with different conceptions (regarding the content of the discourses) about the topic of discursive polemics – in the case of the present work, the forms of unionism and labour organisation. Identical contents – for example, “Freedom”, as it can be seen in this work – can assume different meanings according to the discursive strategies, resulting in different conceptions of “Freedom”.

2. Objectives

Based on a previous historical analysis and identification of the main discursive contents around the polemic of the Law on Union Uniqueness (Amaral, 2014), the present research has the main objective of identifying the mechanisms and discursive structures articulated with the political rhetoric of the time. This is underpinned in the construction of social-political meanings around this polemic, namely by the Intersindical and the party formations that were in the origin of the two union confederations existing today: PS, PPD and PCP.
To this effect, an analysis of a corpus of news discourses produced by the leaders of the aforementioned organisations in Portuguese newspapers at a national scope was made, as well as the analysis of party communications and news from the PCP’s official bodies (Avante), PPD’s (Povo Livre), PS’ (Portugal Socialista) and Intersindical (Alavancas).

A second objective, which results from the findings of this research, consists on the explanation of the programming and ideological perspectives, preconized at the time, regarding the forms of labour organisation by the parties intervening in the quarrel.

The aim of the conclusive considerations is to relate these ideological dichotomies that result from a dilemmatic analysis of the discourses, to the history of unionism and the respective theoretical and ideological currents, as well as highlighting the problems and new social dilemmas faced by current union organisations.

3. Theoretical and Methodological Considerations about the Analysis of the Rhetorical Discourse

Perelman (1997), the philosopher responsible for the New Rhetoric study movement, claims the bases of such approach by Aristotle. In *Organon*, Aristotle distinguishes between two types of reasoning: analytical reasoning, which aims to relate the truth of the premises with that of the conclusions; and dialectic reasoning, based on premises formed by generally accepted opinions that create other theories that may be controversial acceptable, with the aim to persuade.

The rhetorical discourse is associated with this dialectic reasoning. Therefore, for example, the domain of political, philosophical, literary and even legal argumentation, “is of the plausible, the likely, in the measure that . . . it escapes the certainties of calculation” (Perelman & Olbrechts-Tyteca, 2006, p. 9).


The model of analysis proposed by Potter (1996) is also considered, resumed by Castro (2002) and in some aspects focused on by Van Dijk (2006), which enables the identification of rhetorical mechanisms that are inherent to persuasive discourse: the extremism of arguments aiming to predispose an audience to an action, or the inverse, minimisation; the description of arguments using factual data; argumentation by inoculation (intending to show the audience that there is no interest by the subject in the argument presented); the distancing mechanism (assuming neutrality and intending that nothing will be proven); the presentation of credentials in argumentation (using categories of subjects with a particular knowledge about the issue, to make the message believable).

4. Findings

Article by Salgado Zenha (leader of the PS): “Unidade Sindical ou Medo à Liberdade?” (“Union Unity or Fear of Freedom?”) – Diário de Notícias, 07/01/1975

Evoking “union” and “association” freedom, as per the Armed Forces Programme (MFA, the movement that deposed the fascist regime on the 25th of April, 1974, in Portugal), it accuses the Law of Union Uniqueness as being “unconstitutional”.

The argument denotes aspects of fact description, but it is also construed in the form of a confession, about the stance taken regarding this Law:

In the draft law on unions, a single union confederation is imposed. Now, and respecting the contrary opinion, I consider this disposition as unconstitutional. As it is known, the Armed Forces Movement Programme is currently a real constitutional charter. Additionally, freedom of association and union freedom (a particular aspect of freedom of association) are violated, if the uniqueness of the union confederation is imposed. Freedom implies freedom of choice and paths. Without it, there is no freedom. (Zenha, 1975, p.7)

“O PPD contra os sindicatos únicos” (“PPD against single unions”) – Povo livre, 08/10/1974

Under the title “Single unions are the most certain path to the return to oppression”, PPD expresses its concerns regarding the topic of “Union Freedom” in this communication about the Law on Union Uniqueness: “Regarding the recent stands taken about union unity, PPD could not but insist on the need for this to never sacrifice union freedom” (“O PPD contra os sindicatos únicos”, 1974, p. 1). Evoking this Freedom, the excerpt above seems to aim to warn the audience against the consequences of the Law on Union Uniqueness (inoculation mechanism). In fact, it is what the following excerpt states, written in the form of a
confession of a political stance taken: “Union unity . . . is not the result of the power of the law or of any limitations to the right of union freedom” (“O PPD contra os sindicatos únicos”, 1974, p. 1).

In the following sentence, the problem with union organisation is again linked to the issue of “union freedom”, mentioning the credentials of the International Labour Organisation (ILO): “Unitary unionism is only accurate in a regime of union freedom, according to the Convention no. 87 of the ILO” (“O PPD contra os sindicatos únicos”, 1974, p. 1).

“O Partido Socialista não se deixará satelizar” (“The Socialist Party will not allow others to control it”) – Portugal Socialista, 17/01/1975

This special issue of Portugal Socialista reports the discourses delivered at a demonstration organised by the PS against the Law on Union Uniqueness on the 16th of January, 1975.

Our analysis will be focused on the discourse by Salgado Zenha, due to his relevance in the counter-arguments of the stands advocated by the PCP and Intersindical.

The following argument, construed as a confession, raises the issue of union freedom and the unity of workers which, as can be later seen, is what is intended in a “unity in freedom”:

I was – let me tell you – completely astonished by the audacity of that project. It was becoming evident that it was a betrayal of union freedom and a betrayal of the unity of workers as it is understood by true democrats and true socialists. (Zenha, 1975, p. 6).

The following excerpt of Zenha’s discourse, presented in the form of a confession and using the expression “restriction of the workers’ class”, is coupled with the workers’ arguments on freedom: “This project surprised me not only because it imposes a single Union Confederation, but also because it imposes a single union and a whole set of provisions that are in fact restraining the working class” (Zenha, 1975, p. 6).

In fact, the aim is to have “unity in freedom”, as expressed in the following discursive unit, construed as a confession: “since ever and from the beginning, in articles published in the press, in conferences with our comrades, in information events, we have sustained our principles of “unity in freedom” (Zenha, 1975, p. 6).

Interview to Sá Carneiro (leader of the PPD) – “Social-democracia não mantém sistema capitalista” (“Social-democracy does not maintain a capitalist system”) – A Capital, 21/01/1975

Questioned about the PPD’s sociological profile and stating that “the PPD is a party that covers all the layers of the working class” (Carneiro, 1975, p. 15), Sá Carneiro said, regarding the dispute around the political representation of the working class: “we do not intend to be the party of the workers because we understand that workers are nobody’s monopoly and they should freely choose among parties, according to their respective programmes” (Carneiro, 1975, p. 15).

Then, he declares, to contest the Law on Union Uniqueness, using the rhetorical mechanism of confession and counterpoising the problem of “freedom” versus the imposition of unity by the law: “we advocate a kind of unitary unionism that expresses the result of the exercise of freedom and not a legal imposition” (Carneiro, 1975, p.15).

“Unidade, a vontade dos trabalhadores” (“Unity, the workers’ will”) – Alavanca, 09/12/1974

Citing a document produced at a plenary by Intersindical, on the 30th of November, 1974, another point of view is presented, also in the form of a confession. It associates the issue of “union unity” with the “consecration of uniqueness” by the law, aiming to have unionism “at the service of the working class”.

The unity of the Portuguese union movement is not just a tradition. It is a historical need. The consecration of uniqueness will be a desirable contribution towards the advocacy and reinforcement of union unity. In terms of the advocacy and reinforcement of democratic freedom, the only one that can serve the interests of the workers, this consecration of uniqueness will, jointly with the principles of independence, autonomy and democracy of organisations as well as the right to perform union actions in companies and the legal protection of leaders and union delegates, enable the construction of a powerful union movement at the service of the working class, the Portuguese people and the country. (“Unidade, a vontade dos trabalhadores”, 1974, p. 1)

Union pluralism is identified with “division”, in an argument construed as a confession of Intersindical’s stand:

The course of time came to prove that workers could not only trust their will for unity. For the interests of some and
incomprehension of others, public stands started to arise with forces that are external to the workers, seeking to divide the union movement by introducing pluralism. ("Unidade, a vontade dos trabalhadores", 1974, p. 2)

Freedom, understood as “freedom of classes” (against “abstract freedom” and “liberalism”) and class unionism are explained in the following stand taken by Intersindical (confession mechanism): “Freedom is not an abstract concept. Freedom has a class content . . . we have to distinguish between freedom and liberalism.” ("Unidade, a vontade dos trabalhadores", 1974, p.2)

Note by the Political Commission of the PCP’s Central Committee (13/01/75) (Press Release)

Using the maximisation of the demonstration convened by Intersindical on the 14th of January, which “should be seen as an unequivocal statement by workers that union uniqueness is inscribed in the law”, according to the PCP, predisposes the audience to take part:

The demonstration taking place in Lisbon today should be seen as an unequivocal statement by workers that union uniqueness should become law and . . . the PCP exhorts all workers and people to actively take part in this important demonstration and to make it a grand and serene expression of the people’s will. (PCP, 1975)

Carlos Carvalhas (leader of the PCP) – “Deve respeitar-se a vontade dos trabalhadores” ("The will of the workers should be respected") – Diário de Notícias, 13/01/1975

Using the description of the wording of the Act, the audience is later warned against unionist pluralism, reported as a workers division in favour of the great capital, or partisan unionism:

It is also intended that there should exist unions that are independent from employers’ organisations and political parties and maybe this is where we are touching a sore point. The great capital is interested in dividing workers and certain political parties with little influence in the working class are also interest in unionist pluralism so that they can form their own partisan unions. (Carvalhas, 1975, p. 7)

Using the credentials from the findings of the consultations with workers, but also with an argument that maximises its results (“smashing majority of workers”, “thousands of workers”, it justifies the Law on Union Uniqueness: “The smashing majority of workers and unions has publicly chosen union uniqueness in hundreds of meetings and polls with thousands of workers” (Carvalhas, 1975, p. 7).

“A Lição de 14 de Janeiro” ("The lesson from January 14th"), Editorial – Avante, 16/01/1975

Intersindical’s demonstration on the 14th of January had its dimension rhetorically maximised and presented as “the most powerful and significant argument” ("A lição de 14 de Janeiro", 1975, p. 2) by the referred “popular movement”: “The grand popular demonstration organised by Intersindical . . . is the most powerful and significant argument against those who are not truly interested in reinforcing and revitalising the popular component of the new democratic process” ("A lição de 14 de Janeiro", 1975, p. 2).

“Intersindical’s great demonstration: Who is afraid of the People? ("A grande manifestação da Intersindical: Quem tem medo do Povo?") – Alavanca, 17/01/1975

It reports on Intersindical’s demonstration on the 14th of January, maximising the event. Again, it approaches the issue of freedom – the “authentic freedom” for which the workers were fighting – counterpoising it to the “formal” freedom and democracy: “Portuguese workers fighting for an authentic democracy and an authentic freedom, not for the formal freedom and democracy that economic power directly or indirectly gives to exploiters, i.e. the freedom to continue exploiting and taking over political power again.” ("A grande manifestação da Intersindical: Quem tem medo do Povo?", 1975, p. 2).

Speech by Carlos Carvalho (leader of Intersindical) – Alavanca, 17/01/1975

In the form of a confession, it explains yet again Intersindical’s understanding of “union freedom” associated with class unionism, as opposed to “union pluralism”:
We have all taken a stance, in a decisive and firm manner, about what we understand by union freedom, a principle we wish to be consecrated in Law. In our opinion – the workers – union freedom is an expression that opposes to union pluralism by nature. (Carvalho, 1975, p. 4)

It identifies union pluralism as a “union divide” which will be of interest to “the great monopolist capital”: “We do not want a union divide because we know very well who is behind these manoeuvres. We know it is the employers . . . that are interested in weakening the union movement through its divide.” (Carvalho, 1975, p. 4).

Carlos Carvalho finishes his speech associating the Law on Union Uniqueness with a form of class unionism: “Only the law on union uniqueness will enable the consequence advocacy of the interests of the working class” (Carvalho, 1975, p. 4).

“Política clara e transparente” (“A clear and transparent policy”) – Avante, 23/01/1975

With an argument presented as a confession of a stance taken, “union pluralism” is refuted, referencing yet again the integration of unions in a class-based scope: “Union pluralism will lead to the creation of competing unions, each with an internal life subordinated to a partisan tendency (…) where the real class spirit would be camouflaged by a sect-like spirit that would enliven the union itself.” (“Política clara e transparente”, 1975, p. 2).

It is reasserted that the question is about “class independence” to refute yet again “union pluralism”:

Union freedom can only be assured by uniqueness. The essential about union independence is class independence, the independence in the fight against exploitation in the defence of the interests of the workers. Union pluralism would represent the absolute control of unions by parties, groups of professional chieftains or the employers themselves. (“Política clara e transparente”, 1975, p. 2)

5. Discussion and Concluding Remarks

5.1 Rhetorical mechanisms on Union Uniqueness

PS and PPD – They mainly use the rhetorical mechanism of argumentation by confession of a position taken invoking “union freedom” (inscribed in the MFA’s Programme) and the argument is used to show that, despite the confessed involvement, the issuer does not lose objectivity. The PPD also uses credentials to highlight its position regarding the freedom at stake with the Law on Union Uniqueness. Both PS and PPD also use the mechanism of inoculation to send out a warning regarding the wider issue of Freedom. The core dilemmatic issue in the discourses conveyed is that of Union Freedom against Union Uniqueness.

PCP and Intersindical – They mainly use the mechanism of maximisation of the results from the consultation with workers, whose “smashing majority” had approved the principle of Union Uniqueness, or even the maximisation of the demonstration that occurred on the 14th of January, convened by Intersindical. A stand is taken in favour of “class unionism” as opposed to “union pluralism” (identified as “divisionism”) and in favour of “class freedom” versus “abstract freedom” (“formal freedom”).

5.2 From history to the current times: from political and unionist perspectives to the new social and labour dilemmas

Union organisations were originally formed in the 19th century in capitalist countries, with the establishment of universal suffrage, to extend democracy from the political level to the social level (Lefranc, 1974) through the development of “historical alliances with political parties at a time when universal suffrage was still uncommon” (Costa, 2011, p. 5). This resulted in “distinctive political orientation, relations and divisions regarding unionism up to our time” (Costa, 2011, p. 15). In a recent review of typological theories on unionism, Costa (2011) refers that “it would not be fair to talk about “pure” unionism models” (p. 35). He contrasts conflict theories with alternative theories to the traditional Marxist theories, set on a pluralist construct and connected with a negotiation unionism, as opposed to contestation unionism.

It was around the notions of conflict and pluralism, unionism and contestation, and negotiation unionism that the two types of federal union association gained form in Portugal – CGTP and UGT, respectively.

The divide at the level of unions remits to the “political and ideological cleavages from 1974-75” (Estanque, 2005, p. 131), embodied in different conceptions of the labour world and different views on unionism (a class-based and contestation unionism versus a negotiation and reform-based unionism). These currently face a context of a deep crisis, where an apparently hegemonic neo-liberalism conveys deep financial, economic, social and labour deregulations. This
results from the phenomenon of globalisation and hegemony in the neo-liberal forms of governance and control.

On the other hand, at the social level, there are phenomena like “the rising commodification of the social life” (Estanque, 2014), rising inequality or “the impoverishment of wide social layers – in the case of Portugal, boosted by the austerity measures – of professional categories that had aimed for a status close to the lifestyle of the middle-class” (Estanque, 2014, p. 3).

There is the hypothetical emergence of a new social category – “the precarious” – which covers “important sectors of the middle-class” (Estanque, 2014, p. 7) and which is difficult to integrate this category from a unionist point of view. Together with the outsourcing that characterises post-industrial societies, this implies the decline of the working class “that has fed the bases of unionism” (Estanque, 2005, p. 131). Both go hand-in-hand with the emergence of new forms of struggle embodied in inorganic movements that express the dissatisfaction of the new “precarious working class” (Estanque, 2014, p. 17). These are social phenomena that pose questions about the traditional forms of labour organisation and the unionist movement, whether this is based on contestation and class-orientation, or negotiation and action in a neo-corporate logic (Estanque, 2005; Sousa, 2009).

These are questions and dilemmas that are fairly different from the ones posed around the polemic on union uniqueness, namely the dilemmas of the time around union freedom/pluralism versus union uniqueness, class freedom versus formal freedom, specifically regarding the integration of the labour world and its organisation models.

References


Dalí’s Mystic Elements and their Meaning

Ticiana Dine

Abstract

The entire study is based on the connection between the symbolisms that Dalí uses in his artworks as well as what Freud uses as scientific terminology in his research studies about the experiences of his patients. How Freud sees and analyzes them mainly when drawers and other elements similar to those emptied and filled are present in humans neurosis, or paranoids and how Dalí makes interweaving precisely with this element into his surreal works by analyzing them as symbols which represent emptiness of soul but at the same time represents not only a need but why not also a sexual femininity through this symbol. What is taken for study is duplication and comparison between a doctor and an artist who takes the role of a doctor making besides a symbolic and artistic analysis but first of all also an analytical context. If Freud makes this study on patients and their similar experiences, Dalí does this with its audience. This type of comparison and duplication in terms of perception or the way the patients dream or how understand and perceive it the observers in an art gallery, it makes me rise an analysis point. I did it comparing the two prominent figures very much internationally recognized whom were far and near to each other.

Keywords: mystic, erotic connotations, Freud’s symbolic, etc.

“Theretofore the surrealists that in appearance had been selected me out as their saint, seemed to me some crazy people 100 percent. This young Spaniard, with fanatic’s staring eyes and his inevitable mastery had prepossessed me to reconsider my opinion. We are talking about someone with serious psychological problems.” Sigmund Freud.

Into artworks of Dalí we may see such elements as twigs, flies, ants, butterflies, protruding feet and bodies, drawers, holding watches and crutches. Inside his works there are sexual sensations, where between the chaotic images that apparently look like a dream filled with sensation and sexual symbols, many of the symbols of Dalí are beyond simply the artistic and surrealist ones or mysticism as well. Many of the elements into the works of Dalí are filled with oneiric images and symbols wherein its interpretation is based on oneiric Freudian interpretation. Based on Freudian theories the symbols and elements found into the dreams of his patients, Freud realized that many of the symptoms or conditions of paranoia came as sexually repressed state, which constantly harassed the human psyche.
which they were scared of often were those symbols and elements which have a sexual explanation such rifles, pomegranates, tigers, extended twigs and sticks, scales, drawers, etc. These psychological and sexual elements are intertwined, treated and studied throughout his life by Doctor Sigmund Freud. Very much so these elements and symbols will be found into the works of Dali in order to be interpreted in the same form as would do Freud with his patients. “A true artist understands how to exceed his dreams of the day ... to make them possible for others by sharing with them his satisfaction.” Sigmund Freud

Oneiric Elements and Symbols

In the above works, we may see some symbols which are characteristic not only of Dali but are also related to the oneiric interpretation. I’ll not analyze these artworks but I will take them as examples to identify elements and symbols, which are translated by Freud in a sexual context into a dream. First of all I must say that these elements which I have analyzed and seen from a completely different interpretative perspective associated with mystical symbols, however in this study I will make a connection between oneiric of Freud and symbols of Dali in these works, always not forgetting neither inspiration nor influence that interpretation of dreams by Freud influenced on Surrealist artist as Dali. In a large part of the works of Dali we may see how the symbols, which are taken as references by Freud to review and analyze his neurotic patients or cramps of phobias and feelings which make the people reclusive, Dali treats them like elements, which can be studied by a magnifying glass in a symbolic and sexual context, just like Freud emphasized the analysis of these symbols. In the relationship between Freudian oneiric analysis and symbolic analysis of Dali there is a very radical difference. I would say that although Freud in the presentation of drawers sees spiritual state or erotic symbols as well as prolonged sticks and elements presenting sexual need, however Dali will vouchsafe another interpretation to drawers, which will be viewed by him in a more extensive aspect by representing not just the sexual but even the spiritual fulfillment as well as sticks or crutches, through which would represent a need for support and uplift. In this context, his works became more artistic. Although Dali asked, just like his contemporaries who were based on oneiric Freudian interpretation and much more Dali who claims that Freud is my guru, we can say that the oneiric Freudian interpretation is grown bare completely under a context from sexuality to the symbolic one and now and then to the surreal, not necessarily seeking a real objective interpretation. When Dali talks about Paranoid-Critical Method he excludes the possibility of an oneiric Freudian interpretation because there we may see another interpretative form which again is not linked to the symbolism, but with a form of observing the images and forms under an imaginary, illusory or completely hallucinatory self-induced paranoid method, not as neurotic part nor distortion of reality unconsciously. Freud writes in the book On Dreams that meaning of a dream can be divulge by the recognition of symbols which seem to be translate into a universal language among people than the same communicative language of our own. Freud writes that we may derive based on the ancient peoples who did the same interpretative connection between oneiric symbols and symbols themselves in general. (Sigmund Freud- On dreams -publishing house “Fan Noli”, Tirana, 1997, translated from German into Albanian - by editor Rexhpe Hida, pag.89) Freud goes on to make a connection, as in another study I have pointed to interpretation of mystical symbols, between symbols which have present the Knave, Queen and King. Freud makes a connection between these figures by interpreting them in the same way they have been interpreted into a dream as well as in Tarot cards where Dali had an impact on symbols, which are represented by him in his works too. Freud writes that figures like King and Queen are figures which mean parents, rooms are representing women, entrances and exits are representing physical holes. Most of the dream symbols serve to represent people, body parts and activities marked with erotic interest; Freud says that genital parts are presented by strange symbols and different facilities, he features such thing as guns, sticks, tree trunks, those symbols that replace male genitals to undergo a metamorphosis which need an interpretation that is not always easily comprehensible for us. Meanwhile Freud also mentions cabinets, ovens, drawers, cars, which replace the female body into a dream. Freud says that a whole range of symbols are bisexual, according to the context they can be taken for female or male genitalia. (Sigmund Freud- On dreams - publishing house “Fan Noli”, Tirana, 1997, translated from German into Albanian - by editor Rexhpe Hida, pag.90-91) So a dream, writes Freud, can present symbolically the erection. Freud goes on to explain the rank symbols that resemble sexual exigency as well as female genital organ and furthermore male organ. Freud ranked umbrellas, sticks, trees, pencils, spears, swords, rifles, pistols, dams, hammers, pending light bulbs, sliding, skating, sweets, peaches, table and book, ties, hats, fruit, mountains, rocks, etc. (Sigmund Freud - Human Sexual Life - publishing house “Fan Noli”, Tirana, 1997, translated from German into Albanian - by editor Rexhpe Hida Chapter 2. Developing libido and sexual body, p. 91, Dali, 1981/1942, p.179 by Sigmund Freud - publishing house “Fan Noli”, Tirana, 1997, translated from German into Albanian - by editor Rexhpe Hida.- The Symbolism of the dream p. 38-43) Freud studied neurotic cases of his patients, sexual traumas and Phobias, events recorded in the past, which had undergone with time a distortion of the event by turning it into a dream
filled with symbols and figures, a state of fear that persecute the dreamer. Freud studied the symbolism and interpretation of these images in order to enter into unconsciousness as well as into oneiric state through hypnosis, which was the more appropriate way to give an indication of the unconscious, which is the darkest background of human being. Dalí in turn used symbolism to interpret a distorted reality, which came from the dreams but not from the anxieties and neurotic conditions, phobias and events which troubled psyche of the observer. I say observer because Dalí was precisely estimated by the observer. Dalí attempted that sexual interpretation of these symbols to be represented into his works as symbols that must be interpreted by the recipient under the Freudian sexual symbolic language. I think that here Dalí fails to transmit it properly because the receiver has never proper knowledge to make a symbolic and psychoanalytical interpretation and moreover the receiver has in front of himself a picture, which he has to see under surreal, symbolic, artistic, or oneiric Freudian symbolic complexion. Meanwhile we shall not forget the theory about Paranoid-Critical Method by which the observer makes the reality and work. Dalí spoke about symbolism from many different angles and this I believe since then and even now confuses the observer in interpreting or understanding the works of Dalí. While my skepticism stops off also on transmitting symbolic forms that Dalí raises with audience treating it often as a stage or condition of paranoid hypnosis. If Freud set up the system of analyses of these images because he wanted to remove from subject the oneiric repeated situations that lead to neurosis, Dalí does the exact opposite by setting up a confused system of images and symbols and expecting that this paranoid and complicated system to be decipher by observer in the most objective way, by not proposing any observation’s spot that these symbols should be subject to decipherable analysis. Finally, the difference between oneiric of surrealism and Dalí’s contemporaries artists was that they used symbolism in their works as a state in which the work itself did not need to be interpreted objectively because it represented a chaotic symbolic situation by making it more artistic and not going further more beyond it. For Dalí a dream is a symbolic background, which is seen both under artistic, surreal, paranormal and mystical complexions.

References

Salvador Dali - Interpretation of Dreams a radical discovery of my life (Dali, 1981/1942, p. 179)
Sigmund Freud - Developing libido and sexual body -Publishing house “Fan Noli” Tirana, 1997, translated from German into Albanian by Rexhep Hida, chapter 2. The symbolism of the dream p. 38-43
Sigmund Freud- On dreams -Publishing house “Fan Noli”, Tirana, 1997, translated from German into Albanian - by Editor Rexhep Hida, pag.89.
Sigmund Freud- On dreams -Publishing house “Fan Noli”, Tirana, 1997, translated from German into Albanian - by Editor Rexhep Hida, pag.90-91
www.dali-interart.be
dali-interart.be
Menecmi Comedy of Plautus:  
A Discussion between Literature and History Connected to the City of Durrës

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Abstract

Menecmi is one of the best comedies of Plautus. The twin sons of Mosco and Teussimarca, originating of Syracuse, are divided into age of seven by a strange fate combination. The twin brother of Syracuse is looking for land and sea his brother, and finally arrive to Epidamnos (today named Durrës) where it is settling the whole comedy. In it the author mention different elements of the city. Starting from the port, even where it is anchored navis praedatoria. Then recounting the death of his adoptive father’s Menaechmus of Epidamnos the author mention that, drowned in a raging river that passes by the city. This river, which also exists today is Erzeni. Another element of the city is the forum. The presence of customs, it can be deduced from the fact that in the middle of a fight of jealousy between Menaechmus of Epidamnos and his wife, he says Portinorem domum duxi, ita omnem mihi. Another institution mentioned in the text is the prison. In the city, always from the text, it can deduce the existence of monetary circulation, as mina, sestertius, etc. Another element is the presence of different professions held in the city as: doctor, jeweler, auctioneer, porter, cook, customs officer etc. So Epidamnos is represented as a real metropolis, with its strengths and weaknesses as its twin in Greece or ancient Rome.

Keywords: Plautus, Durres, Epidamnos, forum, Erzeni river, monetary circulation, professions, the date of the comedy, port, ship.

1. La Commedia Menecmi di Plauto. Una Discussione tra Letteratura e Storia Legata alla Città di Durazzo

Menecmi è una delle più belle commedie di Plauto. I figli gemelli di Mosco e Teussimarca, originari di Siracusa, vengono divisi in età di sette anni da una strana combinazione. Il loro padre mentre partecipa in una fiera a Taranto, perde il figlio che aveva portato con se. Il figlio viene trovato da un ricco mercante di Epidamno, che senza discendenza, decide di adottare il bambino perduto, portandolo nella sua città. Quando il bambino cresce, il padre adottivo lo sposa con una ragazza di buona e ricca famiglia, e quando muore, lascia tutti i suoi beni al figlio. Dall'altra parte, nella famiglia del bimbo perduto, Mosco muore proprio a Taranto dalla disperazione, e il nonno dei bambini, anche lui chiamato Menecmo, decide di chiamare l'altro gemello Sosicle con il nome del gemello perduto. Questa decisione è la chiave di volta nello svolgimento di tutta la commedia. Il gemello di Siracusa cerca il fratello per mare e per terra, e finalmente arriva ad Epidamno dove si ambienta tutta la commedia. I gemelli con lo stesso nome e volto, vengono sottoposti a infiniti equivoci: 1-Il cuoco Cilindro confonde il Menecmo di Siracusa con il Menecmo di Epidamno, 2-Menecmo di Siracusa, pensando che il cuoco non stia bene con la testa, gli da un nummo per sacrificare un maialino contro la pazzia.3- La “buona donna” Erozia, confusa, consegna a Menecmo di Siracusa il mantello pregiato, per portarlo dal ricamatore. 4-Messinone confonde il peniculus con la spazzola delle scarpe.5- Il comportamento di Erozio, viene interpretato in chiave della stupidità da parte del gemello di Siracusa.6- Spazzola, il parasita di Menecmo di Epidamno si rivolge al gemello di Siracusa come se fosse il suo padrone.7. La serva di Erozia affida il braccialetto a Menecmo di Siracusa, scambiandolo per il gemello di Epidamno.8. A Menecmo di Epidamno rientrato dal foro, gli viene chiesto di riprendere il mantello dal ricamatore, con l’accusa di averlo portato sull’ordine di Erozio.9. Spazzola rimprovera Menecmo per aver pranzato senza chiamarlo.10. Menecmo di Epidamno chiedendo a Erozio il mantello, scopre che lei glielo ha già consegnato. insieme ad un braccialetto. 11. La matrona confonde il gemello con il marito, e i suoi insulti vengono ricambiati con delle offese ancor più gravi. 12. Il gemello di Siracusa minaccia il vecchio di tagliarlo in due con la scure o investirlo con la quadriga.13.

1 Forse era un nome in voga in quell’epoca, essendo che anche uno dei più importanti matematici e studiosi di geometria dell’epoca, si chiamava Menecmo vissuto tra 380 a.C. circa – 320 a.C. circa, in Tracia.
L'incontro con il medico del gemello di Siracusa.14. L'incontro con il medico di Menecmo di Epidamno.15. Messinone e Menecmo di Epidamno, la difesa e la liberazione.

Tutti i quindici equivoci ingarbugliano così tanto la vicenda che ci vuole un deus ex machina per distendere le anime ferventi. Esso si raggiunge tramite la conferma di diversi elementi che distinguono i nostri personaggi. I due Menecmi trovandosi di fronte, si guardano increduli, vogliono con tutto il cuore che quello che pensano sia vero, ma per questo devono avere delle conferme. In loro aiuto viene Messinone che domandando su fatti sconosciuti, porta lo svolgimento della commedia verso il lieto fine. Messinone di Epidamno viene riconosciuto dal fatto che è figlio di Mosco, nato a Siracusa, diviso dal padre e portato in Epidamno in età di sette anni e, ne aveva un fratello gemello. La rivelazione del nome del fratello, Sosicle conferma l’identità di Menecmo di Epidamno, invece l’identificazione di Menecmo di Siracusa viene tramite la conferma del nome della madre, Teussismarca.

Se il gioco degli equivoci è l’asse portante della comicità, quello dell’indovinello porta alla gioia, e trasmette entusiasmo. Tutti questi elementi fanno che questa commedia sia una delle più belle mai scritte nella storia della letteratura. Questo fatto inconfutabile si conferma grazie alla sua rielaborazione da diversi autori nel corso dei secoli. La più interessante è La commedia degli errori di William Shakespeare2.

Una commedia molto di moda durante il ’500 in età umanistica, oggetto di lavoro filologico, come anche prescelta in occasioni straordinari come: nel 1488 alla corte di Ercole I in onore di Francesco Il Gonzaga, promesso sposo a Isabella d’Este; nel 1488 per Lorenzo il Magnifico. Il Prologo venne recitato da Angelo Poliziano; nel 1488 per Francesco Il Gonzaga e Ludovico il Moro.

Si è parlato tanto per quanto riguarda l’interpretazione plautina nella commedia Menecmi, della gente di Epidamno. Addirittura si è arrivato ad abusare con l’uso dei versi della commedia, a discapito degli onesti cittadini di questa bellissima città. Questo fatto è un motivo in più per chiarire i versi di Paluto. In essi si parla di una certa categoria di persone. Generalmente sono i così detti angiporti, imbroglioni, ladri, meretrici della peggior specie. Una rappresentazione letteraria creato proprio per costruire quel gioco di equivoci, che ti porta alla comicità per eccellenza. Nella letteratura in generale e nel genere comico in particolare, questi personaggi o si creano d’immaginazione, o si basano su fatti storici. Però in un’opera letteraria la cosa più importante è proprio l’arte dello scrivere bene, nella commedia particolarmente, la letteratura viene tramite la conferma del nome della madre, Teussismarca.

Si dice che in questa città non esci senza danno. Ma di fatto qual è il danno che subisce Menecmo di Siracusa? È stato servito, e rivenuto, e alla fine, è lui che ruba il mantello e il braccialetto d’oro a Erozia: Dille che io penso a tutto... (sottovoce) che penserò a vendere tutto al miglior prezzo che si può spuntare. E il suo servo Messinone? Cosa li succede di brutto in questa città? Niente addirittura diventa un uomo libero.


Lo stesso argomento viene rielaborato da Trissino nella commedia Simillimi e l’ambientazione dei personaggi è a Palermo4. Forse si deve parlare male generalmente di tutti gli abitanti di questa città, per via di una commedia?!...

Per concludere il filo del discorso: Epidamno uguale danno, vorrei sottolineare che, fin che siamo nel campo della commedia possiamo anche ridere, ma se i limiti si calpestano il prodotto creato non potrebbe più essere considerato letteratura.

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2 Anche altri autori hanno rielaborato la commedia come: Trissino, Bibbiena, Jean Rotrou, Jean François Regnard, e ancora La dodicesima notte di William Shakespeare.
3 Bacchide I, e II nella commedia Bacchide con ambientazione ad Atene, Filocomasia nella commedia Miles gloriosus con ambientazione ad Efeso, Filinio nella commedia Asinara, Palesio in Cursillo, la Cortegiana in Epidicus Filiennia in Mostellaria, Lemnifilena in Persa; Fenicia in Pseudolus; Fronesi in Truculentus; ecc.
4 Trissino, G. G., I Simillimi, editore Daelli 1864.
2. Elementi della Città


Un altro elemento della città è il foro. Menecmo di Epidamno racconta che è andato al foro, per partecipare in un assemblea per difendere un cliente nei confronti del popolo, edili, patroci, e magistrati. 987- aut ad populum aut in iure aut apud aedilem rés est. Contro di esso sono tre testimoni accaniti che lo accusano in modo fervente. 959- omnibus male facts testes tres aderant acerum.

La presenza della dogana, si deduce dal fatto che in mezzo ad una lite di gelosia fra Menecmo di Epidamno e la moglie, egli dice: 117 Portitorem domum duxi, ita ommem mihi. Un’altra istituzione menzionata nel testo è il carcere. Menecmo di Epidamno in mezzo ad una forte discussione con lo suocero gli dice che: 942- et ob eam rem in carcere.


5 Nella prima foto si rappresenta il fiume Erzen, e nella seconda anche la mappa dove si vede benissimo la vicinanza del fiume con la città di Durazzo.
9 La più crudele delle torture era la forca dell’eretico, uno strumento che veniva conficcato nello sterno e sotto il mento, con le estremità acuminate, così da bloccare all’accusata ogni movimento, permettendole solo di sussurrare le proprie confessioni
10 Platone, Apologia del Socrate, pag.13, XXVIII. racconta come dopo la condanna del filosofo da parte dei giudici atenesi, questi si sarebbe potuto auto-comminare un’ammenda pari ad 1 mina d’argento, o al massimo 30 mine con la garanzia degli allevi a lui più vicini. Tale pena non avrebbe certo cegionato alcun danno a Socrate in quanto filosofo.
11 Il Faro, Quotidiano telematico del Mediterraneo, Quanto valeva una moneta romana, e cosa era possibile acquistare. 17-09-2012.

Alla fine il Menemco di Epidamno chiede aiuto ai cittadini della sua città 1000- *Epidamnienses*, subvenite, *cives*, quin me mittitis? Questo è un fatto inconfortabile che si parla della civiltà di Epidamno. Non ci si può chiedere aiuto dove non lo aspetti. La vicenda si svolge per la via della città, 1005- *Epidamnii cives*, erum meum hic in pacato *oppido* luci *denier* in *via*, dice Messinone; nelle quali come mezzi di trasporto circolavano le quadrighe. Questo fatto viene menzionato nel dialogo tra lo suocero, il Senex (il vecchio) e Menemco di Epidamno e 934- *etiam me iunctis quadrigis*, parola che si ripete diverse volte nella commedia. Sicuramente nelle vicinanze della città si allevavano cavalli, proprio per l’uso sia di comunicazione ma anche come animali da soma ecc.

Un’altra istituzione menzionata nella commedia è la *vendita all’asta*13.


Un momento molto importante è quando nella commedia si parla dell’elleborio, una pianta menzionata da Plinio il Vecchio nella sua *Naturalis historia* si dilunga alquanto nel descrivere pregi e inconvenienti dell’elleboro bianco e nero. Un caso interessante è la cura contro epilessia del tribuno Marco Livio Druso che si era recato ad Anticira dove si liberò un caso interessante è la cura contro epilessia del tribuno Marco Livio Druso che si era recato ad Anticira dove si liberò

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 producevano le anfore. 

Evidenziato una vasta attività di trasporto vinario, addirittura sono rinvenuti nella città elementi di questo è un fatto inconfutabile essendo che le scoperte archeologiche sia in entroterra che al mare di Durazzo hanno preferisce bianco o nero.

Album an atrum inventus cantharo.

Di organizzare un pranzo con Erozia e di bere tanto. In eo uterque proelio mangiare e alloggiare.

Il modo di vestirsi ad Epidamno viene fuori proprio da un elemento centrale della commedia, il mantello. Menecmo compra alla moglie un mantello al valore di quattro mine e dopo un anno decide di regalarla alla sua bella Erozia. Dunque le donne della città come soprabito vestivano il mantello, indossavano vestiti di lana, abiti in porpora 120 lanam, aurum vestem, purpuram bene praeebo nec quicquam eges, mentre gli uomini vestivano clamide e mantello. Per quanto riguarda i gioielli, nel testo si menzionano le armille 536-Vbi illae armillae sunt, quas una dedi?, il braccialetto 527 iubeasque spinter novom reconcinnarier,. gli orecchini pendenti 542 faciendas pondo duum nummum, statagmiaut te libenter videam, quom ad nos veneris ecc.

Per quanto riguarda l’arredamento delle case, l’unica testimonianza è la parola armadio. Quando Menecmo di Siracusa parla con la serva di Erozia, lei li racconta che il braccialetto che lui ha donato alla sua bella l’avrebbe rubato dall’armadio della moglie.

3. Il Mondo Culinario di Epidamno nella Commedia Menecmi


La presenza del mercato, si conferma nelle parole di Menecmo di Epidamno quando chiede di mandare al mercato Cilindo per fare la spessa per il pranzo e dalla lista della spesa si deduce che al mercato civico potevi comprare carne, prosciutto, testa di maiale ecc.

In città esistevano delle locande 1035- nunc ibo in tabernam, vasa atque argentum tibi, dove le persone potevano mangiare e alloggiare.

Plauto sostiene che Epidamno è un posto dove si beve molto. Questo fatto lo conferma Menecmo quando decide di organizzare un pranzo con Erozia e di bere tanto. In eo uterque proelio potabimus; uter ibi melior bellator erit inventus cantharo. La tipologia della bevanda esce fuori nel dialogo fra il medico e Menecmo quando lì chiede se il vino lo preferisce bianco o nero 913. album an atrum vinum potas? Dunque è il vino la bevanda che si consuma ad Epidamno. Questo è un fatto incontestabile essendo che le scoperte archeologiche sia in entroterra che al mare di Durazzo hanno evidenziato una vasta attività di trasporto vinario, addirittura sono rinvenuti nelle città elementi di atelier dove si producevano le anfore.

Un altro aspetto interessante della città, si raffigura nella commedia nelle superstizioni e credenze popolari. Il primo riguarda il sacrificio contro la pazzia, che consisteva nel sacrificare un maialino, che addirittura costava un nummo; il secondo riguarda quando il cuoco Cilindo pensa che Menecmo è pazzo che si getta addosso il malocchio.

Nella commedia di Plauto di Epidamno e Tirannide si parla di un mercato. Quando il medico Spazzola chiede a Menecmo di Epidamno di mandare al mercato Cilindo per preparare la spessa per il pranzo, si deduce che al mercato civico potevi comprare carne, prosciutto, testa di maiale ecc.

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4. La Data

L’opera di Plauto I Menecmi si pensa essere stata scritta alla fine del terzo secolo a.C. Se Plauto fosse stato molto fedele alla storia, e dall’altra parte se per navis praedatoria, ancorata al porto di Epidamno, si presume una nave di pirati illirici, possiamo stringere un po la data storica. Parliamo si per la seconda metà del terzo secolo (da 250-200 a.C) ma se consideriamo le condizioni romane imposte alla regina Teuta al 229 a.C, possiamo collocare cronologicamente il

5. Conclusioni

La commedia di Paluto Menecmi si svolge nella città di Epidamno, odierna Durazzo. Tramite le parole dell’autore si crea l’immagine della città, la quale combacca anche con le fonti storiche letterarie. In questa ricerca si è cercato di fare una ricostruzione fedele di Epidamno dalla quale risulta una metropoli simile a Roma e Atene, con il suo forum, il suo mercato, il porto, la dogana, il carcere ecc. Nella città si svolgono professioni diversi come giudice, medico, orafa, cuoco, in funzione ad una società elevata e simile alle sue coetanee nel Mediterraneo. Un mondo di padroni e sciavi, di pirati, di spose e amanti. In particolare si deduce la cucina del posto, il modo di vivere e vestire, la circolazione monetaria, le aste del posto. Naturalmente tutta questa informazione non è solo importante per la ricostruzione storica e letteraria del posto, ma può spingeri a pensare (basandosi proprio nella descrizione dettagliata del posto) che Plauto medesimo sia stato a Epidamno, e abbia parlato di una città dove ha vissuto per un piccolo periodo di tempo.

References

Donadio, N., La auctiones private all’epoca di Plauto: consuetudini, regole, pratiche nelle vendite all’asta nel mondo romano e loro tracce nella “palliata” latina, LED 2007.
Fjalor I gjuhës së sotme shqipe, Tirane 1980.
Frashëri, K., Monedha, krediti dhe banka në Shqipëri gjatë shekujve, Toena, Tirane 2011.
Laçaj, H., Plauti, Menecmi, N.Sh. Botimeve “Naim Frashëri”, Tirane 1959
Miraj, F.- Myrto, H., Ujësjellësi i Durrësit, Rivista “Iliria”, 1982, 1
Trissino, G. G., I Similiimi, editore Daelli 1864.
Plauto, I Menecmi, Rizzoli 1984, con testo latino di fronte.
Islamic Economics: Contemporary Approach in the Arab World

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Abstract

In the context of the concerns raised regarding the cooperation with the Arab world, the challenge for international business is to respect the Islamic principles and values. Currently, religion in the Arab world begins to be seen rather as a constructive power than a destructive one. The present paper comprises a presentation of what Islamic financial system implies for the economies of Arab countries nowadays and a comparison between the performance of Islamic and conventional banks in Pakistan. It is shown that the Islamic banking system is reliable and may represent a strong competition for conventional banks in the Islamic world. In the Gulf countries where Islamic banking has begun to play an important role, a new type of Islamic capitalism is taking shape. In these countries, we can say that the development and economic diversification were sustained in a more appropriate manner than in North African countries, especially in Egypt, Libya and Algeria, where government policies were both anti-capitalist and against the implementation of the Islamic law sharia’a in finance and banking. The origins of "Islamic economics" are traced back to the writings of Sayyid Abul Ala Mawdudi, a Pakistani social thinker who wanted to transform Islam into a "completely new kind of life." The "Islamic way of life", a concept put forth by Mawdudi, which together with "Islamic Ideology", "Islamic politics", "Islamic constitution" have become key concepts in the discourses that support the spiritual renewal for Muslims and the introduction of the "Islamic economics" concept. In his writings, Mawdudi argues that Islam is more than a set of rituals. It includes all the areas of human life, for instance education, art, medicine, law, politics and economics. In order to prove his point, he laid the bases of several Islamic disciplines, among which "Islamic economics" is a notable one.

Keywords: Islamic economics, Islamic financial system, Arab world, sharia’a.

1. Introduction

In the context of the concerns raised regarding the cooperation with the Arab world, the challenge for international business is to respect the Islamic principles and values. Currently, religion in the Arab world begins to be seen rather as a constructive power than a destructive one. The present paper comprises a presentation of what Islamic financial system implies for the economies of Arab countries nowadays and a comparison between the performance of Islamic and conventional banks in Pakistan. It is shown that the Islamic banking system is reliable and may represent a strong competition for conventional banks in the Islamic world. In the Gulf countries where Islamic banking has begun to play an important role, a new type of Islamic capitalism is taking shape. In these countries, we can say that the development and economic diversification were sustained in a more appropriate manner than in North African countries, especially in Egypt, Libya and Algeria, where government policies were both anti-capitalist and against the implementation of the Islamic law sharia’a in finance and banking.

The research aims at analyzing the impact that Islamic economics has had on Arab countries. This has been achieved by studying the origins of Islamic economics, the most important writers who have influenced the concept and the problems it aims to solve. Islamic economics is specific to the Arab world and aims to provide a viable alternative to capitalism or socialism. The concept was initially the idea of spiritual rebirth and unification of Muslims, it developed further, reaching today to propose the introduction of a system different from the conventional banking system and a redistribution system quite atypical for the times we live in.

This idea, as well as the compatibility of Islam with businesses and a general presentation of Islamic economics are described especially in the first part of the research.

Part two involves the presentation of Islamic finance in the economies of Muslim countries nowadays and a comparison between the performance of an Islamic bank and several conventional banks in Pakistan. It is shown that the Islamic banking system is viable and represents even a strong competition for conventional banks in the Islamic world.
2. Theoretical Framework

The origins of "Islamic economics" are traced back to the writings of Sayyid-Abul Ala Mawdudi, a Pakistani social thinker who wanted to transform Islam into a "completely new kind of life." The "Islamic way of life", a concept put forth by Mawdudi, which together with "Islamic Ideology", "Islamic politics", "Islamic constitution" have become key concepts in the discourses that support the spiritual renewal for Muslims and the introduction of the "Islamic economics" concept. In his writings, Mawdudi argues that Islam is more than a set of rituals. It includes all the areas of human life, for instance education, art, medicine, law, politics and economics. In order to prove his point, he laid the bases of several Islamic disciplines, among which "Islamic economics" is a notable one.

Other contributions were made by Sayyid Qutb and Muhammad Baqir al-Sadr. The teachings of these pioneers differ in many respects. Mawdudi is adherent of the market economy, but insists that market behavior is constrained by the rigors of behavior found in classical sources of Islam. As a thinker who does not believe in the virtues of the free market, Qutb is in favor of market regulations by state intervention. The two thinkers are quite intolerant of economic inequality; therefore, their beliefs have not led to two completely different schools of thought such as Marxism and neoclassical school, for example. For several decades, the economy of Islam was merely a concept, an "intellectual exercise", but from 1970 it began to evolve being implemented by Islamic banks with zero interest and the redistribution system typical to Islam, the 'zakat'. Currently there are thousands of books and articles in dozens of languages about Islamic economics, Islamic banks in dozens of countries and conventional banks with Islamic banking departments including in the USA (Citicorp, Chase Manhattan Bank). The zakat was formally established in Saudi Arabia, Pakistan, Malaysia and some other countries.

Islamic economics is based on certain characteristics that distinguish it from other economic systems. Starting with Sayyid Abul A’la Mawdudi’s views to fundamentalists’s views nowadays, the most important feature is the prohibition of interest. Two other defining characteristics are the zakat system of redistribution of wealth and the requirement that any economic activity undertaken passes through the Islamic moral filter. Profit is only accepted as payment for risk taking, so it is considered unfair for a bank to benefit from an entrepreneur’s loan when the latter’s business can fail, but the bank can win money. Zakat is the redistribution system which collects a tax from wealthy Muslims to allow the funding of the eight "causes", including helping the poor Muslims. In addition to these defining "causes", citizens must act guided by certain rules drawn from traditional sources of Islam. Very briefly, these rules "enjoin good" and "forbid evil." The good is the individual's orientation towards the needs of society and the evil is represented by selfishness, avarice and ignoring the needs of the people less well-off around him. I will try to further outline how Islam is trying to report and solve these problems.

The first important, fundamental principle of Islam is that natural laws and principles of life and human nature should not interfere with anything and when there is a "deviation" from the path of nature, it should be "redirected". The second important principle on which Islam relies its social reforms is that the introduction of external regulation should not be considered sufficient, but a greater emphasis should be put on moral reform and on creating moral attitudes.

The third principle is that the pressure of authority and the law should not be used unless it is truly inevitable. Given these principles, Islam recognizes (to the extent that this does not contradict the overall good of society) the human right to earn their livelihood according to skills and gifts, that man is the possessor of what he has won honestly, that it is normal to have differences between people in terms of capabilities and level of remuneration. What Islam does not recognize relates to law and related instruments to acquire livelihood that can lead to moral degradation or "spoil" the social order. Islam creates a distinction between what is halal (lawful) and haram (unlawful) regarding the different ways that someone can earn a living. Therefore, under Islamic law, wine and other drinks are not only unlawful (haram), but even the manufacture, sale, purchase and possession were declared as haram. Islam does not recognize prostitution, music and dance as the legal activities of making a living. Bribery, stealing, gambling, speculation, businesses based on fraud and deceit, making supplies and "hide" certain necessities of life only with a view to subsequently increase prices, monopoly or other such methods were also reported as illegal. There have also been declared illegal all forms of business, because due to their nature, they are capable of causing disputes in which the gain or loss depends simply on luck or mutual rights of the parties are indistinguishable. It is believed that if businesses takes place within it, there is a slight possibility that someone might accumulate huge wealth.

While Islam recognizes the property rights of each individual, it does not allow the completely free use of his fortune. On the other hand, restrictions are put on the three ways in which fortune can be used: spend, invested to accumulate more wealth or preserved. It can not be spent on things or actions that would harm the morals (like buying wine or gambling, for example). The best action that a good Muslim would possibly take is to secure a decent living, and if it remains somewhat of a surplus in its gain, then he should help the needy people who earn below the minimum wage.
and for whom fate was less generous. Islamic ethics will always respect those who earn more and spend much more than those who keep their wealth gathered or who prefer to invest their surplus in order to gather more.

Do we really need Islamic economics given that there is already a conventional economics at a high level? Can Islamic economics answer to some problems to which the traditional one cannot answer? Their study material is almost the same: the study of the allocation and distribution of scarce resources for alternative uses. Resources are limited and insufficient to meet all the requirements of all individuals and all groups of society.

3. **Methodology**

The case study that I will present and analyze below (Moin, 2008) aims to achieve a comparison between the performance of Islamic banks with those of conventional banks. For this purpose, I will compare the Islamic bank's performance Pakistani Meezan Bank Limited, with the average performances of five conventional banks operating also on the banking market of Pakistan, namely Kasba Bank Limited, Arif Habib Bank Limited, Bank Al Habib Limited, Faysal Bank Limited and Habib Bank Limited. In my analysis, I will focus on the performance of banks included in the sample based on the comparison of a set of financial indicators divided into four categories: ratios of profitability, liquidity, solvency and efficiency.

4. **Islamic Bank Performance Vs. Conventional Banks Performance**

As an overall assessment of the size of the banking system of Pakistan, it has to be mentioned that Pakistan has nowadays 54 banks and financial institutions, divided into public banks, private, Islamic and foreign specialized financial institutions. Over the past few years, the banking system was restructured along with the Pakistani capital liberalization, privatization of public banks and the application of prudential regulations. While in the early 1990s, only 10% of financial system assets belonged to private banks, now they hold nearly 80%. The foundations of the Islamic banking system development were established about three decades ago, in the mid 80s. Pakistan, along with Iran, adopted banking systems without interest, which have been recognized by the constitution (Mirakhor Iqbal, op. cit., p.383). An official initiative of this kind occurred when the State Bank Of Pakistan (SBP) in 2000 created the Commission of transformation of the financial system in order to support banks to introduce ways of financing in line with sharia’a. During this time, Islamic banks have enjoyed the most spectacular evolution of market share, increasing from 2% in the 70s to 15% nowadays. Returning to the case studies analyzed, in January 2002, Meezan Bank Limited (MBL) has been granted the first Islamic banking license by SBP, and in September 2003, SBP created the Department of Islamic banking activities. MBL is the most experienced Islamic bank in Pakistan and this is what I took into consideration when choosing the representative Islamic bank.

5. **Profitability Ratios**

5.1. **Return on Assets : ROA**, defined as the ratio between the net profit and the total banking assets

\[
\text{ROA} = \frac{\text{Net Income}}{\text{Net assets}} \times 100
\]

This rate gives an overall assessment of bank profitability. In developed countries, this rate has typically the values between 0.5-1%. Very large banks record lower rates.

Regarding the potential significance: a decreasing trend shows that the bank is in difficulty, a growing trend is the expression of positive results, but it may be the expression of excessive risk taken by the bank.

![Figure 1](Source: Muhhamad Shehzad Moin, *Performance of Islamic Banking and Conventional Banking*, pp. 26)
It can be seen that conventional banks' ROA was slightly higher than the Islamic bank's ROA, except in 2007, the Islamic bank's ROA easily surpassed that of conventional banks, 1.43% versus 1.38%. Banks also followed the same type of trend, a difference of about 0.20 points to 2006. The banking sector in Pakistan is growing, but considering recent years, both banks are facing difficulties in profitability.

5.2 Return on equity: ROE, defined as the ratio between net profit and equity. It gives practical expression of profits in capital.

\[
\text{ROE} = \frac{\text{Net profit}}{\text{Equity}} \times 100
\]

The typical value of this rate is 10-12%. A higher rate of return can be the effect of a small capital or the expression of increased capacity to obtain, by lending, additional resources.

Even if the average return on equity of conventional banks is considerably higher than the Islamic bank's 22.76% versus 13.27%, however the difference of 2 percentage points existing in 2007, is a hope that the Islamic Bank may reach at least the same financial return as the conventional ones.

1.3 Rate Price / Earnings (PER; Price / Earnings Ratio): Also called the coefficient of market capitalization. Price / earnings prospects indicate investors' perceptions of the company. Essentially, it is a financial ratio of the market value of the company in question, showing how much investors are willing to pay for the current gain.

Liquidity Rate (Loan to deposit ratio / LDR) LDR is the most important factor which measures bank liquidity. Since it is forbidden to lend money with interest, the only way in which Islamic banks can use the facilities is to provide funding through various Islamic products. Banks with a low LDR are considered to have high liquidity, perhaps low returns and therefore lower risk to a bank with a higher LDR. On the other hand, a high LDR shows that the bank has assumed more financial risks that gave many loans.
Relatively high LDR rates of Islamic bank in the period 2003-2006 show that this was relatively less liquid compared with traditional banks. In 2007, however, the Islamic bank has become more fluid than the conventional banks, reaching a rate of 63.35% against 70.89%. This trend of decreasing LDR coefficient shows an increasing trend of deposits to loans and therefore stresses improving Islamic bank liquidity. Although during the 5 years the Islamic bank’s LDR shows an increased liquidity of conventional banks compared to Islamic bank, the latter continues to show encouraging development prospects.

6. The Solvency Ratios

Multiplier Equity (Equity Multiplier: EM) EM = Total Assets / Equity capital EM is an indicator which highlights the degree to which the use of additional funds raised increase return on equity. In general, the higher this ratio is, the greater is the risk that the bank will incur.

The analysis of other measures of risk capital multiplier confirms that conventional banks are riskier and less liquid than those of Islamic bank.

7. Efficiency Rate

The rotation speed of total assets (Total Assets Turnover (TAT) / Assets Utilization (AU) AU = Income / Total assets AU is calculated as a ratio between the total income from banking operations and total assets and shows total revenues are obtained from the use assets (interest income, fees, income taxes and non-profit). If they have a high value, then it can be said that the bank effectively uses its assets to generate earnings. If the AU is low, then the bank does not use its assets to its capacity and should be able to increase its revenue to waive some of the assets.
Conventional banks and Islamic bank followed approximately the same trend, Islamic. This means that even if the Islamic bank has improved its performance, it continues to be below conventional banks.

4.2. Operating efficiency ratio (Operating efficiency = Operational Expenses / Operating Revenues) Unlike EIR, which measures income earned per unit cost, OE is the ratio which measures operating expenses per unit of operating revenues. OE translates into managerial efficiency in generating operational revenues and controlling operational expenditure, in other words, how effective is the bank in its operations. A lower efficiency rate is preferable than a higher rate, because in the latter case the indicator shows that operational costs are too high in relation to operating income.

The difference between conventional and Islamic banks was very high in 2003, 103.39% compared to 54.95%. However, it has decreased considerably, reaching 62.23% in 2007 to 58.72%. The third indicator shows, again, the efficiency of conventional banks which is higher than that of the Islamic bank, with a 5-year average of 78.78% to 53.51%.

8. Results Obtained

The evolution rates of profitability show that conventional banks are more profitable than the Islamic bank. However, the Islamic bank is constantly improving its performance through profitable investments it carries as well as greater control over operational expenses, managing to increase dividends to its shareholders. In recent years, the Islamic bank has become more liquid than the conventional ones, both in terms of LDR and CPIDBR (in fact, according to this rate, the Islamic bank was always more liquid than the conventional ones). Overall, the debt ratio analysis results show that conventional banks are riskier and less creditworthy than Islamic banks. Regarding efficiency rates, the Islamic bank is less efficient in using its assets in generating revenue and managing expenditure, but it has considerably improved activity over time and it is estimated that it will improve in the future.

9. Conclusions

Although Islamic banks have the theoretical support to be considered a viable alternative to conventional banks, they still have several "challenges" to overcome. The challenges can be divided into two broad categories: the financial ones that
require new techniques through which the Islamic finance principles should be implemented and which should ensure the efficiency and stability of the system operability and its integration into the international capital market. Financial innovations are necessary to meet short and long term market needs. A challenging financial subject is to introduce new products compatible with sharia to ensure market liquidity and provide the necessary tools for risk management and portfolio diversification.

In conclusion, in terms of business environment, the Muslim world asks to adapt and meet the same conditions without discrimination between the status of multinational corporations and the local businesses, the requirement being that Muslim customers, employees and suppliers to be satisfied by their business practices. The incompatibility between Islam and modernization is a reality, but this incompatibility tends to mitigate, as religion in the Muslim world begins to be seen rather as a constructive power than a destructive one.

Viewed from outside Islam, the significance of these developments is that, amid concerns for cooperation rather than confrontation with the Muslim world, the big challenge for international business will be to respect Islamic values and to better utilize the skills and enthusiasm of Muslim employees.

10. Acknowledgement

This work was financially supported through the project "Routes of academic excellence in doctoral and post-doctoral research - READ" co-financed through the European Social Fund, by Sectoral Operational Programme Human Resources Development 2007-2013, contract no POSDRU/159/1.5/S/137926.

References

Maududi, Abul A’la (1941): The economic problem of man and its Islamic solution, Lahore (Pakistan), Islamic Publications.
Moin, Muhammad Shehzad: Performance of Islamic Banking and Conventional Banking in Pakistan: A Comparative Study, Master Degree Project in Finance, Spring Term 2008
Christian Clerical Schools – Shelters of Education and Culture in Albanian Territories (From Beggining to XV Century)

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Abstract

The story of the journey and revival of Christian clerical schools in the space of IX-XV centuries is an integral and very important part of our overall national history. If we look at the depth of centuries, we see that the problems of education and the school were tied up and dissolved with the religious problems in philosophy and practice, becoming themselves Christian clergymen and teachers in most cases. The aim of these schools, generally, were for national progress. They were opened by the Catholic and Orthodox clergy, and later by Muslim clergy. Funding and direction were provided from their headquarters, in order to prepare new local clergy, who would later serve in their homeland. It is understood that from this perspective carried with it the value of a scientific concept and democratic attitude towards religion by claiming the role played by religion in the introduction of the Albanian language in religious practices, which is a special uncontested merit for preserving the Albanian language against assimilation. Incorrect interpretation of the activity of these schools has continued in some way even after the 90s; even today some positions are not correct. The problem of schools can not be separated from the problem of language. Nowadays the problem arises of how to handle these schools in the history of Albanian education, also, what it is their place in history, setting out clearly and plainly what are called “centers of national education”. In this context, in this treaty it is described objectively the history of religious Christian schools in Albanian lands from the beginning until the XV century.

Keyword: School, church, orthodox clergy, catholic clergy, financing, teacher, student, Albanian territories.

1. Introduction

Although politically under Byzantine Empire, Illyrian territories were dependent on Rome. Just around the year 732, Leo Izauras passed their control to the Patriarchate of Constantinople but the impact from the West went even further, because the Albanian lands remained the gate that connected East with West. On the other hand, Bulgarian and Serbian conquests made possible the insertion of Slavic influence.

According to the conditions created, Pope John VIII had allowed the use of Slavic language and writing on religious affairs in 880\(^1\). Thus, from IX-X century Arber used Latin, Greek and Slavic alphabet and therefore in Middle Ages, Albanian territories were included in the three cultural realms: Greek, Latin and less in Slavic. According to researcher Nichol Loka, “the impact increased or lessened depending on the position of Westerners, Byzantines and Slavs, whether they would win or lose. Since the Albanian lands were part of Byzantium, since the VIII century, the official language was Greek. But starting with the twelfth century, with the addition of Western influence and the Catholic Church, Latin was introduced\(^2\). Albanian language in this period, as the language of writing, was still able to resist especially to Greek and Latin scripts, the two international languages enriched in literature, which had the support of the state administration and church institutions, the most powerful ones of the Middle Ages. But in everyday language, “masses of the Albanian people, a good part of the local clergy and feudal lords increasingly used Albanian language\(^3\).

\(^1\) Hajrrulla Koliqi, Historia e arsimit dhe e mendimit pedagogjik shqiptar (më tej: Historia e arsimit …), Prishtinë: "Libri Shkollor", 2002, f. 47.
\(^3\) Dhimitër S. Shuteriqi, Tekstet shqipe dhe shkrimi i shqipes në vitet 879-1800, botim i Akademisë së Shkencave të Shqipërisë dhe Institutit të Gjuhësisë dhe i Letërisë, Tirana: "Mësonjëtorja", 2005 Tekstet shqip dhe ..., f. 42.
Cultural and educational situation in medieval Arber is attributable to this picture presented in the above lines.

2. Strands of Catholic Religious Education in Albanian Territories during the Time Frame of the IX-XV Centuries

Establishment and development of Christian schools in Albanian territories at the end of the Middle Ages is conditional, first and foremost to the religious and political moments. From various documents and scientific research done in years, it concludes that the Christian religious institutions are constantly trying to spread their influences in schools and that they, therefore, the Eastern Church in south and north West also had a monopoly on culture and the preparation of the elite of the time.

Most people, with few exceptions, were cultured clerics. In their hands were philosophy, literature, education and the arts. As a center of propagation of religious ideology, education and cultural and artistic activities served the Catholic and Orthodox monasteries, which besides acting actively even the Episcopalian "kurjet". Distributors of Byzantine clerical culture - states academician K. Frashëri - became the monks of the Holy Mountain monasteries and of Byzantine cultural centers. Distributors of Western culture were the early monks of: Benedict and Dominican, more later, in XII century, the minority Franciscan.

Church at that time saw learning as one of its exclusive functions in the Arber territories where schools coexisted in Latin languages, Greek and Slavic. And when Christianity became more and more an intellectual religion, education became a more and more important aid.

3. Monasteries Schools

The first cultural and educational institutions of the Church were monasteries, which were established as centers of spiritual salvation, but also filled the cultural needs of the society. The eminent scholar Milan Shuflaj in his work "The situation of the church in the pre-ottoman Albania", writes: "Christian Monasteries of both rites, the west and east, despite the differences, had common features as humility, dedication, work, sacrifice and love for knowledge and culture. Catholic monks preferred to withdraw from life between people and formed their own independent communities and Orthodox monks were integrated into people's communities, while being placed under the authority of the Bishop of the place where the monastery was situated".

Monasteries were the only schools to learn, but they also serve as a publishing house for the multiplication of books. Only they had the library for storing books, they prepared wise men and they were the only institutions of education for the period. "Monasticism became in a wider sense an educational force of great importance for society as a whole. Monasticism lessons intended to accomplish these tasks: the ability to read the Bible; teaching writing, copying the holy books and learning calculations, to determine Christian holidays".

Indeed monasteries were the only educational institutions of this period. For too long, schools and monasteries considered educational foci for preparing the clergy. Until the thirteenth century, there was no education outside the schools and virtually all school monks and monasteries served as teachers. During this period, all of their education was conducted at the monastery or outside the monastery under the guidance of monks.

"A religious school is witnessed since the beginning of the XV century, at the monastery of Shën Kollit (Mesopotam), where at the time took lectures from the neo-martyrs of that century, Shën Nifoni from Lukova, who continued studies at the monks. [...] Such schools are witnessed near all villages of Himara after the XV century, a part of which were opened by Brasilian missionaries.

4. Schools of Parishes

In the late Middle Ages, learning locations were established at parishes, which arose in the villages. They were...
considered as a continuation of the church catechism school materials. Roman education system in villages was shabby and in Roman period there were no elementary school worked in there but with the increase of population, the villages needed larger space-time education for clergy. This need that time served not only clergy monastery monks, but also learn parish clergy. These established the first schools of the parish. They "were elementary schools that serve to provide primary education to boys who were considered as possible candidates for priesthood. After bishops themselves completing initial studies, they continued further studies in schools or cathedrals, where initially served as teachers, and later delegated this task to their subordinates".11

Elementary included "learning of reading and writing Latin, memorizing the psalms in Latin, and the initial elements of arithmetic".12 Schools and parishes were popular, and could teach children of different social strata. The initial training of clergy, which was in these schools, it created opportunities for children of educated villagers further and they became clerics, marking an increase in their social status. But, usually, "children of broad layers of the population could become only the parish priest and could not climb high in the hierarchy of the church. In the best case, they benefited from the status of personal servant of the Bishop or such a position as a servant in "minor orders".13

5. Schools of Cathedrals

Later, with the boom that came, in Albanian cities were created favorable conditions for the development of education and culture. The center of gravity of their lives and move towards cities were cathedrals educational functions, when near They rose their schools14. During this period, the establishment of new clergy was religious schools near large churches as in Durres, Bar, Shkodra, Ohrid, Dritsh, Berat, etc.15

Before the establishment of universities, "medieval education had two cycles education. Usually at the age of six to seven years' children entered schools of the monasteries, parishes or cathedrals, which received basic education. School time change from time to time and from school to school"16.

However, the overall level of education in Albanian lands during the XIV century, it was still too low compared with Western Europe. It was under the influence of ecclesiastical institutions - in the south it was under the influence of Eastern Church and North under the Western Church. In both areas were very few schools.

In the area of the Eastern Church "at the time the Byzantine Empire, it had a developed education. Educational institutions in Byzantium had some original forms and one of their most important, was the division of secular education with ancient pagan traditions of religious education, the first organized by the state and the second, of the Orthodox Christian Church".17

During XII-XV century, Orthodox schools (Greek and Slavic) ethnic lands were "genuine educational institutions in the premises of the Christian religion".18 Mainly children of generous feudal nobles, sometimes by church prelates grandchildren, attended them.

It should be emphasized, "education at this time was disorganized. School was not regular. The teacher taught the students individually. School was not regular. Cases where students attend school in groups were rare. In schools and monasteries," religious instruction accounted for the major share. They taught them memorized psalter, part of the Holy Scriptures, contemporary works of the church, books of stories from the life of the saints19. Plans and programs of these schools were not unique, but depended on the ability of schools and teachers. However, usually, students learned Greek (i.e., Slavic), arithmetic, reading and classical ecclesiastical works. If in the XII century, explaining the ancient Greek authors was mainly grammatical and parabolic, in the XV century it was purely literary and mora.20

The medium of instruction was in Greek, for some time, during the Serb rule in Slavic. Few were those young people who parents sent them abroad to conduct studies "high", which in general were high school level. Monastic

11 Ibid.
12 Ibid, 44.
13 Ibid.
14 Dh. Qiriazi, Krishtërimi ..., f. 59.
15 L. Shllaku, Shkollat klerikale ..., f. 14.
18 L. Shllaku, Shkollat klerikale ..., f. 14.
19 K. Xoxi, Shkolla ortodokse në ..., f. 12.
20 Ibid.
schools, tuition were given singly only in reading of the singings of psalms, and later given more organized forms including a wider circle of subjects. The lesson was deeply scholastic. "The teacher read aloud and understandably the text - emphasizes the researcher Koli Xoxi - as a means to acquire better to appropriate their content. The most beautiful passages that would be useful for behavior to people during life were memorized in memory and fixed by students. This would read aloud the passage in the evening and morning reiterating. Teaching in these schools "were attended only by boys", because in this period cannot be mentioned girls education.

Irrespective of nationality with confidence headcount, which forced the Orthodox Church to come as the primary religion on ethnicity, in Greek or Slavic schools, received education Orthodox Albanians, they also received education in other schools, at higher levels. Such were especially popular schools in the monasteries of Mount Athos, the Meteors, in Thessaly or to the monastery of St. Catherine. Although these schools were not Albanian, but were Greek or Slavic, one side or Slavic and Hellenic influence affecting the Albanian population, in turn affecting the establishment of educational and cultural level of the Albanians and the recognition of erudite achievements of the time.

For many Albanians learning, the acquisition of the Greek language, still little known in Europe before the XV century, favored careers in the courts of Europe and had specific interests in the Byzantine world. The most prominent of these were:

"Durrsaku Nicholas, the secretary Crotona was part of the papal Curia, was selected by Pope Innocent IV, the main negotiator in talks with Constantinople, which lead to the reunification of Churches (1260-1280). According to contemporaries, his main virtue, beside knowledge of Christian doctrine had excellent knowledge of the Greek language, in addition to Latin, which allowed them to analyze and to find convergence between the scriptures of the Catholic Church and Orthodox churches. [...] Three centuries later, in 1592, Mateo Karafili, college teacher of St. Athanasius, which prepared missionaries who were sent to Albania and Greece to prepare the unification of the Orthodox clergy and believers of Vinarc with Rome, regarded as "IL INTELLIGENTE delle più della lingua latina scienze et soprattutto della lingua Greca." Its services were offered to the Papacy by another Albanian, Bartolomeo Brutus, who served as interpreter (dragoman) of Moldova Saxon prince Iancu and of Sinan Pasha, Grand Vizier of Albanian descent, who released from prison in 1579. Brutus was lead author of a plan for the unification of Moldova with Catholicism. Athanas P trijku Ohrid, the leading organizer of a series of anti-Ottoman uprising at the turn of the XVI-XVII century, found in 1612 as a teacher of Greek language to a Neapolitan nobleman."25

Much the same situation is also in the educational ruled Western Church, with changes here as the language used Latin. E. Çabej writes: "These circumstances, coupled with the work of Benedict and Dominicans stay in pre-Turkish Albania, two religious orders have established hotbeds of stationery culture wherever they went. Add to this the bazillions', Bogumils etc., Especially Franciscans, whose assemblies were Albanian education centers of Western culture.

"Having started from IX century, the Church of Rome sent to Albania the Order of Benedictine missionaries. In the northern part of Albania, the French Benedictine monks were established in 1236, initially in Shirgj, near Shkodra, in the monastery of Shën Argjendeve; in Durrës in 1278 under the protection of Charles Anguine, while in the South for the first time moved into in 1345. Bennedictine monks were distinguished for their work, study, cultural and educational. Their assemblies (lat. CONVENTUS-monastery monks), which were founded in episcopes of Bar, Durrës, Dioklese, Shkodra etc., became important centers of medieval education, cultural, literary and science. They were kept and described the ancient manuscripts as scripture, patristic works, but also classical works (Cicero etc.), As well as Latin, Greek and Arabic. They had active scriptorium and rich library dealing with architecture building church congregations (monasteries), schools,

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21 Ibid.
23 Ibid.
27 Dh. Qiriazi, Kristhërimi ..., f. 68.
Hospice (inns) of agriculture orphan shelters and cultivating olive trees and vineyards.

Benedictines, “since the IX century at the monastery of Saint Mihail in Rac, in Bar founded the first school of agriculture. In Bar also established other urban schools, archiepiscopal, of religious artisan.”

In the realm where as the teaching language used Latin, with the removal of the Benedictine religious scene, about the half of the XIII century, came Dominican and Franciscan friars immediately, that were at the beginning of their activity.

“The first half of XIII century, then immediately after the establishment of these orders, by order of Pope came in Albania, separately, Dominican and Franciscan monks. [...] Between 1250-1370, Curia is made by these two orders from almost all Albanian prelates.”

Important role for the protection of Catholicism in regions had the fore-fathers and fathers of the Franciscan Order. They moved to the city of Durres, in 1283. For the stabilization of Catholicism in the northern parts of Arberia key role played Archdiocese of Bar, established by Pope Gregory VII (1073-1080), of which depended not only from Shkodra, but also Catholic episcopales of Kruje, Skurjes, Putili, Drishti, Shas, Ulcinj and Sadra. According to Professor H. Koliqi, “It was notable for the spread of education and culture of Latin to Albanians. Among the most popular churches in Romantic style were: Shas cathedral, church of Shrigjite (Shkoder), the church of St. Mary in Vau i Deja, Sherdhaku in Rubik church (Mirdita) and others.”

Prof.dr. Jahja Drançolli in his work "The contribution of Dominicans Albanian Catholic Church," writes:

“In the century. XIII-XV, some coastal towns, Kotor, Bar, Ulcinj and Durres had a certain self (had status, currency and its own administration). In the XIII century established church orders: Dominican who came in Albanian lands after Benedictine; the Franciscans (founded by St. Francis, 1181-1226) or gray friars came almost simultaneously with Dominican tended to be more democratic and less intellectual. They were devoted to the poor and primary education, so he decided not only in cities but also in rural areas, where the Dominicans went. Franciscans served as connecting members made life very developed Medieval Church of Albania, with tasks that should be conducted by the Catholic Church in the country. Parliament Dominican and Franciscan Durres he was the most powerful. Dominican Center in Albania was Assembly (monastery) of St. Maurine in Durres*, which was founded in 1224. Even the headquarters of the Franciscan in 1402, were transferred in Durres. In those years of the XIII century, especially the fourteenth, Dominicans and Franciscans established their assemblies in many other Albanian cities, as in Novoberde, Janja, Prizren, Pristina, Skopje, etc. They were under the protection of the pope and had great influence.”

Dominican gave impetus to the development of education in the Albanian regions. Opened near their religious assembly school of junior and senior levels, the result of which was added to the number of people knowing that exercise of intellectual activities. Near their congregations, they opened the school, not just religious but higher studies. Such schools also encountered in nearby cities of Episcopalian curies, traditional course curriculum taught in schools were granted by the western countries: in Ulcinj around the year 1258, in Kotor in 1266, in Durres circa 1278, in Shkodra in 1345, in Bar from The second half of the XV century, and in Drisht, Novoberde etc. Drishti city had good tradition in the field of education. There were more educated clergy who worked priests and teachers in Dalmatian cities. Important educational and cultural centers were also in Deja of Hasi, Shurdhaku etc.

In connection with these schools, academician K. Frashëri writes, "low cycle consisted of literary subjects (grammar, rhetoric, dialectic) and high cycle of scientific subjects (arithmetic, geometry, astronomy and music)". But...
according to him, "for the teaching of these subjects agree with the learned clergy contract. One of these related contracts between parents and teachers, in 1367 said: Magister John, a doctor in grammar, declares, that the priest promises and forced against Andre of The Shupal and Pulti that will teach his grandson, Nicholas, to read and write well, commercial manner and to teach him Donati and Katonin to know to interpret. And therefore the remembrance priest promised him would give it 20 Perper..."39. Albanian teachers did such contact in a number of Dalmatian cities. With the development of cities, in schools, at the student clerics, they began to flock here and the pupils from craft classes and trading cities. The use of Greek in the south and north Latin inscriptions provide what churches have reached in our days. Thus, for example, Epitaph of Glavinica∗ (Mallakastër) of the year 1373 is Greek, and the inscription of the Queen of Rasha, Helena, in the church of Shirigj (Shkodra) in 1290 is Latin40.

From among the Dominicans clerics that went to Church some of these took high positions not only domestically, but also abroad.

"Some of the Albanians frats became speaker of the Order or senior clerics in other countries. In 1300 it mentioned Fra Stephen Shkodra as vicar in a convent of Ragusa. In 1385, the Provincial of the Province of Dalmatia is an Albanian. Even assembly Guardian of Zadar is an Albanian Franciscan in 1396. Likewise, in 1396, the Guardian of the Franciscan Monastery in Zadar has been Alex from Skhodra, and in 1440 the provincial of the province of Dalmatia has been fra Nikola from Durres. The Franciscan Order was strengthened continuously, especially from bishops that emerged from its ranks; he began to reveal his activity most of the time only during the Turkish invasion. Secular clergy who were the majority in northern Albania took place in other countries. The intensity of trade with Ragusa made this city "flooded" by Albanian priests. In 1349, when an epidemic of plague broke out and the two subsequent years, Ragusa notarial books mentioned 24 Albanian secular priests, of whom seven were from Drishti, 7 from Ulcinj, 4 from St. Paul of Pulti, 2 from Bar, 1 by Baleci, 1 from Skhodra, one of St. Kosmas-Damian, one of St. Stephen The Dashboard, one of Spas, one from St. Shirgji and 1 from St. Kolli in Buna"41.

Over time this activity went falling until they were completely disconnected by the ottoman conquest. In fact, the final assembly of the Dominicans in Durres was abandoned in 1501, when the friars together with their settlers were transferred near Traguri (Trogir) in Dalmatia, forming village on the island of Sholtës Arbanasi.

Also, religious orders, like Franciscans and Dominicans built a vast network of education in Albanian lands, on top of which was the University of Durres.

6. Universitety of Durres

Referring to the studies and scientific research in years past to enlighten our educational and cultural past, primary importance has undoubtedly the publication of two documents issued by the Italian archives, which shed light on the activity of university studies in Durres. Relying on these documents, the researcher, Jahja Drançolli in the article "University of Durres (c. XIV)" published in the scientific journal "Bulletin of the Faculty of Philosophy, XXIII / 1993, University of Pristina, acquainted with the fact that" in the early 80s of the XIV century in Durres acted "General Studies" ("Studia Generale"), respectively for undergraduate university level42.

"Such schools had superior studies only at the University of Bologna since 1189 (known for theological studies); Oxford by the end of the XII century (known for theological and philosophical studies), Cambridge from 1209 (known for studies theological and philosophical; Padua since 1222 (known from studies of philosophy, medicine and theology); Sorbonne since 1253 (known for theology studies); Barcelona since 1303, Canterbury since 1320, Florence since 1378. Later, after the establishment of university studies in Durres, these studies existed in Prague since 1383, Salamanca and Kharkov since 1421; Zadar since 1495; Avila and Seville since 1504; Budim since 1507 and other European Universities and also outside Europe when they rose later"43.

From the above data, chronologically, it is clear that the opening of universities in Middle Ages, had become common and mass occurrence for each European city to develop, but also to the Balkans where only two universities functioning: Durres and Zadar. Both of these universities or general studies became known for studies of this area of

39 Ibid.
∗ Punim në pëlhurë mëndafshi i fundit të shek. XIV. (Marrë nga: A. të ndryshëm, Historia e ..., vëll. I, f. 238.
40 Dh. Qiriazi, Kresh tërinë ..., f. 81.
41 N. Loka, "Zhvillimi i arsimit ...", f. 34.
theology.

As in all the universities of Europe during the Middle Ages, where teaching was organized under the auspices of the church, or by the organization of ecclesiastical orders, as, for example the Dominican, Franciscan and Benedictine order, Durres general studies were organized by the Dominican Order of Durres. Even the city's Dominican palace and Convent was offered to their studies, as well as several buildings to accommodate students44.

For clarification of the data referring to the University of Durres, will highlight some of the most interesting arguments, that brings us professor J. Drançolli:

"First does not feature any studies on the organization of Durres. However, the data arising from it becomes clear that the University of Durres has existed even before the first attacks by Ottomans in Albania, and there during the rule of Venetians in Durres, i.e. before the year 1392, when the city in question came under the Republic of Venice. The proof of evidence may arise if the Rome Archives document in question is complemented with some other documents stored in time. Drawing on few archival data on this issue, we believe that this institution of higher education is set in the reign of Karl Topiaj, suzerain of Durres. We say so, since the data show that the state time during the tenure of Durres Karl Topiaj lived in full blooming period of social and economic relations, political, religious and cultural-educational45.

It is true that the city of Durres in the second half of the XIV century, has been an important center of studies not only for Albania and Bosnia, but also for Dalmatia and Hungary. When it was founded, the University of Durres had nine masters and 100 students46. Besides Albanian students, who came from all Albanian lands here they have studied even students from other Balkan territories and beyond. Lectures were held at the Palace of Dominican Convent in Durres. Unfortunately, unlike many known European universities, whose buildings are pretty well preserved nowadays, palace University of Durres, was devastated by the barbaric attacks of the Ottoman hordes 150147, destroying the institution of the Albanian higher education.

Documentary records of the time show that the University of Durres had many doctors promoting science, who after passing the relevant examinations in the field of theological sciences reached the highest academic title "Doctor of science" ("Magister theologiae" or "Sacre theologiae Professor")48.

The second document J. Drançolli bring us into his study, which also refers to the University of Durres, sheds light on the qualification and the number of teaching staff, who teach in the center of superior education.

"According to diaries here taught by 25 title doctors of theology. Relying on this issue, which undoubtedly was very imposing on medieval conditions, with full conviction it can be said that this institution has enjoyed great name in scientific research. In this document is complemented with documents and other publications of the time, arising from the source of the University of Bologna and Padua, the center in which the author of this paper has done research, it is clear that neither the university centers among the most concerned notably in Europe, over the XIV century enjoyed no greater number of teachers, carrying the title of doctor of science"49.

As in other university centers of Europe, the studies and schools of Durres and other Albanian schools of the time, "teaching is developed mainly in Latin language, language that throughout the whole medieval period in western Europe, southern and middle, respectively, in England, France, Italy, Spain, Germany, Netherlands, Poland, Bohemia, Hungary, among Albanians, Croats and Slovaneses is considered the official language50. As we noted in this study, Latin language for Catholic Albanians and among European peoples of this rite is considered education and intelligence.

However, research and subsequent studies, especially from S. Riza, Sh. Demiraj, Dh. S. Shuteriqi, J. Lodhi, R. Elsie, N. Jorgaqi, Sh. Sinani etc., unearth details, which have made it possible to lighten the best question of the use of the Albanian language in Arber and the Dalmatian coastal cities, such as in Ragusa and Kotor. For the Albania language development during the Middle Ages, the main role mentioned were of university and schools. For the purposes of the church, but also for educational and pedagogical purposes, professors and promoters at the University of Durres and other Albanian schools, had written perhaps even works in Albanian language, which is best proved by the data of arguments in the third case ("Evidence for writing the Albanian language").

44 Hava - Sali Hidri, Historia e Durrësit (më tej: Historia e ...), Durrës: Botimet "Jozef", 2012, f. 47.
"Që nga rënia e anzhuinëve, më 1350, e deri në vitin 1367, kur zot i Durrësit u bë Karl Topia, ky qytet me tradita të lashta kulturore dhe arsimore, jetoi si komune qytetare e lirë dhe autonome (comuna civitas). Qyteti e amti kulmin e zhvillimtë të tij në kohën e Karl Topisë në vitet 1367-1392. (Marrë nga: Hava - S. Hidri, Historia e ... , f. 48.).
45 J. Drançolli, "Universiteti i Durrësit ...,", f. 108.
46 H. Koliqi, Historia e arsimit ..., véll. i, f. 53.
47 Ibid.
48 J. Drançolli, "Universiteti i Durrësit ...,", f. 108.
49 Ibid.
These lines were written on University of Durres in order to prove once again the high development of science, education and culture for centuries, which for certain purposes has not yet found its rightful place among European cultural science and beyond. Also, the purpose of our paper is that through lighting sources unknown, that matter first hand argued the early beginnings of science and Albanian school, which, while maintaining an ancient tradition in the field of education, made possible to our people always appreciate the freedom, work, knowledge, culture, art, and to develop them, which best demonstrates its vitality and genius for centuries.

7. Conclusions

IX- XV century’s schools are historical cradle of our education. Teachers that opened out to these schools and taught among them, should be recognized as important figures of the Albanian national Education.

Schools opened at Christian religious institutions, especially the Catholic religion, as one of the earliest schools, documented in the centuries from IX to XV is the syllabus of this education, and orientation simultaneously organized by the first school of European culture of Western civilization. These should be regarded as the first Christian schools in the historical land of Albania.

We believe that the study of Christian religious schools in the space of IX-XV centuries, it is not exhaustive, but remains the subject for all historians, archivists, philologists, bibliography, older teachers, who know these problems and have written in scientific journals and in the press of the time.

References

Beduli, Dhimitër: Kishë dhe Kulture. (Studime), botim i Institutit të Dialogut & Komunikimit, Tiranë: ID&K,2006
Çela, Blerim: Shqiptarët ndër shekuj, Tirana: "Koha", 2001
Drançolli, Jahja: "Universiteti i Durrësit (shek. XV)," në: Buletin i Fakultetit Filozofik, nr. XXIII/1993, Prishtinë, 1995
Frashëri, Kristo: Historia e gjetëtërimit shqiptar (Nga kohët e lashta deri në fund të luftës së Dytë Botërore), botim i Akademisë së Shkencave të Shqipërisë, Tiranë: "Grand Prind", 2008
Hidri, Hava - Sali: Historia e Durrësit, Durrës: Botimet "Jozef", 2012
Koliqi, Hajrulla: Historia e arsimit dhe e mendimit pedagogjik shqiptar, Prishtinë: "Libri Shkollar", 2002
Shihaku, Lukovik: Shkollat clerikale (Vështrim historik nga fillimet deri më 1924), Shkodër: Botimet "Camaj-Pipa", 2002
Shuffaj, Milan: Situata e kishës në Shqipërinë paraturke, botet frança, Shkodër 2013
Shuteriqi, S. Dhimitër: Tekstet shqipe dhe shkrimi i shqipes në vitet 879-1800, botim i Akademisë së Shkencave të Shqipërisë dhe Institutit të Gjuhësisë dhe i Letërsisë, Tiranë: "Mësonjëtorja", 2005
Concrete Steps of Albania Towards the Approximation of National Legislation with the Acquis Communautaire: Is it Considered that the Copenhagen Criteria in this Sector is Fulfilled?

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Abstract

Laws are the foundations of a democratic state and their implementation becomes easier to serve to citizens if the state (in our case Albania) achieves the necessary drafting standards. Countries with the EU integration perspective should guarantee the fulfillment of these standards. In 1993, the European Council determined in its conclusions the Copenhagen Criteria. One of them is compliance with the EU acquis. This is a non-negotiable condition for membership, which means that national legislation should be harmonized with the right of the EU as a whole, before Albania joins EU. Being aware of this fact, as well as obligations under the SAA to align EU acquis, the Albanian Government has prepared a National Plan for European Integration as a long-term plan extended for the period from 2014 to 2020. It is a dynamic document that will evolve with passing the stages of the integration process. This article treats the EU primary legislation, secondary legislation, the jurisprudence of the European Justice Court, etc., also principles and methods of approach. The main purpose of this paper is to present the steps taken by Albanian Government in the process of harmonization of domestic legislation with the acquis. It is focused on national strategies, actions, trainings and evaluations of EU bodies.

Keywords: acquis communautaire, domestic law, criteria, achievements, integration.

1. Introduction

In 1993, the European Council in its conclusions determined the Copenhagen Criteria. One of them is the compliance with the EU acquis. This is a non-negotiable condition for membership, which means that national legislation should be harmonized with the EU legislation, before Albania becomes a member state of the EU. In this paper, there are presented the harmonization notion and its necessity, the procedures required, the deadlines, principles, methods and the harmonization levels. Our country has been involved in this procedure since the signing of the SAA with the EU in 2006. One of the main duties in order to receive the candidate status and after that to become a member of EU is exactly the translation of the acquis, its transposition into the domestic law, law amendments and new law adoption.

2. The Acquis Communautaire

The definition of Acquis communautaire has been articulated for the first time in the opinion of the European Commission on 01.10.1969 on the request for accession submitted by the United Kingdom, Denmark, Ireland and Norway. While according to the most prominent Judge of the European Court of Justice, Pesccatore, "The Acquis which consists in the basic Articles 2 and 3 of the TEU is a superior acquis, which includes the essential elements, the conditions, which have to do with the very foundation of the Community, rules, which if violated would risk the unity, identity and the existence of European entrepreneurship."

The Treaty of Nice, which entered with force on 1 February 2003, brought a new element to the introduction of the term EU Acquis: With the Acquis Communautaire we must understand a set of rules, which constitute the core of the European building, without which its existence will be compromised.
3. Hierarchy of the Norms of the Acquis Communautaire

The translation of the *acquis* for countries aspiring to join the EU must be made under this rule:

### 3.1 Primary legislation

It includes original treaties since the creation of the EC and later the EU and to the other Treaties of Amsterdam and Nice, as well as all the Treaties of Accession for member countries, the Constitutional Treaty and the Basic Charter of Human Rights. Signing the Treaty of Accession is accompanied by publication in the Official Bulletin of EU in the candidate country language.

### 3.2 Secondary legislation

Secondary legislation includes directives, regulations and decisions, which should be translated into candidate language and published in the Official Journal of the European Community at the time of accession.

Judicial decisions of the European Court of Justice as well as other sources should be translated into national languages.

4. Key Principles of Community Legislation

*The principle of direct effect and applicability*, which enables the *acquis* to become part of the domestic law without the need of incorporating it through a local normative act.\(^2\)

*The principle of supremacy over domestic law*, which means the transfer of rights and obligations of Member States, from the internal legal system to the Community legal system. This has the consequence of limitation the sovereign rights. So, a subsequent unilateral act, incompatible with the notion of community, cannot take precedence. Consequently, any normative act in domestic law cannot prevail over Community law and should be declared null and void. The same applies for the judiciary in interpreting the law. When there is a conflict between the EU law and the domestic law, Community law has always priority.\(^3\)

*The subsidiary and proportionality principles*. The subsidiary principle means that the Community will not undertake or regulate in any way what is already adjusted in order to be effective at national or regional level.\(^4\) The principle of proportionality means that if for the achievement of a treaty objective it is necessary a particular action, the Community may not go beyond what is necessary to fulfill the objectives of this Treaty.

*The principle of equality and protection from discrimination* on the basis of citizenship, gender, etc.

With the above overview, was given the current notion of the *Acquis Communautaire*, the division of the *acquis* in primary and secondary sources as well as basic principles.


SAA contains only one article (Article 70/1 of the SAA with Albania) concerning the alignment, according to which Albania needs to ensure that current and existing laws will comply with the *Acquis Communautaire* gradually.

The SAA provides two categories of provisions concerning the approximation:

- **Horizontal provisions** which are provided in Title VI "Alignment of legislation, enforcement and competition rules" and the relevant chapters, such as "General principles" which may be qualified as *Lex generalis*.
- **Vertical provisions** which are contained in various articles of Title VIII, for example "Cooperation Policies" which are qualify as *Lex Specialis*.

SAA provided a timetable for the approximation of legislation. Article 70/2 provides that this process will begin at the moment of signing and will be implemented in a transitional period of ten years. In the first five years would begin Frontline alignment in areas such as the single market, competition, intellectual property, public procurement, standards

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2. Case of "Van Gend en Loos vs. Netherlands", ECJ 26/1963
3. Article 5 of European Community Treaty
4. Articles 12, 141, 251 of European Community Treaty
and financial services, etc.

Regarding the other sectors, the approximation obligation extends in a second phase of implementation of the agreement.

Being aware of the fact that the approximation of national legislation with the EU is the basic task for Albania according to the SAA as well as according to the Copenhagen Summit in 1993, the Albanian Government decided to prepare a National Plan for European Integration. The National Plan for European Integration is a long-term plan extending from 2014 to 2020. Approximation of legislation is an obligation which contributes to the future of the Albanian legal system to approach it with European standards. This is a process that extends to almost all areas of law, such as consumer protection, banking, insurance, criminal law, environmental law. Approximation covers EU acquis in its entirety. We are talking about hundreds of normative acts and the case law of the Court of Justice of the European Union. Activities are divided by chapters of the acquis with clear deadlines. For ease of reference, they are presented in tables showing the existing degree of compliance as well as priorities in the coming years, the timeline for their implementation as well as the division of responsibilities.

This part of the plan covers short and medium term measures (e.g. 2014-2016). This part of the plan will be updated annually to reflect the priorities for development in the process of European integration, as well as changes in the EU law itself. AP is a dynamic document that will evolve as we move on to other stages of the integration process.

The purpose of NPAL (National Plan for Approximation of the Legislation).

NPAL has meant to represent a comprehensive document in order to provide a single national framework for planning, setting priorities and monitoring the process of European integration in its different sectors. The plan aims to summarize all the necessary measures taken by Albania to approach the European Union within a sated timeframe. The plan seeks to address all issues arising from:

1. Thessaloniki Agenda, including political issues like the Common Foreign and Security Policy (which is also in Chapter 27 of the acquis) or other issues, which are not included or emphasized in particular in the European Partnership.
2. Recommendations of the CTF's reports and SAP.
3. The last European partnership, in terms of the improvements needed to provide more detailed information on the needs of staffing and training as well as on the cost of the measures planned.
4. Full implementation of the SAA/Interim as well as other agreements between Albania and EU.
5. In the NPAL, the objectives included are: The current situation (providing legal and institutional framework for measuring progress, short term priorities which included legislative and implementing measures; the advantages medium and long-term which included the continuity of measures to meet the priorities and short and medium term as well as strategies for the approximation of legislation presented in the table below:

<table>
<thead>
<tr>
<th>No of identification</th>
<th>Domestic measures</th>
<th>EU measures</th>
<th>Level of approximation with Acquis</th>
<th>Authority</th>
<th>Translate Status</th>
<th>Technical help</th>
<th>Presentation in Parliament</th>
</tr>
</thead>
</table>

6. Level of Legal Approximation

6.1 Minimum Approximation

Minimum approximation means that the normative act of the EU provides the legal framework and sometimes even detailed rules on the issue, but the Member States of the EU are free to provide even higher standards.5

6.2 Maximum Approximation

Maximum approximation means that a certain normative act of the EU (in most cases a directive or a regulation), defines the provisions which are not a matter of choice or change.6

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6.3 Selective Approximation

This method is used in cases where the provisions of EU law allow a space for the State Member of the EU to go further, to the introduction of higher requirements than required.

6.4 Mutual recognition of national legislations

This method of alignment was defined by the Court of Justice.

6.5 Approximation by the reference method

This legal technique refers implementation and compliance with the rules contained by the proper directive, while other issues are in line with normative acts of relevant institutions, such as the Standards Institute.

6.6 Methodology of the translation of the acquis

In Albanian case, the translation has been organized through the creation of translation structures originally in the European Integration Ministry (Translation and Coordination Unit). Based on the experience of countries joined the EU, there are two directions in relation to the organization of work and the way of the acquis translation:

- The translation of the acquis by translators outside TCU (Translation and Coordination Unit);
- The translation of the acquis by translators in TCU.

In both ways, translated parts of the acquis are revised by linguistic experts and then by jurists with knowledge in foreign languages. Once the version of legislation is completely reviewed, it is thrown in the "database" CC Vista (installed by the TAIEX program) and it is communicated to the European Commission services, which makes its final certification.

Translation is followed by the creation, processing and exchange of terminology; Cooperation with regional countries participating in the stabilization and association process; Adjusting the structure to begin the process of translation. This management should be reflected in creating the 3 specialties within this structure: translator, linguist and lawyer.

To precede the process of translation of the acquis and the Albanian legislation, the translation sector in the Approximation of Legislation Directorate has prepared and published the following documents:

- White Book on the integration in the internal market;
- Manual on the use of Community legislation;
- Glossary of EU.

7. Principles and Methods of Approach

7.1 The two most important methods

- The legislative method and

It should be noted that the best method of approach is the legislative method. This method consists in law harmonization through amending legislation, as well as creating new laws if necessary.

Most of the approximation is related to the secondary legislation, as specified in Article 249 of the Treaty of Rome. Upon accession, regulations issued by the Commission, start to apply directly. Thus, the implementation of the regulation will automatically replace national legislation. Somewhat the situation is easier about directives. In this case, it is required to take some measures by the states for their implementation.

As explained earlier, part of the acquis is also the jurisprudence of the Court of Justice, which does not require a genuine process of approximation, but an interpretation of domestic legislation in the light of the decisions of this court.

The second method of approximation is the European interpretation of domestic legislation. It should be noted that

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7 Cases “Dassonville” and “Cassis de Dijon”
this is the easiest method. But despite this fact, it cannot be used to avoid legal difficulties.

7.2 The main stages in the process of legal approximation

- **Preparatory phase**: the establishment of institutions necessary for legislative approximation and a series of technical activities including distribution and presentation of legal acts of the EU in specific areas as well as presentation of the principles of in general legal approximation;
- **Analysis phase**: definition of priorities based on national priorities and on the future international arrangements, the translation of the necessary legal acts of EU and their inclusion in the National Integration Plan, in accordance with the priorities set in advance;
- **Relocation**: In this stage, it is reached to approximate the legislation with the right of EU. National experts, with the help of experts of the EU, where appropriate, should prepare draft laws or propose amendments to existing laws and regulations, in order to achieve compliance with EU law;
- **Implementation**: important is not only the adoption of new laws or amendments to existing laws or regulations in Parliament, but also their appropriate application in practice and the management of their effect on existing institutional infrastructure.
- **Empowerment**: after the adoption of legal acts, necessary measures required by the competent authorities to ensure that the law is fully and properly respected and that the performance of sector policies has improved.

8. Conclusions

Legal approximation process is the largest and most comprehensive task in the accession process. Approximation process includes methods and techniques to transpose EU legislation into national law, its inclusion in national legal systems and the process of implementation, which is manifested through realization of individual rights or assumption of concrete obligations.

Treaties establishing the EU use different terms as: harmonization, alignment, and coordination. These three terms sometimes express different levels of integration processes that have been reached between the Member States of the EU.

Drafting laws is a real challenge. However, the involvement of the EU legal acts in national legislation is an even greater challenge. Before drafting a law, we need proper planning policies. After drafting the law, the next important step is the implementation and enforcement. Therefore, the elaboration of a draft law is only one part of the process of legal approximation.

This paper treats the legal Approximation (Step by Step), national priorities and harmonizing legislation, identification of the legal act of the EU, analysis of national legislation, choosing the right type of internal legal act for transposition, drafting the law and legal transposition, and drafting the Concordance Table and Statement of Compliance. Albania has already started the transposition of the EU legislation (primary and secondary sources), since the SAA has been signed. Nowadays Albania is in the right way toward translating, harmonizing, and implementing the harmonized laws. Also the justice system, especially courts, is implementing the European Justice Court decisions.

The main aim of Albania is being part of EU through becoming a member state, so the obligations set by the SAA (2006) and also the Copenhagen Summit (1993) are taken seriously by the Government.

References

Case of “Van Gend en Loos vs. Netherlands”, ECJ 26/1963;
Article 5 of European Community Treaty;
Articles 12, 141, 251 of European Community Treaty;
Cases “Dassonville” and “Cassis de Dijon”;
Stabilization an Association Agreement between Albania and the EU, 2006.
Digital Device Fenometer F-1680 for Noise Measurement at Kosovo Mines

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Abstract

A long time ago, digitization has proven that it will help mankind. Rapid development and quality of digital equipment has helped to define actions and our daily chores and to improve them in the workplace including noise and vibrations. Kosovo is rich with coal electrical energy and fuel produces coal, for total extraction of coal per year, which projected 9.5 x 106 t / year of coal, this amount meets the needs of PP "Kosova A " and points "Kosova B " which later is put into operation in 1983 with a capacity of 2x339 MW. Existing coal reserves are sufficient for the needs of Kosovo. Two power plants Kosovo A and Kosovo B and the supply of coal created a big bang for the community living near the two power plants. By 2016, the total thickness of the earth will increase, which should reactivate the devices to remove excess heights. During this period of the earth measures cornice in the empty spaces in both White and Mirash mines. In this period they will relocate villagers and Shipitulle East Mirena. Within the period 2018-2022, the thickness of the earth will rise throughout the front so it will create a big noise and this noise should be measured and fingerlings that noise exceeding permissible standard settings, then around mine sites. They must leave eventually. The purposes of the scientific paper are the measurement of noise of the digital appliances that are hauled F-1680 and analyze the extracted coal mine, where the mining of large appliances are hauled key. The method of measurement is made with digital device called FONOMETR device type 1680, Japanese production which serves for the measurement of noise and vibrations. Results and analysis are made noise throughout the mine location with 162 measurement points which are presented by diagrams and tables.

Keywords: excavators, production, sound, Digital Equipment F-1680, Community.

1. Introduction

For various reasons (low readiness, reliability small and age of equipment, etc.) KEK has to import electricity in order to fulfill customer needs which in her absence and the high price in the region causes an additional difficulty for corporate. To supply more secure and not dependence on imports of electricity to the Republic of Kosovo only solution remains coal! Existing coal mines, Bardh and Mirash are exhausted. Therefore we need a new field which will be able to make two points to supply coal at least until 2024. Modelling and geological research, made in 2010, has proved generally, Sibovc field will be able to meet the requirements for coal as fuel for the next thirty years. According to the Law on Noise Protection No.02 / L - 102 Kosovo. The purpose of this law is to avoid, prevent or reduce prioritized basis of harmful effects, including annoyance, due to exposure to environmental noise. Even in KEK mines develop noise which is not bearable for residents who live near power plants A & B. The purpose of this paper is to analyze and measure the noise in certain locations where they live and where they operate heavy machines for exploitations. Allowable limit external noise in settlements for these categories of vehicles technique is:

- Passenger cars and 84 dB combined
- transport vehicles and buses to move to 3.5t, 85 dB,
- transport vehicles and buses to move more than 3.5 t, 89 dB

2. Kosovo Basin and History

Kosovo coal deposits are approximately 10,000 meters, thus forming one of the largest deposits of lignite in Europe, includes about 850 km². In Kosovo basin morphological forms an extended valley where changes in quotas do not
exceed 80 meters. Centrally situated along the river Sitnica followed by a more hilly terrain approaching Çićavica mountains, Goleshi and Sar. Basin is surrounded by a raised relief with Kopaonikmassive, Kozi, Zhegovc, east Lisic massif in southern Montenegro and Çićavica, Goles, and SharriCarnaleva west and northwest. The surrounding mountains reach heights of 900 to 1600 m.

Sources have revealed for more than a hundred years and the first use of small scale began in 1920 years. It is said that the first use of underground mining started in at least five locations. Groundwater exploitation continued until 1966, coal extraction is concentrated in the area, in surface White and Mirash mines.

Using large scale, surface mining exploitation is set in the years since the 1950s and the first, "Mirash" began production in 1958. Power generation has begun in Kosovo A power plant (Plant A) in 1962. In the period from 1962 to 1975, the plant has expanded to actual capacity.

2.1 The work of the two power plants

Second Power Plant, he TC - B went into operation in 1985. Exploitation surface coal mining has requested that in earlier periods of leave the retractable wastelands outside surface mining. In this manner it is formed at least seven foreign tuck which mines surround today. White existing coal mines and Mirash, located west of Pristina, under the existing dynamics of production they will be exhausted in 2011. For this reason, the main objective is to provide a plan for the supply of fuel for existing power plants in Kosovo "A" and "B". PKX for Sibovc -SW focuses on the supply of coal to existing power plants in the amount of 9 m/ton/year. The plan covers the period from 2007 until 2024, when all generating capacity reaches the end of their operational life. The total demand for coal in the area of SW Sibovc - reaches 123 million tons, an amount that is about 15 % of all lignite reserves may in the Sibovc 4 exploitation.

For the area of Sibovc -SW to have a clear picture it is necessary to make a situation analysis of geological, hydrological and other basic data that are needed for the opening of the mine. Another important task is the protection of the new mine from surface water, groundwater and environmental protection. For this reason it became that the program and implementation of the 20 wells constructed piezometer for Sibovc -SW area where tests are done hydrogeological characteristics, hydrology, groundwater quality, surface and soil. Coal layer thickness in Sibovc varies between 60 and 70 meters. In the southern part the thickness is slightly larger and in some countries it may reach up to 80 meters. Along the western border, where disorders appear there is a drop in layer thickness to 40 meters and thickness of 5 meters wide coverage is 110m4.

![Figure 1.0: Soccer mine near power plants](image)

3. The Objective of Scientific Work

The activity with which to make new mine Sibovc -SW will have positive and negative impacts around it. As shown adverse impacts expected on the environment will be:

- Impact on the Air
- Noise and vibration
- Geology, hydrogeology and ground
- Flora and fauna
- Landscape
- Socio-economic

These impacts need to be considered during the process of production and mine closure. Many of these negative effects can be eliminated or greatly minimized by acquiring equipment, technology and well operation during the manufacturing process. Making permanent and verifying the parameters identified in meteorological and hydro stations, monitoring and mitigation proposal parameters have negative impact on the environment and their behavior on the allowed values. On the other hand the new mine should have a positive social impact in the region and new areas of work opportunities.4.

Figure 1.2: Position mine Kosovo where noise measurements are made

Table 1: Presentation of the amount of excavated overburden in Sibovce Main Mining equipment (MME) which Planned to make waves from 2006 to 2024.

<table>
<thead>
<tr>
<th></th>
<th>Demand for land in Sibovc SW</th>
<th>Creating final leaflets</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Digging milion m² wasteland</td>
<td>Security Zone</td>
</tr>
<tr>
<td>2006-2010</td>
<td>128</td>
<td>36</td>
</tr>
<tr>
<td>2011-2012</td>
<td>35</td>
<td>4</td>
</tr>
<tr>
<td>2013-2017</td>
<td>133</td>
<td>16</td>
</tr>
<tr>
<td>2018-2022</td>
<td>102</td>
<td>14</td>
</tr>
<tr>
<td>2023-2024</td>
<td>14</td>
<td>4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>412</strong></td>
<td><strong>74</strong></td>
</tr>
</tbody>
</table>

4. Mining Sibovc Borders South West

Mine boundaries are selected taking into account these factors:
- The management of mineral old line
- Bringing allowed in villages
- The thickness of the layer of coal at the border exploitation
- Required general slope of geotechnical perspective
- Requirements regarding the length of the scale and direction of slopes

5. Exploiting Technology
Technology exploitation in mine Sibovc-SW will be similar to that of existing mines and a part of this equipment will be used at the new mine Sibovc-SW. So it will be based on continual exploitation ETP systems, it is discontinuous in special cases and aid mechanisms. In the first five years they are scheduled to work four excavators with three conveyor systems and flatten, but coal also foresees 3 4 excavator systems with an initial production of 3.4, 6, and 9 million / ton / year 20,134. Coal layer thickness in Sibovc varies between 60 and 70 meters. In the southern part thickness it is slightly larger and in some countries may reach up to 80 meters. Along the western border, where disorders appear in layer thickness drops to 40 meters. Alternating coverage and thickness of 5 meters wide 110 meters. Overburden storage measures will be implemented in existing mining areas that the Bardhit4 makes respectively.

**Figure 1.3.** Schematic representation of excavators who create noise and vibrations.

**Table 2.** Creating noise and vibrations through the excavation and transport mechanisms

<table>
<thead>
<tr>
<th>The mechanism for the excavation</th>
<th>excavators</th>
<th>rotor excavators</th>
<th>type</th>
<th>Number of excavators</th>
<th>Theoretical capacity- Q teo.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>4000 m³/h</td>
</tr>
<tr>
<td>Folding mechanism</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>folded</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number paler</td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Theoretical capacity- Q teo.</td>
<td></td>
<td></td>
<td></td>
<td>4400 and 5200 m³/h</td>
<td></td>
</tr>
<tr>
<td>conveyors</td>
<td></td>
<td></td>
<td></td>
<td>B-1400,1600</td>
<td></td>
</tr>
</tbody>
</table>

**Table 3.** Basic characteristics of power plants "Kosovo A" who create noise in KEK.

<table>
<thead>
<tr>
<th>UNIT / Blocks</th>
<th>A1</th>
<th>A2</th>
<th>A3</th>
<th>A4</th>
<th>A5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturer of Kazan</td>
<td>Babcock</td>
<td>Babcock</td>
<td>RAFAKO Polonia</td>
<td>RAFAKO Polonia</td>
<td>RAFAKO Polonia</td>
</tr>
<tr>
<td>Manufacturer of turbine</td>
<td>Westinghouse (Indh. Amerik.)</td>
<td>General Electric</td>
<td>LMZ-Rusia</td>
<td>LMZ-Rusia</td>
<td>LMZ-Rusia</td>
</tr>
<tr>
<td>Generator manufacturer</td>
<td>Westinghouse</td>
<td>General Electric</td>
<td>Elektro-îjaž-maža2 Ukraine</td>
<td>Elektro-îjaž-maža2 Ukraine</td>
<td>Elektro-îjaž-maža2 Ukraine</td>
</tr>
<tr>
<td>Technology</td>
<td>steam boiler</td>
<td>steam boiler</td>
<td>steam boiler</td>
<td>steam boiler</td>
<td>steam boiler</td>
</tr>
<tr>
<td>Case fuel</td>
<td>ignite</td>
<td>ignite</td>
<td>ignite</td>
<td>ignite</td>
<td>ignite</td>
</tr>
<tr>
<td>Case fuel starting</td>
<td>Gas oil</td>
<td>Gas oil</td>
<td>Gas oil</td>
<td>Gas oil</td>
<td>Gas oil</td>
</tr>
<tr>
<td>thermal Entry (MW)</td>
<td>250</td>
<td>480</td>
<td>770</td>
<td>770</td>
<td>770</td>
</tr>
<tr>
<td>Power generator (MW)</td>
<td>65</td>
<td>125</td>
<td>200</td>
<td>200</td>
<td>210</td>
</tr>
<tr>
<td>Cooling towers</td>
<td>Forced ventilation</td>
<td>Forced ventilation</td>
<td>Forced ventilation</td>
<td>Forced ventilation</td>
<td>Forced ventilation</td>
</tr>
<tr>
<td>Location</td>
<td>OBILIQ, Pristina</td>
<td>OBILIQ, Pristina</td>
<td>OBILIQ, Pristina</td>
<td>OBILIQ, Pristina</td>
<td>OBILIQ, Pristina</td>
</tr>
</tbody>
</table>

**Table 4.** The basic characteristics of power plants "Kosovo B" that create noise in KEK
6. Measurement of Noise and Vibrations in the KEK Mines

The noise level in the Republic of Kosovo is regulated by the Law on protection against noise No. 02 / L - 102 and Al. Noise existing mines produce major mining equipment (PKX) and auxiliary. Sensitive places identified by noise are: residences, schools, land - in agricultural activity, etc. These areas will be affected further by raising the noise level of which will be generated by new mining operations. High level of noise directly affects the senses of hearing and the human nervous system. The level of noise in the settlements, within the area of future exploitation, ranging from 36 to 43 dB, based on EU standards are allowed outside value exploitative close less than 2 km, the noise level is from 35 to 54 dB, according to EU standards, are permitted values. Some measures have provided greater value than the permissible because different meteorological conditions (greater speed of the wind, the 2,30m/s etc.)

Initial efforts have already been made by the INKOS to measure the noise level around existing mines as well as
within the scope Sibovc SW. These measurements should be continued and intensified to create the basis for further evaluation information. Additional noise measurements should be made in the surrounding villages to create the basis for subsequent assessments about increasing noise caused by mining equipment and noise caused as a result of the change of the road for traffic.

Also in the space -SW Sibovc field off mining equipment caused the vibrations which are harmful to the workers who absorb it. Even vibrations must be taken into account during the construction of legislation3.

Figure 1.4. Type Fonometr 1680, Japanese production " INKOS " JSC

This is kind of digital appliances are hauled in measuring noise parameters, all data is in digital form and the results of the measurements are accurate. This device specifies all the information necessary to carry out efficiently and under standardized conditions for determining and verifying noise emission characteristics of electric cars. This digital equipment is necessary to compare the noise emitted by machinery as well as to control it.

Using ISO 1680: 2013, it is a code that provides noise emission characteristics within the limits of the methods of measuring noise.

With this equipment we have three types of measurement methods:
- precise methods
- Engineering methods
- Community survey methods

Method Engineering is the most widespread and most accurate in the field, and in this scientific work we used the method of measurement engineering.

From the following table we present the results of measurements of noise in the vicinity of TC - Kosovo A & B.

Measurements are made: Day, evening and night.

Table 5. Tabular presentation of the results of measurements of noise in dB (total of 162 measurements were made).

<table>
<thead>
<tr>
<th>Nr</th>
<th>Place of measurement</th>
<th>Date 01.02. 2015</th>
<th>Date 02.03. 2015</th>
<th>Date 03.04. 2015</th>
<th>Date 15.05. 2015</th>
<th>Date 16.06. 2015</th>
<th>Date 18.07. 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>School Shipitulle</td>
<td>38</td>
<td>40</td>
<td>41</td>
<td>47</td>
<td>41</td>
<td>40</td>
</tr>
<tr>
<td>2</td>
<td>Neighborhood</td>
<td>39</td>
<td>40</td>
<td>39</td>
<td>39</td>
<td>38</td>
<td>39</td>
</tr>
<tr>
<td>3</td>
<td>Neighborhood Mexhunaj</td>
<td>40</td>
<td>41</td>
<td>39</td>
<td>39</td>
<td>38</td>
<td>39</td>
</tr>
<tr>
<td>4</td>
<td>Mirena Quarter</td>
<td>42</td>
<td>43</td>
<td>41</td>
<td>40</td>
<td>38</td>
<td>41</td>
</tr>
<tr>
<td>5</td>
<td>Hade village</td>
<td>45</td>
<td>46</td>
<td>45</td>
<td>48</td>
<td>45</td>
<td>47</td>
</tr>
</tbody>
</table>
Diagram 1. Diagram of the outcomes of the measurements to the location of the place inhabited

Table 6. Maximum allowed values for certain locations

<table>
<thead>
<tr>
<th>Location</th>
<th>Populated places</th>
<th>Industrial countries</th>
<th>mixed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Max allowed limits in dB</td>
<td>55</td>
<td>80</td>
<td>by day ....... 60 dB</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>at night ...... 45 dB</td>
</tr>
</tbody>
</table>

7. Effects of Noise

When starting the new mine, it will increase the impact of noise, and it is expected to be similar to the noise of the existing mines. It will be present in the mine first and then around her. The source of this noise is: major mining equipment (excavators, belt conveyors, etc.) as well as auxiliary machines (bulldozers, engines and other internal combustion).

Noise abatement measures should consist of: better maintenance of equipment that produce noise at source, placement or construction curtains, the walls around the appliance and hermetic closure of the doors and windows in the settlements and other public facilities such as schools, clinics and other business facilities that accept noise. Workers who are mostly noise and vibrations subject you must use equipment that protect against noise.

7.1 The impact of the vibrations

Mechanical oscillator vibrations present troop movements materialize. They can be: external vibrations and ambient indoor.

External vibrations in the environment apart from the natural activity, tremors (earthquakes) of land, line by chemical processes inside the earth and the human factor and other factors perimeter. During mining activities, minima, transport of various materials, transportation Rotor excavators, conveyors, folding, bulldozers, loading spoons, other auto bearings. Indoor vibrations (at work) are in working activities for the benefit of the goods.

Measures to reduce the vibrations mainly lie in the straight and rational use of equipment and the maintenance of their best in order to maintain workers and residents living in area 4. In some countries, mining activities will reach close to home areas. To assess the impact in the future should be carried out a basic analysis for the northern part of Hades,
the respective locations surrounding the existing mines to be identified.

Photo 1.5. Impact of noise in residential homes - Hade

8. Conclusion

In the case where mining activities reach nearby villages then also presented obstacles to the noise and vibrations intensified. During noise measurements at these points is noticed a pronounced noise day especially during their example. Shipitules the school is 54 and 47 dB, while in Hade village mosque; noise from PKX reaches 48 dB. According to the measurements made and verified as night and day are observed in dB values are approaching standards to overcome noise but no measure has not passed the European standard noise.

Haden village and the village Shipitule, then two villages are located very close to the mine. Termination of the villages of mining operations will not be possible, but can be taken compensatory measures. This for example means planting trees and shrubs to reduce the visual impression. Both assessments must be intensified as could be implementable measures to reduce noise and pollution. These assessments will allow intensified development of appropriate solutions with a choice of plants for planting and the manner of planting.

References

Data from the field (2015) “Measurements directly in the Mine Equipment Home MMH”.
Noise Protection Law Nr.02/L-102.2010,
http://sq.swewe.net/wap/word_show.wml/?318021_1&Zhurma_industriale
ICT Application in the Insurance Industry: Its Impact in Customer Relationship Management

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Abstract

The insurance companies are getting aware that due to the business environment which is becoming more and more competitive nowadays, their priority should be the control over the final market. That means holding good relationship with customers. Companies can get feedback of what customers are looking for by understanding them better, their choices, preferences and what they expect and what they want from company’s product or services offered. The advance in ICT offer new ways of managing relationship. This paper try to give a better understanding of the effects of ICT in customer relationship management in the insurance industry in Albania. In order to be more competitive in the market, the question is: “How are the insurance companies adopting the latest Information Technology advances and is this a good tool for creating adding value to the product they offer?”

Keywords: ICT, insurance company, customer relationship management.

1. Introduction

Ryals and Payne (2001) argue that the success of the CRM strategy is found in the customer value. The marketing manager should avoid the marketing myopia. That means, the primary driver for the customer value should be long-term relationships with customer and not products on themselves. Of course, for a successful implementation of the CRM strategy, cross-functional working and structural organizational changes will be needed too. In order to have a successful CRM strategy, the company should know how to effectively use its information sources. These information will help them to a better position in the competitive environment, and a strong engagement in relationship with their actual customers, and new possibilities to capture new ones. The possibility of using new ways in relationship management is offered by advances in ICT.

2. The Customer Satisfaction in the Insurance Industry

To be competitive to the market, a company may consider a lot of ways, which can lead it to better serving the customer. Among these ways of competition, the most effective one is not considered any more the aggressiveness towards the competitions in terms of market share, but the aggressiveness towards customers serving that lead to their loyalty. Keeping a customer loyal is a real challenge for the company and it poses the need for the creation of the competitive advantage. Insurance companies, as part of the services industry, trying to define the boundary of their competitive area, must take into consideration the large number of competitors, the old ones, other insurance companies, and the new ones brokerage companies and banks. In these circumstances, creation of the competitive advantage is considered a very difficult job. The advances in ICT emerges as a way to facilitate the creation of the competitive advantage using information which can lead the company to the creation of knowledge. Getting to know better its customer’s needs and desires, enable the company to serve the customers in the better way ever compared to its competitors. It’s obvious and the insurance companies are more aware that there are not the rates which are important for the creation of the competitive advantage any more.

Another difficulty faced by insurance companies during the process of product delivery may by misunderstanding by the customer, which if not managed on time can cause serious problems of customer satisfaction and as a result to
the customer loyalty. So the main concern should be customer satisfaction, that means the emphasis is placed in the meeting client's requirements. This makes necessary the need to collect, process and use as much as possible information on the clients and their buying behavior, factors that affect their buying decisions. In this sense, new technologies are considered a very useful tool to push and support the insurance companies to look for new sources of competitive advantage. If the company does not have an integrated CRM, this for sure will be a very difficult and expensive for it, and sometimes impossible.

3. ICT Application in Marketing

Marketing, as one of the organization functions, has taken advantage from the transformations that ICT use within organization has brought in all its levels. ICT use in caring out marketing activities is considered an important source for creating competitive advantage for the company, focusing in the improvement of the innovation processes and their outcomes. There are a lot of authors that agree on this (Bond and Houston, 2003; Prasad et al., 2001; Roberts, 2000; Tatikonda and Stock, 2003; Tzokas and Saren, 1997). Others, like (Argyres, 1999; Tzokas and Saren, 1997) consider ICT as one of the most appropriate tool for creating knowledge about different agents that are part of the environment in which is operating the organization. From this point of view, the importance of ICT use is appraised in the process of acquisition and generation of the market information. Benefits for the company in this case are measured in terms of quickness, easiness and lower costs as a result of the possibility to have access to relevant and up-to-date information, even though the research results have shown that not always the availability of information leads to knowledge creation. Other authors, (Sorensen and Lundh-Snis, 2001), go a little bit further when they agree that ICT use within the organization is the promotor for the process of transmission and diffusion of knowledge throughout the organization. These knowledge is used later in the decision making process by different levels of management. Performance of marketing functions, provides an important part of the decisions that the organization make. The use of ICT in communication affect directly the level of cooperation, as it is mentioned by Leenders and Wierenga (2002), and taking in consideration that in a close relationship, members of a group share the same principles, culture and values, to achieve the common strategic goal, they agree to use significant resources and make significant efforts. Both McDonough et al. (2001) and Gro¨nroos (2000), mentioned that ICT use within organization, results in reduced management costs, which means a great possibility for agents to create social links which by themselves lead to a deeper relationship. Other authors, (Argyres, 1999; Gurviez, 1997; O'Malley and Tynan, 1997), agree that the atmosphere of trust and commitment between agents is a results of the ICT support, and this enables the behavioral cooperation and participation even though sometimes they have to face the cost of losing some of their independence. Based on other research results, ICT use within organization increase its ability to create and maintain long term relationship between different agents and different functional areas. This is proven to be true for both inside and outside of the organization. To be more specific, Leenders and Wierenga (2002); McDonoughh. et al. (2001) and Rothwell (1994), found out that ICT use resulted in a strengthen collaborative links between different functional areas inside the organization like marketing, research and development and design, while outside the organization, the role of ICT use is seen in the increase of the communication and the level of cooperation with the agents that are part of the relationship, making possible their integration in the organization. As Kahn (1996, 200), pointed out, having establishing relationship with external agents, ICT use by organization enables the reinforcement of its ability to coordinate these activities, offering the members of that relationship the possibility to fully participate. Having said that, ICT is considered now as a key marketing factor, and its important is estimated in the new product development process, due to the benefits of its use which result in cost and time saving, facilitation of the information and knowledge transfer, and improvement of the decision making process (Sorensen and Lundh-Snis; 2001).

4. The Albanian Insurance Market

Insurance companies are important player in the economic growth since through risk management instuments they use, is provided a promotion of the efficient investments. The Albanian Insurance Market is a new one and it is defined as a dynamic one and with continuous emerging devolvement. There are three important periods of the development of the Insurance Market in Albania since its creation in 1900, when the well-known Londoner insurance company Lloyd's had its branches in three important cities of that time, Durresi, Vlora and Shengjin:

The first period from 1900 to 1944 - All insurances activities were carried out by foreign companies (Londoner, Italian & French). The insurance Italian companies, that operated in that period were Assicurazione General, Reunione Adriatica, Fonderia Di Firencia Tirana, Instituto Italiana di Previsone, and Roberto Alegro Vlore etc., and the insurance services covered by them were the insurance from natural disasters, industrial and life insurance.
The second period from 1944 to 1991 – this was the period of the centralised economy in Albania and there was not a real insurance market since every gathered premium was used according to a plan by the state and the insurance company (Saving and Insurance Institute, a public organization) didn't have its own investment portfolio. Objectives, risks, premiums, regulation and other conditions related with insurances were approved by the Finance Ministry over the proposals of Savings & Insurance Institute.

The third period from 1991 till now – the democratic changes in Albania had their impact in the economy and in the insurance industry too. The approval of the Law Nr. 7506, in 31 July 1991, brought some changes in the insurance industry. The Saving and Insurance Institute was split up in two different institutions: Savings Bank and Insurance Institution (INSIG). INSIG was the first Albanian insurance company that operated as a commercial enterprise and market rules. Another factor that had important impact in the insurance industry in Albania is the Law Nr. 8081, dated on 07.03.1996, "For the insurances and/or reinsurances activities".

5. Research Methodology

Data sources used in this paper were primary and secondary. Secondary data were collected through literature review and research results of other studies in this field. Primary data were collected through primary research using a decision-maker survey about ICT implementation within insurance companies in Albania. This research was financed by the Ministry of Education and Science of Albania through the project for “Fundamental research and excellence”. The study consisted on face-to-face interview with decision-makers and employees in insurance companies in Albania. The decision-maker in the enterprises targeted by the survey were both the person responsible for ICT within the company and the marketing manager. The sample used for the data collection was a random one.

6. Research Results

The total number of the questionnaires distributed were 120 and the total number of questionnaires returned completed were 87.

When asked for the period of organizing the training program for the computer and other ICT use in the company, 73 of respondents said that training program were organized prior to full adoption and use of computers and other ICTs. Only 73% of respondents affirmed that ICT is given due consideration in board deliberations.

Referring to executive sample of the insurance companies, the marketing managers and IT managers, 40.3% of them strongly agree that the adoption and use of ICTs in their organization has helped to improve organizational management, 39.9% agree, 2.8% strongly disagree, while 17% were not sure and hence remain undecided. When asked for the impact of the ICT application to the reduction of the cost of running their companies, 36% strongly agree, 48% agree, 4% strongly disagrees, 0.8% disagree, and 11.2% remain undecided about the assertion. When asked for the impact of ICT on productivity, 29.3% strongly agreed, while 66.8% agreed, while 3.2% strongly disagreed. Another 0.7% disagreed with the assertion. When asked for the impact of the ICT in the organization value chain, 47% of the respondents strongly agree to this, while 52% agree. No dissent was recorded for the assertion.

When asked for the impact of ICT use, in the relation with the customers, 82% of the respondents confirmed that they had experienced an increased number of customer patronage cases due to the application of ICT in their organization, 12% of respondents said that they yet to experience an increase in customer patronage, and 7% were not sure and hence categorized as being undecided.

When asked if it worth such an investment in the ICT in their companies, for 81% of insurance executives and managers sampled in the survey the answer was YES. Only 2.8% of them answered no and 15% are yet to make up their minds, and hence categorized as being undecided. About the impact that ICT use had in the revenue, only 53% of them answered that the adoption and use of ICTs has led to an increase in revenue earnings for their companies, while 17% showed dissent by saying NO, 30% were undecided on the revenue issue. It was interesting to find out that most of the insurance companies included in the research, do not see ICT as direct means to an end, they see it as a necessary tool for their operations.

Using a cross section of insurance IT managers, we found out that 18% were part of the ICT implementation process within their companies and 14% IT managers said that they were not part of the implementation process, but have a good understanding of the system already in place.

About technical issues on ICT implementation, we found out that the type of network being managed also varies from company to company. Only 6.7% of IT managers said that they operate a distributed network, while 17.5% said that they were on a client/server network.
Referring to the employees answers, we found out that about 81% of employees and personnel of the insurance companies included in the research have computers access to their offices for official duties. About 92% of insurance companies sampled have internet facility. Official uses by employees of the Internet during the working day were electronic-mail, information search, visiting websites and online discussion. Using the electronic mailing system to send and receive information was the most official use of Internet facilities within the company. Computers, printer, facsimile, internet telephony, mobile phones, were the most used ICT in the insurance companies. Other ICTs such as video conferencing, video telephony and mobile radio were hardly used by majority of these companies. Mobile phones whether privately owned or not has also been put to good use by employees and personnel to communicate information for business and official reasons. Most junior employees agreed that they have experience increased productivity since the adoption and use of ICTs within their company.

7. Conclusions

Referring to the research results, most insurance executives and senior managers strongly hold the view that ICTs has led to an increase in organizational productivity, while others merely agree. Referring to the literature review, Stairs and Reynolds (2001), it is important to understand that ICT is not productive by itself. Benefits of using ICT in insurance companies, are divided in two groups: tangible and intangible. In the first group are included timeliness of insurance operations, adequate information storage facilities, faster means of communication and reduction in the amount of effort put into work. In the second group are included customer satisfaction and good corporate image.

Referring to the literature review, different researchers have argued that aside the benefits, there are other factors that make the adoption of the ICT by insurance companies necessary.

The adoption of ICT use among the insurance companies is become a necessity, taking in consideration the need faster insurance operation, faster processing of customer claims and companies liabilities. Most insurance companies in Albania, now see the need to include ICTs in their business goals even though they face the challenges of formulating the right policies that should strategically position ICTs for effective service delivery to their customer. Engagement of the qualified professional and consultants within the insurance companies who will be responsible for the ICT use, is a very important decision to be taken in consideration by the executives and decision makers. They are aware that positioning ICT strategically, a much better perception and utilization level should take place.

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References


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Mrs. Madhuri Ravindra Godbole3. IBMRD’s Journal of Management and Research, Print ISSN: 2277-7830, Online ISSN: 2348-5922


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Language Issues: Variation of Gender Discourse on University Campus

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Abstract

Does gender affect language use? Well, during all these years there have been a number of studies on language and gender, conducted by both men and women. Conclusions of some of these studies are somewhat similar, but other studies claim their controversial findings. There are a number of studies, which could not escape the inherited mentality of masculine and feminism. Our study is an exchange of past and present linguistic data and research. Legends on language and gender, cultural stereotypes, the latest linguistic theories on language based on gender, questionnaire and two case studies are the main elements of our research. We try to answer to questions: do male and female use language for the same or different purpose? At what extend do the social and cultural contexts affect thinking and as a consequence the language itself?

Keywords: gender variable, stereotypes, cultural and social mentality.

1. Objectives

• How language reveals, embodies and supports gender attitudes.
• How language users speak in different and special ways that reflect their gender.
• Can cultural and social conditionality affect gender attitudes in speaking and writing?
• Are there objective differences between the language of men and women?
• Can any social factor completely eliminate these differences?

2. Theoretical Framework

The latest theoretical perspectives on this topic are mentioned to reflect more accurately the relationship between language and gender. Previous theories (Johnson 1997:68) of use of language were based on gender dichotomy: men and women were at odds with each other. But this theory leaves aside the fact that both sexes use the same linguistic resources and use line communication system. However, it’s important not to forget that linguistic differences between the sexes are not encouraged by linguistic elements, but these changes are the product of social processes and practices. Being a boy or girl is “made up” by society¹ (Ferguson, N, 1977, 153-162)-a process in which language plays a key role.

3. Legends on Language and Gender

Linguistic diversity coexists with social diversity. There is not any case, in which social community and ethno-cultural community are linguistically and /or socially homogeneous. Basing on recent discussion on language and gender, five factors affect linguistic behavior: age, gender, ethnicity, social and economic class and education². The three first factors are quite natural but the two last factors are socially based.

Linguists, such as Johnson and Meinhof claim that hypothesis on gender discourse are based on the dichotomy gender-society. Under the social view, males and females are on “conflicting” relations. A quick look at linguistic models on language and gender and Albanian social realities brings into light an indisputable fact: most of our linguistic behavior is based on stereotypes. Such social stereotypes are taught and learned to us since childhood.

K. Basin (2006:23) claims that all gender differences reflected in language are product of society. Language itself is overloaded with stereotypes, proverbs, anecdotes and sayings about females. Probably, the most known stereotype is that girls and women talk a lot... A look on the history of gender issues can result in the fact that certain important people have expressed their opinion in relation to women position in society.

A few examples:

Aristotle “the courage of a man is when he commands, the courage of a woman when she obeys”. Sigmund Freud “women’s anatomy is their destiny. Females are a deviant of human being.” Charles Darwin “intuition or perception are more obvious in women than men. But such abilities are characteristics of an inferior race and as a result, belonging to a passed or earlier stage of evolution.”

On the other side, Albanian language might be considered as a patriarchal language. Throughout the years, Albanian sociolinguists have brought examples of our culture about gendered language. Such stereotypes picture girls and women as talkative and men are assertive in their declaration. But these cultural, generic statements about gender language are not proved scientifically.

Every society determines certain rules about males and females’ position and duties in and out home. These norms influence all the aspects of their lives as a consequence they are reflected in linguistic behavior of both genders. The way males and females talk; define the “individual” usage of language. Gordon and Eman claim that social features of the gendered language influence greatly individual behavior.

4. Results

Our study aims to

- prove that these claims are true;
- find out if language gender division is a reality among students at University of “Ismail Qemali”, Vlore;
- how it affects gender communication.

The first objective is to find out if there are differences between male and female communication. Firstly, we thought that the major difference on both gender communications would be in the term of politeness. Our assumption is justified because terms of politeness show how individuals relate to the outside world. To explain it better, we examined a large number of words which describe psychological conditions and social process, including friends, family, emotions etc.

The second objective is focused in determining the role of social and cultural contexts in gender communication. Albanian linguistic studies on this aspect are just a few. They are mostly theoretical and lack practical part. However, there is a question rising about gender communication: which gender is more effective in communication? The answer is found in linguistic data gathered from students of University of “Ismail Qemali”, Vlore. We found that there are linguistic differences among boys and girls, but such changes are not essential.

5. Case Study

Students were presented with a number of statements about social and language stereotypes. For each statement they had to choose a number from 1 to 5 (1-totally disagree, 5-totally agree).

1) Male and female communication might fall into misunderstanding, because of cultural differences each gender represent. But: males and females do not represent different cultural approaches to communication.
Students’ opinions:

Pro: “we live in the same country, society, this should make us all think that there should not be any essential difference between males and females. Lifestyles and way of thinking must not be ruled by society, rather by the individual itself.”

Against: males and females have never had and will never have similar positions. Both represent beings who think and act differently. Social division on gender base proves that they belong to two different worlds, parallel to each – other. As a result, they belong to two different cultures."

Students’ answers calculated in % are:

![Gender misunderstanding chart](image)

**Figure 3.1. Gender misunderstanding**

As it is seen in the graphic, almost half of the students who filled in the questionnarie, 42 %, disagree with the claim. While 45 % of the students totally agree with the statement that both genders do not represent two different cultures.

(2) Put a number from 1 to 5 for the following statements:

| Females do more gossip than males. | 1 | 2 | 3 | 4 | 5 |
| Males interrupt conversation more than females. |  |  |  |  |  |
| Females use in abundance terms of politeness. |  |  |  |  |  |
| Males contradict each-other in conversation more often than females contradict each-other |  |  |  |  |  |
| Females have the tendency to talk more about the same topic. |  |  |  |  |  |

**Tabel 3.1. Deklaratat në lidhje me përgjithësimet socio–kulturore.**

The answers are as such:

Boys and girls admitted that are the girls those who talk more and use a more convincing style in conversation and an abundant number of polite words. While boys interrupt more each-other in conversations.

Results are given in the chart below:

![Students' answers about generic statements on gender](image)

**Figure 3.2. Students’ answers about generic statements on gender**

The analysis of discussions, conversations and questionnaire, featured some characteristic of gender discourse: female discourse is more careful in making statements; sometimes hesitating and emotional [6]. If one listens attentively girls talking in the class or outside the auditorium (topic of conversation is about lectures), it can observe that they:

1. Use explanatory phrases and modification, using words like: *domethënë* (that is), *kështu pra* (so therefore), *ashtu* (also), *duket sikur* (it seems), etc...
2. Use courtesy expressions, such as: "e ke problem sikur..." (Do you mind if ...); "Do tê më bëhej shumë qefj shikur..." (I was very happy if ...);
3. Use tag questions: "Po ti, do ikësh në mësim?" (And you, will you attend the lecture?);
4. Emphasize certain words through intonation - kështu që (so), shumë (too), goxha bukur (pretty nice);
5. Excessed the use of adjectives: fantastike (fantastic), i bukur (beautiful), i madh fare (great);
6. Girls use more direct statements while boys express their thoughts in a more indirect way;
7. Use the asking word "Pse?" (Why?). Such as, "Pse nuk e hapni derën?") "Why do not you open the door?"
   Girls ask more questions than boys;
8. Use highly decorated expression, but also sentences that express disbelief;
9. Excessive use of the verb: mendoj... (think), thashëunë... (I said);
10. Apologize more: (for example, "Më vjen keq, por unë mendoj se..." (I'm sorry, but I think ...);
11. Use modal constructions, such as: mund të (may), do (will), duhet (should), "A duhet të dalim tani?" (Do I have
to go now?);
12. Use words that emphasize understanding, for example, "Unë jam aq e kënaqur që erdhët!" (I'm so glad you
   came!);
13. Female discourse also uses more pronouns, verbs and social words; words that describe different emotional
   and psychological condition. Denial words and terms about house are also features of their discourse.

Mark which feature belongs to males / females or both genders:

Table 3.2. Përcaktimi i tipareve sociale sipas gjinisë.

<table>
<thead>
<tr>
<th></th>
<th>Competitive</th>
<th>Cooperative</th>
<th>Aggressive</th>
<th>Try hard</th>
<th>Talkative</th>
<th>Sensitive</th>
<th>Practical</th>
<th>Use Tag questions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Males</td>
<td>↑</td>
<td>↑</td>
<td>↑</td>
<td>↑</td>
<td>↑</td>
<td></td>
<td></td>
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Students' answers brought into light a cultural stereotype which is deeply rooted in language as well: 54 % have the
conviction that males are more competitive than females; 46 % think that both genders are equally competitive.

After an accurate interpretation of the questionnaire outcome, we reached the conclusion that boys' linguistic
performance are different from those of the girls'.

Thus, boys use a concise, direct language. Their tone of voice expresses strength and power. Most of their speech
is short. Girls use a lot of affirmative questions and most of their declarative statements end in a rising intonation, as a
question.

6. Discussion

Boys consider communication as a tool that serves to exchange information, that is, they speak when they have
something to say, when you want to reach a certain goal, focus less on the affective side of speech and do not provide
many details about an issue. Girls communicate to establish a relation with others, to discuss a case in which the
emotional aspect prevails and they give a detailed recount of the case.

Female discourse features that are stated above are not universal, because they appear in a part of the girls, and a
significant part of them reflect security, confidence, and strength in their discourse. Changes in gender speech are less
visible in developed societies and more prevalent in economically underdeveloped societies, where women do not play a
pivotal role in the society and family.

Regardless the level of culture or education of the student girls, polls and surveys conducted in the aforementioned
institution have shown that: 78% of girls displayed assertiveness in their discourse, but most of their affirmative
statements ended in a rising intonation, if they were asking a question. This feature shows women attempt to equalize
with the boys position, but also shows a lack of confidence in saying their opinions.

After finishing the process of gathering and interpreting linguistic data of both genders, we can conclude that such
work it was easy and difficult. Many students considered quite interesting the study of language and gender. Our
research gave them a possibility to express their point of views. This attitude helped us to gather easily data for our research.

Meanwhile, we encountered a difficulty, which made us deal with the issue of subjectivity. Questionnaire and observations of students' linguistic exchange highlighted the hypothesis that students would have been influenced by their cultural and social background.

The saying "Men are from March, women are from Venues" is just a metaphor. Males and females differ from their sex, which is the root of every social and cultural difference. This difference is reflected in language as well. We are products of our society.

References

Bhasin, K., Të kuptosh përkatësinë gjinore, Tiranë, 2006, f. 23.
Berryman, C. L., & Eman, V. A., Language and Gender Communication, Language and Sex, United States, 1983, f.30-35
Aspects of Cultural Utopia Displayed Through Anarchy in the Characters of Ulysses

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Abstract
This paper will be focused on an investigation in the expansion of cultural utopia through an invading anarchy in some characters of Ulysses. In the 18th and 19th century is widely perceived a new anarchy and utopia, different from that of religious connotation. In many utopian ideas, with anarchist connotation, is expressed the belief of creating a despotism, which lately will disappear to leave the place to a country avoiding class division, leading to the transformation of the individual. At the beginning supportive of Irish Renaissance, but shortly very critical, Joyce attempts to epitomize the spiritual emptiness linked to Irish Catholicism together with the absentee of ideas from its leaders in the independence movement of Ireland. In all his works prevail the perception that imperialism is sustained by a Catholicism that plays the role of a camouflaged European nationalism. Many controversies are the basis of Illuminist inspiration in the 19th century. Supposed to be the source of a changing society, they embraced much exclusion, starting from the fact that it was not taken into consideration the difficult situation of slaves, women, prohibited religions etc. Through an empirical analysis of some characters in Ulysses, I will arrive to the point to evaluate these ideas that perturb the characters of Ulysses, and above all Joyce himself, abound in the episodes of Ithaca, Nestor, Cyclopes, Thelemacus

Keywords: cultural utopia, anarchy, Ulysses, Joyce, imperialism

1. Introduction
If we horizontally and vertically analyze the ideas of utopia developed during the years and centuries, it is clearly understood a transformation, as they become part of the structure of life and contemporary experience. Manheim (1985) describes utopia as “a sort of passing orientation of the reality that at the same time rips the connections with that existing reality.” (p.173) At the core of different concepts on utopia, which prevailed in the western societies, was the ideal creation of a society. This concept varies from the search for reflection over a better life, but it can even change to a pursue of impressions not based on reality, being just an immeasurable project of human mind. The meaning itself of the word utopia, of Greek origin, can be translated as eu-topia (Manheim, 1985, 173), a place finding happiness or as ou-topia, a place not based on reality, but a result of fantasy. Different supporters of utopia, such as Saint Thomas, Fourier and Owen had no intention to emancipate the specific classes, but humanity as a whole (Davis, 1984, 4). While Thomas Moore in his book Utopia (1516), projects utopia as a way of thinking for different kinds of societies, maintains the notion of Manheim that a good living can be reached only outside the existing reality.

2. Anarchy in the Utopian Context
A new anarchy and utopia, different from that of religious connotation, is widely seen in the 18th and 19th century. An example of secular anarchy is found in the ideas of the philosopher William Godwin (1756–1836), who expressed himself against wars, unconditioned dominance of whatever demagogue, believing that only education and liberty would bring forward salvation. In Robert Owen (1771-1858) we find the same way of society salvation from educational and economic organization. He further explores this notion, being persuaded by his socialist connections, and perceives the salvation of the society within the social cooperation, overruled by the faith that man origin is not in the sin, but in the improper governance system. Pier Joseph Proudhon (1809-1865), a French philosopher, envisions the salvation of society in the humanist mutual aid within society. Contrary to his precursors, he asks for an over passing of the capitalist system and the establishment of a society without classes, where the formation of nation federations will bring the desired peace. Another philosopher, ranked against the economic and political system of his era is Henry de Saint Simon (1760-1825). He insinuates the idea of a European union, within the political and economical arrangement, as a manner to disappear the conflicts within states; in the meantime the Industrial Revolution would have another helpful approach in the war
against poverty. Of matching vision is even August Comte (1798–1857)), who intended to obliterate the conflicts within states, and manage the development of technology in favor of humanity.

Contrary to his predecessors, Hegel (1770–1831), the German philosopher, thought that the historical processes were not based on a continuum repetition, but occurred as simple developing progressions. His theoretical point of view on history replaced faith, wide spreading the contemplation that the divinity concept on earth was represented by the state. Every nation or civilization has its period of blooming, as a result is repudiated the intervention of other nations and countries in this period of superiority. The impression of this world and history advancing from the dialectic of thesis, synthesis and anti thesis was encouraged by Engels and Marx. As a result of the Industrial Revolution, Engels and Marx believed that at the heart of the historical advancements was the economic contradiction within the society classes. Marx defended the complaining of the poor lower classes seeking a happy ending through the distribution of the material goods. The state will react through obtaining the means of production from the capitalist class, building the real communist system of dictatorship, making the individuals more human in a society without classes. This is a typical utopian idea, with anarchist connotation, expressing the vision of building a dictatorship, which will later disappear leaving the place to a society without classes and to a better individual human transformation.

3. Cultural Utopia as Anarchy in the Characters of Ulysses

The displacement of a culture taking the form of an invading anarchy is widely observed in many episodes of Ulysses. A literature movement as Irish Renaissance tried to found the inspiration in the roots of the country tradition. Supportive at the beginning, but very critical later, Joyce tries to demonstrate the spiritual emptiness of Irish Catholicism and the ideals of absentee from the leaders and rulers in the independence war of his population. In the first episode, Ithaca, this whole situation is portrayed from an old woman selling milk. This old woman is a lampoon of the Old lady of the Irish knowledge, who in the moment Ireland wins its independence will be transformed into a beautiful queen. This old woman cannot bring inspiration to the others. Life drying up, the preference for a doctor as Mulligan instead of an intellectual as Stephen and the denying possibility to speak the old Irish language serve to form a literature figure, who has aspired at underestimating the folkloric diggings of many Irish Renaissance writers to assemble the narrations of the Irish in the western part territory. Always contradictory toward such quests to build a fake past as a manner to bypass the present and its consequences, different from other Renaissance writers, Joyce explored the artistic stimuli in Europe.

In all his artistic works, Joyce tries to probe the idea that imperialism is supported by a cosmopolitanism, which plays the role of a disguised European nationalism. Many controversies exist at the core of advanced or Illuminist ideas in the 19th century. They were supposed to be the essence of a changing society, but included many exceptions, starting from the fact that they did not take into consideration the situation of slaves, forbidden beliefs and women. The whole population, out of the European territory, did not subdue such projection of life and human rights. As Robert Young (1990) argues “during the period when colonial invasion was at its highest level of spread, and even more during the dispersion of colonialism, the western philosophers were obliged to face the Eurocentric nature of their intellectual traditions, meanwhile the postcolonial studies followed the same line of thought” (p. 143). Such opposition was becoming prevalent, while the wave of thought against colonialism increased.

Such belief is evident in many episodes of Ulysses, starting from Nestor. In this episode, Stephen does the utmost to wake up of the historical, national and personal anxieties, which are intermixed like a micro cosmos to a macro cosmos, navigating from the history of Greece to that of the modern Ireland. References toward the characters of the Greek history are not at the center of attention in the novel, because they are substituted by updated historical situations, such as the British invasion of Ireland. In the second part of the episode, the author puts at center the character of Deasy, a defender of British politics and an Irish following the British behavior. Taking the role of a philosopher, Deasy defends the idea that every consequence in human history comes from the position of women in it. Through citing three important female names in history such as: Helen of Troy, Devorgilla and Kit O’Shi, he recalls the political betrayal against Parnell and his followers, but also the betrayal of faith that the Irish had on him. What unites these women, except the historical connotation, is their correlation with Molly Bloom, because they are representatives of different alternatives to female betrayal, who will not be loyal to Bloom. At the end of this part Deasy condemns himself with his arguments.

The quest for justice troubles our characters, and at the same time reflects the actual condition of Ireland, disturbing them in their subconscious. According to Deasy “it seems history is to blame: on me and on my words, unhating” (Joyce, 1961, p.51). In one of the many quarrelling episodes between Stephen and Deasy, he says about the English that “But one day you must feel it. We are a generous people but we must also be just” (Joyce, p. 52). But Stephen ironically answers that “I fear those big words, Stephen said, which make us so unhappy” (Joyce, p.52). In the following episode, through the stream of consciousness displayed by the technique of interior monologue, Stephen
reasons on the truth of things surrounding him. Young male, dreamer, member of a poor family, believer of church teachings, he is transformed into a skeptic Parisian, lost in beliefs. Without the wings of truth, finds himself unprotected from his belief and talent. Part of the many questions is even the state justice articulated with injustice:

Aha. Eating your groatsworth of mou en civet, fleshspots of Egypt, elbowed by belching cabmen. Just say in the most natural tone: When I am in Paris; Boul’ Mich’, I used to. Yes, used to carry punched tickets to prove an alibi if they arrested you for murder somewhere. Justice. On night of the seventeenth of February 1904 the prisoner was seen by two witnesses. Other fellow did it: other me. Hat, tie, overcoat, nose. Lui, c’est moi. You seem to have enjoyed yourself. (Joyce, p.63)

In the debate related to justice, Bloom includes even himself. In the episode of Cyclopes, the many Cyclopes of the city gather at the pub of Kiernan, build on the ideas of Michael Kuzek, known for the renaissance of old Irish sports to serve his nationalist ideas as a reaction towards the English politics. The satire is directed to the people of the world, who perceive the reality their live from a limited perspective, transforming themselves into the Cyclopes of the modern society. Parallel to the Cyclopes of the Odyssey, those of the 20th century displayed an intellectual blindness. The Cyclopes of the city, represented by the citizen, are portrayed as an Irish pre-historic worrier decorated with tribal images of historic personages as: Goliad, Dante, Captain Memo, Mrs. Godiva, and the Queen of Sheba et c. The ideological clash between Bloom and the citizen is inevitable as a result of a violent, hatred, and revenge environment presented during the whole episode. For the first time in the novel, Bloom exposes his heroism within a modernist approach and the universal anger could be able to put under control dangerous parts of the society by way of anarchy. These ideas, where culture and anarchy cooperate to suppress the voice of the marginalized are contradicted by Stephen. During his whole life Joyce perceived the reality their live from a limited perspective, transforming themselves into the Cyclopes of the modern society.

And I belong to a race too, says Bloom, that is hated and persecuted. Also now. This very moment. This very instant. Gob, he near burnt his fingers with the butt of his old cigar.
—Robbed, says he. Plundered. Insulted. Persecuted. Taking what belongs to us by right. At this very moment, says he, putting up his fist, sold by auction in Morocco like slaves or cattle.
—Are you talking about the new Jerusalem? says the citizen.
—I’m talking about injustice, says Bloom.
—Right, says John Wyse. Stand up to it then with force like men.
That’s an almanac picture for you. Mark for a softnosed bullet. Old lardyface standing up to the business end of a gun. Gob, he’d adorn a sweepingbrush, so he would, if he only had a nurse’s apron on him. And then he collapses all of a sudden, twisting around all the opposite, as limp as a wet rag.
—But it’s no use, says he. Force, hatred, history, all that. That’s not life for men and women, insult and hatred. And everybody knows that it’s the very opposite of that that is really life.
—What? says Alf.
—Love, says Bloom (Joyce, p.363)

In the long debate with the European philosophers, the nationalist thoughts expressed from the Illuminists are labeled as obligations towards colonialism. A typical example is the catholic educational system that helped the Irish in their road towards progress and knowledge. In the thoughts of Stephen the whole English literary tradition had the source in this colonial obligation. Interesting within this context is the connection with the philosopher Mathew Arnold (2006, pp.134), cited many times by Stephen in the novel, since he is against the idea that culture through its educational force could be able to put under control dangerous parts of the society by way of anarchy. These ideas, where culture and anarchy cooperate to suppress the voice of the marginalized are contradicted by Stephen. During his whole life Joyce expressed resentment for being obliged to study in College of Dublin University, which he considered inferior to Trinity College. In the episode of Thellemacus, Stephen precisely refers to the student life in that college, through a satiric approach, and even to the threatening usage of education as a manner to invade the mind, spirit and body.

Through the compositional technique of description, while portraying these students he declares:

Young shouts of moneyed voices in Clive Kempthorpe’s rooms. Palefaces: they hold their ribs with laughter, one clapping another. O, I shal expire! Break the news to her gently, Aubrey! I shall die! With slit ribbons of his shirt whipping the air he hops and hobbles round the table, with trousers down at heels, chased by Ades of Magdalen with the tailor’s shears. A scared calf’s face gilded with marmalade. I don’t want to be debagged! Don’t you play the giddy ox with me ! (Joyce, p.25)

While in some lines beneath he says, “A deaf gardener, approned, masked with Mathew Arnold’s face, pushes, his mower on the sombre lawn watching narrowly the dancing motes of grasshalms” (Joyce, p.26). He tries to disparage that culture represented by Arnold and the ideology of an empire, which through wide spreading such illusionary ideas avoids
the inclusion of colonized voices in its politics. That is the reason why colonialism and nationalism were ingrained in culture, its institutions, the traditions of group individuals and even questioning their aim. For this motive Joyce became a member of the Irish Renaissance at its beginnings, except later abandoning it because its concepts were based on colonialism. He presupposed this movement as an attempt without a real intellectual core, producing known views on the issue of Ireland.

Within this episode we encounter the figure of another personage as Haynes. The first impressions of him are presented by Stephen and Mulligan, who, especially Stephen, expresses the displeasure to live with him under the same house. Haynes is described as a man having all the opportunities of education and living that Stephen did not. Educated in Oxford University and grown up in a healthy family permitted him to live a life enjoying all the amusements of the time. Haynes is described as a typical British imperialist trying to make a study on the Irish folklore, but also showing interest in buying books by different Irish Renaissance authors. He attempts intensively to cite by heart parts of different poetries. Son of an imperialist father, Mulligan says that “His old fellow made his tin by selling jalap to Zulus or some bloody swindle or other” (Joyce, p.25).

Every night he involved himself in utopian dreams revolving in the mind the consequences of colonialism accompanied with violence, savagery and the widespread of a controlling culture. The culture of free time was influenced by these ideas in the Zulu territory. The apprehension and anger of Stephen is augmented even more bringing Mulligan to mind the every night experience of an imperialist as Haynes: “I was, Stephen said with energy and growing fear. Out here in the dark with a man I don’t know raving and moaning to himself about shooting a black panther. You saved men drowing. I’m not a hero, however. If he stays on here I am off (Joyce, p.22).” The apprehension of Stephen resembles that of every Irish against the consequences of the colonial system, resembling a beautiful utopian system, but in deep is based on violence and human rights disrespect.

Even more utopian is the situation described by Haynes. The first time the reader meets Haynes arrives to some impressions alone, without the help of Stephen and Mulligan, especially in understanding that the he sales in utopian waters of the colonial thought. The narration technique used to organise the events is that of a narrator, tempting to uncover them and the personages from within, while presenting the psychological nature of the novel. The involvement of the reader in this context is unavoidable. In the course of a dialogue between Stephen and Haynes, through the technique of dialogue discourse, we understand many things about Haynes.

I am a servant of two masters, Stephen said, an English and an Italian.
—Italian? Haines said.
A crazy queen, old and jealous. Kneel down before me.
—And a third, Stephen said, there is who wants me for odd jobs.
—Italian? Haines said again. What do you mean?
—The imperial British state, Stephen answered, his colour rising, and the holy Roman catholic and apostolic church. Haines detached from his underlip some fibres of tobacco before he spoke.
—I can quite understand that, he said calmly. An Irishman must think like that, I daresay. We feel in England that we have treated you rather unfairly. It seems history is to blame. (Joyce, p.40)

It is very evident that Haines does not blame England for the colonisation of Ireland, but the historical consequences. Whereas meeting the milk seller, he attempts to speak Irish, but faces incomprehension on the part of the old seller.

-Do you understand what he says? Stephen asked her.
—Is it French you are talking, sir? the old woman said to Haines.
Haines spoke to her again a longer speech, confidently.
—Irish, Buck Mulligan said. Is there Gaelic on you?
—I thought it was Irish, she said, by the sound of it. Are you from the west, sir?
—I am an Englishman, Haines answered.
—He’s English, Buck Mulligan said, and he thinks we ought to speak Irish in Ireland. (Joyce, p.33)

During this ethnographic confrontation, Haynes is exposed as a typical representative of British imperialism and conductor of a cultural utopia. The danger that Haines transmits in this confrontation is not just individual, but the representation of a certain thought and certain regime. This is what frightens Stephen most, Joyce himself and all the Irish community of that period. This is the reason why Joyce is expressed against the Irish Renaissance.
4. Conclusions

The displacement of a culture taking the form of an invading anarchy is widely observed in many episodes of *Ulysses*. In the first episode, *Ithaca*, through the literary figures Joyce expresses his contradiction to quests building a fake past as a manner to bypass the present and its consequences, different from other Renaissance writers he explored the artistic stimuli in Europe. In *Nestor*, Stephen does the utmost to wake up of the historical, national and personal anxieties, which are intermixed like a micro cosmos to a macro cosmos, navigating from the history of Greece to that of the modern Ireland. The author puts at center the character of Deasy, a defender of British politics and an Irish following the British behavior. The ideological clash between Bloom and the citizen is inevitable as a result of a violent, hatred, and revenge environment presented during the whole episode of *Cyclopes*. For the first time in the novel, Bloom exposes his heroism within a modernist approach and the universal anger against the citizen Cyclopes and every nationalist, imperialist ideology based on violence. Through the narration technique of dramatic dialogue, as a consequence of the emotional conditions and the confrontation of personages, is observed their real nature.

These ideas, where culture and anarchy cooperate to suppress the voice of the marginalized are contradicted by Stephen. During his whole life Joyce expressed resentment for being obliged to study in College of Dublin University, which he considered inferior to Trinity College. In the episode of *Thelemacus*, Stephen precisely refers to the student life in that college, through a satiric approach, and even to the threatening usage of education as a manner to invade the mind, spirit and body. He tries to disparage that culture represented by Mathew Arnold and the ideology of an empire, which through wide spreading such illusionary ideas avoids the inclusion of colonized voices in its politics. The apprehension of Stephen resembles that of every Irish against the consequences of the colonial system, resembling a beautiful utopian system, but in deep is based on violence and human rights disrespect.

References

Concept of Teacher Leaders and Creation of Friendly Climate in the Classroom: 
In Secondary Education (High School), in Albania

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Abstract

Studies have shown that many people are not satisfied with the condition of the schools, that frequent changes in 
education reform. These changes have led to changes in organizational role to the school, in modifying the roles of the 
staff who work in this institution. Thus modified noted the role of teachers, relationship that they have with students. 
Introducing a new concept for teachers, leadership and style that they use in the relationship with students is a concept 
that is widely studied. This study is one of many ongoing studies enterprises and other foreign and Albanian. And it aims 
to address those aspects of the educational institution, which exhibit problematic and should be improved. The main 
hypothesis of this study: 1. Teachers prevents domineering leadership style (is inversely) with the development of a warm 
and friendly climate in relation to students. 2. The teacher promotes democratic leadership style (is a positive correlation) 
with the development of a warm and friendly climate in relation to students. The purpose of this study is to determine the 
style of leadership that the teacher uses positive or negative influences, to create a friendly climate with students. The 
sample of this study are students and teachers of three profiled high school, a town on the outskirts of Tirana and two 
other schools in the urban area of the capital city. The study included 165 subjects who completed a questionnaire and a 
semi-structured interview methods to prove the hypothesis. The study revealed that students are frustrated by their 
teacher communication. Also teachers are not open to the opinions of students. An domineering teacher who remains in 
the framework of traditional teachers, does not create a positive climate with students, and no cooperative relationship 
with them. Study in these three schools, showed the great need that the teacher was democratic, where students had the 
opportunity to speak freely and openly about everything, even for problems of concern. Some of the valuable 
recommendations: Teachers should tell students meet what is expected of them to improve the positive climate of 
learning. Teacher should be a facilitator, guide, model creative and good at making decisions.

Keywords: leadership, education, communication, student-teacher relationship.

1. Introduction

The notion of teacher leadership is not new, but recently it has been transformed. In the past, the roles of teachers have 
been limited in scope. Teachers have served as the team leader, were the school administrator's role in the drafting of 
curricula, etc. In addition to teaching other roles do extra on their responsibilities. In these roles teachers often served as 
"representatives" rather than be "leaders" who make a difference (Livingston, 1992). In addition, teacher leadership roles 
traditionally lacking and there has been a kind of flexibility and requires an ongoing commitment long and requires time 
and energy. Recently, reports on the status of teacher education have issued strong and compelling plea for different 
dramatic roles, teachers and raise their professional development (Carnegie, 1986; Holmes 1986). Recognizing teaching 
centrism, reports emphasize the need for teachers to expand their sphere of influence even in classes that they teach. 
Advocacy for the professionalism of teachers and expanded leadership roles is based on the understanding that teachers 
(because they have daily contact with students) are in the best position to make critical decisions about curriculum, 
establishing a positive climate in class. Moreover, they are better able to implement changes in a full and continuous 

We are aware that some groups in school social work or social hierarchy, of course that will appear problematic, 
and various conflicts. As a researcher in this field my job is to know how the school operates and how accomplished 
cooperation between different social groups working in the school. After numerous studies often by level of degree that 
respect social status at school can lead to a situation of discrimination against groups that have low social status. School 
hierarchy being a known and functional process in school, often during the application may be confused by different
social groups. So teachers may sometimes require the utmost respect artificially their students. But this really respect the environment uneamed school is placed in artificial street action as a result of the school hierarchy. And thus gradually brought into the theme and in the course of this study, where teachers have a higher social hierarchy than their students, so in a certain way are the leader of a group with low social status. And in this study we will see different teachers with leadership styles and different relationship based on teacher leadership.

A valuable application for defining the role of the teacher is his ability or rather the work it does for the creation, maintenance and implementation of class operation. It is known that it is not the same thing as to communicate with a group of individuals, or to cooperate with the whole class, where collective productivity, without doubt, is higher. If teachers deliberately focus more than they like to a group, some individuals, it is likely to lose control on the other side of the group, which brings confusion in class efficiency and declining teaching and educational activity. Setting right the normal communication in the classroom increases the more cooperation and interest of all adolescents for high performance. This way of communicating positive pressure exercises to each student to move at the pace of others. Relations open, clear and student teachers downright adolescent influences significantly reduce the level of mistrust and create favorable climate of understanding.

2. Objectives and Assumptions of the Study

The purpose of the work:
The purpose of this study is to determine the style of leadership that the teacher uses in class affects in creating a certain climate in the classroom. It is therefore important to understand the concept of leadership, leadership styles, the climate in the classroom.

Scientific tasks of this study focus on the following aspects:
1. Identify the main characteristics of teacher leadership style, that make a teaching process productive and enjoyable for students.
2. Identify what qualities of leadership, develop or hinder the process of teaching and education of students.
3. Identify whether the changes The relationship teacher - student, if different leadership style of the teacher.
4. To find out if there are connections between leadership style and enjoyment to the class.

The main hypothesis of this study:
1. Teachers prevents domineering leadership style (is inversely) with the development of a warm and friendly climate in relation to students.
2. The teacher promotes democratic leadership style (is a positive correlation) with the development of a warm and friendly climate in relation to students.

Here we will have in mind the kind of leadership style is an independent variable, because if we will try to manipulate with The relationship will change. Also it should be noted that during the discussion will emerge demographic factors such as age sex, years of work experience, etc., which will be neutral variables, but they have their importance in the process of discussion. Leadership style means some features and important factors such as: cooperation, communication, respect, flexibility, responsibility, tolerance. Therefore our analysis on this topic would make such a division based on these factors.

3. Methodology Used

To conduct the study were selected two instruments that are very important. Because their aims through the collection of information necessary to achieve the purpose and verification of hypotheses. The study followed several steps that make it simple meaning by the reader:

The first step is to recognize and review of literature on the topic. It reads existing studies on leadership in general, and its kind of styles in particular.Most of them deal with the factors that influence this communication and other independent variables such as stress, the inability of teachers, mosxnënia by students, age, gender. Some of these variables were available for Albania.Joining Based on this, it was thought and conceived the application of such a study in three schools, a town on the outskirts of Tirana and two other schools in the urban area of the capital city. Sample selection was made randomly. The study has a limited extension which means that it can not be generalized data.

To verify information gathered from the survey hypotheses and interviewing 165 students and teachers of the three schools. This was accomplished through the completion of two questionnaires (teachers and students), and a semi-structured interview with teachers.

Ethical considerations and confidentiality were released early. Each subject was free to accept or refuse the
The study tried to include as many factors and elements that were valid and reliable, but also considering that their studies have margin of error and little elements that weaken it. Interpretation of the results of the study was limited in the data collected from the sample selected.

Leadership in itself means and exercise his power to someone else. But this sentence is a further continuation because exercise power means authority.

LEADER Lipman1, (1998) Behold the word characteristics:

- L- Listen and talk to everyone. Search feedback (feedback information), by all students, not only the best students or to distinguish the class.
- E- Enthusiasm. If teachers are passionate about labor issues, will radiate enthusiasm and students. A positive and optimistic attitude will enable to make the task more effective and more fun.
- An (A) - Action and goals are important, but providing a comprehensive action plan will be easier to explain how to achieve the goals. Be creative and take risks in order to find new ways of achieving these goals.
- D (Dependability) Safety. Students should be able to trust the teacher leader, whom they see a model that preserves confidentiality and ethical principles.
- E (Educated) The teacher should have a good understanding of the dynamics of the students' school work and have about as many different extracurricular organizations regarding students. A teacher leader must lead by example in the classroom.
- R (Results) Results of motivation to keep lasting and positive relationship with the students.

Teachers typically have focused their career satisfaction in terms of their ability to be of service to others and make a difference in the lives of their students (McLaughlin & Lee, 1988). Similarly, teacher leadership considerations are based on their desire to improve the quality of teaching and learning for all students, and to create a friendly and positive atmosphere in the classroom. Studies have shown that teachers do not agree with the traditional definition of leadership "higher authority" positions or "superior" within the organizational hierarchy (Devaney, 1987). Instead, teachers have seen leadership as a joint effort, a "banding together" with other teachers to promote professional development and growth and the improvement of educational services, as well as their relationship with students (Troen & Boles, 1992). Mësuesit janë duke shërbyer si kolegët kërkimore, duke punuar si këshilltar-mentorë të mësimdhënësve të rinj, dhe duke lehtësuar aktivitetet e zhvillimit profesional. Mësuesit gjithashtu veprojnë si anëtarë të ekipeve të ndryshimit (Livingston, 1992).

4. The Types and Styles of Leadership

Its behavior towards subordinates or group leaders to achieve the objectives set, or better known as leadership style varies from one leader to another, and these are:

- Autocratic style (Authoritarian) leadership
  The domineering style, based on the assumptions of the theory "X" to McGregor-to human nature not only seeking the opinion of subordinates, but let them a very limited field of action to influence decision-making. Autocratic style (authoritarian) is characterized by the preference to maintain a minimum level of conflict and creativity as well as strict supervision of subordinates, whose motivation is done through fear and incentives. This kind of leader gives orders, is cool with focus group members and so exclusive in the performance.

- Democratic style (or participants) leadership
  Democratic style of leadership is based on the theory "Y" to McGregor-t or in theory "Z" to W.Ouchi's, human nature. Democratic leader shares his authority with subordinates, take into account their views and opinions and encourage them to be active in the decision-making process. Considered as a supporter of this style all those individuals who do not carry anything without interaction with subordinates or who do not make decisions without prior consultation.

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with them. Although this style gives people a lot of pleasure in work and encourage them to cooperate with higher efficiency, it can not say with certainty whether the decisions made in this way are the best. Recent studies, indeed, cast a shadow over this issue because of the influence of environmental factors and argue that, if the leaders of what lean more participation by workers, then their productivity tends to decrease.

- **Liberal style ("laissez-faire")**

Liberal style is based on a very limited use of power, leaving a large subordinates in their freedom. Leaders define some very broad limits and allow subordinates to set their own objectives as well as their manner of implementation, thereby playing a role in helping more than superior. This attitude means that they provide proper information subordinates serve as the group's contact with the outside. Liberal leader applying style makes little effort to develop his subordinates or to meet the requirements that they have. As for the democratic style, here support the theory "Y" or "Z" and supporters of these styles prefer to conduct more school.

In addition to the terms of his leadership and styles, as we noted above we will try to share the leadership of teachers in some factors such as; communication with students, cooperation, respect, flexibility, tolerance, accountability, etc.

And first to achieve and create a relationship of communication must exist.

Communication is any process in which people share information, ideas and feelings. In his work, "The art of teaching", Flinders (1989), concluded that a professional teacher uses skills such as language and gestures to communicate messages, discovering the beauty, drama and putting students in roles, promoting continued student motivation to learn, etc. He suggested various aspects of professional teaching, and one of these was the communication aspects. According to him, the communication goes beyond speaking or writing, including language of gestures, eye contact, voice intonation, etc.. The effect of these non-verbal reactions to carry the message is conditioned by showing care for students.

Studies currently available on the multidimensional role education institution, have highlighted the fact that this institution has in its composition of certain groups of people who work together, through the exercise of a social status in the school hierarchy. But it also creates division hierarchy of groups working together in school. Who are these groups?

The group with higher status, are headteachers. After this group comes the social status of teachers and students he finally. However, experience has shown that this kind of hierarchy creates a precarious situation, especially discriminating between teachers and students. From the interaction of these groups with different statuses, it can be moved from a rigid and problematic communication towards a liberal and chaotic communication. The process of teaching requires active communication and the establishment of bilateral relations between groups that have different statuses in school. If further ban teacher-student relationship and type of communication, it is seen that there is a clear justification. Teachers having a higher social status than the students, can artificially require the utmost respect from students. So today in schools, we are carefully observe, since the plurality of the teachers, few of them really enjoy the respect of students. The rest of the teachers do not enjoy the same degree of respect, but impose respect for their status and authoritative stance and their distant students.

5. **Communication Styles**

Human communication is more complex than it seems, if maintained in view of that it appears with different styles, they
can be:

a) Free style and natural
b) Official Style
c) Authoritarian style
d) Dictatorial style
e) Conformist style
f) Democratic style
g) Artistic style, etc.

There are also many other styles that appear in communication. These styles are a way of communicating, which is conditioned by psychological nature or type of entity that communicates, his social position, or state official, conditions, circumstances, or a particular context, such as a school. Communicating style stems from communication strategy, but should not be regarded as similar.

6. Results

The study found that the teacher-student ratio, there is a negative correlation between authoritarian style of teachers and creating a warm and friendly climate in this report.

The study also found that the ratio between male teachers and students gender difference was not a teacher. The relationship of cooperation and the same was Notwithstanding this fact.

So, the teacher with the democratic leadership style is positively correlated with the development of a warm and friendly climate in relation to students.
From the answers in students showed that their teachers almost all the time, are free and are impatient mood in relation to students. Critics often complain and make their students, and other elements that confirm that their teachers rarely are friendly with their students.

7. Discussion

Teacher-student relationship is one of the most important reports of the process of education in the school institution. This relationship is influenced by many factors, external and internal. Adolescent educated teacher to assess not only by age, but by the role it plays in this institution, then at school. Teacher-student ratio realized straight, when the teacher has sufficient personal professional skills. The school environment is privileged territory where social analyzes and develops the mental process of teenager student who pursues his lifelong. So when the school does not function well, no damage something at the individual, but mainly socially, because not encourage desired behaviors systems.

This study will show us and will extend us more perspective on the status, leadership style, some specific types of communication, cooperation, tolerance, and many other factors in this relationship "giant" of teachers and students. The main hypothesis of the study was whether the teacher with authoritarian leadership style back the creation and development of a warm and friendly climate in relation to students. This hypothesis argue with previous studies in the literature, but also the concepts and definitions. And what is it that really happens, to make an analysis of this hypothesis? As mentioned in the introduction or in the literature of the subject itself of the institution of the school hierarchy makes you think and throw multiple hypotheses for this connection status and interdependence between teachers and students. By comparing the study that is cited in the literature review chapter, it noted that teachers having a higher social status than the students, can artificially require the utmost respect from students. So today in schools, we are carefully observe, since the plurality of the teachers, few of them really enjoy the respect of students. The rest of the teachers do not enjoy the same degree of respect, but impose respect for their status and authoritative stance and their distant students. So, according to this study and other studies psychopedagogic, it indicated that somehow, imposed i’u student teachers, unconsciously, as a result of higher status they enjoy. Even in our study was observed this phenomenon and attitude of this hypothesis. For the fulfillment of the instrument they revealed that students are frustrated by their teacher communication. And that was observed in the percentage of what they had alternatives very unhappy, and unhappy. But students from the completion of the questionnaire out another fact, that a great part of them feel that their teachers are not open to the opinions of students. But even by their teachers they had an equal percentage, the answer provided by this question. Half of them said they are open to the opinions of students and the other half not, are not open.

Communication is an element that shows the leadership style of the teacher, but also a way of establishing friendly relations with students. And the question on the creation of a climate and atmosphere in the classroom when students communicate openly and freely, again a large percentage stated that the climate is calm, and a slightly higher percentage said that the climate is friendly.

Another element where students bring their authoritarian teachers, is cooperation in this relationship. How strong is this cooperation?

The students claim that teachers impose their student opinions. But this assertion true results when students were asked their teachers promptly implement rules regardless of student opinion. So, to take a new initiative or project, the teacher sets itself, and not the opinion of their students, although this project may affect a touch and the students. But besides these little facts mentioned above, teachers are neither flexible in relation to the students, so are not tolerant. This is seen in the question that has become their pupils if teachers tolerate a joke, or particle of humor, if you see that you are tired and unfocused; and their answer was never true. This means that their teachers are strict and inflexible. But even by their teachers claim that making jokes, meant to create "Your hands," an unbearable situation in the classroom. And occasionally true alternative, answered most of the teachers.

A pretty interesting element emerges, when students are asked directly if their teachers are friendly or not. A large percentage of cases stating that it is true. But in this question there is a difference between schools. Bathore school, more students stated that their teachers are friendly. While the two other schools (Partizani and Çajupi), stated that with cases or never friendly. Here it is seen that in schools where students and teachers are coming too, so there are a heterogeneous environment and heterogeneous culture, it has greater spirit of cooperation. While the schools that retain somewhat homogeneous and traditionalism of schools being "elite" are not very open, and do not accept more the spirit of change.

A Democrat teacher, then with the Democratic leadership style, has based his work, creating situations as cooperative with his students, but also to students with each other. Faced with the question of whether the teacher
punishes the "noise" created in class when he himself has put to work in groups, the students responded that this statement is always true. But even the teachers claim that the case is the thing. claim; "Working in groups, meaning noise and unbearable situation", it belongs to a teacher with authoritarian leadership style.

Are the teachers good listener? A significant percentage of the cases have said that it is true. Which tells us that there are special teachers who can be good listeners, while others do not. As a conclusion, to make a summary of what was said above, the hypothesis that there is a negative correlation between authoritarian leadership style of teachers and developing a warm and friendly climate in relation to the students, was confirmed by this study that is done in three secondary schools in Tirana. What I need to analyze for this finding it is the fact that the Albanian reality there is still the idea of a teacher who is a good professional, good Methodists, has clear objectives and that's teaching. But it lacks the most important personal and individual skills, as a good citizen and as a worthy member of society. Where students will have a model to follow. What is happening in Albania still is the fact that we are not separate ourselves from the idea of teachers before '90, who had all the characteristics of a professional teacher, but there was no humanity in relationship with his students. So it was little cooperation, communication as well. Listening carefully to the students, their problems, good classroom management, teaching organization with interactive methods, all were missing in the teachers completing the picture before '90. And apparently still we inherit this model, which has numerous shortcomings and deficiencies. Teaching is generally regarded as more than fifty percent of fifty percent knowledge and interpersonal skills or communication skills. For a teacher, it is important not only give a qualitative learning, but also important is the way he delivers it.

8. Recommendations

Recommendations for future research:

1- The results of this study, it is necessary to become even more such studies and scientific research in the field of leadership in secondary education, but also in all the categories and levels of education. To see the connection that exists between leadership style and report creation with students.
2- The researcher also should be mentioned that due to limited resources, could include only two variables. Other researchers recommended that seed you include dimensions and other sources also, to increase the effectiveness of the study.
3- Also it is recommended to choose a champion or large populations, to enable generalization of research data.
4- The study as we have described above, has limitations because it dealt only with secondary education, and recommendation that can be given to young researchers would be; They can also extend the search to the highest levels, ie higher education, or basic education.
5- This study is particularly important because in reality carried Albanian and has not been explored much.

Recommendations for practitioners (teachers), and relevant instances:

Discussion in class begins at the moment when students ask questions and when a student is responsible for what another student said. It is a mixture of teacher-student explanations, the exchange of views and questions.

When the teacher involved in this kind of communication that should contribute to strengthening the fluency of thought and the development of what is said. The teacher should remember that one of the reasons the discussion in class is to give students a chance to develop and express their ideas. This requires stirring and tolerance. In this climate, it is allowed to express the notions incorrect, even wrong (to be sure that mistakes are made more apparent in the discussion, rather than interrupting it abruptly).

1- This is one of the recommendations that should be done teachers, to promote the creation of this climate of discussion in the classroom with their students, because in this way mitigate the relations between them, and made the facilities and favorable.
2- The basis of this study suggested that teachers should use different styles of leadership that best suits the situation.
3- Teachers also need to ensure recognition of the students in decision-making and creating different policies for student class service.
4- Teachers should be show students what is expected of them to improve the positive climate of learning.
5- Teachers should take into account their individual differences, and individual student differences and take into account students' satisfaction.
6- The teacher should be a facilitator, guide, and model good creative decision making.
7- Training teachers from different teams as external professionals as well as internal. To receive information on the most modern methods, and more recent.
8- The function well in school psychological services, where both parties are advised to different problems in this relationship.
9- individual research done by the teachers, the other mode of communication, cooperation, leadership styles. What happens and what the effect is when a student is led by an authoritarian teacher? The teachers reflect on the climate they create in class, whether it is favorable or not?
10- These questions should be part of teacher reflection, and his personal research.
Exchange of experiences 10 teachers from different schools. So be meetings with other school teachers, and to share experiences.
11- Discuss with students which methods they would like practiced in the classroom, and it automatically improves teacher-student relationship, because the opinion of the latter.
12- Ministry of Education and Science to offer training and seminars for teachers and abroad, to view and share other types of teaching methods and experiences.

References

Arendt, H: Through the past and present (Nëpër i shkuarës dhe i sotmes), Tiranë 1998
Çomo, B: Communication psychology (Psikologji Komunikimi) (Reflëksione dhe Ligiérata), Tiranë, 2001
Dervishi, Z: Cohabitation conflicts demons (Bashkëjesës me demonët e konflikteve), Tiranë, 2002, fq. 115 – 182
Dervishi, Z: Flirt with injuries (Flirte me plagët), Tiranë, 2003
Dervishi, Z: Insights crossed the sea (Vështrime të kryqëzuara në det), Tiranë 2003
Dragoti, E: Social psychology (Psikologjia Sociale), Tiranë, 1999
Fullan, M: Forces of change; (Penetration into the depths of educational reform) (Forcat e ndryshimit); (Depërtim në thellësitë e reformës arsimore), Tiranë, 2010. CDE, Center of Democratic Education (Qendra për Arsim Demokratik)
Fullan, M: New Meaning of Educational Change (Kuptimi i ri i ndryshimit në Arsimit), Tiranë, 2001. CDE (Qendra për Arsim Demokratik)
Karaj, Th: Management class (Applied Psychology in teaching) (Menaxhimi i klasës, Psikologji e zbatuar në mësimdhënë), Tiranë, 2008, fq. 68 – 71
Shehu, A: Communication psychology (Psikologji Komunikimi), Tiranë, 2005
Musai, B: Educational Psychology (Psikologji Edukimi), Tiranë 1999
Orhani, Z: The psychology of motivation and motivation in learning (Psikologjia e motivacionit dhe motivimi gjatë të nxënës), Tiranë, 2006
Orhani, Z: Cognitive psychology (Psikologjia Kognitive), Tiranë, 1999
Human Development Center (Qendra e Zhvillimeve Humane): Materials to help school psychologists (Materiale në ndihmë të psikologëve shkollore), Tiranë, 2008
Peck, S: The way in which rarely go (Book for the edification) (Rruga në të cilën rralle shkohet ( Libër për ngritjen shpirtërore), Tiranë 2002
Hollander, E.P (1985); Conformity, status, and idiosyncrasy credit. Psychological Review, 65, 117-127
Leadership Handbook, LGP/UNDP, 2004
Social Artistry Fieldbook, Book 1, Developing your inner capacities, UNDP, 2004
UNDAF, Appreciative Inquiry, UNDP 2004
http://www.nwlink.com/~donclark/leader/leadmet.html
UNDP Local Governance Program (Programi i Qeverisjes Vendore), Tirana 2005 2
Procedural Aspect at Issues the Minor

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Abstract

In the criminal procedure code are provided provisions which are applicable in criminal proceedings against minors. Seen as of a special significance the pursuit of appropriate, given that the procedural aspect violates directly the fundamental right and freedoms of the individual, in this case those of minors. - The objective of this study will be an analysis of these provisions as well as be treated the comparative aspect with developed countries from which we can draw conclusions and give a recommendation in the case of any inadequacy of the provisions contained in the Criminal Procedure Code of the Republic of Albania at the handling of case of juvenile in criminal proceedings.

Keywords: criminal procedure, juvenile legislation, fundamental rights and freedoms of the individual

1. Introduction

Protection of children's rights and freedoms constitutes one of the most important matters of the Albanian state, clearly expressed this in the constitution, criminal code, criminal procedure code and all the international conventions which have been ratified by the Albanian state and are mandatory to apply. Given the age of the child, his development of physical and mental health, which is still in the process of development, a child needs special protection not only from family but also from state institutions involved in the delivery of justice for minors. Procedural aspect has great significance since by the first moment they got detained until the judicial process after an improper procedure would violate fundamental rights and freedoms of the individual. Given the procedural Aspects that play a crucial role in the delivery of justice through this paper we will analyze the provisions, which are applicable to minors. The interest to tackle this subject, bore to me as a result of problems encountered in practice, linked with the implementation of jurisdiction and powers of the proceeding body investigating or judging cases of minors as subjects of criminal offenses. In carrying out this work, a special importance in this paper get exactly procedural aspects right from the moment of detention of minors, until the moment of judicial process. Since the Albanian Justice System for juvenile faces a diverse problem that can not be exhausted by no means only through a paper nevertheless, what I hope is to analyze some of the most prominent problems in the criminal proceedings.

2. Detention of Minors

Juvenile criminal proceedings includes the entirety of the procedural acts undertaken against a person from the moment of taking him as a defendant, until the taking of the final court decision against him. In the code of criminal procedure does not have a separate chapter on the treatment of juveniles under prosecution. Also in this code are not anticipated principles of criminal proceedings related to minors and not reflected explicitly, the principle of the best interest of the child. It is the Police that takes the first contact with the offender. Its task is to accompany the person to the police station in cases where there are reasons to believe that a person has committed an offense. Code of criminal procedure has not provided in chapter 111 of Title V of the code of criminal procedure in Articles 251-259. This chapter contains general procedural aspects of the conditions and procedures of implementation and arrest in flagrancy and detention to be applied in a general way, without exception for any particular categories, including minors. Arrest in flagrancy is carried out when exist the conditions of urgency and criteria set out in Article 251, while the detention applies in cases of danger to flee of the person suspected of committing a crime. (Islami & Hoxha & Panda, 2007, 338). In cases of arrest in flagrancy or detention the judicial police agents are required to observe some general rules which are valid for minors. (Xhafro, 2012.101) which are as follows:

- To Inform the detained or arrested person in a language understood by him, about the causes of the measure of the accusations made to him:
- To inform the prosecutor of the place where the arrest or detention took place;
- To make known the right to choose and defense lawyer and to notify defender elected or appointed by the prosecutor;
- To make the arrested or the detainee available in the cells, in the fastest time;
- To guarantee the right to human treatment and respect of dignity. (AYC, Article 28.5)
- In cases where the arrested or the detainee is a minor, also apply to some specific rules;
- Promptly notify parents or guardian (CPC, article 255/4)
- Ensuring protection in the case of minors is compulsory (CPC, Article 49)
- By order of the prosecutor, keeping in custody in his apartment, or any other observed place. (CPC Article 255/3)

If we refer to foreign legislation we would notice that there is provided a whole special measures in cases of detention that are not reflected in our legislation. In Italy we have special court police sections for minors (DPR 22-9-1988 n.448, which states that In each prosecution's office of the Republic at the Tribunal for juveniles has been instituted a section of the judicial police, at which it is assigned a staff with specific attitude and preparation. (D.P.R. 22-9-1988 n.448, Article 35 of criminal procedure code states that:

According to the code of criminal procedure in case when does not order the immediate release, the prosecutor within forty-eight hours of arrest or detention, requires evaluation of the measure at the court of the locality where the arrest or detention took place. (Article 258/1 CPC). Deprivation of liberty for more than 48 hours must be authorized by the court and made on the premises of an institution of deprivation of liberty, which is under the authority of the Ministry of Justice. (Leskoviku 2010, 43) Article 54 of the Constitution guarantees that "Children, young people, pregnant women and new mothers have the right to special protection by the State". Minors should be held in separated facilities from those of adults, in the case of a minor must be notified immediately prosecutor, family and defense lawyer. Once the person is arrested, he must be notified immediately and in detail about the accusation made against him, his rights, as well as to the possibility to notify his family and his relatives (article 31 of the constitution). While according the CCP of Italy, judicial police officers in such cases are required to notify not only the prosecutor and the family but also juvenile services. (CPC of Italy Article 18) As can be seen of the Criminal Procedure Code of Italy, on the juveniles, brings a positive example with regard to the Italian procedural aspects in cases of detention and arrest of minors. (Xhafo 2012, 103) Article 35 of criminal procedure code states that:

1. to the juvenile defendant is provided legal and psychological assistance, in all the stages of the proceedings, in the presence of parents, other persons required by the minor and accepted by the authority proceeding.
2. The proceeding body can perform actions and draft acts, which require the participation of a minor without the presence of persons indicated in paragraph 1, only when this is in the interest of minors or when the delay can severely damage the proceeding, but always in the presence of the defense. (CPC Article 35). As it is expressed in the Convention on the Rights of the Child according to which is stated: To the child is given the opportunity to be heard in any judicial and administrative proceedings, that has to do with it, either directly or through a representative or an appropriate body, in accordance with the rules of procedure of the national legislation (Convention on the Rights of the Child, article 12 b) So, this provision is very clear about the aid provided to minors. This provision of the law is very clear in terms of assistance provided to the minors, either lawyer assistance either participation of psychologists throughout the criminal proceedings. Another problem to which is faced the police it is that concerning the identification of the minor's age. Article 41 of the code of criminal procedure, states that:

1. At every state and stage of the proceedings, when there is reason to believe that the defendant is a juvenile, the procedure makes the necessary verifications and, where appropriate for the expertise.
2. When, after verifications and expertise are still doubts about the age of the defendant is presumed that he is a minor. (Article 41 of the code of criminal procedure).

Whereas according to the Italian criminal procedure code, in terms of uncertainty for the defendant's criminal age, it reads as follows

1. At every state and stage of the proceedings, when there is reason to believe that the defendant is a juvenile, the judicial authority transmits the data to juvenile court prosecutor.

However, abuse is so common as minors often feel afraid of police officers they refuse to show their age or other essential data such as a home address. In a study made by UNICEF says: We have found more than once police using violence against minors only to get this information in time. (UNICEF, 2005.32) So an issue of great importance during the police proceedings, is interrogation of minors

International acts recommend to be proceeded with special care. (Dervish, 2014j, 3). Police during interrogation
must take account of not using violence on minors. It is prohibited the use of violence in all ways of its manifestations!, that it clearly expressed in Article 25 of the Albanian Constitution and in Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms which states: Nobody should subjected to torture, cruel, inhuman and degrading treatment or punishment. (AYC Article 25). However, as already mentioned above it is regrettable to be said, but to the police police lack the ability of communication with the minor but not only. Another problem in police stations as well as detention facilities is the lack of a psychologist and a translator as a minor has the right to interrogated in his own language, as it is foreseeable in the code of criminal procedure in Article 123 which states: A defendant who does not know the Albanian language has the right to free assistance of an interpreter to understand the charge and follow the actions he takes part. Through an interpreter he makes a written statement that does not recognize the Albanian language (CPC Article 123) an aspect that leaves much to be desired.

As a preliminary conclusion, what we can say is that during the police proceedings are observed a number of shortcomings, where often these children are interrogated in the same place with the adults, to them is been exercised force to get the desired information. So, despite the provisions in relation to minors are clear, there is still much to be done in order to be taken into account the highest interest of the child.

3. Detention on Remand

Detention must be authorized by a court. In the criminal procedure code states that: Detention can be given only when other measures would be inappropriate because of the danger of the offense and of the accused. The judges for juvenile in individual cases can take a decision to put a measure of custody for the minor, only if it finds that the measure of imposing a temporary detention facility can not be achieved the proper and adequate effect (Arifi, 2011, 112).

Alternative "Security measures" includes house arrest, deposition of a guarantee and the obligation to periodic presentation to the police or be subject to the obligation to remain within a certain geographical area (Leskovik, 211,44). In the code of criminal procedure are foreseeable the limits for the duration of detention. The maximum duration of detention is up to two years, but there may be a extension of up to three years; but this is special case depends on the nature, type and complexity of the offence, ie in cases of crimes punishable by not less than ten years or to life imprisonment. This applies both for adults as well as minors. When a juvenile is arrested and is awaiting his trial, prosecutor must inform the judge on the progress in preparing the case every two months. (Leskovik ,2010,44). If we refer to Italian legislation, it has established criteria and conditions that reflect international standards being implemented in the shortest time possible. In general detention applies only in cases of a high risk crime. (CPC Italian Article 23).

In Law No. 4 2014 is stated that Juvenile detainees are treated respecting fundamental freedoms and their rights. Treatment is based on the best interests of the child, social integration, education and prevention of getting involved into crime. The law on the enforcement of criminal law on the treatment of prisoners and detainees, keeping in custody of juvenile in special institutions or in special sections. Law no. 8328 dated 6.04.1998 Article 75 on the rights of detainees, it sais that: In institutions of pre-trial detention for minors is prohibited their keeping in room with adults or putting of minors girls in a room with minor guys. Female juveniles are put in separate rooms and sections, creating the possibility of special treatment. Juvenile girls are held under the supervision and care only of female staff. (Law No. 8328, dated 6.04.1998). Here there is a contradiction as on legislative aspect, the provisions are very clear about serving the sentence by juveniles but institutionally seen, this leaves to be desired as there is no special institutions for minors. In our legislation it is made very clear this part, but there are exceptional cases as it can be Serbia where the minor during his stay in custody can be left in a room with adults, but it can be only in special cases when the judge for juveniles decides, but he must always bear in mind for an adult who is in custody with a juvenile not to affect him in a negative, but only in positive way. (Arifi, 2011, 112).

As a preliminary conclusion we can say that despite the legal definition that the security measures, detention in prison should be used when all other measures are inadequate, in our practice there is a common implementation of its and an extension in duration of detention. For this purpose, should be made legal changes to the CPC by defining specific terms of detention for juveniles and specific criteria for the application of this measure.

4. The Judicial Process

In Albania there are no juvenile courts. In Article 13 of the Code of criminal procedure states that "The trial of minors is done by the respective sanctions established by the district courts, stipulated by decree of the President of Republic" (CPC Article 13) Creation of sections of juvenile courts in six judicial districts, where are located even the courts of appeal, was an important step in the improvement of criminal justice. Each section consists of One judge. Crimes
punishable by a sentence of more than 10 years should be judged by a panel of Three judges (Leskoviku, 2010, 45).

In Italy we have special courts for juveniles that are established based on law 1404 dated 20 July 1934. Juvenile courts were created as autonomous courts of other courts of criminal or civil, and specialized about the nature and state of a minor child. (Arpinati, 2012, 19)

The judge for preliminary investigations it is a monocratic body, while the judge for the preliminary hearing it is a collegial body composed of One magistrate and Two lay people (art 50 bis og).

The appeal court has a special section for juveniles, composed of three stipendiary magistrate and two experts (one man and one woman) (art. 58 paragraph 2 and Article 4 disp att proc min).

This is a positive example not only of Italian legislation but also of many other countries in terms of rendering justice for minors.

Court hearings are public otherwise shall be held as not valid (Article 339 CCP) but in the case of minors, are made exceptions provided in article 340 code of criminal procedure, which states that ‘The Court decided that judicial review or some his actions held behind closed doors when necessary during the questioning of juveniles. (CPC Article 340 (d). This is an exception to be made to the general rule in which hearings are held with the open doors but this is done in order not to expose the minor.

As we have said even above, to the minors it is provided the presence of a psychologist at any stage of the proceedings as the police proceedings in that court as well. With regard the interrogation of minors, Code of criminal procedure provides that, the questioning of a minor witnesses can be done by the chairman, over the claims and objections of the parties. The President may be assisted by a member of the minor or a specialist in the field of child education. When it is estimated that the direct question of minors does not harm his psychological state, the president orders questioning to be continued under the provisions of paragraphs 1 and 2. The order can be revoked during questioning. (Article 361 CCP).

These are rules that must be respected not only in the judicial process but also in the preliminary investigation by the prosecutor as well as by the judicial police officer. The latter when to interrogate a juvenile should be assisted by a family or by a psychologist. The interrogation of minors is investigative action particularly important, complex and with many features from the interrogation of persons over 18 years old (Spiro, 89, 57) This is because the minors because of their age have not yet reached proper maturity to understand the importance of the case. Judge before interrogating the juvenile should be informed better on education, family, his habits that might have affected the minor in giving a judgment as fair as possible.

Publication of the generalities of minors is prohibited, this provided for in the code of criminal procedure. Minimum guarantees for children in conflict with the law are explicitly provided for in the Convention on the Rights of the Children which states: The criminal procedures to be guided without delay by the competent, impartial and independent organ or a panel with a hearing in accordance with the law in the presence of legal or other appropriate assistance unless it is considered that it is not in the interest of the child, especially taking account the situation in which the child or his parents or guardians are found (CRC Article 406).

As mentioned above, the legislation is very clear as to the position of minors by treating it in the most humane possible and favoring the latter throughout the criminal prosecit but the real problem lies in institutional and professional terms since most of the actors involved in the delivery of justice for juveniles are not trained and specialized. Another problem encountered in this stage of the proceedings are delays in judicial proceedings.

5. Conclusions

Legislation for juveniles has taken into consideration legislative changes and improvements but not institutional.

Police stations continue to keeptratohen minors.

There is a time duration of detention of minors, therefore it is to be required a change in the Albanian legislation defining time limits of juvenile detention.

Juvenile criminal cases not always are judged by special judges for minors.

Delays in court cases have been observed.

6. Recommendations

Be created a special criminal and procedural code for minors.

Be trained and specialized all the actors involved in the delivery of justice for minors, the officer of the judicial police, prosecutors, lawyers, judge.
Psychologist to be present in all phases of the procedure that although it is clearly defined in the legislation often there is lacking of his presence in every stage of the procedure.

Be made intervention in legislation including, constitution, criminal law, the law in relation to the special treatment for juveniles.

Be trained and aware of all persons who work with minors.

Avoid as much as possible the stay of juveniles in detention.

Be created special penitentiary institutions for juveniles.

Be established reformatory schools.

To avoid as much as possible measure of arrest to prison more often and apply alternatives to imprisonment.

References

The Criminal code of the Republic of Albania
Code of criminal procedure of Albania
Code of criminal procedure of Italy
Convention on the protection of human rights and fundamental freedoms. Tirana 2010
Convention on the Rights of the Child
Leskoviku, M. (2010). The penitentiary system. Tirana
Law No. 8328, dated 6.04.998 "On the rights and treatment of inmates and detainees".
Save the children. (2012). Training manual for professionals working with Babies in the penitentiary system. Tirana
The Impact of Student’s Intelligence Performance, According to Market Needs and Management of Resources

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Abstract

Within the living civilization and the Post-Modern society, knowledge and management became the main fundamental resource. Over the last decade there is a growing role in the schools and universities perception and the society by which extensive reforms have initiated in the university system. However, the arised question here is: Do we really possess the conditions, the research or sufficient safety, so that the science student can confront the growing demands trade market? Meanwhile the trade market and employers organize their tests, hence the question naturally comes, how does these capable students by their scientific capacity can influence in developing a) the universities they derive from b) on the whole universal managing system as a global phenomenon c) the real post-industrial society and if self- accomplishments have benefit of two-way? This analytical article focuses on some dilemmas and on some data as much empirical as real based on statistics about how the universities react and display under the influence of these management challenges. What are the solutions or measures in higher education (e.g University of Vlora) that prepare and prevent drastic extremity of intelligence loss in the trade market? What are the basic differences in university education (e.g University of Vlora) and its role in society based on knowledge, intelligence and management of trade markets?

Keywords: Intelligence analysis, drastic extremity, culturally – social - scientific aspect, Post – modernism, student qualification and level.

1. Introduction

In Albanian new state where the process of democratization was rapidly enough, standard schools and universities have always been special and by specific goals for mankind and society itself, where knowledge and education is becoming a vital problem for the family itself and government too. In our country (Albanian system) reforms in higher education are intensified including state and private universities. Private capital assets penetrating the trade market despite bearing collegiate level, despite weaknesses, conditions and new offers. Initiating by this Education is strongly influenced by external factors and therefore what happens in the global economy will certainly have its effects also in the quality preparation of generations for an enlightened society and for new professions.

New challenges in education research field in Albania give us an overview of restructuring universities with a continuous growth of private initiative which brings competition and the increase of student quality intelligence. Meanwhile it has raised up numerous debates of economy experts and of university instructors (in our case Vlora University) who has encountered this problem and students themselves that have implemented the Bologna process following sustainably the principles of Salzburg!

By all the problems that has surrounded us; the challenge of intelligence competition in the trade market is the basic notion for a guide to solve the dilemma between the connection students Intelligence - University capacities – Trade markets management. This kind of relations in terms of contextual connection with literature review will continue with the development of hypotheses.
2. Literature Review and Hypotheses

2.1 Education in terms of post-modernism

Peter Drucker, Alvin Toffler, Alexander Bell and many others have elaborated for the development of modern society. Along their writings about social order, it is called by different names: as the High-Tech information society, knowledge society, Fast-service society. Ducker says that today knowledge becomes the dominant economic resource. In terms of a great penchant to be educated at higher levels “the knowledge” appears as the only meaningful resource. Increasingly, in recent years, employers have succumbed to an urge use “labor relations consultants,” who are usually either lawyers or psychologists, to prevent a union from gaining bargaining rights or to get rid of an established union through a decertification election (about which more will be said in chapter 3). Informed estimative place the number of such consulting firms at an absolute minimum of 1,000, with at least five times that number of individuals directly involved in what unions bitterly call “union busting” and many employers contend is merely the providing of assistance to employees who genuinely want a nonunion environment.

The AFL-CIO itself believes that a staggering of 75 percent of all managements now turn to these consultants expressly to gain help by unionization and that they pay them over $100 million each year. Others would place these latter figures at lower one, although still stay in significant levels. Some members of this new growth industry at times advise their employer-clients to engage in activities that are quite illegal under national labor policy, harassing and discharging union members; avoiding the hiring of blacks (who are—in the opinion of at least one practitioner in this line of work.

Given the current state of labor relations law, as this paper research will explain in much more detail, consultants have a wide area of lawful tactics and strategies to place at their clients' disposal and by no means need move beyond what public policy allows in order to be effective. In addition, providing such personalized services, some consultants hold seminars open to all comers for a fee. Favored topics here are “Making Unions Unnecessary,” “Avoiding Unions,” and “Putting the Union Organizer on the Defensive.” Members of the profession also produce a wide variety of articles, books and cassettes that find a lucrative market among antiunion managements (Kollin A, JERMS USA 2013)

2.2 Learning resource orientation

Traditional resources such as land, natural resources, labor, capital and property will not disappear, but will lose their importance will deviate as a secondary position. Sometimes, all this was mentioned as summarized in the term Post-modernism! Meanwhile the term post-industrial is used by Daniel Bell and Alain Touraine U.S. in France (Bell, D, 1993, Touraine, A.1994). So in reports of human as worker, environment and management we can conclude that it is future society, digital society, the society of microprocessor. The phenomena characteristics is the way of good productivity based on computerized factories, robotics industry, with a few words in machines.

The organizations are under pressure to show return on investment for training and development. Although positive trends, problems which management is faced are more challenging than the degree of preparation and performance that they offer, so their qualitative qualification remains the continuous preoccupation as the role of school and universities is in this direction. In this point of view education in distance can be considered as complementary approach and in some conditions as a worthy replacement of direct education, which still dominates educative systems in Albania. This paper research overview of the leader behavior literature highlighted the fact that there are inconsistent relationships between the behaviors that leaders engage in and the effects of these behaviors on member attitudes, behavior, and group effectiveness. Making decisions is fairly simple if no responsibility is attached to those decisions. True leaders always assume the responsibility for their actions, their plans, their programmer and their decisions. Courage and personal honesty, the marks of leadership, will permit nothing else. Albania like the other transitional countries is left behind from the western countries concerning the real understanding of the term “management”. Also, management and the entrepreneurship skills are still considered as resources less efficient than capital assets in a moment when management and entrepreneurship play a crucial role in business success and performance.

2.2.1 The public sector should offer enhanced employability

A critical issue in the public sector's attractiveness will be the future career prospects of those entering. A good career no longer means a "job for life": the most important guarantees relate not to security but to employability. Any training offered as part of a recruitment package should have portability or link to a recognised credential, like the new generation of parttime MPA degrees. This could form part of a “development guarantee” to the individual. Work experience gained
should be clearly relevant to a wide range of employers. Beyond that, the existence of known career paths and the prospect of promotion based on ability (rapid, where merited) would help position the public services as attractive employers: Transversal policy departments such as the DPSA and National Treasury should follow up, as part of their policy mandate, on those areas where most departments assessed themselves as noncompliant, to determine the underlying reasons for the non-compliance and develop appropriate responses to address these issues. This may require a review of the framework in that area of management. A key concern in this regard is the management performance area of service delivery improvement.

(Dumi A, MJESS Roma Italy, 2013)

2.2.2 Management philosophies toward this intelligence in trade market and unions.

Too many different roots of management opposition and the pervasiveness of so many of these requirements in trade market, it is tempting to speculate, the basic attitude of most businesses enterprises must be one of intransigent hostility. Meanwhile this presumed attitude, in other words, to be stated as an official policy, it would be expressed approximately as,“We seek to weaken organized labor by any and all means at our command, to frustrate it in its demands, to grant it nothing that is not absolutely necessary, and under no circumstances to make any attempt at accepting the union as a permanent part of our employee relations. If we adhere to this approach consistently and with sufficient patience, our workers will see that the union offers nothing. And they will ultimately arise and vote the union out at least as enthusiastically as they have voted it in.”

There can be no denying that some executives do espouse this policy, as above, and that at an earlier time in American Labor history, many managers did so. The irony of contemporary labor relations and the intelligence in trade market, however, is that despite management’s continuing opposition to unionism, its use of consultants, and its constant resistance to new labor inroads, much of the employer community has substantially departed from such a provocative stance. It has moved instead to what Lloyd Reynolds has called a “defensive endurance” philosophy; “If this is what our workers and others to be employed want, I guess we’ll have to go along with it.” In a word, the union is accommodated, however unwelcome and even unpalatable its presence may be. Management remains ever on guard as to “matters of principle,” seeks to prevent the union from “intruding” in areas that are “the proper function of management,” and frequently is highly critical of certain union actions. When people speak of “maturity” in labor relations, they are frequently thinking of this rapidly growing managerial posture and organized labor’s relationship based on trade market requirements.

2.3 The dominance of the market need, management implementation.

Depending on such results while physical engagement is shifting in the direction where information service becomes the basis of productivity the lifestyle changes, education as a result of these movements should change the qualifications which will be acquired as a result of the process of new generation education and treatment of students’ intelligence. What are the future qualifications demands?

a) Industrial order - dominates production in trade market.
b) Post-industrial order dominates the service managements.

c) Post-modernism dominates the market and managements.

As a result it is not the main one the worker or the employee, eventhough occupying the largest number. From now and on, the future they will be qualified in the field of information technology, computers science etc. (not in what they inspired to study). This is according to Bell the codified knowledge predetermined by numbers, symbols, rules that move, controlled and disseminated by a great speed-distance coordinated systematic information! The distributors, the new social groups of this development strategy, as well as practitioners could be scientists, computer scientists, economists and specialists of all kinds. (Based on Giddens 2002)

Source: Alba DUMI, AIJS Journal Roma Italy, "The role of university in reform of public sector" 2012, pp 135

And even among the more general of these different philosophies, at least six separate types (including the two above) can be distinguished.

1. Conflict, or the intransigent, uncompromising attitude depicted previously, is now fast fading from the labor relations scene. Nonetheless, this attitude existed on a wide scale prior to World War II.

2. Such a managerial stance arose to a great extent because many companies had been newly organized before that time, and because union organizational campaigns have never been notable for their sensitivity to personal feelings. Unions rarely resist the temptation in these circumstances to engage in negative stereotyping of those who run the organization. The top managers are painted as ruthless, greedy profiteers, ready to do almost anything to increase return on investment and wholly insensitive to the most obvious of human problems. Any actual incidents that might support such charges are, of course, produced as accompaniments to such charges, but lack of available evidence is not necessarily any obstacle at all.

The union, consequently, does more than "undermine employee loyalty to the company" at such a time; it frequently goes well beyond the borders of the factual and bruises management egos in the process. Add managerial fears of decision making encroachments and of union values that are antithetical to those of management, as well as the other grounds for management's opposition to unionism on top of such an emotion-charged atmosphere, and it should not be surprising that many companies in the period immediately following their unionization embraced a philosophy of "no acceptance" of the union.

2.3.1 Management labor relations philosophies, one important point of development

Only in the face of the law universities and union power could extract concessions from such managements, and then only quite begrudgingly and on as temporary a basis as possible. Some companies and an ever-growing number of public servants are, of course, even today among the newly organized. Obviously, it is in the labor relations of these, indeed, that one is most apt today to encounter the Conflict philosophy. But this managerial attitude is not confined to new bargaining relationships: A minority of long-organized companies also currently adheres to it, owing to changes in management personnel, changes in union personnel or various other factors including the particular management's sheer refusal to abandon the hope that if unions are never really accepted by their companies, they will eventually also lose acceptance from their worker-members. In recent years, various newspaper publishers throughout the country have seemed, to many observers, to epitomize this latter situation.

In order not to miss out the students' intelligence on the market trade, but trying to manage it, as long as postmodern society is having increasing demand for excellent intelligence feeds, our University with the implementation of the Bologna process and the principles of Salzburg, where the best enterprises have been the universities themselves and students in free entrepreneurial. (Protocol of the Ministry of Education, October 2013)
The upward rubric requires to responding on how the scientific capacity affect in developing a) the universities where they come from b) on the whole universal managing system as a global phenomenon c) in actual society, in post-industrial ones and if self-accomplishments have benefit of two-way? As far as University of Vlora part of globalized managerial competences has undergone a series of political and institutional reforms students are closely connected with social and economic development, farther more in what way this intelligence is infiltrated to our university system as employee in other areas.

Protocol for higher education October 2013) Refering the literature review and upon the statistical scales the hypotheses represented as below:

H1. The reforming process of the university system (with management strategies of Markets) associated with intelligence development prospects.

H2. Some estimates on the preparation of students for their entry into the market and the role of the University of Vlora in this formation.

H.3 The quality of higher education under real socio-economic impact, new research in managing university system.

An Important role that is considered as characteristic of innovation in Albanian education has been the private universities by their private competitive managing substanzas and their social role in increasing the richness of the offer and widening up the approaches for students. Statistical sources can extract these trends;

1) In Albania 4 years ago the number of students in private universities has increased for 28% with increasing tendency for each year (983 students in 2007 and 12,166 in 2008, 14,834 in 2010, 15,000 in 2012)

2) In 2008 Albania has had 11 public universities and 17 are private Universities. In 2008 only 4 of them has been validated and then their number has increased.

3) According to the Statistical Office of the Republic of Albania in the academic year 2008-2009 are recorded 63,437 students total of which 81.6 % in state universities and 18.4% in private universities.

4) By the total of 1025 students of Private Universitites form 2007-2012 and State universities only 15-20 % of them are employed not on their profile they were gradutated for, and about 40 % are immigrating other 40-45 % are unemployed.

Such evidences have pushed us on such extend and approaches including experience, cost of studies which has non balance curves in such unstable circumstances that the Albanian system has undergone rapidly enough. (Statistics that are used are taken from the Law State

3. Methodology

3.1 Research Goal

In this survey our goal is to identify and specify the universities reaction under the influence of managements challenges, a complex relation between Intelligence students and trade market. In order to verify the proposition questionaires were conducted.

3.2 Sample and Data Collection

The surveys are conducted in Private University “Pavaresia” and in University of Vlora “Ismail Qemali” with 1025 students, particularly the students of excellent result and the Albanian Union of managers and even in Municipality of Vlora region south Albanian territory. All these Institution together have competed the criterias (1) by the year 2007-2008 the Private University “Pavaresia” has got a real success from student’s increasement, their intelligence and the rest, while state University of Vlora “Ismail Qemali” has had balanced increasement of students. (2) all the students that are not able of taking position and employed are put in the categories of immigrated people, (3) some students questionaires were not included more than 40 of them. However 2 Albanian union, Tirana Bank crew and Municipality staff where students have conducted their practises have surely been in these surveys.
3.3 Analyses and Results

To measure the given evidences in higher education (e.g. University of Vlora) that prepare and prevent drastic extremity of intelligence loss in the trade market we have used the chart evidences 2007-2010 and the diagrams. All these are adapted to the daily results and consequences that students especially students of excellence have done on Municipality and banking system (Tirana Bank, membership of Pireus Bank) and even for the rest of the students that emigrated due to the unemployment conditions.

The table below represents.

<table>
<thead>
<tr>
<th>Students</th>
<th>years</th>
<th>Students increase in Private university</th>
<th>Employment in the country and abroad</th>
</tr>
</thead>
<tbody>
<tr>
<td>983</td>
<td>2007</td>
<td>6%</td>
<td>2%</td>
</tr>
<tr>
<td>12,166</td>
<td>2008</td>
<td>5%</td>
<td>3%</td>
</tr>
<tr>
<td>14,834</td>
<td>2010</td>
<td>8%</td>
<td>3%</td>
</tr>
<tr>
<td>15,000</td>
<td>2012</td>
<td>9%</td>
<td>2%</td>
</tr>
</tbody>
</table>

Table 1. Private University “Pavaresia”

<table>
<thead>
<tr>
<th>Students</th>
<th>years</th>
<th>Students increase in State university</th>
<th>Employment in the country and abroad</th>
</tr>
</thead>
<tbody>
<tr>
<td>42,122</td>
<td>2007</td>
<td>8%</td>
<td>3%</td>
</tr>
<tr>
<td>63,437</td>
<td>2008</td>
<td>7%</td>
<td>4%</td>
</tr>
<tr>
<td>79,569</td>
<td>2010</td>
<td>9%</td>
<td>4%</td>
</tr>
<tr>
<td>81,377</td>
<td>2012</td>
<td>10%</td>
<td>3%</td>
</tr>
</tbody>
</table>

Figure 1: Bradler & Sediss, Individualism and organizational behavior The report Company: Kingston, Ontario, 1989.

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What are the basic differences in university education (e.g. University of Vlora) and its role in society based on knowledge, intelligence and management of trade market. According to student’s intelligence achievements including practices, homeworks or research studies which are implemented in certain institutions such as Municipality of Vlora, in financial institutions, banking system, SME. It is all done to find a solution for a non-loss of students Intelligence based on the trade market demands. The evidences above are shown in the charts.

4. Conclusions

In series of difficulties in Albania, specifically in Vlora Region south territory the surveys are done, emphasizing here the relationship between students intelligence, universities as fundamental organ in society developments and the trade market managements. The most efficient data extended by The Organization for the development of the student career which is operating in Vlora region which is financed by WB and Vlora University itself is one of the main references based on. Such variables finding of students preparation in proportion with the market needs for these students are consistent with literature references. (Protocol of the Ministry of Education, October, Albania 2013: Lorens Kahun, 2006 Od Modernizam do postmodernizam, Templum, Skopje: Higgins, J. M “Organizational Policy and Strategic Management of Water, 2nd edn, Dryden New York, 1983)

Eventhough being sure that education and students intelligence in space and time is of major importance, but it is of the same vital importance the trade market and the ability of managing it wisely. Saying otherwise brain knowledge and intelligence is not enough without the right strategy of managements for success followed by University system and Unions too. Thus further head uninterrupted surveys must be conducted for the future, because as the proverbs say “Time and Tide wait for no man”

References

Alain Touraine ne France 1993: La Voix et le Regard: sociologie des mouvements sociaux
Anthony Giddens, 1997 “Sociologija, Cabej E, University Albania
Bell &Daniell 1993 Communitarianism and Its Critics
Metta Spencer 1989 “Sociology”, Mc Graw-Hill Company
Jay D. Techman “Family Issues, Sage publication, Dayton USA
Peter Ducker, 1985 Pregled, manila 90-91
Protocol of the Ministry of Education, October, Albania 2013
Lorens Kahun, 2006 Od Modernizam do postmodernizam, Templum, Skopje
Implementation of E-Commerce Systems a new challenge for Standardisation Agencies of Balkan Countries as Kosovo, Albania and Bosnia Herzegovina

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Abstract

In order to be able to carry out the standards implementation process with limited human resources, the standardizations agencies need to established the Electronic Standardization Management and Information System. The Standardization Management and Information System (SMIS) is the software tool for the management of the national and international standards development process. All relevant and related standards document information need to be connected between each other. A functional ecommerce portal for standards marketing need to have in background two functional subsystems: Standardization Management Information System (SMIS) and Sales System. The purpose of this system is to provide all Standardizations Agencies with a Standard Management Information System (SMIS) that establishes a publicly accessible platform and interface for users to access national/international standards, and to coordinate standards information sharing between government institutions and stakeholders.

Keywords: Standardization Management Information System (SMIS), National/International Standards, electronic services.

1. Introduction

The Institutes for Standardisation of Kosovo, Albania and Bosnia and Herzegovina are the national organisations for standardisation established as an autonomous institution of governmental administration for affairs related to the standardisation area. Basic activities of these institutions are related to the Law on Standardisation of Kosovo, Albania and Bosnia and Herzegovina. The scope of jurisdiction is clearly stated in the Law on establishment the Institute for Standardisation of three countries Kosovo, Albania and Bosnia and Herzegovina.

Usually the Institute for Standardisation is responsible for establishing, strengthening, developing and promotion of the standardisation system of those Countries. It proposes the strategy of standardisation, prepares and publishes standards of the countries, represents and acts on behalf of Countries Standardisation Institutes in International, European and other interstate organisations for standardisation and performs other tasks that originate from international agreements and memberships in the organisations. It participates in preparing technical regulations, establishes and develops the national information system for standardisation, organizes and provides special education of personnel in standardisation area.

The Standardization Institute E-Commerce system will expand web functionality of the information system toward the new electronic services that are accessible through the website of Standardization Institute. The Standardization Institute E-Commerce portal will explore the possibility for electronic payments services. The E-Commerce system will integrate the existing SMIS application, upgraded for this purpose, new sales system implemented into SMIS system as part of it and website application. The new E-Commerce portal will provide services for different user types, in reliable and security level [1], [2], [3].
The E-Commerce Business Objectives to be achieved through the application:

- To improve the transparency and access to information on preparation of standards at National, European and International levels. To improve the information system for standardisation to be compatible with International and European Organisations for Standardisation.
- Improve the performance, using new ways of working more intelligently by using state-of-the-art Information and Communication Technology (ICT).
- The establishment of fully operational information system will improve the quality of services provided to the customers and will ensure the successful participation of the Standardization Institute for the future work in the International and European standardisation organisations.
- Compliance with the good standardisation practice in EU is a necessity. The proper use and implementation of CEN/CENELEC information (exchanged files) requires establishment of relative database with appropriate defined access rights and traceability.

The Standardization Management and Information System (SMIS) is the software tool for the management of the national and international standards development process. In order to be able to carry out the standards implementation process with limited human resources, the Standardization Agency need to establish the Electronic Standardization Management and Information System. All relevant and related standards document information need to be connected between each other.

The following diagram describes in generally SMIS system modules to be implemented at for a Standardization Agency.

The purpose of this system is to provide the Standardization Institution with a Standard Management Information System (SMIS) that establishes a publicly accessible platform and interface for users to access National standards, and to coordinate standards information sharing between government institutions and stakeholders. The SMIS enable the management of national/international standards life cycle. The standards database needs to be developed in the national language and in English, Serbian when it’s needed as well [1], [2].

The SMIS software system already provides the following main functionalities and managements:

- Managing National Standards/Standardization Documents information, actions and phases;
- Managing International and European Standards/Standardization Documents information;
- Managing National Technical Committees information, members, work, decisions, mirror TCs ;
- Managing the National Technical Committees information;
- Managing International and European Technical Committees information;
- Managing Directives information;
- Managing translators and translation process;
- Export of information in .txt, .doc, .xls and .pdf format;
- Automatic generation of Standards/ Standardization Documents Cover Page in accordance with National Standardization Institute template and title translation of the standard/standardization document;
- Managing Standards Prices and Price Groups;
- Managing of Voting Process;
- Managing Enterprises/Stakeholders;
- Managing users and users rights;
- Different Reports for notification and fast replies to questions from society/industry purposes;

2. E-Commerce Business Databases and Applications System Integrations

Standards Management System Information (SMIS)

The Standardization Institute E-Commerce system will expand web functionality of the information system toward the new electronic services that are accessible through the website of Standardization Institute. The Standardization Institute E-Commerce portal will explore the possibility for electronic payments services. The E-Commerce system will integrate the existing SMIS application, upgraded for this purpose, new sales system implemented into SMIS system as part of it and website application. The new E-Commerce portal will provide services for different user types, in reliable and security level [1], [2], [3].

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![Standards Management System Information (SMIS) –modules and Web Portal](image)

This system integration will provide efficient means and tools for recording and updating all data related to the
standardization process. The following diagram shows the main system databases and application need to be integrated and installed in order to have a fully operated E-Commerce portal [4],[5].

Provide an efficient information services for distributing, promoting and providing customers including National Standardization Institute staff, stakeholders involved in the national standardisation activity with adequate access to standards and related information data base management system need to be integrated in one unified and relational database[1], [2], [3].

The Standardization Institute E-Commerce system will have the following general functions:

- Expanding of the Standardization Institute web site to E-Commerce portal of Standardization Institute possibilities such as electronic payment, invoicing and sales system.
- Integration on one single communication environment the e-Learning like online courses, meetings, seminars, training sessions services using the functionality of single communication environment. Integrating services portal to portal implements various used functionality for providing new electronic services.
- Integration of new functionality access control to electronic documents of Standardization Institute by controlling access to Internet portal for use by external users.
- Providing to the users with controlled and secure access to content standards.
- Providing opportunity for active reading of the documents by opening related texts and documents with hyperlinks to those relevant texts and documents.
- Digital delivery of products and services and online marketing process.

The E-Commerce application will be developed in a well-known database standard platforms to support the future workflow in National Standardization Institution and with the possibility to add/remove modules, or any other functionality without having to change or modify the entire software package. The system will be delivered and it will comply with the requirements described in the followed schematic diagrams and process described later in this document. The system will be developed all official languages of National Standardization Institution [6],[7].

3. The Challenges of Standardisation Agency Sales System

The new sales system will provide a more robust platform within a single standardisation relational database. The sales system will be a sub-system within the existed SMIS database. This will give to the Standardisation Agencies greater flexibility and allow improved customer service and reduced administration costs for it. The new sales system will be the driven engine for the E-Commerce services of every Standardisation Agencies (Kosovo, Albania and Bosnia & Herzegovina). It will allow common information available to all clients and Standardisation Agencies staff.

Sales system will allow order entry directly by all customers and also by the Standardisation Agencies staff. Different sales processes will be automated within the sales system. The sales system will be powered by fully searchable text on line catalogue by searching engine. It will drive the customer to on line order placing facility. The system will allow customers to be able to register or logon into the system.

The System Sales and payment service will be integrated with the official web sites of Standardisation Agencies in order to allow a data flow for the E-Commerce web site front office services to Kosovo/Albania and Bosnia Herzegovina SMIS and Sales systems and vice-versa.

In case of E-Payment or E-Banking transfer the all Standardisation Agencies sales modules will be able to manage: Customer ordered standards, placing the customer orders into shopping basket, register itself (first time only) or login, options of E-Payment transfer, confirms the order to the sales system, the system will generate the pre-invoice to customer, customer E-Payment transfer, accounts department flags that order as ready for delivery, deliver electronically or by post standards order, customer notification.

![Diagram](image)

Figure 3: Sales of the Standards through WEB portal
4. Conclusions

Regarding EU Directives and Regulation References Module, the system will also consider the list of relevant EU Directives and regulations, as well as the references between them, and the references of European standards which are applicable for the Directive. The system will be able to consider references for standards not only in National but also in European Public Policies and regulations, or even in other countries.

The new sales system will provide a more robust platform within a single standardisation relational database. The sales system will be a sub-system within the existed SMIS database. This will give the standardization institute greater flexibility and allow improved customer service and reduced administration costs for it. The new sales system will be the driven engine for the E-Commerce services of standardization institute. It will allow common information available to all customer and standardization institute staff.

References

http://www.en.aenor.es/aenor/inicio/home/home.asp
http://www.ibf.be/
http://www.bas.gov.ba/
http://www.bds-bg.org/en
Ren Anxue, The Power of Companies, P57, Shanxi Education Press, 2010.8
The Application and the Influence on Kosovo Tourism Progress

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Abstract

As on all other economic activities and also on tourist the necessity of marketing usage is considered as an inevitable form of promotion or informing for the existence of business. With all advantages that a tourism may have as an activity conform other activities or other economic fields such as production, distribution or trade, the concentration for application of marketing is gradually creating a culture that enables beside the achieving of target of informing others for the existence as business in this field as well as using the accelerant in order to generate as much revenues by promoting tourist attractions that a zone, region or the whole country possess, with the aim of absorbing a huge number of tourists by the mean of using attractive marketing, easily accessible targeting the existing client trade and those potential in the tourist field. Tourism promotion or marketing in any case help on adding wishes and curiosities to visit promoted or advertised place, it is important to be found all forms and channels that will send the message to proper persons – expressing better to the trade target since the goal of marketing is that every spent cent during the promotion to be returned multiply by adding the financial circulation created by the promotion or advertising effect.

Keywords: marketing, tourism, Kosovo, application, strategy.

1. Introduction

As a methodology or communication tool, for marketing are given many definitions, where among them some are defined as: social and managerial process with which individuals or social groups take or provide the one they need through the creation or exchanging or products and values of such products with others (Kotler, Bower & Makens, 1996)\(^1\). Whereas American marketing association defines it as: organizational function and a communion of processes in order to create communication and to consign values to consummators and clients with the aim of managing and keeping in touch with them, so enabling in this process to benefit organization, shareholders or the owners of businesses (AMA, 2004)\(^2\). Considering by definitions, the aim of marketing is that beside the creation of relations between business and consummator is also the updating and supplying the consummator or client with new offers of business to inform or to remind them frequently over the services and existing products or those recently launched. For this in global trade development around tourism marketing, knowing the value that a tourism has in the economy of a country, have advanced and are focused by creating a new field named tourism marketing known as application of marketing principals and techniques in all tourism fields. It is used as an interaction or combination between marketing and tourism, and may be defined as systematic strategy created or came as a result of requests and trade expectations with the aim of optimal usage by local authorities as well as factors and contributing elements with the aim of making attractive services and increase of tourism development by a territory or specific place (Castiglione). Said over all attempts of tourisms marketing have the same purpose of promoting and showing the best values of touristic places to maximize satisfactions and experiences of tourists with the aim of material benefits and budget growth, in the same time.

In order to choose the proper form that would alleviate the approach toward tourists, first of all the promoter shall know tourism marketing area, firstly, which knowledge is accompanied with decisions or forms that will be used for marketing based also in the budget that will be spend for such activity. In order to remove ambiguities around getting the proper and successful line, as in any other business field and in tourism initially is started with business plan and getting proper forms for launching of marketing. In contemporary marketing, by performed researches, we see that many countries and advertising companies choose negotiators for advertising their tourism through their touristic partners, offices or promoting offices, promotion through phone calls, touristic agents, prestigious magazines, television campaigns

\(^1\)http://www.scribd.com/doc/20834223/Progress-in-Tourism-Marketing-for sources
\(^2\)http://www.scribd.com/doc/20834223/Progress-in-Tourism-Marketing-for sources
and internet – social networks such as Facebook and Twitter.

2. Tourism in Kosovo – Overview

“Tourism in Kosovo is in initial phase or in casting of its first steps”, this way starts the description over tourism in Kosovo that we can found while surfing the net over the tourism in Kosovo. “Tourism in Kosovo is safe and full of mountains that surround this country, you may walk on foot, climb through the mountains or ski during winter season. This place is enriched with lakes, rivers and farms with the nature beauty possessed. Moreover the old architecture inherited by predecessor Illyrian makes this country more desirable to be visited. A special and interesting experience that you may experience during your visit are stone towers where people of those places have lived there not long time ago, which places are currently under administration of touristic services.

The most characteristic nature places are White Drini spring, Rugova Gorge, Mirusha Waterfalls, Skiing Center in Brezovica, Sharri Mountains and its national park, Albanian Alps or known as Cursed Mountains, Gadime’s Cave whereas architectural parts are Peja Patriarchate, Old Market of Gjakova, Monasteries of Decan and Graçanica as well as old town antique of Ulpiana City⁴- we continue to emphasize the same source⁵ which makes us understand that what kind of foreign visitors read and get informed over the characteristics of tourism in Kosovo. We add that attractive to be visited are also Luboten and Gjeravica tops of the mountains, which is known as the highest top of the mountain that arrives the highness of 2.656 meter in Kosovo⁶. All of those data based in some statistics and the data over the revenues from tourism in our country, according to you, are not satisfied. The Republic of Kosovo is still an undeveloped touristic zone since the tourism participation in GDP of the Republic of Kosovo is low, / 1.0 %, in 2010. In the general structure of employment, tourism and accommodation takes only by 6%.⁷

![Resort of skiing centre in Brezovica.](https://friendsofkosovo.files.wordpress.com/2014/11/brezovica2.jpg?w=750)

The presented table below shows visitors in years from 2008 to 2011 and places where they come from. By the data of the number of visitors we realize that there is no any big changes in years from the foreign visitors beside in 2011 there was a decrease in comparison with two previous years.

³http://en.wikipedia.org/wiki/Tourism_in_Kosovo
⁴http://en.wikipedia.org/wiki/Tourism_in_Kosovo
⁵http://www.evropaelire.org/content/article/24721915.html
⁶http://www.uk.com/?page=1%2c9%2c27441
⁷https://friendsofkosovo.files.wordpress.com/2014/11/brezovica2.jpg?w=750
Table 1 – Number of non-resident visitors according to country of origin where they come from for a visit in Kosovo

<table>
<thead>
<tr>
<th>Year</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>127</td>
<td>856</td>
<td>451</td>
<td>500</td>
<td></td>
<td></td>
<td></td>
<td>253</td>
</tr>
<tr>
<td>Belgium</td>
<td>65</td>
<td>100</td>
<td>85</td>
<td>43</td>
<td></td>
<td></td>
<td></td>
<td>253</td>
</tr>
<tr>
<td>Bosnia &amp; Herzegovina</td>
<td>187</td>
<td>880</td>
<td>269</td>
<td>212</td>
<td></td>
<td></td>
<td></td>
<td>757</td>
</tr>
<tr>
<td>Great Britain</td>
<td>1,487</td>
<td>2,202</td>
<td>1,266</td>
<td>1,251</td>
<td></td>
<td></td>
<td></td>
<td>6,226</td>
</tr>
<tr>
<td>France</td>
<td>208</td>
<td>851</td>
<td>423</td>
<td>301</td>
<td></td>
<td></td>
<td></td>
<td>1,885</td>
</tr>
<tr>
<td>Germany</td>
<td>734</td>
<td>3,556</td>
<td>2,941</td>
<td>2,750</td>
<td></td>
<td></td>
<td></td>
<td>9,131</td>
</tr>
<tr>
<td>Greece</td>
<td>1,578</td>
<td>513</td>
<td>114</td>
<td>37</td>
<td></td>
<td></td>
<td></td>
<td>2,240</td>
</tr>
<tr>
<td>Netherlands</td>
<td>84</td>
<td>317</td>
<td>993</td>
<td>276</td>
<td></td>
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<td></td>
<td>4,348</td>
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<tr>
<td>Italy</td>
<td>1,099</td>
<td>1,249</td>
<td>1,512</td>
<td>1,538</td>
<td></td>
<td></td>
<td></td>
<td>6,412</td>
</tr>
<tr>
<td>Croatia</td>
<td>931</td>
<td>1,136</td>
<td>550</td>
<td>871</td>
<td></td>
<td></td>
<td></td>
<td>3,568</td>
</tr>
<tr>
<td>Montenegro</td>
<td>166</td>
<td>350</td>
<td>270</td>
<td>181</td>
<td></td>
<td></td>
<td></td>
<td>887</td>
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<tr>
<td>Macedonia</td>
<td>1,195</td>
<td>1,576</td>
<td>935</td>
<td>713</td>
<td></td>
<td></td>
<td></td>
<td>4,421</td>
</tr>
<tr>
<td>Poland</td>
<td>69</td>
<td>44</td>
<td>102</td>
<td>110</td>
<td></td>
<td></td>
<td></td>
<td>325</td>
</tr>
<tr>
<td>Serbia</td>
<td>250</td>
<td>578</td>
<td>569</td>
<td>515</td>
<td></td>
<td></td>
<td></td>
<td>1,412</td>
</tr>
<tr>
<td>U.S.</td>
<td>2,450</td>
<td>3,279</td>
<td>1,867</td>
<td>1,628</td>
<td></td>
<td></td>
<td></td>
<td>9,234</td>
</tr>
<tr>
<td>Albania</td>
<td>3,213</td>
<td>5,313</td>
<td>4,152</td>
<td>4,050</td>
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<td></td>
<td></td>
<td>16,728</td>
</tr>
<tr>
<td>Slovenia</td>
<td>1,289</td>
<td>1,451</td>
<td>1,168</td>
<td>1,707</td>
<td></td>
<td></td>
<td></td>
<td>5,215</td>
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<td>Spain</td>
<td>131</td>
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<td>14</td>
<td>28</td>
<td></td>
<td></td>
<td></td>
<td>249</td>
</tr>
<tr>
<td>Turkey</td>
<td>1,694</td>
<td>3,098</td>
<td>2,184</td>
<td>2,028</td>
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<td></td>
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<td>9,014</td>
</tr>
<tr>
<td>Switzerland</td>
<td>1,452</td>
<td>1,245</td>
<td>471</td>
<td>1,061</td>
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<td></td>
<td></td>
<td>5,215</td>
</tr>
<tr>
<td>Belgium</td>
<td>6,140</td>
<td>5,408</td>
<td>13,629</td>
<td>10,147</td>
<td></td>
<td></td>
<td></td>
<td>34,382</td>
</tr>
<tr>
<td>TOTAL</td>
<td>24,816</td>
<td>36,318</td>
<td>34,382</td>
<td>30,349</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: KAS, Hotel Statistics

Whereas the table provided as below, gives details over the accommodation of foreign visitors during they stay, the most frequent cities and townships by them, where as seen Prishtine town dominates with the highest number as per visit also for accommodation by foreign tourists.

Table 2 – Number of nights of stay and places of accommodation of foreign visitors during their stay in Kosovo

<table>
<thead>
<tr>
<th>Year</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delije</td>
<td>128</td>
<td>120</td>
<td>170</td>
<td>254</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gjilan</td>
<td>1,035</td>
<td>1,023</td>
<td>1,023</td>
<td>1,908</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gjilan</td>
<td>395</td>
<td>275</td>
<td>303</td>
<td>114</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gjilan</td>
<td>2,521</td>
<td>3,222</td>
<td>2,194</td>
<td>2,496</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ibar</td>
<td>1,085</td>
<td>2,190</td>
<td>3,468</td>
<td>2,673</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gjakova</td>
<td>155</td>
<td>1,987</td>
<td>5,175</td>
<td>1,386</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gjakova</td>
<td>1,781</td>
<td>2,963</td>
<td>3,165</td>
<td>2,644</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prishtine</td>
<td>1,709</td>
<td>8,594</td>
<td>5,286</td>
<td>5,276</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mitrovica</td>
<td>1,145</td>
<td>2,291</td>
<td>2,757</td>
<td>2,534</td>
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<td></td>
<td></td>
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<tr>
<td>Leposavic</td>
<td>3,422</td>
<td>15,544</td>
<td>10,024</td>
<td>11,156</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Elbasan</td>
<td>501</td>
<td>2,164</td>
<td>1,376</td>
<td>327</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rahovec</td>
<td>684</td>
<td>718</td>
<td>534</td>
<td>417</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fusha</td>
<td>2,167</td>
<td>5,261</td>
<td>3,002</td>
<td>2,003</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Podujevo</td>
<td>11</td>
<td>14</td>
<td>26</td>
<td>11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prijedor</td>
<td>44,171</td>
<td>67,776</td>
<td>67,776</td>
<td>63,716</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Proser</td>
<td>2,812</td>
<td>1,710</td>
<td>8,140</td>
<td>5,828</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Skenderie</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shkodra</td>
<td>2</td>
<td>5,124</td>
<td>500</td>
<td>996</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shtimela</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shkodra</td>
<td>1,222</td>
<td>1,062</td>
<td>1,093</td>
<td>1,317</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ferizaj</td>
<td>1,052</td>
<td>7,417</td>
<td>7,246</td>
<td>5,709</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vucitrn</td>
<td>945</td>
<td>905</td>
<td>236</td>
<td>656</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prizren</td>
<td>621</td>
<td>617</td>
<td>632</td>
<td>598</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zvejan</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pristina</td>
<td>24</td>
<td>26</td>
<td>27</td>
<td>28</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>69,912</td>
<td>120,996</td>
<td>121,517</td>
<td>110,341</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: KAS, Hotel Statistics

In order to improve the current state which is not to be praised and also not satisfied for the tourism in Kosovo, I think that we should follow the practices of developed countries that have created a culture regarding the creation of infrastructure and tourism conditions applying the most marketing in tourism as a main tool or element in promoting, advertising and stimulation of visitors as per those local one also for foreign one to visit the most attractive places that those countries possess, therefore I say that the application of marketing in Kosovo tourism is a necessity that shall in
any case to be considered as a step toward our targets and needs to develop economy and tourism as its profitable sector. In order to do the first steps in this direction I think we should have a look to the tourist requests and our offer as a state with attractive tourist places and to find proper forms of marketing in tourism.

3. Marketing in Kosovo Tourism –Used Strategies

In order to achieve improvements in the field of tourism, an impellent element is exactly the used marketing. The aim of doing marketing it is not only to do something which is marketing the achievements which can only be a waste of time and money at the same time. Therefore I say that to do a marketing campaign we should choose proper strategies and forms that easily infiltrate on the proper place – so in general at foreign tourists and visitors and from this to use capabilities of gaining market over competition and that in region are numerous countries that offer approximate values of tourism – mainly to the mountain one, the same tourism that we can offer. To talk in details per marketing strategies of all types and possible used forms, there is a need for an elaboration as a part of marketing plan therefore I have decided to talk for strategies and forms that I think may effect initially in susceptibility of tourists for attractions that Kosovo offer and then the stimulation of as many of them to visit our country.

3.1 Mediators on advertising their tourism through tourist partners

Considering that most of our locals live and work abroad, we have advantage regarding the advertising or doing marketing of tourism in East Europe and Trans-Atlantic states. Most of our compatriots are well known businessmen and people with wide circuit of well know people in the field of business therefore easily and simply we may use them as mediators for our targets, of promoting touristic values of Kosovo. Most of them, I think with will and pride would like to be a part of this project where their place of birth is already ready to be tourism hostess of their co-citizens in the countries where they live and perform, therefore as a mediator they can use:

3.1.1 Promoting bureau or office

It is a form that enables many tourists of foreign countries to get informed around offers that Kosovo offer, as a place with numerous mountain and historical attractions for tourism. These offices can offer important information for potential tourists presenting our country. The places that would these offer be presented to , are the most well-known cities such as : Roma, Vienna, Prague, Paris, London, Brussels, Athenas, Zagreb, Helsinki, Oslo, Berlin, Istanbul and other countries that might affect to inform as much tourist as possible over the possibilities of using Kosovo as a place where it worth to rest and visit. Such office is opened in Prishtine by alternative tourism association but I say that the effect and promotion Kosovo and its natural beauty is necessary to be done in western countries where the echo would be greater and more effective that of office or offices in Kosovo.

3.1.2 Tourism promoting campaign

It is an easy and efficient form that is used also by many companies and corporations in their marketing strategies. It would be so valuable if in many countries of Europe to be presented posters with information over touristic offers of Kosovo. Also, leaflets and brochures may at least filter to the interested or to tourists that at least express the interest to closely see what is promoted in that country.

3.1.3 Tourists agents

In order to be as recognized worldwide, important is to be close to the target and in our case they are tourists. After that as a new country and not such well-known for tourism, engagement shall be unstoppable in order to achieve at least to be known by tourists and to gain an advantage over competition. In order to reach these two objectives we must find a form of efficient informing of those who spend time and money in foreign countries, and we want them perseveringly to have for a visit in our country. Tourist agents would be the one who are professional in this aspect. Thanks to the youth that our country has and most of them fluently speak foreign languages so they can be trained to perform efficiently the duty of tourist representative agents in our country. Their mobilisation could be done, sending them in different places such as tourism fairs and conferences, centres of European cities, and in well-known trade centre or similar places where as tourist representative officer or similar places where may catch the attention of many foreign citizens and to the most
for them who are ready to visit beauty and relaxing nature places that Kosovo nature offers. In terms of interconnection and tourism bidders, most of information provided by tourism are based in relation or communication between their tourists and servers with whom they have or create contacts with, such as hotels (Kim, Han, & Lee, 2001), restaurants and touristic groups (Conze, Bieger, Laesser, & Riklin, 200103).

3.2 Prestigious magazines and newspapers

Even though it can be pricey, marketing in prestigious newspapers and magazines of course would justify the performed investments on them. I think that is a proper place where Kosovo tourism shall have its marketing while we pretend that we have what to offer therefore necessarily we can plan a strategy specially around the time and form or preparation of advertisement in such magazines and newspapers, and that gradually we begin to create a brand of a valid place related to tourism.

3.3 Television campaign

Too expensive for a place as Kosovo is to advertise itself in television advertisement of the most well-known channels in Europe and worldwide, but is a form when all the investment in those advertising may be brought back in a form of collecting of revenues from tourism. Even though in 2009 Kosovo has done a television campaign emitting the country as the new-born country with the slogan “Kosovo the young Europeans” which aimed the susceptibility of other countries over us.

Figure 2 - The slogan of Kosovo television advertisement emitted in international TV

Advertising with the aim of tourism hope would have proper affection, as mentioned above, against the expenses created in emit, time will testify that all financial funds used in television campaign will dissert it by adding the number of foreign tourists who have what to enjoy from the beautiful nature and landscape of our country.

3.4 Internet – social network such as Facebook and Twitter

Virtual world created by offering internet services is considered to be so successful in real world, in aspect of its affection by business advertisements. For this I think that also Kosovo tourism shall use this world and to get as close as possible to its touristic target. Such advertisings over Kosovo, we can already access, they are offered by Alternative Tourism Society10 which association has an official information page in social network like Facebook over Kosovo and its natural beauty. As well we can access also the promotion of “Kosovo- the Young Europeans” on the same social website. Efficient would also be the promotion on other networks such as Google+, Linkedin, Instagram, Pinterest, Vine, Tumblr, and Twitter to be opened official websites and Kosovo to be presented as a country with good touristic capacities, doing so from virtual world to profit adding foreign tourist interests and making possible for Kosovo gradually to gain a name on offering valid touristic services as per foreigners as well as for locals.

8 Entermedia in co-operation with Kadishzon Productions from Israel, under the idea of BBR Saatch & Saatchi, Israel has produced the TV Ad “Kosovo, The Young Europeans. Published 27 Oct 2009-http://www.kosovo-young.com/about-us/
9http://www.ambasada-ks.net/nl/inc/images/kosovo_young_europeans.gif
11https://www.facebook.com/TheYoungEuropeans
4. Conclusions and Recommendations

In order to breach to tourists mainly to foreign, Kosovo as a country with her offers over tourism shall in any case to change strategy of marketing approach. Attempts to advertise Kosovo and natural beauties that this place possess, is true that have not ceased, but I can say that results, based on statistical data of statistic agency of Kosovo, results are not satisfied while exist possibilities that may be used to make our country internationally recognized in the field of tourism. In order to achieve this target, there is a need for appropriate strategies of marketing to be applied where appropriate and in appropriate form. What world knows for us and what reads for us in Kosovo tourism researches may be called “a sequence “of that what may and will be offered. Thank to our fellow around the world, we can use their abilities and enabling them profiting by lobbying and advertising their native land, this way we earn by increasing the level of information over tourism and our country in general. Moreover to achieve this we must contact neighbour countries that also have a good offer in mountain tourism, we necessarily shall find paths of mass informing tourists over our offers in this field.

To do this we must utilize prestigious newspapers, television channels and virtual networks that have a superior trend of global informing where we must find space and possibility to promote our country and to present Kosovo nature beauties that will be too attractive for each tourist who wants to have a relaxing holiday during four seasons, by visiting the nature and object with historical values that our country possess.

References


Halili, H. “World Tourism Day.” Downloaded in December 2014 from: http://www.ekonomia-ks.com/?page=1%2c9%2c27441


RTK “It is opened the Tourism Information Office in Kosovë” Downloaded in December 2014 from: http://www.fermaime.com/?id=14&l=813


Question of the “Monastery of Saint-Naoum”, Referring to the Advisory Opinion of the Permanent Court of International Justice

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Abstract

One of the most important issues for the Albanian country in the period 1922-1925 has been that of the north and northeast frontier with the Kingdom of Serbs, Croats and Slovenes at the Monastery of Saint Naoum. Referring to the historical facts, the area of St. Naoum was occupied by Serbian troops in 1913. During World War I, they were forced to flee from there (1917). During the period when Commission (of delimitation) had visited the monastery they found there, only two priests, one of whom spoke English, the other Serbo-Croatian. From a geographic standpoint monastery had no particular value, while in terms of religious side he had a lot of great importance for all surrounding regions making up for them a religious pilgrimage site. The problem that had arisen during the fieldwork of Delimitation Commission stood on the fact that the Protocol of London of 1913 expressly stated that "up to the Monastery of Saint Naoum", thus leaving unclear that the word "until" will include or leave abroad it. This problem was brought to the attention of the Conference by a note of September 27th, 1922, from the British Embassy, through which it asked the Delimitation Commission to furnish all the information which might assist the Conference in reaching a decision. The issue spanned a period of several years and took importance because Albanian politics tried to save the limits set in 1913 by the Conference of Ambassadors in London, as well as not to create to the neighboring countries the opportunity to extend their hand to distract from "existing Albania" even a single inch of land. However, the happenings will take different shades because they were held in difficult years of turbulence in Albania and will begin to receive solution only when King Zog returns to power with help of Serbia in December 1924.

Keywords: Question of the “Monastery of Saint-Naoum”; Advisory Opinion; Permanent Court of International Justice; Delimitation Committee; King Zog I; League of Nations; Conference of Ambassadors.

One of the most important issues for the Albanian country in the period 1922-1925 has been that of the north and northeast frontier with the Kingdom of Serbs, Croats and Slovenes at the Monastery of Saint Naoum. The issue spanned a period of several years and took importance because Albanian politics tried to save the limits set in 1913 by the Conference of Ambassadors in London, as well as not to create to the neighboring countries the opportunity to extend their hand to distract from "existing Albania" even a single inch of land. However, the happenings will take different shades because they were held in difficult years of turbulence in Albania and will begin to receive solution only when King Zog returns to power with help of Serbia in December 1924.

On June 5th, 1924, from Paris, Poincare on behalf of the Conference of Ambassadors addressed to the Secretary General of the League of Nations, emphasizing that according to the support of the Resolution adopted by the Conference of Ambassadors on June 4, 1924, is required by the League that at the next meeting to take in consideration the question submitted as follows:

"Have the Principal Powers, by the Decision of the Conference of Ambassadors dated December 6th, 1922, completely fulfilled in the matter of the Serbian-Albanian Frontier at the Monastery of Saint-Naoum the mission which, as stated by the Assembly of the League of Nations on October 3rd, 1921, it was incumbent upon them to undertake? Should the League of Nations consider that the Conference has not completely fulfilled its mission, what solution should be adopted as regards the question of the Serbo-Albanian Frontier at Saint-Naoum?" (1)

A week later, on June 12, 1924, the League of Nations issued a clarifying statement for the discussions on the issue of St. Naoum at the Conference of Ambassadors. According to the statement ("Note on the Deliberations of the Conference of the Ambassadors Concerning the Allocation of the Monastery of St. Naoum"), the decision of the Conference of Ambassadors, dated November 9th, 1921, after confirming the setting of Albania borderlines based on the decision of the Conference of Ambassadors, 1913 in London, stated that the Delimitation Commission that will go on the
ground was instructed to take into account in its work all geographical and economic interests of both countries. The aim of the commission was to determine exactly the border between the two countries by visiting the line defined by the Conference on the map. The line was made up of four areas or regions:

(a) The region north-east of Scutari;

(b) The region to the west and south of Prizrend;

(c) The region to the west and south-east of Dibra;

(d) The region of Lim, (2)

Based on this visit, it was decided that: the area of Lin to pass to Albania to facilitate communication between the regions and more specifically between Elbasan and Korça along the shore of Lake Ohrid. Given this, no concrete definition was made for the monastery St. Naoum, whose location was in furthest area of the Ohrid Lake, at its southern coast. Conference believes that the definition of this southern province was set at the London Conference in 1913, this was the reason that St. Naoum was not discussed and was never taken for granted the fact that it belonged to Albania. On February 1st, 1922, based on communication between the League of Nations and the Delimitation Commission - Conference made the decision as follow:

3. To instruct the Delimitation Commission to define on the ground the Serbo-Albanian and Greco-Albanian frontiers fixed by the Conference of London in 1913 up to the actual point at which the work embodied in the Protocol of Florence was begun;

4. To instruct the Technical Geographical Committee to determine a neutral zone from Lim (Lin) up to the point referred to in paragraph II/1 above." (3)

Moreover, the Protocol of London of 1913, defining the Albanian frontier, is worded as follows:

From north to south:

". . . Thence it shall follow the ridge of Mount Korab, leaving to Albania the district of the tower Dibra and outside Albania the district of Reka. Leaving this ridge slightly to lie north of the valley of the Dibra, which shall remain outside Albania, the frontier shall extend to the Black Drina, whose course it shall follow up to the village of Loukovo, whence, passing along the main ridges separating the basin of the Drina from that of the Ghkoumbi and leaving Strouga outside Albania, it shall reach the shores of the Lake of Ochrida in the neighborhood of the village of Lim." (4)

Then from south to the north:

"The shores up to Phthelia, including the Island of Sasseno, the region north of the Greek line, and the former Casa of Koritza, together with the western and southern shores of the Lake of Ochrida, extending from the village of Lim up to the Monastery of Svet-Naoum, shall form part of Albania." (5)

Referring to the historical facts, the area of St. Naoum was occupied by Serbian troops in 1913. During World War I, they were forced to flee from there (1917). During the period when Commission (of delimitation) had visited the monastery they found there, only two priests, one of whom spoke English, the other Serbo-Croatian. From a geographic standpoint monastery had no particular value, while in terms of religious side he had a lot of great importance for all surrounding regions making up for them a religious pilgrimage site. The problem that had arisen during the fieldwork of Delimitation Commission stood on the fact that the Protocol of London of 1913 expressly stated that "up to the Monastery of Saint Naoum", thus leaving unclear that the word "until" will include or leave abroad it. This problem was brought to the attention of the Conference by a note of September 27th, 1922, from the British Embassy, through which it asked the Delimitation Commission to furnish all the information which might assist the Conference in reaching a decision. Required information and opinions were sent to the Conference in a letter dated November 5th, 1922. While a more detailed opinion of the Albanian Commissionaire dated November 30th, 1922, after the Conference had taken its decision. (6)

The British Commissioner, after some hesitation, interpreted the Protocol of London as assigning Saint-Naoum to Serbia; but from an ethnical, geographical and strategic point of view he considered that Saint-Naoum should be left to Albania. The French and Italian Commissioners were in favor of assigning the monastery to Albania. The Commissioners of the countries directly concerned naturally differed in their opinions. With the exception of the opinion of the Albanian Commissioner, none of the documents laid before the Conference drew attention to the moral and religious interests, which would be affected by the decision about to be taken. (7)

It was, moreover, difficult to determine with any certainty the intentions of the authors of the 1913 Protocol. No regular minutes were kept of the Conference of London, nor are there in existence any contemporary official maps showing the tracing agreed upon by the Ambassadors. Subsequent examination of the documents concerning the Conference of 1913 has not made it possible to-establish the intentions of the Conference. Review of documents related
to the 1913 Conference did not create any possibility to the Conference of Ambassadors to take a decision. In these circumstances, considering that London Protocol could be interpreted in different ways and the opinion that the opinion of Delimitation Commission were very favorable for the granting of this monastery to Albania, Conference decided on December 6, 1922, that the monastery eventually must be passed to the Albanian state. This decision was officially communicated to the two governments in December 23, 1923. It was communicated even to the Delimitation Commission to implement it on the ground. (8)

In the letter of December 23, 1923, in which Poincare addressed the Albanian government, was stated that: "By the letter of November 25th, 1922, you are informed that the Conference of Ambassadors was in favor of determining the border of St. Naoum, situated on the southern shore of Ohrid Lake to the Albania. I have the honor to inform you that the Conference of Ambassadors decided to leave the Monastery of St. Naoum to the Albanian state. This decision will be implemented in Albania when the border between the Kingdom of Serbs, Croats and Slovenes will be placed on the ground by the Delimitation Commission ... ". (9) The second letter was addressed to Serbian minister in Paris, Spalaikovich in which Poincare wrote that "London Protocol of 1913 specifies that" the western and southern cost of Ohrid Lake, the area that stretches from the village of Lim to the Monastery of Saint Naoum it will be part of the Albanian state ". This text does not clearly indicate whether the monastery will be part of one or another state. For this reason the task was addressed to the Conference of Ambassadors. I have the honor to inform you that the Conference taking into account the opinion of the Delimitation Commission on the ground, decided to pass the Monastery to the Albanian state." (10)

But despite the announcement, no formal decision was taken by the Conference of Ambassadors to confirm the final proposal given by members of the Delimitation Commission. In this situation, when lacking a formal decision, Belgrade through a note dated April 6th 1923, filed before the Conference a series of arguments on the issue of Serbo-Albanian border. Some of the facts given were directly connected with the issue of the border between the two countries in St. Naoum and based on ethnic and moral arguments sought to review the decision of December 6th 1922. Belgrade during this period tried to artifacts new documents and materials to argue that St. Naoum was never discussed by the Conference of London to be given to Albania, but rather the purpose of the committee that time was give the Monastery to Serbia. In the same spirit was presented even the note of June 28th 1923 to the Conference by Belgrade. (11)

The Albanian Government responded to this attempts of Belgrade by two letters addressed to the Conference, the first dated June 20th 1923, while the second is dated March 25th 1924. According to the first letter of June 28th, it bears the signature of J. Dino in which Poincare wrote that "London Protocol of 1913 specifies that" the western and southern cost of Ohrid Lake, the area that stretches from the village of Lim to the Monastery of Saint Naoum it will be part of the Albanian state ". This text does not clearly indicate whether the monastery will be part of one or another state. For this reason the task was addressed to the Conference of Ambassadors. I have the honor to inform you that the Conference taking into account the opinion of the Delimitation Commission on the ground, decided to pass the Monastery to the Albanian state." (12)

So even though the town of Dibra a vital hub of the Albanian population remained abroad, severing all ties of this region to those around her, it did not encourage the government of Tirana to submit arguments and require international bodies to join her, despite the desire for unity was great. He also stated that: "For this reason, I have the honor to present to your attention that my Government cannot believe that the Conference of Ambassadors is ready to agree to review the borders... and to reverse a decision that has already received about borders". (12) While J. Dino in a second letter dated March 25th 1924, addressing to the President of the Conference wrote that “these days, in all major cities of the country began protests and they want that no part of the Albanian territory secede. Nowadays Albania doesn’t represent an ethnic country and therefore you have to understand that these feelings that rise in people show that they still has not forgotten the dismemberment of Albanian-populated territories which were given neighboring countries". (13)

On March 27th 1924, the Legal Committee expressed his opinion. In his opinion, it was clear that there are some facts that must be taken into account and one of these facts was the agreement between Italy and Austro-Hungarian government (on April 22, 1913), requesting that St. Naoum must be given not to the Albania but to Serbia. In addition, the final protocol of August 1913 stated that the Delimitation Committee that will go in the field should take into account all proposals made between Italy and Austria-Hungary in connection with the Albanian border. This – according to the Legal Committee, – gave a great value to the agreement between the two countries (Italy and Austria-Hungary) that St. Naoum was not part of the Albanian state. (14) Immediately after these facts emerged recently, on April 14th 1924, the British government through a memorandum expressed that London doesn’t have any doubt concerning the will of the participants at the Conference of 1913, nor the decision of 1922 that St. Naoum could be part of Albania. British Government in the memorandum added that both Albania and Yugoslavia were unable to reject the decision taken on December 6th, 1922, because in 1921, this decision was taken by the Assembly of the League of Nations that accepted the resolution regarding the determination of the line border between the two countries. London also emphasis the fact
that the decision of December 6th was communicated to both governments and none of them had refused.

However, French government through the delegates to the Commission continued to support the idea that the case should be rerun again and it needed the commitment of other international institutions like the International Court of Justice. In this line, London reacted immediately (on May 19th, 1924), by supporting the French idea that it would be better for the case to engage the International Court, to whom they can address the issue for an advisory opinion. (15) In these conditions the issue was presented to the Conference of Ambassadors on June 17th 1924, to give its opinion on the issue of the Albania – Yugoslavia borders in the Monastery of St. Naoum. According to the resolution of the same date (June 17th), despite the decision of December 6th 1922 of the Conference of Ambassadors stated that have been many contestations by the Yugoslav party about how they solved this problem. According to the resolution the question was presented as follows: “Have the Principal, Allied Powers, by the decision of the Conference of Ambassadors of December 6th, 1922, exhausted, in regard to the frontier between Albania and the Kingdom of the Serbs, Croats and Slovenes at the Monastery of Saint-Naoum, the mission, such as it has been recognized by the interested Parties, which is contemplated by a unanimous Resolution of the Assembly of the League of Nations in October, 1921?” (16)

On June 17th 1924 the Secretary General of the League of Nations, Eric Drummond, addressed the case for an Advisory Opinion (Advisory Opinion) to the International Court of Justice (in Hague). (17) In the letter was stated that: “The Secretary-General of the League of Nations, in pursuance of the Council Resolution of June 17th, 1924, and in virtue of the authorization given by the Council, has the honor to submit to the Permanent Court of International Justice an application requesting the Court, in accordance with Article 14 of the Covenant, to give an advisory opinion to the Council on the question which has been referred to the Court by the Resolution of June 17th, 1924. The Secretary-General will be prepared to furnish any assistance, which the Court may require in the examination of the question, and will, if necessary, arrange to be represented before the Court.” (18)

On July 23, 1924 at the Peace Palace in Hague was held the fourth public meeting (part of the fifth session) in connection with the Case of St. Naoum. The meeting was headed by President Loder, while other participants were Deputy President Weiss, and the other members: Lord Finlay, Nyholm, Moore, De Bustamante, Altamira, Oda, Anzilotti, Huber and Pessoa. As secretary of the group of judges was Mr. Hammarskjold. (19) Then session continued with the reading of the case of St. Naum by the secretary. He began reading by giving a historical overview of the issue, which departed from the decision dated December 6th, 1922, of the Conference of Ambassadors, which had decided that the Monastery of St. Naoum must remain to the Albanian state. After reading the case by the Secretary, President Loder said that on June 19th, 1924, he had received a request from the League of Nations, which require by the Court to express its opinion on the matter. The Albanian government was represented at these meetings by Mr. Mehmet Konica ambassador in London and Paris, B. Blinishti and international law professor Gilbert Gidel. At the other hand Yugoslav party was represented in court by its ambassador to Paris Mr. H. E. Spalaikovitch. (20)

In the annual report of the Court was stated that on October 3rd 1924, the Council of the League of Nations in the presence of representatives from Albania and those from the Kingdom of Serbs, Croats and Slovenes, decided to communicate the Ambassadors the opinion given by the Court on September 4th 1924. A year later on April 27th 1925, the Conference in Paris communicated to the representatives of the two countries concerned, that St. Naoum should remain within Albanian borders.

On May 6, 1925, the Representative Minister of the Kingdom of Serbs, Croats and Slovenes in Paris sent to the President of the Conference of Ambassadors a note according to which, Belgrade was ready to make progress in the talks, after the stalemate of the question (after the decision of September 4th 1924). Belgrade claimed to have new evidences, which wanted to make available to the Conference and the Court. These facts consisted of a circular letter dated September 30th 1913, that Count Berchtold distributed to the Austro-Hungarian ambassador in Berlin, Paris, Rome and St. Petersburg. In this paper were given new details on the issue of Serb-Albanian border. According to the letter, the border would follow the western shore of Lake Ohrid, near the village of Lin, going right at the lake’s southern shore, to the Monastery of St. Naum who will remain abroad. (21) International Court after the presentation of this fact by the Yugoslav party, mentioned for the first time, asked the two delegations to find a common language and amicable resolution of the case. The Court advised the parties to continue negotiations by that spirit.

On June 28th 1925, representatives of the two countries said they had reached a bilateral compromise solution, concluding that St. Naoum monastery will eventually pass to Yugoslavia, while the village of Peshkopi will pass to the Albanian state. By a decision dated August 6th 1925, the Conference of Ambassadors approved the ratification of the two delegations signed on June 28th. On November 11th 1925 the governments of both countries (respectively parliaments) ratified the agreement signed between the two delegations. (22) President of the Conference of Ambassadors reviewed the agreement and gave its approval eventually ending the border issue between Albania and Yugoslavia.
References

Acts and Documents Relating to Judgments and Advisory Opinions Given by the Court, Question of the Monastery of Saint-Naoum (Albanian Frontier), Leyden: Series C, Documents relating to advisory opinion No. 9, No. 5, Part III – Other Documents, Publications of the Permanent Court of International Justice, p. 70. (“The Conference of Ambassadors to the Secretary General of the League of Nations”).


Ibid, p. 72.


Acts and Documents Relating..., “Le Président de la Conférence des Ambassadeurs au Président: de la Delégation Albanaise a Paris”.


Ibid, p. 73.


Ibid, p. 75-76.


Acts and Documents Relating to Judgments and Advisory Opinions Given by the Court, Question of the Monastery of Saint-Naoum (Albanian Frontier), Leyden: Series C, Documents relating to advisory opinion No. 9, Public Sittings, No. 5, Part I, Publications of the Permanent Court of International Justice, p. 8.


Ibid. p. 138.
Relation of Albanian Standard Language to Dialects, Sociolects, Idiolects: The Linguistic Situation at the University of Vlora

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Abstract

Albanian language and its components have always been in constant change. Economic and political issues, religious changes and life styles have affected language as well. Albanian standard language is trying to maintain a high profile for its users. However, it is facing an enormous linguistic change. Dialects, sociolects and idiolects are some of the main sources that affect and enrich language. How language and its components interact with each other? How are dialects, Geg and Tosk, represented on standard Albanian language? How is the actual linguistic performance in relation to linguistic contexts? At what extend are idiolects and sociolects represented at standard language? These and more questions are the center of our research paper.

**Keywords:** linguistics, standard language, dialects, idiolects.

1. **Objectives**

- Identifying linguistic situations at the University of Vlora;
- Exploring the spread and usage of urban dialectology at University campus;
- Determining the factors that influence the spread of urban dialectology;
- Verifying the extend of usage of standard language in and outside the auditoriums;
- Explaining the linguistic exchange among literary forms, dialectical and idiolectical features.

2. **Theoretical Framework**

Now days, sociolinguistic studies, in Albania and abroad, are mainly focused on urban dialectology and its influence on the standard language. Urban dialectology has affected many usages of languages, in various linguistic contexts. University campuses are good examples where to study such linguistic varieties. All the specter of linguistic varieties is the object of study of our research paper. Nevertheless, foreign and home literature has given to our study another dimension and importance.

3. **Results**

Communication in the same language has great advantages:

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• Avoidance of misunderstanding;
• Better communication;
• Unifies the system of education. Standard language provides its users with a great sense of unity and it is a national patrimony.

Standard language, as a special variant of the national language, has a higher status than the other linguistic variants. It has always had a leading role in the process of development of language and its usage. Albanian language determines the communication at institutions, such as universities, schools, ministries and other governmental institutions, the media, etc.²

In Albania, the attendance of primary and secondary schools is compulsory. However, it is premeditated to state that compulsory school attendance is enough to gain the

The Standard follows certain rules and guidelines in both areas: speech and writing. But there are a number of paralinguistic factors that affect speech and writing, more specifically grammar, vocabulary and pronunciation. Due to this, paralinguistic factors are essential aspects for the development and functionality of language itself.³

Albanian linguist Prof. A. Dodi claims that “Linguistics has mostly focused on explaining language through linguistic features. But the negation or underestimation of paralinguistic features is wrong and does not contribute in explaining lots of linguistic phenomenon”. Thus, certain variables (culture, education, etc.,) affect standard language.⁴

Phonetic structure of the standard form constantly borrows linguistic elements from both Albanian dialects. For instance: standard language is based on the Southern dialect, the Tosk, but it is widely accepting forms from the Northern dialect, the Geg.⁵ The standard language has welcomed both forms of é (Southern) and a (Northern): za-zë; baj-bëj; nana-nënë, and so on. As a result, the usage of forms from both dialects has brought into light new phonetic elements.

A look at the linguistic situation at school is a proof of the aforementioned claim. It opens a question about the spread and usage of the standard language at certain institutions related to education, such as schools and universities.

Various observations, questionnaires and discussions made with students of University of Vlora have put into light several linguistic deviations, in and out the auditoriums.

University of Vlora welcomes students from all over Albania. Thus, linguistic discourses on campus are full of personal and dialectical linguistic features. Numerous linguistic deviances from the standard language are somewhat reflected inside the class. But, such deviances are quite obvious outside the auditoriums. No matter the topic of conversation or kinds of contexts the students find themselves in, they cannot escape their family or regional background.

4. Case Study

In order to measure linguistic diversity at university we used a questionnaire. The purpose was to identify the degree of acknowledgement that students have of standard language. 100 students of different branches and grades took part in the study. They were introduced to several questions about the usage of standard forms in and outside the class.

How much do you know of standard linguistic forms?

70% of students admitted to have a good knowledge of standard forms and when they should use such forms. 30 % of them did not show a good knowledge of standard language.

³ Paçarizi, Rr., Rruga e zhvillimit të shqipes standard në raport me nevojat e komunikimit, Tiranë, 2011, f. 6.
⁵ Dodi, A, Fonetika dhe fonologjia e gjuhës shqipe, Tiranë, 2004, f. 128
What register do you use with your friends, standard forms of colloquial language?

80% of students use colloquial forms and slang in such conversations and 20% of them use standard forms.

Standard language is based on Geg or Tosk dialect?

82% of students choose “Tosk”; 15% choose “both dialects” and 3% choose “Geg”.

Standard language is used in “

Choose the Correct Version

48% choose variant Standard; 24% choose Standarti; 18% choose Standarti and 10% choose Standartizim.

5. Which Linguistic Variant (Formal / Informal) do you use with your Professors?

90% of students use standard forms and 10% use a simple language, with simple linguistic forms. Below are some examples in Albanian language:

Student 1. Mund të m’a shpjegoni dhe njëherë ju lutem, se nuk e kam shumë të qartë.
Student 2. Presore të lutem, mund të më bëni një përmbledhje për këtë çështje se nuk e kuptova?
Student 3. Ju lutem mund të m’a shpjegosh edhe një herë pjesën e fundit të mësimit sepse nuk e kam kuptuar dhe kam nevojë për një sëkurim të dytë?
Student 4. Ka mundësi t’ja shpjegoni edhe një herë?
Student 5. Presore, të lutem mund t’ja shpjegosh përsëri? Nuk e kam shumë të qartë.
6. Discussion

The questionnaire and observations put into light some features of linguistic situation at the University of Vlora. Though students gave their answers for each question on the questionnaires, accurate observations came up with somewhat different results.

It was proved that 50% of students, instead of 70%, have quite a good knowledge of the rules of speaking according to the standard language; 20% of them have a good knowledge of standard forms; 30% of students have a linguistic performance below average. Their speech is full of dialectical forms and linguistic deviances from the standard language.

20% of students use standard forms in everyday speech. Close observation to the students' discourse showed that that “20%” which pretend to avoid colloquial forms in such situations use plenty of everyday speech linguistic features. The subjective and emotional feelings of the interlocutors were quite obvious in their discourses.

In this case, the concept of Daniel Long “quasi standard” forms explains the results. In our case, speakers have the perception of using standard forms in their discourses. But, in fact, they are using nonstandard forms. Thus, code-switching is the linguistic phenomena that characterize students' discourse.

As a result of geographic relativity, the University of Vlora linguistic situation is characterized by a combination of linguistic forms of standard language, dialects and idiolects. Students try as much as possible to use academic language in class and avoid colloquial elements. Their speech is marked by a great number of features belonging to everyday speech and slang in informal contexts.

References

Llosi, Xh., Stilistika e Gjuhës Shqipe, Tirana, 2001, f.150.
Paçarizi, Rr., Rruga e zhvillimit të shpjes standard në raport me nevojat e komunikimit, Tirane, 2011, f. 6.
Industries English Language and Communication Need Analysis in Albania

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Abstract

During the twentieth century, the demand for English language has been steadily increasing, “especially in countries where English is taught as a foreign language” (Hutchinson and Waters, 1987). The global expansion of trade and economy, gave rise to new developments in a world of international relations regarding various aspects of communication, the exchange of information using science and technology, business related communication as well as traveling the world for different personal or/and business reasons. This study focuses on two main issues of English for communication purposes: a) English language and communication need analysis for industries, seen it from the perspective of the employers such as human resources offices and senior managers, the need for English language and communication from the perspective of employees, and b) therefore aims to provide an overview where it can be seen whether the “demand” for English and communication necessary to perform daily functions in a company complies with "supply", skills and competencies that the employees have obtained during the study of English at a university or other educational institutions. Through questionnaires, it is intended to identify the English language skills required from industry employees to use in working environments as well as the degree of difficulty encountered in performing the required tasks. The respondents in this study include employees and employers of industries at the level of managers and people working in the sales, marketing, purchasing, advertising department etc.

Keywords: Communication for professional purposes, industry and business needs analysis, communication skills.

1. Overview of the Concept of Language and Communication for Professional Purpose

The concept of language and communication for professional purpose arises from the use of language interests and professional communication in a second language and serves the purposes of the use of language and effective communication in professional environments. Furthermore, it is intentional human interaction, which reflects the working knowledge of professionals. Effective communication in occupational settings is important in companies with diversity in the workplace. Good communication skills help reduce barriers raised because of language and cultural differences. Effective communication increases productivity, reduce errors and makes work run smoothly.

In the field of second language acquisition, the key word "language" has been clarified by many scholars. According to Common European Framework of References (CEFR, 2001) the current concept of understanding on the acquisition of a second language is that “the 'language' to a student includes many different aspects of "communicative competence". Littlewood further explains that “these include different competencies such as linguistic and discourse competence, the pragmatic competence, sociolinguistic competence and socio-cultural competence (Littlewood 2006: 503).

From linguistics perspective the word "communication" has been extensively used and mentioned somewhat in many contexts, such that of "teaching communicative language " known by language teaching professionals. Fiske states that "communication is one of those human activities that everyone recognizes but few can satisfactorily outline " (Fiske 1990: 1).

What is typical about communication is that it occurs in the workplace, such as "social institutions where resources are produced and regulated, solve problems, playing with identities and form professional knowledge" (Sarangi & Roberts 1999:1). Following this reasoning, socio-cultural "jobs are held together through communication practices" (ibid :1).

The professional setting of business and industry illustrates the utilitarian discourse system where language and communication serve purposes of global business and industry". (Scollio & Scollio 2001).

According to Foucault and Candlin, “practice varies between areas of social discourse (telecommunications, banks, hospitals, law), where each of which evolves its own discursive practices related to a particular social field or institution”. (Foucault 1982; Candlin 2005, 2006). Language activities intertwine with social activities interdependently,
giving way for the formation of that field of specialization and ethnographic institution environment for communication.

One major challenge for the mastery of communication is its constant changing nature.

In general, communication involves more than a specific verbal text; it may also include other aspects of communication such as non-verbal communication, tone of the voice, body language, space, wardrobe, attitude and behavior, which are sometimes considered less important in the area of English for specific purposes. In order to communicate fluently, interlocutors must possess the communication skills, which are defined in English language teaching as listening, reading, speaking, writing and mediation (CEFR 2001). It is uncommon that they might occur separately in a professional setting, but rather as integrated groups of subskills.

Professional communication in the workplace is used for various purposes. The scholars Poole and Hirokawa identify six of these purposes: (1) social information processing that is, a combination of existing information, generating new information, the development and the combination of information elements, (2) professionals communicate analytic functions such as the analysis of unforeseen circumstances around situations where choices must be made. (3) A large part of the communication in the workplace has to do with maintaining the systems, establishing rules for making a decision. These are called procedural functions. (4) Communication can also be obtained with functions related to an order, that is the determination of the values and goals we set or monitor them. (5) The synergistic functions involves the coordination and motivation of the management that occur in situations and (6) rhetorical functions such as persuasion, social influence and leadership are used for example in the discourse of a job interview or negotiation (Hirokawa & Poole 2004: 12).

According to Candlin the discourse of professional communication is centralized towards the knowledge of discursive practices and necessary forms of discourse. Scollo in (Scollo & Scollo 1995) declare that discursive practices can sometimes be specific to a profession such two mechanical engineers communicating with each other, but often communication includes meetings with a number of professionals in cases of interdiscursive practice.

Summing up, the system of communication for professional purposes is dynamic and goes through constant change. As a result, these characteristics can be enhanced in the definition of needs analysis for language and practice of analysis necessary for language.

2. Objectives of the Study

This paper aims to shed light on the English language communication skills required by employees and employers in the industry sector. Specifically, the study tries to reveal some of the ways and functions of the use of English for communication that employees in different departments in four multinational companies in Albania regard as necessary to perform their functions in the premises where daily work is performed. Through questionnaire surveys and interviews completed by more than 75 employees, the study tries to determine which is the proportion of daily tasks which require communication in English and what are English language skills that are used most often. Also, an attempt was made to determine the degree of difficulty that these workers encounter in the use of English to perform these tasks. This study will only discuss the findings up to this point of the study. On the broader scale, this study which is part of my doctoral thesis, will use the data collected to be further compared with the program of English language for specific purposes in the Faculty of Economics and Agribusiness, Agricultural University of Albania. The comparison will be done in terms of reviewing whether what is taught at university complies with the workplace requirements for language and communication in English. The analysis of the compliance or non-compliance of English language skills, will be helpful to the program-designers as well as employers in order to respond effectively to the language needs of employees/ers in industries in Albania.

3. Research Question, Hypothesis and Methodology

A quantitative approach is used in this study, which through quantitative techniques investigates the English language and communication needs of people employed in different department in four main industry and bussiness companies. The main method used in the study is the questionnaire. The questionnaire consists of a scale of Likert type. The data were analyzed by SPSS and the findings received were interpreted objectively. The basis of the questionnaire has been taken form a the questionnaire used by Bhatia and Candlin and modified according to the needs of the study and context (Bhatia & Candlin, 1998). A sample of 75 of employees employed in different departments at management level and other departments in companies which have employed students graduated in the field of economy filled in the questionnaire. Initially, contact was established with 4 large industry companies operating in Albania, two of them in the field of production of cement and 2 others in oil extracting and processing. Through e-mails their participation in the study
was requested. Questionnaires benefited from the sample of 75 of employees bring details and different communication aspects of their work and the language used and needed. Before questionnaire administering, employees were assured that this study takes place simply for research purposes, the data are confidential by preserving anonymity.

4. Research Questions

This study tries to answer the following three questions:

1. What are the English language skills, employees in industry use more often in their work environment?
2. What actions/tasks are included in communication in English?
3. What are the difficulties encountered in carrying out the actions required?

5. Analysis, Data Interpretation

This section presents an overview of the 170 participants along with the information they brought by filling in questionnaires. Part of "General Information" of the questionnaire was grouped into two main sections. The first part concentrates around personal data of the participants that are related to gender, age, education, duration of work in the company, and job position they hold. The second part describes information related to their perceived importance of the English language in respective job position and relative level of English language skills.

5.1 General information

The first part of the questionnaire has been devoted to collecting general information on participants such as gender, age, education, length of work in the current company and job title. Most participants in the survey result females (58%), versus 42% of men. Regarding the age of the employees the highest percentage of participants (35%) belong to 31-40 years old category and participants aged 51-60 years old were small in number (9%). Regarding education, the majority of participants (51.4%) have a bachelor degree, 45% hold a master degree, no employee resulted with lower than bachelor degree, and 3 of them have PhD degree. Most participants in the survey (52%) have been working in the current company for more than 5 years, while only 4% have been working for less than a year.

<table>
<thead>
<tr>
<th>Job position</th>
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<tbody>
<tr>
<td>Finance department</td>
<td>12</td>
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<tr>
<td>Sales department</td>
<td>8</td>
</tr>
<tr>
<td>Purchase department</td>
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<td>Human resources department</td>
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<tr>
<td>Quality management</td>
<td>12</td>
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<tr>
<td>Foreman</td>
<td>11</td>
</tr>
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</table>

5.2 Perceived information on the importance of English language and communication in the participants' job and the their respective skill level.

Most participants in the interview (35%) think that English is important in their work. Furthermore, 27%, 10%, 20% respectively stated that English was moderately important, little important, and very important. A percentage of roughly 8% regard English as the least important in their work.

In terms of skills, a good part of the staff (42%) felt that their level of English is good and 17% thought that their level of English was elementary. 22% of respondents stated that their level of knowledge in English was advanced. The rest, about 19% denied to respond.

5.3 The perceived necessity for English language

This section describes the views of participants around their necessity for English language identified in skills. Evaluations were made at 4-point Likert scale. English was considered as necessary by all respondents. All skills are considered as needed especially speaking with a 3.67 average, followed by interacting with an average of 3.13, listening with an average of 3.11, writing with an average of 3.09. Reading has the lowest average 3.04, but it was also considered necessary.
5.4 The views of participants about the difficulties of English according to skills

From the ranking of difficulties of the English language (very difficult, difficult, little difficult, not at all difficult) the majority of respondents considered English language skills as a little difficult. Only reading was perceived as not at all difficult while writing and interacting are identified to be difficult skills.

5.5 The participants need for English listening skills

The results suggest the need of participants for listening skills is average, attending training was deemed necessary with the highest average (3.71), followed by listening to presentations, lectures or talks with 2.33, listening to instructions 2.23, and listening to explanations and descriptions with 3:14.

5.6 The needs of participants for English speaking skills

Employees of companies consider as average necessary the speaking skills in English. However, the need to make descriptions and give explanations (= 4.1) seems to be regarded of high necessity by respondents followed by making a formal presentation 2.31 (average), making an informal presentation 2.11 (average) giving instructions or demonstration of a task-1.2 (average).

5.7 The need of participants for English reading skills

From the data can be observed that the activities listed under the reading section of skills grouped in tasks of reading for details in e-mails, letters, faxes, memos and short reports equals (= 3.21); reading quickly to grasp the general information in textbooks and professional journals equals (= 3.11); as well as analysis of specific details in lengthy reports, documents and contracts, technical specifications and manuals (= 3.10) were averagely needed.

5.8 The needs of participants for English writing skills

The needs for writing skills of the staff were considered as average. Writing e-mail has been rated with the highest average (= 3.45). On the other hand the need to write letters and faxes as well as to write reports and long articles brought roughly different values but still go around average levels 2.91 and 2.77 respectively. Finally, the need to edit letters and/or reports written by other people is rated as a little needed skill(= 2.19)

5.9 The needs of participants for Interaction in English

Considering that functions interact, five functions including making telephone calls (= 3.71), visiting companies (= 2.78), taking part in discussions and informal meetings (= 2.55) receiving visitors (= 2.69), were considered moderately necessary. Interviewing on the other hand equaled (= 1.41), chairing meetings (= 1.69) and negotiating (= 1.69), were estimated as need less.

5.10 Problems in the use of English listening skills

This part of the results of the questionnaire answers the second research question: What problems are faced by employees of companies on the use of the English language? This section groups the skill again around five main areas: listening, speaking, reading, writing and interacting.

5.11 Listening

In general, problems with listening in English are considered average. The average of four skills that are listening to presentations, lectures or conversations (= 3.34), follow instructions (= 2.44), listening to descriptions and explanations (= 3.21), as well as to attend training (= 3.61) are almost on the same scale evaluation.
5.12 Speaking

Problems faced by employees when using the speaking skill in English are as follows. Participants considered the difficulty of using the speaking English language skill as average. Formal presentation was seen as more problematic with the highest evaluation (= 4.10), while making informal presentations was rated (3:35), task demonstration or giving instructions equaled (3:26), and describing and explaining were assessed as average.

5.13 Reading

Employees proved to have many problems related to reading the details in letters, short reports, e-mails, memos and faxes as well as in the ability of reading for analysis in contracts and legal documents, long reports and technical specifications being regarded as too problematic (= 4.37) and (4.21). Quick reading general information of textbooks and professional journals was moderately difficult.

5.14 Writing

In relation to problems in the use of writing skill in English language, business employees and industrial companies have set the average difficulty for all categories under the writing skill. Thus, writing e-mails is rated as 23.03, writing faxes and letters with 3:42, the respondents considered the skill of writing long articles and reports equal to 3:26, and editing of letters or reports of others with 3:49.

5.15 Interaction

In general, the questionnaire revealed that employees had average difficulty in using the skills of interaction in English. Only receiving visitors (= 3.81) and making calls (= 3.92) are considered to be difficult and the rest of skills such as visiting a company (2.81), participation in negotiation/small talk and informal meetings rated (3:15) participation in formal meetings (2.74), chairing meetings, rated (3:29), interviewing skill, rated (3 41) and negotiating skill, rated(2.67) identified by participants as skills with average difficulty.

6. Conclusions / Recommendations

Through the answers provided by the respondents in the questionnaire and their statistical analysis, data which can be used to answer the following research questions were collected:

1. To what extent is the need for the use of English by employees of business and industrial companies?
2. What are the problems in the use of English that employees at work face?

From questionnaires examination, it was concluded that participants perception is that English language is needed and part and parcel of their job. They also stated that it was increasingly becoming an important topic in their working environment since industry companies aim to provide services and the best products and quality to its customers at home and abroad in order to be complete successfully in the rapidly evolving business environment. Most of their skills in English fall at the lower intermediate level and therefore they think they need to boost their English skills in order to meet the objectives of companies in industry and business. The results of the study proved the speaking skill to be crucial, followed by listening. The skills of interaction and writing were equally estimated as necessary skills while reading was considered as less necessary.

As the findings of this study provide a clear picture of the needs and problems of employees in business and industry, they can be useful for training for those responsible for planning policies. The results can provide guidelines to design, develop and revise and effective courses in teaching Business English and teaching resources for staff. Need-based curriculum and teaching materials and resources specifically designed would encourage progress in skills through various training in the workplace and would enable those employees to use language effectively at work.

References

Bhatia, V. K., & Candlin, C. N. (1998). The law society of Hong Kong project: strategies and competencie in legal communication – a study to investigate the communicative needs of legal professionals. Hong Kong: City University of Hong Kong.
Bass Publishers.
Common European Framework of References (CEFR 2001);
McCrum, R (2010) GLOBISH: How the English Language Became the World’s Language
Intellectual Property and Acceptable Models in Technology Transfer in Albanian Economy

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Abstract

Technology transfer is a part of wider activity in a certain company. First of all it is connected with production and business procedure of the company. However, technology is only one of the ways to realize expected goals. Technology transfer can be presented in different ways and the most important transfers are the ones by license, joint-venture, long-term production cooperation, carrying out the investment works and franchising. Albania is facing with two challenges regarding technology transfer. The first one refers to the ability of effectively creating proper channels for technology transfer which will result in the conversion of the country’s research capacity and human capital into an asset for economic growth, competitiveness, and rising standards of living. The second is to enhance competitiveness and productivity in low and medium domestic technology sectors.

Keywords: intellectual property, technology, technology transfer.

1. Introduction

Definition of technology given by the World Intellectual Property Organization (WIPO) describes it as a “systematic knowledge for product manufacture and service provision in industry, farming and commercial fields”.

Technology transfer enables to technology giver to exploit the results of his research work and in that way to realize large financial impacts, and to technology receiver enables to, without using his own financial resources, gain finished technological solutions in order to increase the business success and competitiveness on the market.

2. Intellectual Property

Intellectual property (IP) is a term used to describe a group of intangible products like ideas, inventions, technologies, artworks, music and literature. Different way of introducing IP is to describe it as a commercial application of imaginative thought to solving a technical or artistic challenge. The objective of protecting intellectual property is to encourage the creation of valuable ideas and to protect them from being stolen. The four most common types of intellectual property are:

Copyright ©: Gives the author exclusive rights to reproduce the copyrighted material. Copyrights can be in published or unpublished works, e.g., original literary, musical, dramatic or artistic works, computer programs and other matter. Copyright protects the expression of ideas, but not the ideas themselves.

Trade Secret: A broad term to cover secret information that is defined by how it is treated and protected. It provides an owner of the information with a market advantage over its competitors. To enforce trade secret actions, an owner must show that the trade secret has been maintained in a way that reasonably anticipates preventing others from learning about it. Unlike patents, trademarks, and copyrights, there is no registration of a trade secret with a government agency.

Trademark ™, ®: A logo, word, slogan, symbol or design that distinguishes a product or a service. Trademarks protect corporate identity and can be legally registered.

Patent: Provides inventors and those with rights to inventions the exclusive right for a limited period of time to prevent anyone else from making, using or selling the invention. Patents are granted on machines, articles of manufacture (devices), compositions of matter (materials), processes (methods), and improvements of any of these. Patents are filed in each country individually.

See www.research.uwaterloo.ca
3. Technology and Technology Transfer

Definition of technology given by World Intellectual Property Organization (WIPO) refers to “the systematic knowledge for product manufacture and service provision in industry, farming and commercial fields. Different authors agree that there is not such an easy thing to define technology transfer since the process itself is a complex one (Robinson 1988; Spivey et al. 1997). Other authors define technology transfer taking in consideration the process of movement of technology from one entity to another (Souder et al. 1990; Ramanathan 1994). The process of transfer is considered to be successful if it is possible of for the receiving entity, to have an effective utilization of the technology transferred and easy assimilate it (Ramanathan, 1994). The transfer may involve physical assets, know-how, and technical knowledge (Bozeman, 2000). The transfer and diffusion of technology has been a topic of research for over fifty years (see Ryan and Gross 1943, for example). It is generally recognized that adoption of a new technology starts off slowly (phase I) and at around 20% adoption by the target population the adoption rate increases rapidly (phase II). This period of rapid adoption is followed by a saturation of the technology and a very slow increase (phase III) in the cumulative number of adopters (Valente 1995). This gives rise to an S-shaped curve as shown below in Figure 1.

![Figure 1. Typical S-Shaped Cumulative Adoption Curve for Innovation Diffusion](image.png)

Researchers have tried to explain why this rapid adoption occurs as a means of facilitating the rapid adoption of an innovation. Valente (1995) emphasizes that diffusion is a social process and can be analyzed by focusing on individuals (threshold models) or social systems (critical mass models). Both approaches recognize the need to analyze ‘who talks to whom?’ and ‘who influences whom?’

3.1 Types & Scope of Technology Transfer Subjects

Assets that have economic value can be classified into tangible assets, which have specific form, and intangible assets, which do not have specific form. Here, the technologies subject to transfer are classified as intangible assets. The concept and scope of intangible asset technology is very wide and flexible. In the narrow sense it means the manufacturing technique on the manufacturing site, confidential technology, know-how etc, and in the wider sense it also means the entire intellectual property that has economic value.

Technologies subject to technology transfer are as follow:
- registered patents, utility models, designs, and trademarks;
- (non-registered) know-how including technological information or data of corporations, technological services, technological support etc.;
- other protective rights of computer software, semiconductor chips etc.

Table 1. Technology transfer subjects

<table>
<thead>
<tr>
<th>Classification</th>
<th>Details of rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial property rights</td>
<td>Patents, utility models, designs, trademarks</td>
</tr>
<tr>
<td>Copyrights</td>
<td>Property rights, personnel rights, neighboring rights</td>
</tr>
<tr>
<td>Neo-intellectual property rights</td>
<td>Advanced industrial property rights: semiconductor chip circuit design rights, life science technology rights</td>
</tr>
<tr>
<td></td>
<td>Industrial copyrights: computer programs &amp; software</td>
</tr>
<tr>
<td></td>
<td>Information property rights: trade secrets (know-how) database rights, new media rights</td>
</tr>
</tbody>
</table>

2 See www.technology4sme.net
4. The Role of Intellectual Property during Technology Transfer

When technology transfer occurs, the role of intellectual property is of a special importance, sometimes compared to the “currency” that provide the access to it. Intellectual property is used by firms for the purpose of finding new business partners or creating new strategic alliances. These new relationships make possible the connection of different teams with complementary technologies, skills and managerial techniques. IP sometimes is considered as funding sources for the company since it can be sold to other parties interested on it. Different countries encourage their firms to invest in buying advanced foreign technologies. Other benefits from the intellectual property rights consist on the facilitation that a firm has in the identification of her technology and of it them self. Intellectual property rights also present many challenges in technology transfer specially for products developed by public institutions, in the context of the increasing trend for public sector institutions themselves to pursue intellectual property protection of their research outcomes.

5. Acceptable Models of Technology Transfer in Albania Economy

One of the basic problems of Albanian economy is technological left-behind what results with insufficient competitiveness. Albanian economy needs technological renewal. Albania can gain modern technology in two ways:

- through development of its scientific-research potential and transferring the created technology into economy,
- gaining technology from abroad

Gaining technology from the proper resources should be the base for technological development. However, proper researching depend on invested financial resources.

Considering the present situation of Albanian economy and characteristics of particular models of technology transfer, we can suggest models of technology transfer which could increase technological level of Albanian economy. Models of technology transfer are ranked by the level of acceptance for Albanian economy:

- Gaining technology from the proper researching
- Joint-venture
- Cooperation
- Investment work from abroad
- Franchising
- Getting licenses

The most acceptable model of technology transfer is the one what transfers and commercializes from domestic institutions, and is the result of domestic researchers. After that follows joint-venture. Foreign partner will in joint-venture invest modern technology because on that depends his business success. Cooperation is especially interest because to domestic partner, based on technology from foreign partner, ensures long-term sale of his products. These models should be dominate models of technology transfer what should realize faster connection with developed countries.

6. Concluding Remarks

Different ways of providing technology transfer refers to use of license, joint-venture, long-term production cooperation, carrying out the investment works and franchising. All these transfer models do not ensure the competitiveness of the technology receiver.

Very important is the staff expertness in choosing technology and it is very important to consider the life stage of technology. The most acceptable model of technology transfer is the one transferred and commercialized from domestic companies and is the result of domestic researchers. After that is technology transfer through joint-venture and production cooperation. These models should be the primary models of technology transfer in Albanian economy in order to achieve faster technological connection with economies of developed countries.

Albania is facing with two challenges regarding technology transfer. The first one refers to the ability of effectively creating proper channels for technology transfer which will result in the conversion of the country’s research capacity and human capital into an asset for economic growth, competitiveness, and rising standards of living. The second is to enhance competitiveness and productivity in low and medium domestic technology sectors.

A suggested way for technological development in Albania may be the observation of the knowledge produce outside. Albanian enterprises ability to compete is effected by the process of absorption of knowledge and their knowledge diffusion capability.

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3 See www.cbd.int
References

Domi, E. 2010. Albanian’s general directorate of customs report. Inter-regional symposium enforcement of IPRs. 2-3 November 2010, Prague.
http://www.sistemac.srce.hr
More research for Europe, 2002, Commission of the European communities, Brussels
Policy, 29, pp. 627-655.
Ramanathan, K. An Overview of Technology Transfer and Technology Transfer Models.
Stingl, A. 2005. What is intellectual property?, CARNET.
Technology, Transfer & Licensing. University of Waterloo, Third International Conference on Operations and Quantitative Management,
Sydney, 17-20 December.
Zhao, L.M. and Reisman, A., 1992. Toward meta research on technology transfer. IEEE Transactions on

www.cbd.int
www.ictpi09.org.pt
www.research.uwaterloo.ca
www.technology4sme.net
www.business-asia.net
www.wipo.int
www.ignou.ac.in
prudenslawfirm.com
confcontact.com
www.internationalconference.com.my
The Criteria and the Characterizing Reports in the Objectivist and Subjectivist Point of View

Gentjana Dedja

Abstract

The aim of this study is to submit different theories on the nation and to realize the access on its determining criteria. The notion of the nationality describes the affiliation of an individual to a nation. A nation cannot change its symbols, the language and the culture as they determine its existence. The nation requires a long period of time to be created. In wide territories there are individuals of various nationalities, with language, culture and different habits. Many researchers agree with the theory that the nation is a modern phenomenon, but they add an important objection; they argument that the nations did not appear from nowhere, but the pre modern ethnic associations are transformed into national identities. The modern societies nowadays are transformed in “multi ethnic societies”.

Keywords: nation, nationality, ethnicity, language, culture.

1. Introduction

Nationality describes the affiliation of an individual to a nation. During their historic process of formation societies are organized in extended families and tribes, as well as the wider community thanks to more comprehensive collective identities such as ethnic, religious, city-state, provincial, etc. The nation, as sociological category is a relatively new source of collective identity that appeared in Europe since the XVIIIth century. Naturally, the idea of a nation appeared as development and continuity in the course of people's need to belong to any “imagined community”. The need to belong to any group and to join its members is not something new in the history of mankind. However, what is new is the phenomenon of national identity itself. The new notion about this is the political and geographical dimension, as the nationalism alleges. Unlike other forms of collective identitetities, the nation is a group of people who are politically aware and have a common sense of belonging due to certain features and circumstances, which will be discussed below.

When theoritians (historians, anthropologs, sociologists etc.,) try to define a nation, they usually analyze the origine of the source meaning and its descent. What they look for is to find the historical and social context which has replace the older form of the group identity with the national identity. Some argue that it has been the modernity process itself which has totally replace the dinastic and religious authorities and has forced the creation of a anew legitimacy for more inclusive central authorities. Other researchers agree with the primar proposal of the modernists; according to them the nation is a modern phenomenon, but they add a very important objection to this; they argument that the nations did not come from nowhere, but the pre modern relations are transformed into national identities (Smith: 1988). Meanwhile, others see the nation formation as a more subjective process. They argue that the national identity is the people’s desire to live in a community and to belong to the same nation. This solidarity, which leads to the nation formation, is stated to be a form of an “everyday referendum”. (Renan: 1990)

2. A General Theoretical View

The main dilemma on the discussions about the nation and its theory is related to the determination that up to what extend the nation and nationalism are modern phenomenons. There are different theories about the nation; which means these theories stand between the modernist and ethno-symbolist perspectives. In Albanian language, according to the vocabulary we find the word nation (a stable community of people, formed historically and based on the language communion, territory, economic life and psychic formation, which are all presented in the culture communion”), population (a community of people who live as a social and political community in a country or a state; the inhabitants of a place or region; the classes and the wide levels which constitute the basis of a society and its development during a certain period”; but we also find uses as nationality, nation etc.

The idea that the nations as social construction are developed on myths is proposed from two authors; Eric Hobsbawm and Benedict Anderson. Hobsbaam stated that the “ongoing” and “uniform” history often is a fiction based on
half mythical characters, documents and false symbols as the flag and images that aim to arouse nationalistic feelings. (Hobsbawm and Ranger: 1983).

Anderson (2006) proposed that nations are "imaginary communities based on myths and symbols. The idea itself of the common national descent is more a myth than a reality. It is not sure that a certain pure nation that comes from same predecessors keeping in mind that populations have migrated in different territories, have married into different ethnic groups so they are mixed through the different processes. This makes it harder to prove the common origine. People have mixed origines, but their ideas for the common past are more imamged, so they are more myths than facts. A myth becomes distinguishable for example in the idea of the pure ethnic origine in the Balkan nations. Keeping in mind the high level of the mix marriages, the fact that the religios identity has been primary for a long time, the migration of the epeople and other demographic and social processes, it seems as this term is polemizing; the serbians, croatians, bosnians, may think that they have different ethnicities, but they are southern silavics, speak the same dialects of a language, their descent is silavic, turkish, hungarian, albanian and latin mixture.

The modernists who talk about nations as constructed and imamged communities do not necessarily mean the nations “falcity” or that they are immamginary. More clearly, this idea is more related to Gellner and Hobsbawm but is refused by Anderson. (Anderson 2006:6). The theoreticians of this line have defined the nation in various ways by using different criteria to explain its characteristics, the definition and its processes. The common features of the populations are seen as main characteristics of a nation and basically they are descent, language, culture and common religion. Nevertheless, these criteria are very questionable as besides the unity effect they might have separation effects too. For example, as the same language may include in one nation various populations, regarding other features (religious, cultural etc.,) it may exclude other populations totally homogenous for the same characteristics, but without the same language.

On the other side, the common language is not enough to create the common national identities, despite other common features as the same origin; ethnic affiliation etc. An illustration of this is the case of the Southern Silavic (Croatians, Bosnians, and Serbians). Some languages are different and excluding for the national identity of some nations as it is the case with the Albanian language, which is very special to Albanians and excludes everybody else that do not speak Albanian and so on. However, different nations may have the same language, (for example the English) but are not considered members of the same nation, but on the other hand one nation might speak some languages as it is the case with the Indian nation. The language is seen as the most important “mark” of the nation, especially with the Eastern Europe, but in other cases it may be seen as separation factor or at least not relevant in a nation creation. The same analyses may be used to examine the other characteristics of the nations as the culture, religion and their relations with the national identity.

3. Methodology

The methodology used in this study has a complex character which means a series of elements and techniques, which are based on theoretical and practical experience to the theories of a nation definition. The theoretical material will serve as a comparison of the thoughts, ideas and views of the phenomenons under review. The theoretical approaches are based on the past of populations as a base for their creations and are very difficult as it is hard to take as a creation component only one component. The direct interviews serve us to create an idea for the concept of the nation through different generations, often by interpretations based on sociologic bases of the society separation according to the age variable.

The relation language- nation

Ethnicity seen in the first meaning of the word, a group that speaks the same language, or a anthropologic, linguistic, historical, political and economical group, so with a special culture, aims in its development to achieve the level of a nation, meanwhile the nation itself aims to become a state which would support the ethnicity. During these processes there are mixtures of factors involved such as the definition of the territory, the compactivity of the unit, the preservation and development of the language and the culture (R. Ismajli, 1991:9). However, often certain populations may not speak the official language of their ethnic belonging. This is denied from the foreign and separatist impacts and may disappear, or die by adding to the number of dead languages, non functional and not used any more. Very often we encounter opposite attitudes related to the relation language and nation. The attitude according to which “the nation exists because there is one language” the identity of the nation comes and is expressed from the language”, and the opposite stand; the nation exists, so it needs a language, which means that the national identity exists prior to language, and the language comes as an element that accompanies the nation.

At the end of the first spanish grammar A. Nebriha writes: “The language marks the borders of the empire”. With
the today political and social development, with the opening to a more global society the realities between the state and the territory are more mutually interconnected. The nation appears to be changeable in its ethnic, some times as a community that exists prior to the state and makes it be, and sometimes as a community which becomes a nation by the state through the official language, certain language politics which serve the language institutionalization.

The language is the main feature that enables the characterization and identification of ethnicity, up to the level that "Without language there is no fatherhood", even though there are cases where we might see language disappear but not the ethnic identity. The language is the most important feature as it relates directly to the way of thinking and general culture, it is never just a language.

4. **Objectivism Point of View**

Some authors explain the formation of the nations with criteria that we may call “objective” as industrialization, the same past, race, language, religion etc. According to this point of view, people's identification as part of an imagined nation is made possible through some conditions that may be called “objective terms”. The authors emphasize that the “objective terms” such as ethnicity, language, class, region, religious beliefs that impact the nations' creation are called factors. But, these authors do not agree on their degree of contribution in the formation of the national identities and their role in the nation's definition. That is why there are so many definitions of the word “nation” in the literature (Özkirimli 2000:58)

Other authors emphasize other “subjective terms” in their definitions of the nation, for example awareness, the people’s approval to live together and so on. So, there are definitions of the nation that do not relate to the objective criteria, but the will of people to be part of a nation (Özkirimli 2000:58)

“Nations and nationalities are not natural, as they are not permanent features of the human conditions, but they have appeared gradually during the merge of industrial period. This does not mean that the explanations for the nations' creation are closely related to industrialism. In reality, this makes nations seem natural for the members of the industrial society. But, what is there in the transition period into industrialism that nations and nationalities became universal in this modern time?” (Gellner 2008: XXIII). For Gellnerin, nationalism is not an expression of the nations, classes or intellectual elite, and its roots are not found in the study of the nations, capitalism, classess or ideas. Gellner explained the creation of the nations with a casual connection according to which the circumstances in modernity as capitalism and industrialism condition the creation of nationalism, while nationalism conditions the creation of nations.

To explain this relation Gellner had to identify the main feature of modernity and then process an argument that demonstrates the functionality of nationalism in modernity. (Gellner 2008: XXI) Gellner understood modernity as a distinct form of culture and social organization. He considered that nationalism is in the function of modernity. While agreeing with Kedourie (2004) that nationalism is modern phenomenon and that it had developed nations, and not vice versa, Gellner did not agree that this happened thanks to the power of nationalism as an idea or often to the intellectual class as carrier of this idea. The idea of nationalism was a product, not the manufacturer of modernity. Its success is not attributed to his intellectual power, but its functions within the social moral order.

When it comes to the common past of the nation, it is usually meant the common ethnic affiliation, culture, history and so on. The idea that ethnicity is the ancestor of the nation, and the nation is based on the rediscovery and reinterpretation of ethnic background is suggested by Anthony D. Smith.

Brewton separates the two definitions for ethnicity: In a narrow sense the term ethnic accompanies the group of individuals that belong to the same mother tongue. In this case ethnicity equals language group. This definition may be objected due to the geographical, historical, racial, or linguistic (standard languages) distance.

Ethnicity is broadly defined as a group united by a complex of features; anthropological, political and historical, whose association is a system, a cultural structure. In this case the language is one of the features, while various features of the system are not developed equally to all individuals of the group. Almost all our interviewed community conceives ethnicity according to Brewton in both perspectives.

Ethnicity is defined as a group of people with cultural identity and / or the same language. The nation is formed by one or more ethnics and is a community much more awareness of ethnicity. Ethnicity is one of the most important aspects of cultural or social identity. Therefore, the term ethnicity is often used synonymously for the nation. But people with common ethnic affiliations can live in different states-nations and therefore can be treated as members of different nations. The authors agree regarding the impact of ethnicity, language and religion in the creation of nations. However, they do not agree on the extent to which they contributed to the formation of national identities and their importance or relation to the definition of the nation.

Theoretical approaches that are based on the common past of the people as the basis for the creation of nations cause difficulties especially because it is difficult to get one of the components of nation as a general criterion. Let’s take
language, religion or ethnicity, for example. Any of these alone is not enough to create a sense of national identity. Moreover, in some nations, language, religion and / or ethnicity are disintegrating factors. That is why some nationalisms do not use one of them or all the three together as integral elements of national identity. Although this approach is valid in terms of many nations in the world, it has some weaknesses: it is proved that ethnicity is not necessary, nor sufficient term of the sense of nationality. Ethnicity can be a valuable basis to create a nation in the case of the Japanese, Armenians, Greeks, Albanians, but it played no role in the creation of modern nations, such as the French nation that is Celtic, Iberian and German or the German nation that is Germanic, Celtic and Slavic or American nation is a melting pot of whatever ethnicities and cultures. In some cases, even the perception of shared ethnicity does not guarantee the unified national identity.

The process of the national identity is inclusive and exclusive too. It includes nations with at least some common characteristics and excludes some others, as the nation defines itself by being distinguished by “the other” especially from the neighbor nation. “Ours” refers to everything that is perceived and considered as a member (hero etc.,) or an important symbol (myth, toponyms) of a certain nation. All the nations have in common the “other” perception, and often of the opponent.

The existence of the opponent that represents the enemy of the nation contributes the rise of the national feeling. The common suffering has a powerful strength to unite a nation, while the common enemy is an undeniable force of solidarity and mobilization. Nationalism often has appeared when a nation feels threatened from the enemies percepted as such. This may be illustrated with the example of the American nationalism and its opponents, from the Spanish and British imperialism, nazism, communism and nowadays the Islamic fundamentalism. The nationalisms of the Central and Eastern Europe, which are regions where the regional empires (Ottoman, Russian and Austro-Hungarian) have ruled from centuries, the enemy is defined with these foreign invaders. However, in certain cases, the opponent is from inside and not necessarily from outside.

5. The Subjectivism Point of View

The nation may be determined as a community that fulfills at least some of the objective terms mentioned above, which means that these terms enable the creation of the nation.

However, the drawbacks of the viewpoint that defines the nation with these objective terms is that there is no single criterion or set of criteria that are part of all nations. Certain features can be met by certain nations, but not by all. Therefore, it can hardly be spoken only for objective criteria in the analysis of a nation’s creation. Alternatively there is a subjectivistic approach that emphasizes that the nation is a group of people who think as a nation thanks to their desire and decision to live together and in social solidarity.

Theoreticians of this view take a different attitude and argue that the nation is created by a more subjective process, which is the collective awareness, when people link themselves to the national identity and homeland. Philosopher John Stuart Mill wrote that the nation is made of people who agree to live under a common government .. *(Mill 1910). This approach is supported by the historian Ernest Renan, who in the XIXth century wrote that the connection to a nation is a matter of solidarity and common feelings, clearly expressed desire to continue living together. "A nation is thought of as the past, but is expressed in the present ... clearly expressed desire to continue a common life." *(Renan, 1990)

Nevertheless, the subjective point of view has its drawbacks. It assumes that nations are created from nothing and does not take into consideration the previous objective terms that enable the manifestation of this process (at least in the Europian context) which are the trade, communication and the facilitated travelling, the loyalty to the central authorities that has replaced the loyalty to the local authorities especially the middle class. Furthermore, the existence of the enemy that represents the national enemy contributes to the rise of national feeling.

6. Conclusions

The definition of the nation is not an easy task, from the cause of its complexity and the opposite meanings of its characteristic features. Through the analyzes of a questionnaire conducted in the Albanian society we noticed that mostly the new generation has generalized the idea of the nation on its subjective creation. They state that the homeland is the flag, the language and the identity in addition to the social solidarity. The flag is called unsubstituted as a nation’s symbol, but the language is diversatile in the global movement. The opening to a global society creates the opening in this point of view, where in most of the cases the idea of the homeland comes as changed. Very often the interviewed young individuals state that they create the homeland where they feel better and valued for the job performance, even in most of
the cases they accept that they abandon the physical natural areas for a better life. The middle age generation often express an ambiguous attitude on the definition of the homeland, while the old age generation cannot concept the separated homeland in physical and moral view, and they are closer to objective point of view. A better approach would be if we see those as nonexcluding parts of each other. "The nation may be defined as a community which fulfills the objective terms (as the industrialism or the common memories) and if it believes that it is a nation thanks to these common features" (Archard 2000:159)

References

Cultivation and Trafficking of Narcotics as Organized Crime in Albania: 
The Methods and Tools Used in Preventing this Crime: 
Why are these Crimes Still Matters of Great Concern? 

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Abstract  
Organized crime in Albania, especially in cultivating and trafficking narcotics, is still a matter of concern. Matter of concern is also money laundry derived from narcotics trafficking. Despite the fact that the Albanian Government has undertaken several measures (legislative measures, strategies and action plans), we are still facing with this issue. Based on statistics, it is shown that the tense economic and politic situation in a country contributes to increasing the level of crime. In Albania the organized crime consists in criminal groups and not in mafia organizations as in many other countries. However Albania has been considered country of origin and transit (mainly toward Italy and Greece) of narcotics. But as long as trafficking of narcotics includes more than one country, then this is an issue not only of Albania to deal with. So, the fight should be in an international level in order to be effective. According the Interior Ministry, Albania since 2014 is not in the list of origin country for cultivating and trafficking narcotics. This paper treats and tries to give some conclusions regarding the actual situation in fighting the cultivation and trafficking of narcotics, and conclusions regarding the obstacles and failures in preventing such crimes, such as involvement of police and other officials, the effectiveness of used methods of investigation and finding the authors. There is a Bureau of International Issues on Narcotics created and assisted by US Department of State, implementation of law, increasing the capacities and effectiveness in criminal proceedings and in trainings of competent bodies and state employees. There has been an enforcement of technology and infrastructure capacities. This paper is based on official records from annual reports of international organizations and bodies. The methods used in this paper are statistical, comparative, and legal method.  

Keywords: organized crime, economic and politic situation, actual situation, methods of investigation.  

1. Introduction  
The origins of organized crime in Albania have been recorded in the period of change from the totalitarian in the pluralistic system. The transition from a system of total control by the state, with a harsh penal policy, toward fragile democratic system was associated with weak institutions and officials without sufficient education and experience. The situation created in 1997 and the social and financial consequences caused by the collapse of pyramid schemes have been another key moment in the creation of favorable conditions for the development of organized crime in the country. This paper treats the organized crime in Albania, its development and internal structure of criminal groups as well as the features and the factors that encourage organized crime. The focus is on the crimes related to drugs (cannabis sativa, heroin, cocaine, and synthetic drugs) and on forms of trafficking. It is also presented the Albania's role as a source, transit, and consuming country of illicit narcotics. Other treated topics are the measures taken and the effectiveness of the fight against drug-related crimes, as well as recommendations on this issue. There are provided also some statistical data for narcotics trafficking among other crimes that are the fruit of organized crime, given the decisions of the Albanian courts.
2. Organized Crime

2.1 The organized crime in Albania.

This study treats the phenomenon of organized crime in Albania, in order to recognize and better understand its nature and assessing the level of the danger it provides (Elezi, 2002).

In the period 1990-1997, in Albania emerged hierarchical criminal structures in the form of armed gangs, criminal organizations and structured criminal groups. From 2005, criminal networks appear as the most common and appropriate form for the realization of various criminal enterprises. These include various types of trafficking in drugs, arms and ammunition, migrant smuggling and cyber crime. At late 2004-2005, which is the time of the end of the second period of evolution and adaptation of criminal structures, new forms of criminal organizations began to appear. Certain criminal groups, within and abroad, begin to interact actively and continuously in the form of criminal networks, while maintaining the autonomy of the group. Each of these groups and their members assume certain duties and responsibilities without being under control and the obligation to submit to the authority of a particular person.

Given the lack of a final determination of the Albanian organized crime, we can say that Albanian organized crime is divided into two profiles:

1) Organized crime with low criminal profile, and
2) Organized crime with high profile, which has managed not only to establish links with the crime world, but also with the political and economic elite of the country. The Albanian organized crime moves between these two profiles (Zhilla, 2012). Judging from the organization level, organized crime in Albania appears to be increasingly complex and dynamic.¹

Active criminal groups in Albania are composed of at least 3-4 members and are mostly involved in the trafficking of drugs (mainly cannabis). They also traffic illegal drugs such as heroin and cocaine, toward neighbor countries with destination countries of the European Union (EU).

2.2 Factors that encourage organized crime.

Factors that encourage organized crime are political, social and economic factors. These factors and circumstances have led to the creation of the earliest forms of organized illegal activities, as well as the continuous evolution and sophistication to this day. Specifically, these factors are:

- The transition from a totalitarian regime with criminal tough policy toward fragile democratic system with weak institutions, clerks without sufficient education and experience;
- The chaotic situation created in 1997 by the collapse of pyramid schemes and looting of weapon depots;
- Institutions constantly affected by discharges of qualified staff with the change of government;
- Lack of institutional independence and corruption;
- Favorable geographical position between East (countries of production and supply of drugs, like Afghanistan and Turkey) and those in the West (countries of trade and high consumption of these drugs);
- The international character of organized crime and the effects of globalization;
- Lack of political stability in the country for over two decades;
- The weak economy, high levels of unemployment and low income per capita (among the lowest in Europe);
- The disintegration of social structures, which have a negative impact on the family as the nucleus of society;
- Huge and continuous migration of people and importing experiences and criminal connections established abroad;
- Support from the criminal contingent members of the Albanian communities abroad;
- Use of technology and communication tools developed by criminal networks.

3. Organized Crime and Illegal Narcotics

The cultivation of the cannabis plant in Albania has begun for the first time in 1992. About 15 cannabis farms were shown for the first time in the south of the country, in villages close to the border with Greece. In 1993 the places with cultivated cannabis were 50 and in 1994 there are hundreds. In the absence of domestic legislation against drug production and trafficking, farmers in Konispol and in the villages of Saranda cultivated cannabis, which then was transported to Greece

Cannabis has been cultivated almost throughout the territory, especially in certain areas in Shkodra, Tropoja, Kruja, Dibra and Tepelena. Earlier, cannabis was massively cultivated in Lazarat, Vlora River, Mallakastra and Berat. More and more are being recruited or used as drug carrier vulnerable persons, unemployed, old people and divorced women. For transportation of drugs, there are used vehicles of international transport companies, bus lines and private vehicles. For drug loading on the vehicles, there are used different ways, such as contracts for fictitious transport, private car purchase, bribery or drivers’ threatening.

Cannabis is trafficked mainly to Greece through the green border or hiding in trucks that pass through border points of Kakavija and Kapshtica. There are produced and trafficked different types of marijuana, hashish oil, ‘chocolate’ and ‘skunk’, a grafting of the Cannabis Indica with Cannabis Sativa. The above products are used for sale, as well as exchange with hard drugs. Number of users of marijuana in Albania is high. The use of this drug is considered as the first step towards the use of stronger drugs. Albania has reported the presence of synthetic drugs, although not in significant numbers. Despite the lack of domestic market, amounts of amphetamine and ecstasy have entered from Serbia and Bulgaria.

Drug trafficking by Albanian criminal groups has increased significantly since 2008. There are about 528 convicted by the First Instance Court for Serious Crimes, for the period 2008-2013. Only in the first half of 2014, this court had an increase of 13% of cases trialed for drug trafficking, compared with 2013.2

“Criminal groups, have taken leadership roles in the trafficking of cocaine into the EU,” the study estimates. “Albania not only serves as an entry point, but also as storage for drugs that are trafficked to the West,” it is further stated. 3

4. Money Laundering

Money laundering is closely linked to organized crime, particularly in terms of penetration and influence in economic, political and social situation in the country. The main areas where money is invested are the construction industry, modern processing factories, gambling businesses, mining, fuel, energy production, tourism agencies, as well as the acquisition of various licenses and concessions from the state. Typical ways of introducing criminal proceeds in the legitimate economy are numerous transactions in commercial banks, loans from these institutions, the actions through money transfer agencies, and the use of the identity of family members and relatives. Last year, the value of the seized assets valued at over 10 million. The main concern relates to the low number of seizures, revocation of the confiscation decisions from higher courts and the low number of convictions for this offense. Increasing the power of organized crime through money laundering generates more crime, illegal income, corruption and impunity.

5. War and Its Efficiency: The Effectiveness of the Fight Against Organized Crime

Reasons why law enforcement agencies fail in successfully fighting organized crime, are related to poor cooperation and lack of coordination between different agencies of law enforcement, deficient consolidation of institutions that are often subject to political cleansing of experts whenever the government changes, professional level issues, financial problems expressed at low wages and poor logistics, unwillingness, as well as corruption or compromise of some officials (mostly referred to the state police, border police and judicial police, which is located under a double dependency: administrative dependency by police and the procedural dependency by the prosecution). Reasons why Albanian society appears reluctant to denounce organized crime deemed closely related to the lack of confidence in institutions, fear of revenge, corruption, “the sale of the investigative secrecy”, the lack of effective protection of witnesses and the lack of a culture of denunciation.

6. The Measures Taken and the Results of Achievements

The fight against organized crime, corruption and above all the fight against the cultivation and trafficking of drugs is a priority of the Ministry of Internal Affairs and the Government in general. Cooperation with international partners is a key element in this context that brings good and sustainable in time results. The year 2014 marked the first year when Albania was not the place that served as a source for cultivating and trafficking drugs, a legacy of almost 20 years where

Albania was transformed into a garden for the cultivation of narcotics and then trafficking in EU countries. It also means strengthening the capacity, so it is necessary to still work with partners to increase the professional capacity of the State Police and law enforcement agencies. It also means strengthening the technological capacity and infrastructure of the State Police and law enforcement agencies in the country as a prerequisite for having better results consistently.

Below is represented by a table the place occupied of trafficking of narcotics among other serious crimes that are the subject of organized crime. The trafficking of narcotics takes the major place through other serious crimes (Zhilla, 2015).

<table>
<thead>
<tr>
<th>Narcotics Trafficking</th>
<th>Human Trafficking</th>
<th>Weaponry Trafficking</th>
<th>Criminal Organizations</th>
<th>Immigrants Smuggling</th>
<th>Illicit Fines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal Activity</td>
<td>42 %</td>
<td>17 %</td>
<td>18 %</td>
<td>6 %</td>
<td>9 %</td>
</tr>
</tbody>
</table>

7. Recommendations

Recommendations for a more efficient fight against organized crime are:

- The conduction of a comprehensive reform of the institutions that are directly related to the fight against organized crime, including the Judicial Police Service,
- Increasing of cooperation and coordination of actions between the State Police, the National Intelligence Service, the Prosecutor's Office of the General Directorate for Prevention of Money Laundering, the Directorate of Customs and Taxation;
- Developing a professional capacity through different training programs, the guaranteeing of the specialists sustainability, selection of individuals based on merit, moral and social integrity, and without conflict of interest;
- Fighting corruption at all levels of the justice system (the prosecution, the courts and the police);
- Support against organized crime structures in financial terms and providing a social preferential status by law;
- Increasing the number of confiscation of the seized illegal income;
- Establishing the Investigation Directorate that would be responsible for the quality, depth, and the procedural side of the investigation, assessed as very weak by experts;
- Limiting the admission of summary trial for some serious offenses;
- Recruiting the best experts from various fields such as finance, criminology, law, psychology, statistics, information technology, legal medicine, etc into the law implementing bodies,
- Increasing the public awareness of the dangerousness of organized crime, and the role and responsibility of everyone in the fight against it.

8. Conclusions

The origins of organized crime in Albania have been recorded in the period of change in the pluralistic totalitarian system. The transition from a system of total control by the state, with a harsh penal policy toward fragile democratic system was associated with weak institutions and officials without sufficient education and experience. In the period 1990-1997, in Albania emerged hierarchical criminal structure in the form of armed gangs, criminal organizations and structured criminal groups. At late 2004-2005 new forms of criminal organizations began to appear. Active criminal groups in Albania are composed of at least 3-4 members and are mostly involved in the trafficking of drugs, mainly cannabis, but also heroin and cocaine, toward neighbor countries with destination countries of the European Union.

The cultivation of the cannabis plant in Albania has begun for the first time in 1992. Drug trafficking by Albanian criminal groups has increased significantly since 2008. There are about 526 convicted by the First Instance Court for Serious Crimes, for the period 2008-2013. Only in the first half of 2014, this court had an increase of 13% of cases tried for drug trafficking, compared with 2013.

Regarding the factors that encourage organized crime are political, social and economic factors, these are for example the transition from a totalitarian regime toward fragile democratic system with weak institutions, lack of institutional independence and corruption, favorable geographical position between East and West, the weak economy, high levels of unemployment and low income per capita, the disintegration of social structures, which have a negative impact on the family as the nucleus of society, huge and continuous migration of people etc.

Reasons why law enforcement agencies fail in successfully fighting organized crime, are related with poor cooperation and lack of coordination between different agencies of law enforcement, deficient consolidation of institutions that are often subject to political cleansing of experts whenever the government changes, professional level issues,
financial problems expressed at low wages and poor logistics, unwillingness, as well as corruption or compromise of some officials. The fight against organized crime, corruption and above all the fight against the cultivation and trafficking of drugs is a priority of the Ministry of Internal Affairs and the Government in general. Cooperation with international partners is a key element in this context that brings good and sustainable in time results. The year 2014 marked the first year when Albania was not the place that served as a source for cultivating and trafficking drugs. Although there has been an effective fight the last year (2014 and 2015), it is important to mention that burning the surfaces of cannabis has to be followed with finding the traffickers, sentencing them and confiscating their wealth derived from these crimes. This is the only way of preventing this crime.

References

Elezi I, “Vështrim mbi zhvillimet e legjislacionit penal shqiptar kundër krimit të organizuar” në “Gjendja e krimit të organizuar në Shqipëri, Kosovë, Mal të Zi, Maqedoni si dhe problemet që lidhen me të” Tiranë, October 2002;
The EU Serious and Organised Crime Threat Assessment;
UNODC, 2013;
Zhilla F, Lamallari B, “Vleresimi i riskut te Krimit te Organizuar ne Shqiperi”, Fondacioni Shoqeria e Hapur per Shqiperine, Tirana, 2015;
http://top-channel.tv/lajme/artikull.php?id=279712
The Constitutional Justice and Protection of the Human Rights
(The Constitutional Court of Republic of Macedonia - Dilemmas and Prospects)

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Keywords: Law, Human rights, Constitutional court, Control of the Constitutionality of Acts, Judicial review, Constitutional complaint.

1. The Institute of Judicial Review in the Cradle of History

An unusual mystique envelops the institute of judicial review, even after its 200 years practicing. The conventional story for its appearing is tied to the case Marbury v. Madison from 1803 and the inventive judgment of Chief Justice Marshall which ‘insidiously’ usurps the authority of the courts to refuse the application of unconstitutional laws1.

It seems that the argumentation of the judgment Marbury v. Madison produces more dilemmas than it solves, regarding the institute judicial review. Thus, Marshall’s thesis “It is the courts jurisdiction to say what is law”, delicately imposes the question whether that court authorization equally refers to the Constitution.

However, even though it is considered a masterpiece of political maneuvering, the judicial precedent in the case Marbury v. Madison from 1803 is deemed a true beginning of constitutional review in USA and in the whole constitutional history of the modern world.

The development of constitutional review in the European countries completely deviates from the accepted idea and practice of judicial review by the courts on the American continent. The review of the constitutionality of laws in Europe met strong resistance in both the legal and political theory and the practice. The point of view that the passed laws represent the general will, or the expression of the sovereignty of the state, and the limitation of the role of the judges to application of the passed laws in specific cases, leaves the judges without the possibility to further explore the will of the lawmaker and to “diagnose the pathology” of the system. The inability to enact the system of control of constitutionality of law, was frequently argumented with its incompatibility with the principle of people’s sovereignty. Until the adopting of the Constitution of Austria in 1920, which implements the control of constitutionality by the Constitutional court, the European countries will remain crucified between the need of an institution for control of constitutionality of law on one side, and the respect of the long constitutional tradition and the thesis of Montesquieu that “the judicial power is no more than the mouth of the law (bouche de la loi)”.

2. On the Constitutional Court of Republic of Macedonia- defender of the Constitutionality and Legality

The Constitutional judiciary in Republic of Macedonia has nearly a half a century tradition. The first Constitutional court was established in 1963 and represents the most important constitutional novelty and true constitutional achievement. Siljanovska determines that, even though conceived as the bearer of protection of constitutionality and legality, the Constitutional court in reality had marginal position and role2. Nonetheless, in the conditions in which the other countries with same type of organization of powers, a dominant form of control of constitutionality of law was the self-control model, Republic of Macedonia implemented in its system the first “guardian of constitutionality and legality”.

The Constitution of Republic of Macedonia from 1991 continues the model of control of constitutionality of law by

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1 The principal postulates on which the argumentation the judgment of John Marshall is based are: Principle of supremacy of the Constitution – The Constitution represents lex superior in relation with the other acts, thus all acts that are not in conformity with it, should not be applied. The nature of the judicial function – If the courts’ duty is to determine what is law, in case of mutually contradictory acts, it is the court’s duty to apply the supreme (higher) law. Constitutionalism in broad sense – The one sided acceptance of the opinions of the Congress on the validity of acts that are passed by the Congress itself, by the courts, infringes the fundamentals of the written constitutionality. In this manner, the Congress is left without limitations on its powers.

Constitutional court. The creation of the Macedonian constitution maker, which the system of organization of powers was established on the principle of separation of powers, it seems that it was *conditio sine qua non* to enable independent position of the Constitutional Court of Republic of Macedonia. The position of the Constitutional Court of Republic of Macedonia is determined with the Constitution of Republic of Macedonia from 1991, in accordance to which the Constitutional court represent an authority out of the regular judiciary, with the function to protect the constitutionality and legality. Even though conceived to represent an authority that would help the transformation from a “dying” state into a legal state and an authority that would defend the supremacy of the Constitution, the constitutional norms leave us with the impression that the Macedonian constitution maker has not fully expressed himself. Namely, the matter that relates to the Constitutional court of Republic of Macedonia is *materia constitutionalis*, but not *materia legis*. Opposite to the comparative experiences stated in the literature on the constitutional courts, where the principal questions bound to the composition and jurisdiction of this authority are regulated with the constitutions and further elaborated in a law, the Macedonian constitution maker has excluded this possibility. Today the article 113 of the Constitution provides that the mode of operation and procedures at the Court are determined with an Act by the Court. This provision provides explicit inability to regulate the matter with a law, and the legal consequence from its provision in the text of the Constitution, leaves a possibility for such exceptionally important matter to be regulated only by the Rules of procedure. Thus as Siljanovska ascertains, the Rules of procedure of the Constitutional Court from a procedural act became legal and constitutive. In this context, Treneska shall underline that “the lack of constitutional grounds for passing a Law for the Constitutive3. In this context, Treneska shall underline that “the lack of a constitutional grounds for passing a Law for the Siljanovska ascertains, the Rules of procedure of the Constitutive Court from a procedural act became legal and constitutive. In this context, Treneska shall underline that “the lack of constitutional grounds for passing a Law for the constitutive legal and legislation which would reflect different political profiles and different legal professions. On the other hand, the second theoretical standpoint insists on the need of reduction of party influence and the need of expert qualifications for election of judges.

3 ibid

### 3. The Composition of The Constitutional Court of Republic of Macedonia

The Constitutional court of Republic of Macedonia consists of nine judges with a nine-year term without the right of reelection. In accordance with Amendment XV, the Assembly of Republic of Macedonia elects the judges of the Constitutional court. The Assembly elects six judges with a majority vote from the total number of members of parliament, and three judges are elected with a majority vote of the total number of members of parliament, but there must be a majority from the votes of the total number of members of parliament who belong to communities that are not a majority. Three authorities are included in the procedure for proposing judges of the Constitutional court: the Assembly of Republic of Macedonia, the President of Republic of Macedonia and the Judicial Council of Republic of Macedonia. The President and the Judicial Council propose two judges and the remaining 5 judges are proposed by the Commission for electing the Constitutional court. The creation of the Macedonian constitution maker, which the system of organization of powers was established on the principle of separation of powers, it seems that it was *conditio sine qua non* to enable independent position of the Constitutional Court of Republic of Macedonia. The position of the Constitutional Court of Republic of Macedonia is determined with the Constitution of Republic of Macedonia from 1991, in accordance to which the Constitutional court represent an authority out of the regular judiciary, with the function to protect the constitutionality and legality. Even though conceived to represent an authority that would help the transformation from a “dying” state into a legal state and an authority that would defend the supremacy of the Constitution, the constitutional norms leave us with the impression that the Macedonian constitution maker has not fully expressed himself. Namely, the matter that relates to the Constitutional court of Republic of Macedonia is *materia constitutionalis*, but not *materia legis*. Opposite to the comparative experiences stated in the literature on the constitutional courts, where the principal questions bound to the composition and jurisdiction of this authority are regulated with the constitutions and further elaborated in a law, the Macedonian constitution maker has excluded this possibility. Today the article 113 of the Constitution provides that the mode of operation and procedures at the Court are determined with an Act by the Court. This provision provides explicit inability to regulate the matter with a law, and the legal consequence from its provision in the text of the Constitution, leaves a possibility for such exceptionally important matter to be regulated only by the Rules of procedure. Thus as Siljanovska ascertains, the Rules of procedure of the Constitutional Court from a procedural act became legal and constitutive. In this context, Treneska shall underline that “the lack of constitutional grounds for passing a Law for the constitutive legal and legislation which would reflect different political profiles and different legal professions. On the other hand, the second theoretical standpoint insists on the need of reduction of party influence and the need of expert qualifications for election of judges.

3 ibid
Nonetheless, if we cumulatively take into consideration the fact that the judges of the constitutional courts are not career judges and that the sole criteria for election is for them to be in the ranks of eminent lawyers (and not judges), the conclusion is imminent that it is impossible to evade the political and party criteria in the election.

4. Functions of the Constitutional Court of Republic of Macedonia

The Constitutional courts, as specialized organs out of the regular judiciary’s system, have more functions. The solving of a large number of constitutional disputes is in their jurisdiction.

The Constitution maker of the Republic of Macedonia, through the method of enumeration, has strictly stated the jurisdiction of the Constitutional court. Article 110 provides that:

- decides on the conformity of laws with the Constitution and on the conformity of collective agreements and other regulations with the Constitution and laws;
- protects the freedoms and rights of the individual and citizen relating to the freedom of conviction, conscience, thought and public expression of thought, political association and activity as well as to the prohibition of discrimination among citizens on the ground of sex, race, religion or national, social or political affiliation;
- decides on conflicts of competency among holders of legislative, executive and judicial offices;
- decides on conflicts of competency among Republic bodies and units of local self-government;
- decides on the answerability of the President of the Republic;
- decides on the constitutionality of the programmes and statutes of political parties and associations of citizens; and
- decides on other issues determined by the Constitution.

The principle function of the constitutional court is the normative control of the general legal acts. The basis for this function is the Constitution.

The comparative constitutional experience shows that the subject of control of constitutionality (judicial review) may be: the constitutions of federal units, laws, international agreements and other legal acts (rules of procedure of legislative authorities, regional ordinances or decrees with the force of law). The Constitution of Republic of Macedonia affirms that the Constitutional court is competent to decide on the conformity of laws with the Constitution, on the conformity of the collective agreements and other regulations with the laws and the Constitution, in the framework of the normative control of constitutionality of law. The review of these acts is abstract and repressive. The dispute that is heard by the Constitutional court is one between two legal norms (the constitutional norm and the one of the act that is subject to review), and not between two legal subjects. The decisions of the Constitutional court are final and enforceable. They have an erga omnes effect and cannot be appealed.

The legal analysis of the constitutional solution that refers to the normative control of constitutionality of law, points to the conclusion that the constitution maker has not been consistent to the model of enumeration when the acts that may be subject of review were stated, but has used the term “other regulations (other acts)”. The said term is too broad and refers to the acts of the units of self-government (statutes, decisions, conclusions of the municipal council), bylaws passed by the executive, acts of organizations and institutions that perform public authorizations, acts of educational, health and other institutions and so on. All of the above may be subject to constitutional review, but only if they are general legal acts i.e. if they affect an undetermined number of persons.

The question for the control of constitutionality of the international agreements raises questions at the Constitutional court. Namely, unlike systems that accept the “model of transformation” and which are facing the challenge to decide when to realize the procedure for constitutional review of international norms – when the process of ratification is finished and the international treaty becomes effective or in the previous phases of this procedure, the Constitutional court of Republic of Macedonia faces the dilemma if it is competent to review international agreements. Regarding this issue, the Constitutional court has been inconsistent. In 1996 the court has determined that the constitutional review of international agreements and treaties, is realized by the Assembly of Republic of Macedonia in the procedure for their ratification5, but five years later, in one of its decisions the court determines the possibility to review the formal and material constitutionality of the law for ratification of the international agreement, since it becomes part of the domestic legal order6.

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5 U.no.230/1996
6 U.no.140/2001
The demand for harmonization and monolithism of the legal order imposes the need for specific conformity of the law for ratification with the Constitution. The Macedonian scholars stress the possibility of realization of preventive constitutional review of the international agreements similar to the examples of many countries and through continued practice of the court for filling the constitutional void.

5. The Need for a Constitutional Complaint in Republic of Macedonia

The Constitution provides for limited jurisdiction of the Constitutional Court to decide on protection of only a certain number of rights including: rights and freedoms of man and citizen relating to the freedom of conviction, conscience, thought and public expression of thought, political association and activity and the prohibition of discrimination on the basis of sex, race, religious, national, social or political affiliation. From the stated solution we get the impression that the basic intention of the „founding fathers“ of the Macedonian Constitution, was to focus the Constitutional Court on the control of the constitutionality and legality of general legal acts. By such regulation, the constitution maker has left the citizens without a possibility for protection of their rights and freedoms (except for the abovementioned) by the Constitutional Court, in circumstances where they are affected by individual legal acts and therefore took away the possibility of an additional mechanism for detection of unconstitutional legal acts in the system.

The Rules of Procedure of the Constitutional Court of the Republic of Macedonia in part IV under the title “Procedure for protecting the rights and freedoms of Article 110 paragraph 3 of the Constitution of the Republic of Macedonia” or precisely through 7 Articles, determines the jurisdiction of the Constitutional Court concerning the protection certain rights and freedoms. The solutions of the Rules of Procedure provide that “every citizen who deems that an individual act or action violated a right or freedom set out in Article 110 paragraph 3 of the Constitution, may require protection by the Constitutional Court within 2 months from the date of delivery of the final or effective individual legal act, or from the day of learning of the taken action which made a breach, but not later than 5 years from the date of its taking”

The said provision is important to be analyzed from two aspects: 1) The Constitutional Court manifested extremely restrictive approach to the protection of the already limited number of rights and freedoms, which is evident since the Rules of Procedure are limited to the term citizen, and not “human” as the Constitution provides, and 2) probably fearing the increased workload, the Court provides an additional instrument which proportionally increases the possibility of not to act upon such cases - subjective and objective deadline.

Further, the Rules of Procedure provide that in the application the reasons must be stated for which protection is sought, acts or activities by which the rights and freedoms have been violated, the facts and evidence on which the application is founded, and other information necessary for the decision of the Constitutional Court. The application shall be delivered for response to the authority that passed the individual act or the authority that took the action by which the rights and freedoms are violated, within 3 days. The deadline for response is 15 days. The Constitutional Court decides upon the protection of human rights after a public hearing. The parties to the proceedings, the Ombudsman and if necessary other persons, bodies or organizations are summoned at the public hearing. A public hearing may be held even if one of the participants in the procedure or the Ombudsman is not present, but if properly summoned. By the decision for protection of the freedoms and rights shall be determined whether there is a violation and based on that, the Court will overturn the act, prohibit the action that caused the violation or reject the application.

All of the above is also the reply to how far the Constitution and the Rules of Procedure have gone in terms of the usual definition of a constitutional complaint.

The experience of implementation of constitutional review in other countries that have accepted the above legal remedy determines that the biggest workload of constitutional courts and the largest percentage of decisions made by the courts concern the procedures upon the instrument of constitutional complaint. That is not the case with the Republic of Macedonia. The Constitutional Court of the Republic of Macedonia receives relatively few applications for the protection of freedoms and rights, and statistics indicate that the Court mostly issues a decision for dismissal upon different grounds such as: lack of jurisdiction to decide on protecting the rights of that are not provided with the Constitution decides only when it comes to protecting one’s own and not someone else’s rights lack of jurisdiction to decide upon violation by an act that is not final or effective, lack of jurisdiction to decide upon the rights and interests of the party in a particular case.
For a small number of applications the Constitutional Court has decided in merito.

Finally, the question arises which elements have to be taken into consideration in case of extension of the jurisdiction of the Constitutional Court, through the introduction of the instrument constitutional appeal. In this context, the following issues should be considered:

- **Scope of the rights that will be subject of protection under this instrument** - Constitutional literature analyzes different solutions regarding the scope of the rights protected with the constitutional complaint.
  1) The experience of Germany and normative solutions of *recourse de amparo constitutional* in Spain indicate that this instrument is modeled initially to ensure the protection of fundamental human rights and freedoms.
  2) The Slovenian model on the other side does not provide a limitation of the rights that may be protected by the instrument of constitutional appeal. Therefore the subject of protection may not only be the rights and freedoms provided with the Constitution, but also the rights provided in the ratified and published international documents.

Finally, the system of control of constitutionality of acts of Republic of Macedonia will have to choose between these two alternatives. Of course, the solution will depend on the manner of arranging the issue of the entities authorized to initiate proceedings for constitutional control.

- **Entities that shall have the right to initiate proceedings** - In Slovenia the entities that may file a constitutional complaint at the Constitutional Court are all natural and legal persons and the Ombudsman. In Spain *recourse de amparo constitutional* may be submitted by all natural and legal persons as well, the Ombudsman and the Prosecutor General. It covers not only the citizens, but also the foreigners. In Germany the right to initiate proceedings covers all individuals with capacity to act and legal persons (even those legal persons that are not registered in the country). Regarding the subjects who have the right to initiate proceedings in Macedonia it must be emphasized the provision of the Rules of procedure - article 51 which points to the solution every “citizen” and not “everyone”, which significantly limits the possibility for protection before the Constitutional Court of the rights provided in the Constitution. On the other hand, it should take into account the experiences of the countries that practice this instrument, and the right to constitutional complaint is tied to the legal entities and not just individuals. Finally it should be considered the Ombudsman to appear as an authorized entity who has the right to initiate proceedings.

- **Acts against which this special remedy may be filed** – The systems of control of the constitutionality and legality of legal acts classifies two basic methods in which this matter is regulated. One model predicts that the constitutional complaint may be filed to protect the rights violated by law, decisions, actions or legal acts of the organs of public authorities. These include decisions, laws and other legal acts of state bodies and the autonomous communities and all other Bodies and organizations which exercise public authority. The second model provides that this instrument may be filed for protection of rights that are violated by the decisions, actions or legal acts of the bodies of public authorities. These include the decisions, other legal acts and actions by state bodies and the autonomous communities and all other bodies and organizations which exercise public authority.

The normative solutions concerning the protection of freedoms and rights by the Constitutional Court in Republic of Macedonia should precisely regulate this issue. It should be noted whether the protection applies only to acts by which the rights are violated and are adopted by the state authorities, or to apply the Slovenian experience in which case it refers to rights that are violated by individual acts of state authorities, local self-government units or entities exercising public authorities. On the other hand, it should be considered between the alternative whether the said instrument could be submitted if the violation of rights is done by a law (and which additional conditions and restrictions would apply in this case) or the law as a general legal act will be excluded and the constitutional complaint would be restricted only to individual legal acts.

Finally, from all of the stated above it may be concluded that the need for additional instrument for the protection of rights and freedoms is never excluded and that if the powers of the Constitutional Court of the Republic of Macedonia are expanded, it should be considered to implement the constitutional complaint. It should be done with extreme care and only upon previous analysis of the normative solutions and experiences from countries that practice this instrument.

6. Conclusion

The modest constitutional provisions of the Constitution of Republic of Macedonia and the several specific constitutional solutions, have faced the Constitutional court with accusations of judicial activism on one hand and with skepticism in its
capacity to pass decisions that would annul the unconstitutional legal provisions, on the other. Thus, it seems that the position and authority of the Court in the system is a logical consequence of two cumulative facts: the lack of specific engagement of the constitution maker and the inconsistent practice and the frequent lack of argumented and elaborated decisions of the court. However, it cannot be left out that the Constitutional court was confronted with the challenge to participate in the fundamental change of the legal system in Republic of Macedonia and the process of transformation of a state that is “dying out” to a legal state. Namely, it appears that the Constitutional court was equally involved in the modeling of the constitutional system of Republic of Macedonia just as the other state authorities, and it must be noted that it carried the burden of building a new legal system by interpretation of the constitutional provisions.

Today, the Constitutional court of Republic of Macedonia mainly confronts two completely opposite remarks. It leaves the impression that the constitutional court has not yet found the magical formula for deciding that manages to sustain the balance between the modest, non-intrusive and non-confrontational action of the constitutional courts and the extravagancy of the decisions which directly participates in the modeling of the constitutional order.

Thus, on one side, it is admonished to the Macedonian Constitutional court that it applies the so called passive virtue, that Bickel recommends for the methodology of deciding of the Supreme Court of the USA, in a completely different extremity. Namely, instead of a virtue, the deciding by the court is often qualified as fear, modesty or introversion. The argument that the Constitutional court restrains from initiation of procedures for control of constitutionality, probably due the fear of self-promotion and its qualifications as a co-legislator.

From a completely different perspective, the “guardian of the Macedonian Constitution” was qualified as an institution of the so called “ancient regime” and was subject of undervaluation, especially in the past several years. The Macedonian scholars have recognized such qualifications as elements of so called “political mobbing” realized through undervaluation and political labeling.

The only way out of this situation can be found in decisions that will be well argumented and elaborated. Only in this manner, by decisions that will hold the balance between the bold and the modest actions of the court, which shall have in their background the well grounded legal argumentation, the court may defend itself from the variations of pressures. Finally, only the consistent deciding by the Constitutional court, whose decisions would guide the constitutional provisions in the direction of protecting the civil rights and removal of the “pathology” of the system, may give the qualification of “lord of the resources of constitutional law” or “generator of contemporary ideas”.

References

Bilder , Mary Sarah. Idea or Practise A Brief Historiography of Judicial Review. The journal of policy history. vol20, No.1,2008
Тренеска Дескоска Рената. Конституционализам. Скопие.2015
Developing EFL Vocabulary through Speaking and Listening Activities

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Abstract

Vocabulary is an important aspect of language and communication skills. Teaching new vocabulary words in a foreign language classroom can be a challenge for many teachers. This is because a complete knowledge of a word needs far more than simply recognizing the word or being able to give its meaning; it includes learning its: form (spoken and written form, word-parts), meaning (form and meaning, concepts and referents, associations) and use (grammatical functions, collocations and constraints on use). Since the aim of English language school program is to learn English for communicative purposes, this article, based on current research on foreign language vocabulary teaching and learning, appeals to the use of some very important strategies and techniques for effective vocabulary teaching while building listening and speaking skills: dividing text vocabulary into active and passive ones, effectively organizing and focusing repetition, using the target foreign language in different phases of the lesson and selecting effective teaching and learning activities. These strategies provide good opportunities for learners to extend the knowledge of their actual vocabulary and acquire new words of the target language in a classroom based setting.

Keywords: vocabulary, foreign language, speaking, listening, activity.

1. Introduction

Referring to our teaching experience, what is often observed in an EFL classroom is communication marked by low levels of linguistic accuracy and fluency, though learners have studied it for many years. Naturally, the following question arises: what strategies and techniques foreign language teachers need to use for effective vocabulary teaching while building listening and speaking skills and therefore to help their learners learn language for communicative purposes? Through a literature review, the research aims to probe into this issue making proposals for English language teachers for an effective vocabulary teaching and learning referring to foreign language acquisition theory and research.

2. Important Strategies in Developing EFL Vocabulary through Speaking and Listening Skills

2.1 Aspects of word knowledge:

When dealing with vocabulary it is important to consider what it means to know and learn a word. A complete knowledge of a word needs more than simply recognizing the word or being able to give its meaning, as it usually happens in teaching and learning English as a foreign language in the classroom. Referring to Nation (2005) and Thornbury (2008), knowing and learning a word from the view point of receptive and productive language includes knowing and learning its: form (spoken and written form, word-parts), meaning (form and meaning, concepts and referents, associations) and use (grammatical functions, collocations and constraints on use).

The spoken and written form: The lack of consistency between spelling and pronunciation makes it difficult (or impossible) to base pronunciation on the written form or vice-versa, not only for foreign learners but also for native speakers (Nation, 2005, p. 45). Unfamiliarity with correct pronunciation can result in failing to understand words in spoken English that the learner clearly understands in written English. Moreover, the stress in a word determines the lexical and grammatical meaning of the word (\( /\text{import}/\text{-noun}, /\text{import}/\text{-verb} \)), the length of a phoneme determines the lexical meaning of a word \( /\text{ipa}/ - /\text{ip}/ \), and one sound can be represented by one or more letters: \( /\text{N/ (cut, come, country, blood, does} \).
Word-parts: A known stem or affix facilitates the process of word learning and use; it helps the learner to remember its meaning, recognize it in another context, make guesses about the meaning of unknown items and widen the learner’s range of expression by using another word instead of the target one, unable to recall it at a certain communicative situation.

Meaning: To understand a word fully, learners must know not only what it refers to, but also when the boundaries are that separate it from words of related meaning (as synonymy, hyponymy, antonymy, part-whole relations) (Gairns & Redman, 2004, p.13). Moreover, to avoid confusion, learners need to know that a word-form can have: several different meanings not closely related (homonymy: a file – for papers; a tool for cutting) and a referential (denotative) and a connotative meaning.

Grammatical function: In order to use a word correctly, it is necessary to know what part of speech it is and what grammatical patterns it can fit into. This is essential especially in English where: the same word form can be used as a different part of speech (a book / to book a table); the lexical choice, especially of verbs, determines the grammatical construction of the rest of the sentence: Prices rose (intransitive verb); She enjoys music (transitive verb); I left the key at home (complex-transitive verb). What is more, as in other languages, words, in a certain word class, are classified based on their grammatical features (regular/irregular verbs, countable/uncountable nouns, regular/irregular plural noun forms).

There shouldn’t be any complete attention to all the aspects of word knowledge of each word encountered in a material. It should be noted that unfamiliarity with the irregular forms can result in incorrect learning and use by the learner.

Collocation involves knowing what a word typically occurs with [The earth revolves (not circulates) around the sun]. Such word knowledge helps learners learn and use the target language correctly and fluently. In case of insufficient word collocation knowledge and under the influence of his mother tongue, the learner tends to use grammatically correct but unnatural linguistic sequences (‘I took a decision’ instead of ‘I made a decision’).

Constraints on use relates to the sociolinguistic factors (such as the relationship of the speaker to the speaker referred to, their social status, age and gender, the aim of communication, etc.) which lead the language user to choose one word (of a certain style or register) rather than another (from another style or register) in a certain communicative situation. Failure to consider these aspects can result in inappropriate language use.

This multi-dimensional character of the word knowledge needs to be considered in choosing the right strategies and practice activities that enable learners to gradually acquire the targeted aspects of word knowledge and generally speaking English language for communication purpose. The followings are some important strategies and activities that can successfully be used in developing EFL vocabulary through speaking and listening activities. It should be noted that there shouldn’t be any complete attention to all the aspects of word knowledge of each word encountered in a material. It is the teacher who selects the words and their aspects needed to be included in learners’ active vocabulary based on their importance in the text comprehension, learners’ knowledge burden on it and its role in the development of learning skills.

2.2 Important strategies

Division of text vocabulary into active and passive ones: The target new words need to be distinguished as active (important to be part of active vocabulary) and passive (needed to be known, but not learned because they will be in focus at a later time when they are more important to the learners). In teaching active vocabulary, it is recommended: to spend time giving examples and asking questions (Doff, 1988, p. 19) so that students can see how the word is used; a rich instruction, exploring several aspects of word knowledge and involving the learners in thoughtfully and actively processing the word (Nation, 2005, p. 95). Good contributions to this strategy are the activities of finding key words in a text and creating a semantic or thinking tree of words or ideas.

Such a strategy – the division of text vocabulary into active and passive ones – should be encouraged to be applied by the learner himself in order to enhance independent vocabulary learning. For this purpose, the teacher should regularly discuss with the students which new words are necessary to be learned for them. Giving reasons for their choices, they are trained in selecting words for their learning.

Repetition is very important for vocabulary learning especially when there is so much to know about each word (as presented above); one meeting with it is not sufficient to gain all the word knowledge and use it fluently. Repetition contributes not only to strength of knowledge but it can enrich previous meetings. By repetition it is not meant a mechanic repetition of the word as a chain of sounds; such a repetition does not help the word memory, but just the word form memory. An effective repetition that strengthens and enriches the word knowledge, involves the exposure of the learner to the word use in different contexts through listening and reading texts and its use in different speaking and writing activities (Nation, 2005).

There has been a great deal of research on how items should be repeated. Referring to Nation (2005), foreign
language vocabulary research has shown that:
- learning from repetition depends on the spacing of the repetitions and the nature of the repetition;
- spaced repetition (spreading the repetition across a long time period of time) results in more secure learning
  than massed repetition (spending a continuous period of time, for example 15 min).

Pimsleur (1967, cited in Nation, 2005, p. 77), based on research evidence, proposed an exponential scale for the
size of space between the repetitions; the general principal that lies behind the spacing is that the older a piece of
learning is, the slower the forgetting.

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<tr>
<th>Repetition</th>
<th>Time spacing before the next repetition</th>
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<tbody>
<tr>
<td>1</td>
<td>5 secs</td>
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<tr>
<td>2</td>
<td>25 secs</td>
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<tr>
<td>3</td>
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<td>4</td>
<td>10 mins</td>
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<td>9</td>
<td>4 months</td>
</tr>
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<td>10</td>
<td>2 years</td>
</tr>
</tbody>
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In the same vein, Webb’s results of his study (2007) showed greater gains in knowledge for at least one aspect of
knowledge each time repetitions increased. Webb suggested that more than ten repetitions may be needed to develop
full knowledge of a word.

But there are even research cases, such as that of Webb & Chang’s study (2014) indicating that frequency is just
one of many factors that affect learning, finding that the relationships between vocabulary learning and frequency and
distribution of occurrence is non-significant.

Concerning the nature of the repetition, experimental evidence has shown that retrieving rather than simply seeing
the item again is more effective, as it is more similar to the performance required during normal use (Nation, 2005, p. 79).
When there is a delay between the presentation of a word form and its meaning, learners have an opportunity to try to
guess or recall the meaning what will result in faster and longer retained learning. Meeting words in listening and reading
texts and using them in speaking and writing activities provide opportunity for retrieval. Baddeley (1990, cited in Nation,
2005, p. 79) considered the combination of spaced repetition with retrieval easy to use and widely applicable.

The type of repetition is closely related to the goal of learning: word form, word form – meaning connection,
recalling the meaning in different contexts. Nation (2005) noted that more elaborative repetition (extending the meaning of
the word and meeting some of its collocations) had stronger effects on passage comprehension measures than repetition
of the same information.

Repetition needs to be realized through different activities that enable learners to use the words in different ways
aiming to repeat not only the known word aspects, but also to enrich them, extending word meaning and use. Some of
the activities suggested to be used are:

- ‘Hand computer’ aims to organize and focus the word repetition (Nation, 2005, p. 77). It involves the use of a box divided
  in five sections, where the second section is larger than the first, the third larger than the second and so on. The target
  words are put into cards and initially go into section 1. When a word is known it is put into section 2. When section 2 fills
  up, its words are reviewed; those that are still known go into section 3 and those not recalled go back to section 1. The
  same procedure continuous for the rest sections (3, 4, 5).
- Word cards involve retrieving. In the simplest form of learning from word cards, a learner writes a foreign word on one
  side of the card and its translation on the other. The learner goes through a set of cards looking at each word and trying to
  retrieve its meaning. This is criticized and regarded as a decontextualising technique as the word is not in a
  communicative context, i.e. it is not being used for a communicative purpose (ibid., p. 297). The meaning of the word can
  be given through translation, a FL definition, a picture, a real object or a sentence. Learners can think new sentences
  containing the word, imagining contexts of use. Word cards may contain word stems and affixes to help learners focus on
  word parts.
- Word grouping based on certain models: sound-letters, rhymes, stems, affixes, listening to or creating rhymes (Monday –
  wash the clothes / Tuesday – blow your nose/ Wednesday- market day/ Thursday – pay day …)
- Regular tests are also a way to encourage the revision of the vocabulary.

Gains and Redman (2004) proposed FL teachers to use an activity that aims the repetition of the previous
lesson(s) before starting the new lesson.

Besides the teacher’s responsibility and desire in repeating the target words, the course books and total number of
EFL class hours play an important role in this aspect. A good course book provides pupils with materials and contents
that give learners opportunities to repeat previously met linguistic items. The number of EFL class hours needs to be
considerable as to allow teachers to plan enough review classes for their learners.

Vocabulary learning through clear instructions and definitions. The strategy used for presenting new words, either
before listening a text or as they arise in the course of a lesson, is another important factor in vocabulary acquisition.
Giving the translation of the target word is a traditional and widely used technique in vocabulary presentation as it is the
There are three major factors affecting vocabulary acquisition from oral input:

1. **The skill of the teacher** related to the way in which a word is defined; good definitions need to be specific, direct, unambiguous and simple; Ellis (1995) and Chaudron (1982) (cited in Nation, 2005, p. 83) suggested that short, direct word definitions work the best in oral input, while too much elaboration of word meaning may cause confusion to learners with limited short-term memories and make it difficult to identify what features are critical to the meaning of the word. Moreover, the use of any unknown words in defining the target word makes comprehension impossible.

2. **The skill of the learner.** Learners have different learning styles: they learn differently and at different paces because of their biological and psychological differences. Thus, some learners use a holistic model of the word meaning (abandoning a concept if conflicting information occurred); more successful learners use an analytical approach (developing a concept for a word which consisted of several separate meaning components, allowing the incorporation of new information); some students perceive the new linguistic information relying heavily on visual presentation; others prefer spoken language; still others respond better to movement activities (Oxford, 1990). The teacher needs to help the learners to define their styles of perception and facilitate them to memorize new foreign words using the most appropriate techniques for their learning styles.

3. **The features of the language** involved are important in communicating and comprehending meaning. There are many ways of communicating word meaning: by performing actions, by showing objects, pictures or diagrams, by using translation, by defining in the foreign language, by providing language context clues. Visual techniques, such as real objects, pictures, action performance, are seen as the most advantageous ways of communicating the word meaning as learners see an instance of the meaning and the meaning is stored both linguistically and visually. Moreover, these techniques are often seen as funny by the learners and time-saving for the teacher.

**The use of English in different phases and situations of the lesson** for practice purposes. Teachers whose own language is not English and who teaches classes of learners who share a common language other than English have many opportunities for using simple English in the course of a lesson. The target foreign language can be used (Doff, 1988):

- in teaching the lesson itself: explaining a new word or grammar point, giving examples, introducing a text, asking questions, etc. It should be noted that the explanations in English should be as simple and clear as possible, so that the learners can understand. When the language needed to be used in explaining is too complex, it is best to use the learners’ own language.

- for other activities that are not actually part of the teaching: checking attendance, telling learners where to sit, explaining how an activity works, controlling the class, etc. In such activities, teachers make use of ‘organizing’ language consisting of simple commands and instructions, which are repeated in each lesson: ‘Open/close your books!’, ‘Come here, please.’, ‘Be quiet!', ‘Who would like to clean the blackboard?’, ‘Who is absent today?'). If the teacher says them continually in English, learners – even elementary ones- will quickly learn what they mean. Furthermore, the situations that occur in the classroom (a learner arriving late, someone forgetting a book) and chatting in English to the class about topics of interest (things learners have done, feast days and holidays, a school performance, a television program, birthdays, etc.) at the beginning of the lesson (instead of going straight to the textbook) create an opportunity for real language practice and create an English language atmosphere in the classroom, giving the learners the feeling that English is a real language used for communication and not just a school subject.

If the teacher uses English most of the time, it will give learners practice in listening and responding to spoken English, helping them ‘pick up’ and learn words and expressions beyond the language of the textbook.

Although there are advantages in using English in class, teachers shouldn’t feel that they must use it all the time; there are occasions when it can be more useful to use the learners’ own language than English. How much the teacher uses English will depend on the level of the class and the teacher’s own language ability.

**Selecting vocabulary teaching and learning activities.** There are numerous practice activities that can be used in learning the target vocabulary while building listening and speaking skills (see Doff, 1988; Gairns & Redman, 2004, Hedge, 2000; Thornbury, 2008). Selecting the proper ones for a successful teaching and learning, it is essential to consider the following aspects:

- The goal of the activity. One activity can help learners acquire one or more aspects of word knowledge. After testing learners’ knowledge on the target vocabulary, the teacher selects those activities that help learners...
acquire those aspects that they already lack.

- The psychological conditions the activity uses to help reach the learning goal - noticing, retrieving and generating - which help the learner store the word in the long-term memory. Noticing or attracting the learners’ attention to the target words can be affected by several factors, including the salience of the word in the textual input or in the discussion of the text, previous contact that the learners have had with the word, studying a word, guessing it from the context, de-contextualizing it (highlighting it while writing it on the blackboard, negotiating the word meaning with each other or with the teacher). During a receptive (reading/listening) activity, the learner can perceive the form and retrieve its meaning; similarly, wishing to communicate the meaning of the word, the learner retrieves its spoken or written form in a speaking/writing activity. Generating involves meeting or using previously met words in new contexts that differ from the previous meeting with the word. For example: retelling a text from another viewpoint, performing a role-play based on a text. The new meetings force learners to re-conceptualize their knowledge of the word involving a range of variations, from inflection through collocation and grammatical context to reference and meaning.

3. Conclusion

Teaching new vocabulary words in a foreign language classroom is a real challenge for teachers since a complete knowledge and competence of a word needs more than simply recognizing it or being able to give its meaning. The following strategies are necessary to be used when aiming at effective vocabulary teaching while building listening and speaking skills and therefore helping their learners learn language for communicative purposes:

- Dividing text vocabulary into active and passive ones to save time for more practice activities; repeating the target vocabulary effectively to strengthen and enrich it by considering the spacing of the repetitions and the nature of the repetition; using clear instructions and definitions to enhance vocabulary acquisition from oral input; using English in different phases and situations of the lesson to provide more practice input; selecting vocabulary teaching and learning activities considering the goal of the activity and the psychological conditions it uses to help learners reach their learning goal; increasing the amount of engagement learners have with lexical items in various listening and speaking activities to enhance vocabulary learning.

References

The Perspectives of Outsourcing of Internal Audit Functions in Albania

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Abstract

Outsourcing of the products and services to other companies is already a very used option that in general aims to have more qualified products or services with lower costs. As in the other sectors the professional auditors offer to outsource a company’s internal control services in order to increase their quality or to lower the internal auditing system costs. By outsourcing, a company can depute the auditing tasks that can be performed in a small amount of time and an internal audit structure can be too expensive to maintain. Through this study we evaluate an analytical overview of the internal auditing outsourcing by summarizing the factors that drive the company’s managers or stakeholders to partially or totally outsource the internal control auditing. The benefits from the usage of the internal auditing outsource can vary in different situation depending on the specifics of the economic unit. The aim of this study is to analyze the benefits of audit outsourcing and to evaluate the auditing outsourcing perspective in Albanian market. The methodology used in the preparation of this paper will be that of the utilizing the foreign and national literature, and the utilization of the interviews with the companies and auditors that have experience in auditing outsourcing in Albania.

Keywords: outsourcing, internal audit, evaluation, benefits

1. Introduction

Auditing is a systematic process of objectively obtaining and evaluating the information or financial statements to certify the fair representation of the information, and communication of the results to interested users. The need for internal audit is becoming more evident as organizations and the economic transactions are become more intense and complex. The complexity of the modern economic transactions and the increase in the companies with branches and subsidiaries has made the supervising of such companies a very hard task. Internal audit assist the decision makers to better manage their company resources by providing information regarding the risks that are being managed within the organization and taking actions to minimize those risks. The risks of the organizations differ in nature and number and managing those risks effectively is the main objective of internal audit. There are different definition for the internal auditing. The institute of internal auditors defines Internal auditing as an independent, objective assurance and consulting activity designed to add value and improve an organization’s operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.1

2. General Objectives and Categories of Internal Auditing

Over years the internal audit functions have changed rapidly. From traditional controller, the internal auditing is expected to minimize overall risk that the company can have by adding value to the business. The internal control can be classified into three categories: management control systems, administrative control systems and accounting control systems.

- Management controls generally are more comprehensive and compose the main objective of the organization

1http://www.theiia.org/guidance/standards-and-guidance/ippf/definition-of-internal-auditing/?search%C2%BCdefinition
where are included all the plans and politics, procedures and the practices that are needed for the management to fulfill the organizations objectives.

- Administrative controls are the procedures or the recordings that are connected with the decision making processes and enable the management to make authorized actions.
- Accounting controls cover the procedures and documentation that is related with the protections of the assets and the reliability of the financial statements.

The responsibilities of the internal auditor are increasing with the sophistication of the economy and the business organizations. From these responsibilities we can list: examination of the accounts to determine their accuracy and reliability, review the company policies, operations and procedures to agree with expectations and standards, establish and programming adequate accounting system and effective forms of control, providing advice to the management in respect to the changes in the economy and their changes in economy, supervise the progress of the company etc.

Although the responsibilities of the internal auditors are various in number and increasing due to political and economical changes and the complexity of the transactions and business organizations the internal auditors’ objectives can be grouped into four main categories:

- **Enforcement of law**: from this perspective the internal auditors control if the organizations operations are conform regulations, rules and procedures;
- **Economical**: from this perspective the internal audit ensures the managements if the company is efficient and has a designated use of assets;
- **Safeguarding assets**: Safeguarding the investments against losses, abuse, mismanagement, fraud or corruption is another main objective of internal auditing that is accomplished by establishing a system of authorizations and through a good and effective accounting system;
- **Integrity and reliability of information**: Another objective of internal auditing is controlling the financial accounts and data, and fair disclosure of these data in periodic reports.

The word “audit” is very often related to the external audit, which is carried out by accountants. In today’s reality the internal audit is not necessarily to have accountancy education or backgrounds, they can have administrative background or different skills and technical qualifications, depending on the sector in which their company operates. As the internal auditors education or background can be different they all should have in common other characteristics like strong ethical values, effective communication, strong analytically reasoning, good writing and reporting skills and being good negotiators. The ethical values of an auditor are obligatory and are regulated by the code of ethics, which is based on principles of integrity, objectivity, confidentiality and competency. The quality of the internal auditors is regulated by the Institute of Internal Auditors Standards and they have been adopted by organizations all over the world. The internal auditing standards explain the best practice principles related to the internal auditing. The standards also establish the basis for the evaluation of internal audit performance. Depending on the objectives the internal audit can be classified into three categories:

- **Regular or compliance audit**: Its objective is to establish if the auditors met certain criteria defined by a competent authority. These criteria are usually specific entities or sectors of activities such as: compliance with management decisions or policies; compliance procedure manuals relating to the conduct of operations; compliance with contract terms; legal compliance and other external restrictions; ensuring an atmosphere of moral-ethical thing etc.

- **Audit of effectiveness or performance**: In this type of audit criteria are not fixed, they change each time depending on the reasoning of auditors that look at what are the best, effective, reliable and timely solutions based on emerging internal and external cyclical. Effective audit can be viewed from two angles: management audit and operational audit.

- **Financial audit**: relies in collecting audit evidence about the entity’s financial statements and use these samples to assess their compliance with preset criteria. The financial auditing represents the activity of professional examination of the information in the purpose of expressing a responsible and independent opinion, in relation to a standard, quality criteria aiming at improving the use of information.

According to a survey conducted by Ernst & Young among the priorities and expectations of stakeholders and management from internal auditing have clearly shifted from financial controls to risk coverage and business relevance operations. According to the survey the management and the stakeholders the priorities from the internal auditing would

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3 www.iiia.org.uk
4 https://www.iiia.org.uk/resources/delivering-internal-audit/
rather be: Improving the risk assessment process; Enhancing the ability to monitor emerging risks; becoming more relevant to achieving the organization’s business objectives; reducing overall internal audit function costs without compromising risk coverage; identifying opportunities for cost savings in our business.

The internal audit helps the management to better control their organization and assisting them in their decision making routines by adding value to their organizations. Internal auditing is a very useful system in assisting the stakeholders to increase the value of the organization, but not every organization can implement an internal control. Internal control may be expensive and can be unaffordable by small companies.

3. Outsourcing of Internal Audit

Contemporary organizations are increasingly information-dependent and knowledge intensive, and engage in extremely specialized and sophisticated operations across industries and sectors globally. In this radically changed business environment, the internal audit function has become a major support function for management, the audit committee, the board of directors, the external auditors, as well as key stakeholders. In recent years, outsourcing has become a common practice for companies operating in different sectors and have to take decision that involves different sectors expertise or skills. As economists are often quick to point out. In the move toward increased efficiency, it is part of the natural economic process to try to find better, more efficient and less costly ways to do things. Outsourcing is the process in which the management purchases the services of internal auditing from outside. By outsourcing, a company can depute the auditing tasks that can be performed in a small amount of time and an internal audit structure can be too expensive to maintain. There is a wide range of literature that discusses numerous factors that influence outsourcing decisions, including products or professional services that can affect the quality and the cost of this products. As the well known author (Salvetti J., 1995) cites "Do what you do best, outsource the rest", it is obvious that in a complex economic transactions where more interest areas intercept with each other it is very difficult to maintain a high quality with optimal cost of performing tasks in all these sectors. In auditing sector already is very popular that the companies have the trend to outsource their internal control systems to professional auditing companies. Entrusting the internal controls of a to an external service provider offers several benefits. By outsourcing certain functions, or in some cases the whole internal control, organizations can benefit from a much broader range of skill sets and access to specialty services that bring best practice knowledge to the client company and achieve economies of scale and economic efficiencies. Outsourcing also allows management to stay focused on core business operations, rather than worry about maintaining certain non-core business processes. The Institute of Internal Auditors (IIA), recognizes that many "partnering" arrangements with outside providers have been effective in helping organizations obtain internal audit services that contribute to management’s strategic objectives, but in cases where total outsourcing is selected as the method for obtaining internal audit services, The IIA believes that oversight and responsibility for the internal audit activity cannot be outsourced. There are a number of factors to be considering when outsourcing an internal control such as the available resources, size of the organizations, quality of the actual internal control, cost of the internal control. Analyzing of the available resources is the first step in considering the internal control outsourcing. If the available resources are scarce or not available in certain situation the outsourcing of the internal control may be one option. The size of the organization is proportionally related to the internal control outsourcing. The bigger the size of the company the greater the needs to outsource the internal control. This is obvious, because the size of the company raises the complexity of the transactions and the expertise level needed for a properly internal control service. On other side small organizations may find necessary to explore outsourcing due to the inability to hire permanent or fulltime internal auditors, and thus reducing the fulltime internal auditors costs. There are several advantages that one company can obtain through fully or partially outsourcing of internal audit such as: Providing the organization with a greater level of assurance and risk coverage, reducing the administrative costs, boost operational efficiency and performance, better controlling and risk.
management, identify and manage emerging risks more effectively, provide broader skills sets and deeper industry specialization, supply intellectual capital, offering proactive insights and recommendations on leading practices, provide access to leading-edge tools and methodologies such as data analytics, execute on business strategy more effectively and achieve strategic goals and objectives, transfer knowledge and capabilities to the organization. Outsourcing enhances the auditor in understanding the business environment policies and procedures thereby increasing the credibility of the financial reports and reducing their liability. By transferring the special services to specialized auditors, the company can focus in its core operations and having more possibilities in facilitating the achievement of company policies such as budget targets achieving and its goals. Using internal quality outsourcing may have disadvantages like: the outsourcing of internal control is not convenient as a service and it can also have high cost depending on a company’s characteristics. Another disadvantage in using outsourcing is when the company uses the same firm for internal and external audit services leading to inferior quality reports. The external consultant don’t know as an internal auditor the environment and the culture of the company as well as an internal auditor hired knows, and this can make harder the access to a series of relevant information, because the internal audit hired know where and what to search. Another disadvantage of the outsourcing is the availability of the outsourced internal auditor is not all the time, and every moment Outsourcing has been criticized as a practice that destroys jobs and praised as a way to cut costs and remain competitive. The accounting profession has utilized outsourcing to avail itself of expertise that is not available within the firm and to cut the cost of offering a variety of accounting and tax services.

To determine if outsourcing is the appropriate alternative to conduct the internal control, there are several factors that should be taken in consideration and analyzed like: the capabilities, expertise and the skills of the actual internal control employees to analyze the risks appropriately, the actual cost of the internal control system, the ability of the internal audit to lead the company strategies upon changes in the market, and if the actual internal quality staff is creating added value to the company.

4. The Perspectives of Outsourcing in Albania

As mentioned above the main benefits of outsourcing are obtaining higher quality services and lowering the administrative costs of an internal control system. The outsourcing, generally is adopted by big companies who want to focus on their business hardcore and achieving high professional services in every department, and by relatively small companies who do not have many transaction as to pay a full time employee for the internal control.

Albania economy is a fragile economy, where ~90% of the business are small business that have between 1 to 9 employee, ~9 % are medium sized companies where the employee number is between 10 – 200 employee and only almost ~ 0.4 % are big companies with over 200 employee. The small companies generally outsource the entire book keeping system to the certified accountants, as they do not have many transactions and it is costly to hire a full time professional. The financial statement of these companies are generally prepared for fiscal and tax purposes. The medium sized companies, partially outsource some of the internal control procedures to the certified accountants, and mostly to the certified public accountant (CPA). The most outsourced functions of internal controls include book keeping and preparation of the financial statements for tax and fiscal purposes. Regarding the large companies, in Albania they generally do not outsource the internal auditing, in exception of multination’s companies, where the internal auditing is partially performed from the parent company.

5. Conclusions

The dynamic changes in technology and marketing induced by the high competition of the global market has made companies to become more focused in their core activities. Only by focusing on what they can do best, a company can resist the high competition of global economy. Internal control is a very important task, especially in large companies that needs effectiveness and experience to be performed according to the standards. Maintaining an effective and efficient internal control department can be a challenging and a costly task. In this perspective there is tendency of large companies to outsource this task to professional auditing companies with the scope to increase its effectiveness and in the same time to reduce the costs. Shifting from tradition cost management accounting to strategic cost management

13 Ernest&Young, (2005), The merits of outsourcing your internal audit function, December, available on-line at www.ey.com
14 Mintz, Steven (2004). The Ethical Dilemmas of Outsourcing. The CPA Journal 74(3): 6, 8-10 (March)
16 http://www.ekonomia.gov.al/
accounting. The aim of this research is to study the actual situation and the tendency of the Albanian business in outsourcing the internal control functions. We have reached in some consistent generalizations based in different interviews with certified public accountants and selected businesses to better understand the extensions of internal control outsourcing and its perspective in Albanian market.

The large companies in Albania are already benefiting from the advantages of internal control outsourcing where the most used element of internal control are the liabilities, the collections of the debt from the clients. The big companies are hiring specialized companies in performing these tasks. A full outsourcing of internal control functions are rarely observed in Albanian market. According to the interviews conducted there are potentials for more outsourcing of internal controls functions in Albania, especially for the medium sized companies, and the main factor is lowering the internal control costs. By outsourcing the internal controls these categories of companies do not have the necessity to employ a full time employee for not intense internal control procedures. Although there is a potential market for outsourcing of the internal control function of the medium sized companies in Albania there is a lack of professional companies in the market to offer these services in a standardized and effective manner. In this perspective we encourage the accounting and auditing professionals, CA and CPA to focus more on the outsourcing of the auditing services in the Albanian market, because the demand for such services is expected to increase. The training of the professionals to deliver these services in standardized and an efficient way is a challenging task. Although a challenging task the outsourcing of the internal controls of medium sized companies is a potential market for the professional accountant and can be applied without impairing the audit independence in regards to non-audit services.

References

Ernest&Young, (2005), *The merits of outsourcing your internal audit function*, December, available on-line at www.ey.com
Mintz, Steven (2004). *The Ethical Dilemmas of Outsourcing*. The CPA Journal 74(3): 6, 8-10 (March)
Sridhar ramamoorti, (2003), *internal auditing:history, evolution, and prospects*, The Institute of Internal Auditors Research Foundation
www.iia.org.uk
http://www.ekonomia.gov.al/
http://www.ey.com/Publication/vwLUAssets/EY_Key_considerations_for_your_internal_audit_plan_1/$FILE/ATT5QP7A.pdf
http://www.mcsr.org/ichss2015/index.php/payment
http://www.theiia.org/guidance/standards-and-guidance/ipf/definition-of-internal-auditing/?search%C2%BCdefinition
https://www.iia.org.uk/resources/delivering-internal-audit/
Geopolitics of Albania in the Balkans after NATO Membership

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Abstract

The purpose of this paper is a brief analysis of Albanian geopolitics after NATO membership. We are still a developing country with different social as well as political problems, we are paving the way for the consolidation of a solid asset of Albanian society where state institutions operate safely and transparently, while providing security and stability to Albanian society as a whole. Diplomatic relations with our neighbors were completely vague course during these years also because of the political system in power before the 90s as well as after the collapse of the communist regime, the Albanian transition has not facilitated a consolidation of relations in the region. NATO membership was a crucial change for Albania, for the situation in the country but above all for the positioning of Albania in the region and beyond. But what steps are taken and what is to be improved to have a dignified representation in the international arena of the Albanian state and what initiatives should be undertaken to give our contribution in maintaining peace and stability in the region.

Keywords: Geopolitics, the Balkans, NATO, Democracy

Geopolitics, this concept or scientific discipline does not hold an accurate and generic definition because even the other concept “politic” does not hold a generic definition either. The geopolitics of Albania continues to suffer the consequences of many ongoing conflicts affecting the Balkan Peninsula, especially those related to the Albanian population living in ex-Yugoslavia territory. Although Kosovo is an independent country by all means, ethnic conflicts and turbulences become active time after time because of different problematics, but always in the core stand the ethnic conflict.

Albania received officially last year, after the unanimous approval of all 28 member countries governments, the candidate member country status to European Council. A step further towards full membership, although symbolic this step will give to Albania the possibility to profit from before-membership instruments such as IAP structural funds allocated to support regional, rural development as well as human resources. Albania will have access to joint-financial investments of European Bank of Investment and other International Financial Institutions.

Rama Government successfully reached part of the tasks assigned by European Commission; the other part of the “job” was done by the Commission itself. Apparently Albania occupies a very special part in the Commission agenda of strategic plans for Balkan. In 2010 the internal turmoil, because of extreme polarization of the political system in Albania, led the member countries to refuse the request to receive the candidate member status, followed by two other “No-s” in the end of 2013. The 2012 Reforms, the peaceful and calm elections of 2013, the further progress in reforming the juridical system and the implementation of anti-corruption norms by Rama government were the final evidences that convinced the Commission to take a step further and officially accept the candidate status.

For the first time the Commission position reflex a new strategic attitude for Albania, especially in the focus of European election on energy politics issues. It is very obvious that Brussels clearly supports and favors the TAP project TAP (Trans-Adriatic Pipeline) instead of South Stream project, lying 210 km of its pipeline in the Albanian territory (or 25% of its total pipeline length). Furthermore, the main storage gas deposit, which will be used to regulate Europe supply with gas will be constructed in Albania, demonstrating thus the confidence that EU has placed on country’s stability. Russian gas boycott has placed Albania in a strategic position in European energy distribution system, but this will have serious economic consequences.

Oxford Economics reports have made a positive evaluation on the effect that TAP will have for the Albanian economy, a direct and indirect contribution of 106 million euro in the GDP for the period 2015-18, and the opening of at least 4000 vacancies. On the other hand the European offices have never tried to hide their interest to have, in the future, an economically strong Albania, considering the strategic position in relation with Eastern European countries, and unused country’s potentials. Port of Shëngjin, one of the deepest in Mediterranean Sea in the near future can become one of the most important maritime-commercial gate, potentially one of the most important in Europe.
It is understandable that the road to an eventual membership in UE is still long and inevitably it carries the burden of resolving continuous political and economic issues in the country. Furthermore, our historic adversaries still really doubt on the possibility that Albania has to reach the European standards. Traditional adversaries of Albania membership have always underlined the fact that Albania is a country of Muslim majority (Opposite of secular France) and is one of the poorest countries in Europe (the opposition of North Countries led by Holland). Czech Republic has warned to use Veto in giving the candidate member status because of legal disputes with CEZ (a company controlled by Czech government), which became part of the energy distribution market in Albania in 2009 and had its license revoked by Albanian Government in January 2013.

Berlin Conference brought new inputs to the recent European developments in the economic aspect because it considers Balkan not only a security issue, but for the first time, a necessary expansion and very important to European market. In the mean time, the government goal is a new approach to the region and towards the regional countries on their way to integration, in order to make possible a new relationship era between EU and Balkan. It is of specific importance the new policy implemented in region in supporting peace for the simple fact that this is the first year without any apparent conflict in the borders of Balkan countries. Without any doubt this is the right foundation to build the new relations focusing on the increase of the financial investments for the region.

It is obvious that the financial crises has affected the region in general, and the financial resources have been placed in function of overcoming the crisis and in the management of the economy deprived of strong alternative resources. Given this it is hard to imagine a stable progress in the coming decade. This means that the region will be left outside European development road. On the other hand this means that the road to full membership in the EU for all regional countries becomes even harder, not considering here the negative effect that internal contra-reaction might have, in the region generally, because of the long-drawn-out integration process, dictated by the current situation of the European Union today.

One of the main pillars of the regional collaboration should be the regional infrastructure, for the development of which countries such as Kosovo, Croatia, Montenegro and Bosnia have come together in supporting a major project such as “Blue Corridor”, which will connect south Croatia, Montenegro and Albania with what is called the Mediterranean tourism ring, but is assures as well a strategic path for intensive exchange, not only for people, but commodities as well, to assure a stable economical progress.

Secondly, regional rail infrastructure has a special importance not only for the region but for Europe too.

Third, logistic parks or centers and multimodal ports.

Forth, a strong encouragement to diminish the difference between the region and the rest of Europe in the view of digital technology and access in the technology of regional companies.

The second pillar is the energy, energetic provision and its infrastructure. When it comes to these issues we are considered to be in a better position because of being included in TAP project. Still it is of major importance to encourage more investment in this field, which will assure the interconnection of the region and EU into an integrated network of energy, which without any doubt would have a strong influence on the energetic stability in the whole continent.

At last, tourism as a very important service sector and of strategic importance for the economy of the most part of region is another important pillar for the future of this region which assures employment and stable economic prosperity.

Currently Europe is facing two threats, one coming from East and one coming from the south border. The need to find different energy sources was a reality Europe confronted with during the Ukraine crisis and now with the Middle East crises, in this picture Albania and all the region occupies a key position for the fact that Albania is the country where two major geo-strategic projects TAP and IAP will be connected.

The geo-politic situation of Albania is very favorable because of the above mentioned projects, but this gives to Albania important responsibilities in the eyes of all the other international actors not only regional.

Albanians play an important role in keeping and safeguarding peace in the Balkan, as shown with the Kosovo independence. The Albanians play an important role in Macedonia and Montenegro in building and consolidating a multi-ethnic state. The economic factor is very important in a country’s life not only for the people’s welfare but also for the country’s prestige in the relations with the regional countries.

There are many different problematic issues in the Albanian life and most of them should be met as they are conditions to be met in order become member of UE. Freedom of speech in the media, the emergency to fight corruption and reinforcement of the legal power by making it more efficient and independent.

The standards to be meet for the UE integration have been outlined for each country aiming full membership and in the case of Albania assuring the values and democratic standards in the start point, meanwhile fighting corruption, empowering the decision-making institutions, the consolidation of the juridical system by giving more independence and increasing its effectiveness as well as the improvement of health system are the key words for a radical change in the
system and the integration in EU.

References

Lizza, G. (2009) Scenari geopolitici, Milano
Inflation Targeting and Economic Growth: Case of Albania

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Abstract
The purpose of this paper is the impact of the variable "Inflation targeting" in Albanian economic growth over the years. The paper examines the role of inflation targeting on economic growth in Albania for the period 1991-2013, focusing briefly on the performance and the determinants of each of these indicators. The decrease or increase of the Albanian economy has many factors that influence its performance. Econometric tests developed in this paper, shows how this variable was stable and how it has affected the economic growth. Econometric analysis shows that inflation targeting effect economic growth but not the opposite. Inflation targeting and economic growth in Albania have a negative correlation.

Keywords: Inflation targeting, economic growth

1. Introduction
Various authors have made analyzes of inflation targeting regimes that are applied by different countries. So there are no strict rules for the implementation of this regime. This type of procedure can be implemented by developing countries, developed countries, even in countries that do not have well structured economic structures. Albania decided to implement inflation targeting regime because since monetary policy cannot predict the future inflation. Some main benefits of inflation targeting are; understandable by the public, improved automatically; it has high flexibility to deal with high shocks.

Albania is a transit country that faced many problems in developing a stable economy by trying to keep macroeconomic factors stable. One of them is inflation. Starting from 1990, when Albania passed from one regime to other real economic difficulties arisen (Shqipërisë, 2014). Price liberalization in 1992 was followed by inflation rates three-digit level. Stabilization package, implemented since then, proved was effective. In 1995, the decline in economic activity was recovered; the inflation rate fell to 6 percent, while the balance of payments showed signs of improvement. Flowering and the collapse of pyramid schemes in 1996-1997, was a major step back on the path of macroeconomic stabilization. Frequent economic activity brought drop production, while the inflation rate reached 42 percent (INSTAT).

Despite the consolidated performance of the main indicators, Macroeconomic stability is still unconsolidated and the success of monetary policy cannot be considered mature. Monetary targeting regime becomes even more challenging, if the distinction between inflation performance and the performance of the monetary targeting regime.

This paper aims to answer the questions: Is inflation target effective in the economic growth of Albania? If yes, what is the effect measured in quantitative form? What can be said about the direction of causality between these two indices? The methodology used is based on econometric analysis on the time series regression (OLS), which takes into account a structural fracture data. Both sets used are targeted inflation and real economic growth, which are annual data, measured in percentage, and cover the period 1991-2013.

2. Literature Review
Inflation is the most challengeable factor to be kept under control; while economic growth is the main target of every developing economy. According to (Tobin, 1965), inflation has an impact on economic growth, differently known as Tobin
theorem. He states that there exists a positive influence of inflation in economic growth. Hence, there exist a contra effect
or theorem which states that inflation has a negative effect of economic growth (Stockman, 1981). This effect is known as
Stockman effect or anti Tobin effect.

Most economists favor a low positive and stable inflation because low inflation can reduce the "severity" of the
economic recession and the risk of destabilization of the economy (Stockman, 1981) and (Phelp, 1967). High inflation is
unsustainable. This statement is known as the theorem “Friedman”. The theorem shows the relationship between
growth and inflation without including uncertainty, while the second way studies this relationship including both
inflation and economic growth uncertainty (Friedman, 1997), (Phillips, 1958). Most countries use inflation targeting to
bring inflation in low levels. Economists argue if inflation targeting has a positive or negative impact in economic growth.
Recent studies bring mixed effects.

According to (Mishkin, 1990), inflation targeting leads to real economic growth. (Posen, 1997) Made an analyze of
inflation target impact on economy on three countries that used IT as regime for the first time like Canada, New Zealand
and UK. He reached a conclusion that inflation targeting appeared to have a positive effect on economic growth, lowered
inflation in these countries and served to keep inflation under control which was relatively high especially in New Zealand.
Also (Walsh, 2009) found that inflation targeting had lead to a decrease of inflation in the countries that used this regime
and has a better economic performance than the countries that haven’t adopted IT. (Sidrauski, 1967) stated that inflation
has no effect on output.

On the other hand, stated that “there does not exist evidence that prove inflation targeting have influence on
economic growth or economic overall performance. Even concluded that there is no empirical evidence for either positive
or negative relationship. On their study (De Gregorio, 1993) and (Barro, 1995) while analyzing data for 12 American
Countries during 1950-1985, found that inflation targeting have a negative effect economic growth.

(Judson, 1999) And in their cross-sectional time-average regression analyze found that there exist a strong
negative correlation between inflation targeting and income growth. Even there does not exist a theoretical and empirical
agreement about inflation targeting, it is accepted and applied by central banks. According to Albania case, studies made
for the impact of inflation targeting and economic growth are mixed too.

3. Data and Methodology

Being a country in transition, Albania constitutes a challenging case for the application of statistical models. Lack of data,
ongoing structural changes, difficulties in assessing future development of exogenous variables, uncertainties in the
monetary transmission mechanism and the short experience in modeling, constitute some of the main difficulties.

Total variables that are taken for analysis are: inflation targeting (taken as percentage of change in inflation
occurred in certain years from IT) and real economic growth because other variable in the model were invalid. In the
following analysis, inflation targeting is recorded as IT and variable economic growth will be marked as REKV.

As we study the impact of inflation on economic growth model is generalized:

\[ \text{REKV} = \beta_0 + \beta_1 \times \text{IT} + u_t \]

Where:

\( \text{IT} \rightarrow \) inflation targeting as independent variable

\( \text{REKV} \rightarrow \) economic growth as dependent variable

\( \beta_0 + \beta_1 \rightarrow \) slope indicating the change of REKV on average when IT increases one unit

Analyze of the model will begin by studying stationary of variables. Stationary of a series affects the behavior and
its properties (Baltensperger Ernst, 2007). For the test series stationary it is used Dickey-Fuller test. DF assuming
uncorrelated remains was among them. Referring the model:

Building the Hypotheses:

\( H_0 : \delta = 0 \) (equivalent to the existence of unitary root)

The alternative hypothesis: \( H_1 : \delta < 0 \) (time series is stationary)

Table 1: Stationary test for REKV variable

\[ \Delta Z_t = \beta_1 + \delta Z_{t-1} + \sum_{i=1}^{\eta} \gamma_i \Delta Z_{t-i} + u_t \]
Null Hypothesis: REKV has a unit root  
Exogenous: Constant  
Lag Length: 0 (Automatic - based on SIC, maxlag=4)

<table>
<thead>
<tr>
<th>T-Statistic</th>
<th>Prob.*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augmented Dickey-Fuller test statistic</td>
<td>0.886781</td>
</tr>
</tbody>
</table>

Test critical values:  
1% level: -3.769597  
5% level: -3.004861  
10% level: -2.642242

Null Hypothesis: D(REKV) has a unit root  
Exogenous: Constant  
Lag Length: 0 (Automatic - based on SIC, maxlag=4)

<table>
<thead>
<tr>
<th>T-Statistic</th>
<th>Prob.*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augmented Dickey-Fuller test statistic</td>
<td>-5.636833</td>
</tr>
</tbody>
</table>

Test critical values:  
1% level: -3.788030  
5% level: -3.012363  
10% level: -2.646119


From Table 1, results show that the t-statistics observed for the variable REKV is:

\[ t_{\text{observed}} = 0.886 \] which is greater than any critical value shown in the table, therefore H0 is accepted, so this variable is non-stationary.

To turn it stationary differentiate REKV variable, analyzing in the same way variable D (REKV). Test results are provided in the second table. From the t-statistics observed it is shown that: \( t_{\text{observed}} = -5.636 < T_{KR} \Rightarrow H_0 \) is accepted. The series D (REKV) is stationary or REKV series is stationary to order 1.

To assess whether or not the model is stationary, it must be considered if the second variable is stationary: inflation targeting (IT). The test on which we rely is again ADF test and test results are given in the two tables below:

**Table 2: Stationary test for IT variable**

Null Hypothesis: IT has a unit root  
Exogenous: Constant  
Lag Length: 2 (Automatic - based on SIC, maxlag=4)

<table>
<thead>
<tr>
<th>T-Statistic</th>
<th>Prob.*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augmented Dickey-Fuller test statistic</td>
<td>2.632425</td>
</tr>
</tbody>
</table>

Test critical values:  
1% level: -3.808546  
5% level: -3.020686  
10% level: -2.650413


Null Hypothesis: D(IT) has a unit root  
Exogenous: Constant  
Lag Length: 0 (Automatic - based on SIC, maxlag=4)

<table>
<thead>
<tr>
<th>T-Statistic</th>
<th>Prob.*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augmented Dickey-Fuller test statistic</td>
<td>-6.745974</td>
</tr>
</tbody>
</table>

Test critical values:  
1% level: -3.788030  
5% level: -3.012363  
10% level: -2.646119

From Table 2, results that the t-statistics observed for IT is variable:

\[ t_{\text{observed}} = 2.63 > T_{KR} \Rightarrow H_0 \] stands, so this variable appears non-stationary. To turn on the stationary variable differentiate IT, analyzing variable D (IT). Test results are provided in the second table. It is noted that the t-statistic is observed:
$t_{observed} = -6745 < T_{KR} \Rightarrow H_0$ is not true, the series is stationary. Because both series come non-stationary, but with a return time difference stationary so result that both variables are stationary to order 1.

### 3.1 Johansen Cointegration test

Often in economy it is necessary to see if two time series which have a short term relation, are in equilibrium even in long term, meaning if they co-integrate. During the analysis of this test, we must consider the variables:

- **Hypotheses for this test are:**
  - $H_0: r = 0 \rightarrow$ no co-integrating series
  - $H_a: r \geq 1 \rightarrow$ has at least one cointegrating series

<table>
<thead>
<tr>
<th>Hypothesized No. of CE(s)</th>
<th>Trace Eigenvalue</th>
<th>Critical Value</th>
<th>Prob.**</th>
</tr>
</thead>
<tbody>
<tr>
<td>None *</td>
<td>0.639950</td>
<td>15.49471</td>
<td>0.0051</td>
</tr>
<tr>
<td>At most 1</td>
<td>0.167571</td>
<td>3.841466</td>
<td>0.0692</td>
</tr>
</tbody>
</table>

Table 3: Johansen test results

In case where there doesn't exist any cointegrating variable observed = 21.68>. In this case critical trace stat = 15.49$\rightarrow$ so $H_0$ fails, so there exist at least one cointegrating series in long run. Again it is build hypotheses, to see if this connection is stable:

- $H_0: r = 1 \rightarrow$ there is only one series in the long-term cointegrating
- $H_a: r > 1 \rightarrow$ more than one series sin long-term cointegrating.

As a result from statistics trace values in the second row of the table:

- Statistical values observed- trace = 3.30 $< $stat Critical trace $H_0 = 3.84 \rightarrow H_0$ accepted

So inflation targeting variable affects Economic Growth in the short term and in the long term.

### 3.2 Granger test

To test whether an economic indicator cause another test can help us standard Granger causality (Granger, 1988) which tries to determine past value of a variable that help to predict changes in another variable.

**Hypothesis 1:**

- $H_0: IT = /> REKV \rightarrow$ Inflation targeting does not affect economic growth
- $H_a: IT => REKV$ targeted $\rightarrow$ Inflation targeting affects economic growth

Also an economic growth variable assumption is:

**Hypothesis 2:**

- $H_0: REKV = /> IT \rightarrow$ Economic growth does not affect Inflation Target
- $H_a: REKV => IT$ affects economic growth

Table 4: Granger test results

<table>
<thead>
<tr>
<th>Pairwise Granger Causality Tests</th>
<th>Obs</th>
<th>F-Statistic</th>
<th>Prob.</th>
</tr>
</thead>
<tbody>
<tr>
<td>IT does not Granger Cause REKV</td>
<td>22</td>
<td>7.16518</td>
<td>0.0149</td>
</tr>
<tr>
<td>REKV does not Granger Cause IT</td>
<td>0.03044</td>
<td>0.8633</td>
<td></td>
</tr>
</tbody>
</table>

Note: for $p$-value $< \alpha = 0.05 \Rightarrow$ rejected $H_0$

a) To study the impact when the public debt on economic growth, we see from the table that the observed Fisher statistics $F_v = 7.16 > 5 \rightarrow F_{ctxt} H_0$ fails

Inflation affects the variable of economic growth.
The impact of economic growth on inflation targeting variable, results from the table show that the observed Fisher statistics $F_v = 00:03 < F_{critc} = 5 \rightarrow H_0$ accepted.

Economic growth does not affect the inflation targeting variable. With these results it is answered the question of causation response between these two variables. So, according to this test, there exists causality with only one direction, moving from inflation targeting to growth.

3.3 Impulse response

Graph 1: Impulse response

Impulse responses are graphic view that shows the impact of one variable with another with passing time. The graph of impulse responses shows that there is negative relation between inflation targeting and economic growth. This is shown by the inner full line which is slightly IT on economic growth.

4. Conclusion

This paper tasted the relationship of inflation targeting and economic growth and the effect of inflation targeting in economic performance of Albania. Two variables are taken in consideration, inflation targeting as independent variable and economic growth as dependent variable. Results from Johansen Cointegration test shows that inflation targeting effect inflation in short and long term. Granger results show that Economic growth does not affect the inflation targeting variable. From impulse responses it can be concluded that inflation targeting and economic growth in Albania have negative correlation.

References

INSTAT. inflacioni nnder vite. 2014.


The Role of the International Administration in the Process of the State-Building in Kosovo

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Abstract

The purpose of this research paper is to study the international administration in the process of the state-building in Kosovo. The paper will analyze the establishing, running and terminating the international administration in Kosovo. International administration has direct impact on state-building process. International governance in Kosovo is separated in two stages – before and after declaration of independence. This research paper will try to explain the relationship between international administration and local institutions in the process of state-building – the case of Kosovo. Two methods are used in this paper for data collection. First, process tracing theory method. Second, data collection method, through structured questionnaire with respondents from different fields. Conclusion of the paper is that, Kosovo case has shown that the success or failure of an international administration mission depends on the clarity of the establishment, development and its conclusion.

Keywords: International Administration, State-Building, Election, Independence.

1. Introduction

The case of Kosovo has shown that the success or failure of international administration depends on the clarity of the establishment, development and termination.

To argue on this idea, this paper will first present the theoretical framework. Will continue with the context of the international administration in Kosovo, then we will present research results collected through a structured questionnaire, and in the end we will do the analysis of the results.

The methodology of the paper

The main hypothesis of this paper is that, the success of an international administration depends on the clarity of the establishment, development and termination.

This hypothesis consists of two variables. Independent variable is: clarity of establishment, development and termination. Meanwhile, the dependent variable is: the success of international administration. Consequently, the main factor affecting the success of an international administration depends on the clarity of the establishment, development and termination of the mission. The study focuses on the case of Kosovo. The data were collected through two methods. First, the method of process tracing theory. So, the collection of data through the chronological study through the analytical approach. Second, the method of collecting data through a structured questionnaire with respondents from various fields. However, we are focused mainly in specialized respondents in the field of law enforcement and security institutions.

2. Theoretical Framework

In the literature of international administration, there are various explanations for the relationship between the international administration and local institutions in the process of state-building.

Thus, the term "international administration includes a wide range of historical and contemporary experiences. In today presenting is not formal practice or institution in order that the custody of the United Nations or maintaining peace of the United Nations” (Caplan, R. 2005:16). Meanwhile, as part of international administration and direct and indirect aid
of the state building means administration setting based on the authorization of the United Nations, in the service of peace, reconciliation and democratic institution building. (Tansey 2009:).

On the other side, “The term state-building refers to broad international commitment (firstly, but not only through the United Nations) that extends beyond traditional mandates of peacekeeping and its construction, and is aimed at building or rebuilding of government institutions able to provide the physical and economic security for citizens. This includes activities related governance as electoral assistance, technical assistance for human rights and the rule of law, security sector reform, as well as some other ways of development aid” (Chesterman, 2005 :5).

Whereas, with a different meaning, “In simplest formulation, state-building, as understood by the international community since 1990, refers to a series of actions undertaken by national or international actors to reform and strengthen state institutions, which can be weakened or destroyed” (Caplan 2005a). From such a viewpoint, it will be investigated the case of Kosovo.

Also, in the literature there are various explanations why the international administration should be established in a territory. Thus, according to an explanation, “The collapse of governance structures (governance issues) or loss of citizenship elements (national issues), the separation of the territory from the State (East Timor), internal conflicts (Afghanistan, Cambodia, Somalia), disintegration of the state (Yugoslavia-Kosovo and Bosnia, Eastern Slavonia), non-colonialism (Namibia, western Iran) or belligerent occupation of territories (Irak). In these cases, third parties have intervened in some way to accomplish government vacuum, until the respective national institutions can be set from the local populations. (Rüdiger 2005: 649).

Missions of the United Nations in the Balkans, for example in Eastern Slovenia (UNTAES), international administrators have complete executive authority, but only for the purpose of transfer of territory from the control of one state in another state, while the mission involved in the organising of elections were not forced democratic regime development of self-government. In Bosnia, Kosovo and East Timor, new political systems were placed and in each case, international administrators were mandated to oversee the process through direct involvement. So the construction of democratic regimes was an important part of international missions. (Tansey 2009: 11).

3. The Background of Establishing UNMIK Administration in Kosovo

The context of the problem refers to the case of international administration of Kosovo as case study, as before proclaiming independence with UNMIK responsible for civil administration and KFOR responsible for the military administration, as well as after the declaration of independence with the EULEX mission responsible for the safety and security sector.

Until 1999, Kosovo has been in the administration and governance of the former - Yugoslav Federation. By the Constitution of 1974, Kosovo was part of the Federation, but there was no status of Republic. Consequently, in the early 90s, Kosovo did not enjoy the right to self-determination similarly to other former republics, according to the Badinter Commission (Pellet:1992). While, in the republics of former Yugoslavia (Slovenia, Croatia, Bosnia) had started the war, Kosovo continued to follow the course of peaceful setting of its status. This way of acting excluded from important processes because was not considered problematic, compared with republics where war started.

Despite the confrontation with the Serbian authorities, Kosovo Albanians developed parallel structures in education, taxes, as well as parallel political representation. The lack of progress by peaceful lines, and the fact that Kosovo is not addressed in the Dayton peace agreement, caused the radicalization of the young Albanians. In 1996, the Kosovo Liberation Army (KLA) made the first guerilla attacks. This elicited the harsh of Serb party (Simonsen:291-292, Caplan 2005a: 133-146, Lindsey, 2009:10-13 and Tansey 2009: 110-113).

After failing to reach the Rambouillet agreement and refusing to sign it by former Yugoslavia side, NATO undertook 78 days air strike against former Yugoslavia military forces. After this, Former Yugoslavia was forced to give up and sign Kumanova Agreement with NATO. Security Council of United Nation approved Resolution 1244/1999 as basis of United Nation Mission in Kosovo.

UNMIK Mission was installed after a dispute between the Serbian state and the movement resistance of Kosovo

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1 United Nation Mission in Kosovo
Albanians. It was mandated to oversee political and economic reconstruction of the territory. Since establishment, UNMIK played a key role in Kosovo's political transition and used the full available mechanisms to influence and directed democratic development. (Tansey 2009:109)

UNMIK, was established based on Resolution 1244 (1999) of the UN -SC, which provide complex structure consisting of a range of international institutions. The resolution had a number of objectives, including some immediately after the war, as: withdrawal of troops, demilitarization and the establishment of a more secure environment, as well as a number of explicit responsibilities to UNMIK. These were quite broad, ambitious and included: Promoting the establishment of Substantial Autonomy of self-government; Performing basic civil administration functions, wherever required; Organizing and overseeing the development of provisional democratic institutions of self-government; Holding elections; Facilitating the political process designed to determine Kosovo's future status; Overseer the transfer of authority; Support and re-building of key infrastructure and other re-buildings; Support in coordination with international humanitarian organizations of the population; Maintaining order and the establishment and training of the local police forces, at the same time sending international police forces to serve in Kosovo; Promotion and protection of human rights; And securing and creating basic conditions for return and returns of displaced persons.(Tansey 2009: 113 and UNMIK mandate: http://www.un.org/en/peacekeeping/missions/unmik/mandate.shtml)

Whereas, in addition to the responsibilities and competences of UNMIK in Kosovo authorized security presence was NATO, through KFOR presence. The presence of UNMIK, was compiled by NATO forces, which have mandates of supervising the withdrawal of Serbian forces and ensuring a peaceful and stable environment for the local population and international presence in Kosovo. (Tansey 2009:110- 113). Military aspect of Resolution 1244/1999, based on the principles of G-8 foreign ministers authorized the sending of the military forces in Kosovo with main participation of the NATO. (Chesterman 2005:80). During the administration of UNMIK, we had strange division of power which UNMIK has exerted all real sovereignty, including the promotion and development of local self-government. While Serbia and Montenegro exerted formal sovereignty over the territory. (Tansey 2009:113)

Until holding the first local elections of then parliamentary initially, UNMIK was the only governing authority. ‘Only governing mechanism, involving Kosovars was, the Kosovo Transitional Council (KTC). With the intention to include the main ethnic and political groups, designed to provide advices to the Special Representative of the Secretary-General of the United Nations (SRSG). On the other side was also created another higher body, called the Interim Administrative Council (IAC), consisting of Kosovo leaders as substitute of the parallel government created by Kosovo Albanians, who for several years provide basic public services and collect income. This council was empowered to make recommendations to the SRSG, who can accept but also refuse by giving a written response within seven days of the decision differently. (Chesterman 2005:132-133).

UNMIK consisted of a number of international organizations, but with an integrated structure with the leadership and coordination of the SRSG. To facilitate the implementation of the mandate, UNMIK composed of four pillars, each led by different organizations. The first was the Civil Administration led by (UNMIK), humanitarian aid (UNHCR), Institution Building (OSCE), and economic development (EU). SRSG was the main authority, while his four alternates appointed lead the one of the four pillars. Resolution 1244 included five stages of international management. The first had to do with the establishment of the UNMIK administration. Strengthening the administration and its transfer to locals was the second phase, while preparations for the elections were made. Holding elections were the third phase. While the establishment of Kosovo institutions after the elections in the fourth phase. While the fifth phase after defining the status of Kosovo and the transfer of all responsibilities to locals. SRSG had powerful legislative and executive power. Also had power to appointment and dismissal in the civil administration and judiciary,(Caplan 2005b:37-39; Tansey 2009: 113-114; Knudsen and Lausten 2006:65-66).

The transfer of competencies to Kosovo institutions culminated in 2007 with the holding of parliamentary and local elections at the same time. The 2007 elections had led Vienna talks process for defining the status of Kosovo and expected the declaration of independence which was made on February 17, 2007. This was done in coordination with the main countries of the EU and the US, but not to Russia and China as the opposing of the independence. This is also reflected in the acceptance of the Ahtisaari who wanted to pass his proposal to the UN Security Council, but with the opposition of dissenting countries above mentioned with the Kosovo's independence, it did not happen.

After Proclamation of Independence of the Republic of Kosovo on 17 February 2008 (Kosovo Declaration of Independence 2008) by the Assembly of Kosovo and entry into force of Constitution(Kosovo Constitution 2008) in June 15, 2008, the role, responsibilities and powers of UNMIK were reduced in number as well as structure.

According to the report of the Secretary-General of the UN (S2208 / 692) to the UNMIK mission in Kosovo, as well as political situation, among others stated: With the entry into force of the Constitution of the Republic of Kosovo on June 15 2008, the Kosovo authorities have continued taking steps towards statehood. They have created the Ministry of
Foreign Affairs, and opened diplomatic missions. While the new state continued to be known by many states. The establishment of the Ministry of Security Force (MKSF). Also in the process of establishing a state, Kosovo continued to apply for membership in the International Monetary Fund (IMF), World Bank (WB). Kosovo's parliament continues to legislate without reference of the power of the SRSG, based on resolution 1244 (1999) or the Constitutional Framework. (Reports of the Secretary General of the UN: 2008 and 2009). In the declaration of Kosovo independence adopted by Parliament of Republic of Kosovo on 17 February 2008, apart from other things, states that: “We invite and welcome an international civilian presence to supervise our implementation of the Ahtisaari plan and a rule of law mission led by the European Union” (Declaration of Kosovo independence). Also, the statement said: “We invite and welcome NATO to maintain a leading role in the international military presence and to implement responsibilities that are given on the basis of Resolution 1244 of the Security Council of the United Nations (1999) and the Ahtisaari Plan” (Ibid).

4. International Administration in Kosovo After the Declaration of Independence

In October 2008, Serbia had made an official request to the International Court of Justice (ICJ) to give advisory opinion on the legality of the unilateral declaration of Kosovo independence. Fifty countries that had recognized the independence they had submitted in writing their arguments before ICJ. The ICJ advisory opinion, was issued by the court on 22 June 2010, which stated that the unilateral declaration of independence of Kosovo did not violate general principles of international law. International civilian presence to supervise the implementation of the Ahtisaari Plan was made by the International Civilian Office briefly known as ICO. ICO’s mandate was to monitor the implementation of the Ahtisaari Plan. In particular, the ICO was interested in the promotion and protection of minority rights in general and in particular the Serb minority. The head of the ICO has had a dual role as head of ICO and representatives of the European Union. ICO’s mandate ended in October 2012. (ICO, 2012:1-2).

While, the mission of European Union for law and order was made through the EULEX mission. EULEX mission, apart from monitoring and advisory role in the field of order and security, there has also an executive role for several high-profile cases for which it is intended that Kosovo institutions are still not ready to act. EULEX’s mandate was initially set up until June 2014. Meanwhile, after this time, the EULEX mission has continued with almost the same executive powers for more 'sensitive' cases and advisory for several others. Critics estimate that the EULEX mission has failed to handle high-profile cases. Critical voices were reinforced particularly when the Prosecutor of this mission Mary Bameh publicly accused officials of this mission for corruption and bribery; carried out in cooperation with officials of local institutions. Specifically, the EULEX mission has failed to shed light on the allegations of the Swiss Senator Dick Marty about the trafficking of human organs by the structures of the KLA during the war. The judiciary in Kosovo is anathematized after the war by two other powers, from internationals as well as locals. Mandated EULEX has executive powers in sensitive areas such as: Tracking war crimes, Fighting corruption at the highest level and organized crime. Rather than perform the task itself, EULEX has to deal with scandals within the mission for corruption of prosecutors and judges accused from each other for bribery. EULEX has failed completely. The only positive thing is, fear of potential perpetrators to get more attention because they can be pursued by EULEX. The failure of international justice in Kosovo by EULEX and UNMIK even earlier, argues best international demand for creation of the Special Court, which will have the mandate to investigate war crimes. While exactly internationals in Kosovo have also had this responsibility’. (Musliu, B: 2015)

As a result of this failure and other failures in court even though they were initially competence of UNMIK and EULEX then, Kosovo has adopted the necessary constitutional changes to pave the way for the establishment of a Special Court with the mandate to illuminate the allegations for the fate of Serb civilians and other ethnic groups missing during the war in Kosovo.

The Kosovo case shows that non-compliance of the request of the majority citizens of the country and legal basis of the establishment of the international mission, in process creates uncertainty, and as a result the clear vision of where want to achieve. It also helps the creation of tension and suspicion from locals about international administration. As well as the daily work of the decision making international representatives is getting difficult because of the care that must be taken to preserve the spirit of the legal basis on which is set the mission and international balance, as a result of which it is set the mission. This is best shown by the declaration of the SRSG, Bernard Kouchner, who had declared that: “every morning I have to read Resolution 1244, to understand it”. (Caplan, 2005:122-123).

Lack of clarity on the status of Kosovo and the lack of consensus on its future, had negative effects during the government of UNMIK 1999-2008. Also after declaring independence, due to the appreciation of the need for continuing international presence in Kosovo, through the EULEX mission in the field of security and justice with consulting competence and in some more important even executive, it has come as a result of omissions made during the period of international administration in Kosovo. Due to the lack of expected results and according to the mission that had EULEX
has increased dissatisfaction and lost confidence by the citizens of Kosovo. Despite this does not mean that the EULEX mission is utterly failed. Their role especially in consulting and advisory field was and continues to be positive. Because of the desire and determination of the people of Kosovo and other more profiled layers for integration into the European Union and acceptance of the values and the way of functioning of the Western countries, in default way the EULEX is welcome to help in state-building in Kosovo. This is verified by the local people interviewed in the field of security and justice. They despite criticism for their failure, evaluate their help at least for self-confidence and realization of specific missions.

According to the survey conducted with profiled persons and with knowledge about the processes and in particular for EULEX in Kosovo, the answer into six questions was as follows:

![Figure 1.](image1)

![Figure 2.](image2)

Source: Data collected by the authors.

**Figure I.** Of all the institutions in Kosovo, order and security institutions have failed mostly to be consolidated and strengthened after Kosovo's independence.

These data from **Figure 1**, best argue that most of our respondents involved in the survey, average agree with the conclusion that the institutions of law and order in Kosovo, compared to all other institutions have mostly failed to consolidate and strengthen. Are exactly the order and security institutions that are managed and administered jointly by locals and internationals after independence until now. While other institutions which are guided only by locals have achieved various successes in the process of state building: some of them are operational and fully functioning, while other institutions still do not have their functions in full capacity.

**Figure II:** The main reason for this failure refers to the fact that institutions of law and order have split the powers with the EULEX mission (division of sovereignty)?

Whereas from **Figure 2**, however, the majority of respondents did not think the blame for this failure is the fact of sovereignty divided between locals and international in the field of safety and security. So even though the respondents consider that the institutions of law and order have failed most compared to other institutions, and despite the fact that the institutions of order and security have shared powers with internationals, respondents do not think that, the failure refers to the division of competencies or leadership and management together between locals and internationals.
Figure III. The EULEX mission has failed because officials of the mission did not recognize the land, the environment, and culture of the local population?

The answer in the figure III: The majority of respondents disagree with this statement. However, on average agree 32 percent and 14 percent completely agree, indicating that though in the practice of international administrations, administrators because they did not know the land, the environment and culture of the local population, fail to carry out its mission and objectives. So, management and governance in framework of the international missions in most cases do not have enough time to socialize with the culture and tradition of the people of those territories; international missions deployed quickly and without having the necessary time to plan their activities.

Figure IV: Order and security Institutions in Kosovo would be strengthened more if it would not be the EULEX mission in Kosovo

The answer to the question IV: Despite the majority of respondents agree that the institutions of law and order have failed most notably in comparison with all other institutions, the majority of respondents did not agree with the conclusion that the institutions of law and order in Kosovo will be strengthened more if there was not EULEX mission. So, the respondents still see the role of the EULEX importance in the process of strengthening the institutions of law and order.

Figure V: Order and security situation in Kosovo is the same, even worse than before placing EULEX mission for order and security?

Regarding to the question V, It has an undefined opinion and not dominated, with an approximate answer. Despite this, by the analysis of responses for and against, with the deployment of EULEX in Kosovo, the situation has not changed dominates 67 percent of the total responses. While disagree the rest. This indicates a negative assessment of the EULEX results.

Figure VI: Do you think that after the departure of EULEX order and security situation in Kosovo will be improved?

From the answers to the question VI, the result is that 53 percent of respondents think that in the period after EULEX would not have improvement of the situation in this field. While the rest of 47 percent think it would improve the situation.

5. Conclusions

From what was said above it can be concluded that, Kosovo case has shown that the success or failure of international management depends on the clarity of the establishment, development and termination.
Initially the success of UNMIK mission was great and respectful. As time passed, and the transfer of powers to local institutions, as well as delays in economic development and high unemployment, the dissatisfaction of the citizens of Kosovo increased to UNMIK. This dissatisfaction culminated in the riots of March in 2014. Dissatisfaction consisted of two components: the situation of social and economic difficulties of the citizens and the lack of clear political status. As a result of this, a new format of the international negotiations, the finalization of which is known as 'conditional independence' (proposal of Martti Ahtisaari). With the declaration of independence of Kosovo in coordination with the international community, but without the support of Russia and China to an extent, resolution 1244, although only formally remains in force. This has resulted even with obstacles in the normal path of Kosovo in terms of recognition.

From research conducted with respondents who are experts on the field of order and security, despite the fact that they accept that the international mission have contributed to the consolidation of institutions in the emergency phase and maintain stability in the country; They have failed to be consolidated and strengthened in comparison with the expectations and needs of Kosovo. UNMIK failed in Kosovo because there was no clear political mandate: it was not known which would be the political status of Kosovo after the end of mission. EULEX is very close to capitulation because there has also not a clear mandate, swung between the mandate for the provision of assistance in the field of order and security, and executive powers. When EULEX failed the fault remain to the locals; the successes attribute to themselves. Similarly, when the judiciary fails in Kosovo fault remaining to EULEX; the successes attribute to themselves. So there is no clear placement, development, and termination. It remains to be seen what will happen with the Special Court; although viewed chronologically, the tradition of international missions in Kosovo leaves little to be desired.

References


Kosovo Constitution: http://www.kuvendikosoves.org/?cid=2,100,48


ISSN 1353-3312/1743-906X onlineDOI:10.1080/135333104200237283 # 2004 Taylor &Francis Ltd.


Approaches Affecting Current Account in the Balance of Payments

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Abstract

This paper tries to elaborate on difficulties and challenges of the Western Balkan countries, that all seems to have problems with regard to the sustainability of their current account. After providing some insight about main approaches used for analyzing the balance of payments in general, this paper focuses on outcomes of variety of crisis and it tries to give some understanding on key elements that influence the balance of payments stance. Current account deficit seems to be attractive for analysis for quite some time and in that regard we find variety of approaches used. The paper provides brief information on methodologies used by different authors in attempting to answer the question about essential drivers of the developments in the current account.

Keywords: Balance of payments, approaches in assessing current account deficit, financial account, financing.

1. Introduction

The balance of payments reflects in the best way the quality of a country's economy in particular towards the outside world.

In order to evaluate the problems of the current account deficit to Kosovo, these research objectives will be taken into consideration:

- To understand the nature, history and the importance of current account problems in Kosovo;
- To present a clear understanding of the major problems that cause the deterioration of the current account deficit;
- To make a review of the current account deficit;
- To present the importance of capital inflows from abroad in Kosovo;

Based on these analyzes to draw conclusions and recommendations to mitigate current account deficit in Kosovo.

2. Theoretical Framework

The current account balance measures the evolution in net foreign assets in the economy as a result of economic relations between resident and nonresident entities. In this context, all authors emphasize specifically the importance of identifying the level of sustainability of the current account deficit.

One should be careful when analyzing the current account deficit especially with regard to the call for introduction of certain policy changes. In other words, the current account deficit maybe an outcome of temporary external shocks and in this case it will not require significant policy changes that are necessary for example in the case when the deficit is an outcome of continuous foreign borrowing or reduction of international reserves.

Having said that we see that the question of sustainability of the current deficit remains as an multifaceted issue that can not be solved through a simple answer.

The concept of sustainability of the current account balance is very complex and there is no simple answer to the question.

What is the level of the sustainable of current account deficit. By Roubini and Wachtel (1998) “There is no simple rule that can help us determine when a current account deficit is sustainable or not”, because what is sustainable for one country, might not be for another. In other words, current account sustainability depends on a country’s specifics. i.e: Roubini and Wachtel (1997) explicitly analyzed the sustainability of the current account in the transition countries where they concluded that the analysis of the the CA's imbalances is not easy because of the problem that has concerns with:

Lack of appropriate data and reliable (especially those that have to do with national accounts, movement of capital, etc.), on the other hand.
Difficulties in interpreting the data as a result of more rapid development of these countries. Modern literature on the sustainability of the current account deficit is strongly influenced by the theoretical work of Milesi-Ferretti and Razin, who consider the current account deficit to less sustainable if they are high in relation to GDP if they are due to lower domestic private savings than investment activities, and if they are accompanied by a low level of national savings.

Milesi-Ferretti and Razin (1996), who point out that “current account deficits above 5% of GDP should draw attention, particularly if the deficit is financed by short-term debt or by foreign exchange reserves, and if it reflects high consumption spending”.

Milesi-Ferretti dhe Razin (1996), Roubin & Wachtel (1998) suggest that, to analyze the sustainability of the current account deficit, it is necessary to consider these factors: the cause of the current account deficit, structure of current account, structure and volume of inflows of foreign capital, the level of economic growth, assessment of real exchange rate, structure and level of external debt, the level of foreign reserves, financial system stability, openness of the economy, macroeconomic and political stability and global factors.

The current account deficit is a useful signal to policy makers and throught policy measures to seek to induce changes to the current account balance.

For assessing the concept of sustainability of current account, have been developed different approaches. In addition, the views of economist about the consequences of the current account deficits have changed through i.e. Edwards (2001), in the area of the views important changes of economists on the subject: from “deficits matter,” to “deficits are irrelevant if the public sector is in equilibrium,” back to “deficits matter,” to the current dominant view “current deficits may matter.”

Many of the changes have resulted from important crisis situations in advanced and emerging economies. Edwards, (2001) concludes for the large current account deficits, highlighting that the evidence provides a rather strong support for the view that, from a policy perspective, those deficits should be a cause for concern, only when there is a large current account deficit a crisis can take place.

One of the approaches analyzes the sustainability through the inter-temporal budget constraints. Thus, a deficit in the current account is the result of a balance between domestic savings and investment which reflect the increased activity of the investment which exceeds domestic savings or with growth consumption, which results in the accumulation of debts that cannot be managed carefully.

According to these models given by Obstfeld and Rogoff, the current account depends on deviations of the output, consumption, government spending and world interest rate from their “permanent” levels, as well as of the country’s net foreign asset position.

A drawback of these models is that they failed to give a national explanation for the current account behavior. It should be noted that the calculation of the sustainability of the current account deficit has some limitations.

3. Measurement of Current Account Deficit for Western Balkan Countries

In the case of Western Balkan countries the main cause of the current account deficit appears to be the deficit of the foreign trade balance, as can be seen in the table 1. A deficit in the current account is considered less sustainable if it is a consequence of the deficit of the balance of foreign trade, and high trade deficits point to the existence of serious problems of competitiveness of the economy, and the insufficient inflow of foreign currency into regular basis to face export activity that comes to the submission of the question in relation to the country’s ability to service external debt in the future. After the liberalization of foreign trade, Kosovo is facing with a permanent trade deficit, which reflects the lack the competitiveness of it’s exports. Furthermore for sustainable economic development in the future period Kosovo needs healthy economic growth based on increased levels of investment and productivity.

Table 1. Structure of the total account for Western Balkan Countries

<table>
<thead>
<tr>
<th>Period</th>
<th>Current Account</th>
<th>Goods</th>
<th>Services</th>
<th>Primary Income</th>
<th>Secondary Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>-13136.91</td>
<td>-21350.43</td>
<td>1247.85</td>
<td>-366.30</td>
<td>6978.92</td>
</tr>
<tr>
<td>2009</td>
<td>-5834.93</td>
<td>-16066.46</td>
<td>1994.22</td>
<td>-108.94</td>
<td>7936.89</td>
</tr>
<tr>
<td>2010</td>
<td>-5206.73</td>
<td>-15254.11</td>
<td>2109.31</td>
<td>-591.91</td>
<td>8059.16</td>
</tr>
<tr>
<td>2011</td>
<td>-7585.90</td>
<td>-17275.07</td>
<td>2585.27</td>
<td>-1274.21</td>
<td>7903.06</td>
</tr>
<tr>
<td>2012</td>
<td>-7059.20</td>
<td>-17421.12</td>
<td>2710.74</td>
<td>-990.30</td>
<td>8152.11</td>
</tr>
<tr>
<td>2013</td>
<td>-4840.05</td>
<td>-15046.36</td>
<td>2772.54</td>
<td>-1159.91</td>
<td>8129.19</td>
</tr>
</tbody>
</table>

Source: Based on data obtained from the web sites of the central banks, in millions of euro.
In Kosovo the high level of imports is the main feature which results in a high trade deficit, then the primary incomes and secondary incomes what means that here the main role have remittances that contribute directly to the degree of coverage of the current account deficit and it is about a higher sensitivity of the sustainability of the current account from level of remittances, while at the financial account exists high dependence from foreign direct investment.

Figure 1. Contributions to Kosova’s y-o-y growth rate by expenditure (percentage points)

Figure 2: The relation between gross capital formation and current account deficits for Western Balkan Countries Source: Author’s calculation based on online data from Unctad, World Bank & IMF.

Due to the savings income still low, the gross capital formation in the countries of South-Eastern Europe is financed partly from foreign sources of capital (foreign direct investments and financial investments). It is clear from Figure 1, which shows that an increase of 1 percentage point of GDP in gross domestic capital is financed by foreign capital at the rate of 44% (which means 0.44 percentage financed by foreigners. If we refer to literature, before the global crisis the part of financing from foreign gross capital of these countries it was significantly higher and amounted to 77%.

Figure 3: The Savings, Investment and current account balance, as % of GDP
Source: Author’s calculation based on data from Kosovo Agency of Statistics & Central Bank of the Republic of Kosovo.

4. Conclusion
Kosovo’s economy continues to be highly dependent on the flow of revenues in the account of BP and the capital, especially the income generated by kosovars living abroad (remittances, travel services, FDI diaspora).

The above mentioned categories represent the main sources of funding used to import, then financial development and to generate economic growth.

The risk of trade deficit for the economic stability of Kosovo is elaborated in other studies such as Korovilas (2002) which underlined the need for the use of local resources and the growing export of Kosovo.

Reliance on exports of natural resources and / or goods processed as raw materials can not guarantee the reduction of the gap in the trade balance, respectively unable to ensure the sustainability of this balance and increase productivity and thus of new places of work.

In essence, a diagnosis fairly detailed economic growth and employment policies we can find in the paper of Sen and Kirkpatrick (2011) which elaborating in the Kosovo case call for improvements in the cost and access of financing, then that of exploiting the benefit of the public good and especially necessary improvements regarding the rule of law.

References


One of the most significant works of Kristoforidhi is the "Grammar of Albanian language". The author published this work in Greek ("Gramatiq’tis Alvaniq’s Glo’sis), in 1882, in Istanbul. Albanian grammatology actually had very good traditions in this respect, but if we would refer to the linguist Shaban Demiraj, following the grammar of De Rada, the grammar of Kristoforidhi is the second grammar of the Albanian language, written and published by an Albanian, and the best work of this kind written hitherto by foreign scholars (Demiraj, 2002 p. 42).

In his Albanian Grammar text, Kristoforidhi describes in detail the Albanian morphology. Given the intention to not draft a simply educational grammar and to raise the Albanian language at the same scientific level as the most advanced languages in Europe, the Grammar of Kristoforidhi has the appearance of a linguistic manual in which the morphological structures of Albanian Language appear and is supported by numerous linguistic facts and diverse examples provided in both Albanian dialects (Karapinjalli, Stringa, 2002, p. 213).

Although it is generally a descriptive grammar, it is designed on sound theoretical grounds that permeate it from the beginning of the treatment until the end. This linguistic theory is revealed in the systematic submission of all factual language material, including from time to time even the numerous explanatory notes of the author himself.

In his work "Grammar of Albanian language", Kristoforidhi distinguishes these lexical and grammatical categories: junction, name, surname, numerator, pronoun, verb, adverb, preposition, conjunction and exclamation; the verb chapter is ranked as the most important one of the whole study. A full presentation of Albanian verbal system is done in this chapter, pointing out commonalities and specificities of dialects and forms of Albanian taken into consideration. There are many tables regarding the conjugation of verbs including separate conjugation of verbs “to have” (kam) and “to be” (jam).

Kristoforidhi aimed the complete description of the verbal system of Albanian language, but according to the linguist Shaban Demiraj: “Kristoforidhi has done an even greater work, though not always written” (Demiraj, 2002 p. 46).

If we focus on the totality of verbal forms that he uses, if we refer to the Albanologe Wilfried Fiedler, we find in Kristoforidhi’s work three types of verbal forms and combinations thereof:

1. The form identifiable through endings, ie. synthetic form.
2. Analytical form, formed by a synthetic form of an auxiliary verb and a form or several uncompleted forms.
3. Analytical forms, which are formed at least by a particle and a form of type 1 or 2.

With regard to the first type there is no difference. Differences arise only by the fact that the respective author recognizes as forming-form the various combinations of auxiliary verbs with unfinished elements as well as the various particles (Fiedler, 2002, p. 36).

In addition to verbal forms used in this chapter, of special interest is the treatment of mood, tense and the diathesis (active and passive voice) of the verb. Kristoforidhi distinguishes the following moods of verbs: indicative, subjunctive, optative, imperative and participle. With the exception of the participle, which is no longer treated accordingly, the other moods match the today's lingual thinking. The merit of the author for a long time, just as later treated by S. Frashëri, is that he does not treat the admirative and conditional as separate moods, but presents those as respective tense forms of indicative mood (conditional and admirative) and subjunctive mood (admirative) of the verb (Karapinjalli, Stringa, 2002, p. 217).

The problem of recognition or non-recognition of these separate moods has been and remains the subject of discussion even today in Albanian linguistics. Referring to Kristoforidhi, various linguists have expressed different opinions regarding the problem in question, however, the most recent linguistic opinion is closer to Kristoforidhi’s opinion for not recognizing the conditional mood as a separate mood (Karapinjalli, Stringa, 2002, p. 217).

Inclusion of conditional forms in the indicative mood, apparently, was made by Kristoforidhi, given the same forms that they have (Compare: the past future tense of indicative mood do të punoja and the past perfect tense of indicative mood do të kisha punuar, with the present tense of the conditional mood do të punoja and the perfect tense of the
conditional mood *do tê kërkuekësha punuar*, as well as by modal meaning of the feasibility of both tenses of the future. Therefore, the author is vindicated for treating similar forms in a single mood and not in two different moods (Karapinjalli, Stringa, 2002, f. 217-218).

Inclusion of tenses forms of admirative mood in the indicative mood was done by virtue of the modal meaning of the authentication which is the same for both moods, while the inclusion of tenses forms of admirative mood, even in the subjunctive mood, is done given the same grammatical form.

Regarding the grammatical category of tense we should point out the large number of tenses forms of the indicative and subjunctive moods. Just mentioning here 6 future tenses of admirative mood (the author includes these tenses in the optative mood): *do tê kërkuekam* (sudden present tense), *do tê kërkuekësha* (sudden imperfect tense), *do tê pasëkam kërkuarë* (sudden perfect tense), *do tê pasëkësha kërkuarë* (sudden pluperfect tense), *do tê pasëkam pasë kërkuarë* (sudden pluperfect progressive tense) dhe *do tê pasëkësha pasë kërkuarë* (sudden perfect progressive tense).

Any of these forms of admirative mood and, precisely, the form of the type *do tê kërkuekam* appears even nowadays, although in a limited use. This verbal form, as also noted by E. Lafe, is a linguistic fact of Albanian language and has place in grammar (Karapinjalli, Stringa, 2002, p. 219).

We believe that Kristoforidhi must have encountered other forms of admirative mood in the linguistic reality of the time, which are considered by Sh. Demiraj as analogical and irregular formations. A linguist as Kristoforidhi, who knew Albanian in its wealth of vocabulary and grammatical forms as hardly anybody, can not invent non-existent forms. Let us not forget that S. Frashëri also used later in his grammar some of these verb forms of admirative mood (Karapinjalli, Stringa, 2002, p. 219).

Among his valuable contributions in this part of his Grammar we can mention the distinction of the present tense and the imperfect of indicative mood in indefinite and definite tense (*kërkoj, kërkëja*) and (*po kërkoj, po kërkoja*). He adds therein that the definite meaning of these two tenses can be also expressed with analytical forms such as *jam duke kërkuar, isha duke kërkuar*. (He calls these periphrastic forms respectively "present emphatic" or "imperfect emphatic").

This classification made by Kristoforidhi is fully supported by the linguists as M. Karapinjali and R. Stringa agreeing with the recent verb division of indicative mood (but also of admirative mood) based on specific grammatical forms, as well as their respective meanings, properly considering him as the first linguist who has pointed out this phenomenon of Albanian language (Karapinjalli, Stringa, 2002, p. 219).

As also noted earlier, Kristoforidhi distinguishes the verbal forms that express an unexpected or sudden action. The same thing is also mentioned by Dozoni (Çeliku, 2009, p. 121), but Kristoforidhi has systematically treated these verb forms, now treated as specific forms called admirative mood. Kristoforidhi treats them more widely than they are treated today in the subjunctive and indicative mood and in the future tense, also citing forms wich were and still are not in use (Çeliku, 2009, p. 121).

Regarding the tenses of the indicative mood, whether for active and passive conjugation, Kristoforidhi has been rightly recognized the following forms: present and imperfect indefinite tense (*punoj, punoja*), present and imperfect definite tense (*po punoj, po punoja*), present and imperfect continous tense, emphatic, according to the author (*jam duke punuar, isha duke punuar*) (Karapinjalli, Stringa, 2002, p. 219).

He presents the following indicative forms: *kërkuaqam* (present), *kërkuaqësham* (imperfect), *pasëkam kërkuarë* (perfect), *pasëkësham kërkuarë* (Subjective, past perfect), *pasëkam pasë kërkuarë* (second conjuction), *pasëkësham pasë kërkuarë* (past perfect).

He presents the following future forms: *do tê kërkuaqam* (future), *do tê kërkuaqëshe* (imperfect), *do tê pasëkam këkururë* (perfect), *do tê pasëkëshe këkururë* ( future perfect), *do tê pasëkam pasë këkururë* (second conjuction ), *do tê pasëkëshe pasë këkururë* ( future perfect).

He presents the following subjunctive forms: *tê kërkuaqam* (present), *tê kërkuaqësha* (imperfect), *tê pasëkam këkururë* (perfect), *tê pasëkëshe këkururë* (subjective, perfect), *tê pasëkam pasë këkururë* (subjective past perfect), *tê pasëkëshe pasë këkururë* (subjective past perfect).

Regarding the optative mood, the author presents only the present tense (he considers this as the future tense), eg. *kërkoj* and he does not recognize the imperfect tense. Apparently, the author considers the present as the future, given the meaning of the future that the optative present has. The rejection of the optative imperfect tense by Kristoforidhi, according to Karapinjall and Stringa, should be explained by its very rare use to express desire of the past actions (Karapinjalli, Stringa, 2002, p. 219).

Kristoforidhi does not recognize any tense for the imperative mood. In the imperative conjugation, he presents only the second person singular and plural. Various researchers have raised a question, regarding the treatment of the imperative mood by Kristoforidhi, which necessarily requires an accurate and well argued answer.

Does Kristoforidhi devise admirative forms that have not been appeared ever before in Albanian? A response on
this question is provided by the researcher Remzi Përnaska who, following an extensive research about this phenomenon, states: “I hasten to give my answer: No, Our distinguished linguist has not devised any form of admirative mood presented in his Grammar. Because: to better understand this, the shortest route is on the one hand, to understand the linguistic opinion of Kristoforidhi, and we should not observe only the admirative mood in this respect, but it should be observed the whole verbal system presented by hte author, and further, should be observed the whole Grammar and his deeds and, on the other hand, we should confront the forms that he presents not only our linguistic sense, but, and this is the foremost, the data of Albanian language itself” (Përnaska, 2002, p. 93).

First of all it would be appropriate to see what Kristoforidhi himself states about admirative mood based on his verbal opinion: He does not call it a mood but a tense: “The siple tenses of Albanian language are as follows: present tense, imperfect tense, sudden present tense, sudden imperfect tense and simple perfect tense.... Whereas the moods are: indicative, subjunctive, imperative, causative and participle...” (Përnaska, 2002, p. 93-94).

The first who noticed that Albanian language has admirative mood is Ogyst Dozoni, who determines thus the two forms: the present tense and the imperfect tense: “These two tenses have a very special meaning such as awe, admiration, surprise, sometimes ironically...” (Përnaska, 2002, p. 94) and there he adds: “Kristoforidhi marks those with unexpected sudden epithet”.

Indeed, Kristoforidhi determines thereby the grammatical sense of admirative mood:

“The sudden present tense indicates that the subject is already available without recognizing it, eg.: fjetëkam= sleep without knowing.... The sudden imperfect the subject is already available without recognizing it, as long as it was done, or was getting done something: ex.: fjetësëhe = I slept without knowing” (Përnaska, 2002, p. 94).

According to Përnaska, it should be noted that the edge of Kristoforidhi is neither admirative of Dozon, nor admirable of Sotir Peci the one that we still use today. He uses the edge unexpected which is closer to the edge of Sami Frasherë who considers the admirative forms as sudden. As it is seen, along with Sami we better understand the grammatical sense of admirative mood. This issue constitutes the Achilles' heel of the grammatical sense of admirative mood (Përnaska, 2002, p. 94).

In the system of verbal forms provided by Kristoforidhi, according to the linguist R. Përnaska it is noted a "symmetry", or as it can be called by some other linguists, symmetry found elsewhere in this Grammar. However, regarding this he would prefer to speak of a "linguistic architecture" present in this Grammar, architecture that appears quite clear in the admirative forms listed by him. Moreover, continues his idea the researcher, architectonic system of Kristoforidhi is not far in spirit from that of Gustav Gijomi. Kristoforidhi exclude from the architecture of simple tenses the simple perfect, from the compound tenses . (Përnaska, 2002, p. 95).

Emil Lafa, one of the best connoisseurs not only of admirative mood problems of Kristoforidhi, but also admirable mood in itself, formulates in this way his position: “The four other forms (R.P. të pasëkam pasë, të pasëkeshe pasë pasë, do të pasëkam pasë pasë, do të pasëkeshe pasë pasë of Kristoforidhi) have never been recorded and heard anywhere. Are nothing but inventions of Kristoforidhi, who, considering the admirable forms as variants of indicative and subjunctive, devised for each form of these two moods a respective admirable, regardless of use” (Përnaska, 2002, p. 95).

Meanwhile, the linguist Përnaska considers the Lafa’s formulation as slightly accelerated regarding these forms which “...they have never been recorded and heard anywhere, nothing are but inventions of Kristoforidhi...” According to him, the same as the over-compound forms of indicative and subjunctive, these forms are “rarely” used, because certain conditions of an order in the past are necessary, mainly in the compound sentence or in the passive voice (it is not occasional the fact that Kristoforidhi adds them the adjective e përparme (front)). Therefore, it is not the form which is "rare", but the scope in which it is used. The linguistic sense of one or another linguist for one or another system of forms is not a decisive argument. Inventions of Kristoforidhi are also considered other forms, for which "linguistic sense" of one or another author has been decided to be kept on their grammar or should not be written at all and kept as non-existent. Therefore, the last author after Kristoforidhi and Sami who writes for the admirable form of the present tense (do të hapkësha) and past tense (do të pasëkesha hapur) of the conditional mood, is Gjergej Pekmezi (Përnaska, 2002, p. 96).

On the other hand, Emil Lafa also acknowledges the fact that “…this form is possible, from the standpoint of the language system, because past perfect tense of “subjunctive-admirative” të pasëkesha vajtur is linked to do të kem vajtur, which is fundamental and is used in the language. Further, he continues his opinion in this way: “Obviously, reasonings are made by immanentism of the system, whereas the results by use, by "reality" (Përnaska, 2002, p. 96). And it is observed even better on the reasoning made to say that the perfect tense of the conditional-admirative, pointed out by Kristoforidhi, is not in use to the same extent as the perfect tense of subjunctive-admirative të paskam vajtur which is in its foundation (Përnaska, 2002, p. 96). Therefore, according to Lafa we have this impossible double composition: do (të paskam vajtur). And here is how he supports his opinion:
Given this line of reasoning, he further follows his opinion, we go to the conclusion that “Kristoforidhi has pointed out admidative forms for four subjunctive tenses: të pasëkam, të pasëkeshë, të pasëkam pasë, të pasëkeshë pasë, at a time when Sami Frashëri rebuked Kristoforidhi keeping only the imperfect and past perfect tense. Apparently, the present tense is not used in this way and the past tense is not used today” (Përnaska, 2002, p. 96).

Before we close this chapter on verbs, we consider reasonable to briefly mention his opinion for the diathesis of the verbs (active and passive voice). In the Grammar of Kristoforidhi is not mentioned the term “diathesis”, but it comes to the active and the passive voice of the verbs. The author uses the term “passive” in the sense of “passive voice” In this Grammar he mentions the term “medial”, he even provides the conjugation of two verbs: gjen (which is not medial) and duket.

As it is seen, according to Kristoforidhi, the verbs in terms of diathesis are grouped into three groups: active verb, passive verb, medial verb (Karapinjalli, Stringa, 2002, p. 220).

Regarding the verbal chapter, we present another note that refers to admidative form, for which Dozon points out that “Kristoforidhi determines them with the epithet aprosdokétés “anticipated, unexpected”. This last note of Dozon makes it even more clear the fact that in 1874 Kristoforidhi either had completed, or was compiling his grammar, where he widely describes the admidative forms, calling them aprosdokétés (Demiraj, 2002 p. 44).

In this short presentation we tried to reflect in general some linguistic approaches which appeared significant to us and which are present even to this day.

However, at this point it is worth to express the position of the linguist Sh. Demiraj which states: “We can affirm that Kristoforidhi with his good linguistic preparation managed to distinguish clearly that in Albanian language there are also special verb forms, through which it is expressed the attitude of the speaker (amazement dissent, irony, etc.) to an unexpected and unusual action. As it is already known, in this case we are dealing with characteristic Albanian verbal forms which are formed as a result of an internal development of the Albanian language” (Demiraj, 2002 p. 47).

Actually, we should also record that some of the approaches that are reflected in the Grammar of Kristoforidhi have continued and have become also part of subsequent authors and grammars.

In conclusion we wish to emphasize that the Grammar of the Albanian language” of Kristoforidhi is a rich source of information not only for grammarians, but also for dialectologists, historians of language, etymologists, etc., who in the future should also be referred to his work which constitutes an invaluable treasure of the Albanian language.

Conclusions

“Grammar of the Albanian language” of Kostandin Kristoforidhi constitutes one of the most important works for Kristoforidhi and in meantime most valuable for the Albanian linguistics. If we compare the Grammar of Kristoforidhi with the present linguistic opinion it results that in general we have a line of approaches associated with various phenomena in the grammatical aspect in their most significant part. This is evident in the same order of parts of speech, in their almost equal number, as well as in their respective categories. In this text, chapter by chapter verb constitutes one of the most extensive and most prominent chapters even by today’s linguists.

If we focus on the linguistic treatment of Kristoforidhi on the lexicon and grammatical category of the verb, some innovation and valuable approaches result relating the Albanian language the Albanian and Grammatology. His values and contributions appear at these aspects:

- Kristoforidhi distinguishes the following verb moods: indicative, subjunctive, causative, imperative and participle. With the exception of the participle, which is no longer considered accordingly, the other moods comply with the last linguistic opinion.

- The merit of the author since long time ago just as later treated by S. Frashëri is that he does not treat the admidative and conditional as separate moods, but presents those as respective tense forms of indicative mood (conditional and admidative) and subjunctive mood (admidative) of the verb. The problem of recognition or non-recognition of these separate moods has been and remains the subject of discussion even today in Albanian linguistics. Referring to Kristoforidhi various linguists have expressed different opinions regarding the problem in question, however, the most recent linguistic opinion is closer to Kristoforidhi's opinion for not recognizing the conditional mood as a separate mood.

- It is distinguished in Grammar the present tense and the imperfect tense of the indicative mood in definite and
indefinite tenses (kërkoj, kërkoja) and (po kërkoj, po kërkoja).
For the present tense and the imperfect tense of the indicative mood, either for the active and for the passive voice, Kristoforidhi has been distinguished the following verb tenses: present and imperfect indefinite tense (punoj, punoja), present and imperfect definite tense (po punoj, po punoja), present and imperfect continuous tense, emphatic, according to the author (jam duke punuar, isha duke punuar).
- An important and highly controversial issue related to admirative forms reflected by Kristoforidhi. He determines thereby the grammatical sense of admirative mood: "The sudden present tense indicates that the subject is already available without recognizing it, eg.: fjetëkam= sleep without knowing... . The sudden imperfect the subject is already available without recognizing it, as long as it was done, or was getting done something: ex.: fjetkëshe = I slept without knowing.
Based on linguistic approaches that permeate this chapter and the Grammar itself as a whole, it must be said that Kristoforidhi and his linguistic concepts have been and will remain a very valuable stone for the Albanian linguistics.

References
Social Status and Public Spaces

Gazmend Abrashi, PhD.c

Abstract

Achievements and perfection of digital communications have brought us new challenges regarding to how we can and should use this communication, until to which limits it has to be used. From this starting point can reach up to the issue of public space, up to her what we mean by public space, public space intellectual understanding, which is a product of the human minds. However, for many media scholars and theorists of social sciences, the theory of Jurgen Habermas's public sphere may seem that early aging. In his famous study, Structural Transformation (1989/1962), Habermas builds his model on the development of bourgeois society of 17th century and 18th in Europe. Based on this context, it suggests the formation of a space, which was conducted primarily between the economy and the states, where people can be informed and be able to discuss, in order to come up with decisions and act on those decisions.

Keywords: social, status, public, spaces, communications, challenges, intellectual, media, products, human.

1. Theoretical Framework

Making a review of the flow of events intellectual activity the human, in terms of time, first of all we had the script, then the development of the press (the press means all sorts of publications, including the types of publications in this century). The next most important development in the process of development of communication is digital communication, which has broken the barriers that existed, using two earlier developments in the field of communications. Arrival and përsoshmëria digital communication has brought us new challenges to how we can and should use this way of communication, to which limits should use it, what are the positive and which are negative? From this we come to the issue of public space, up to her what we mean by public space that surrounds us, understood the intellectual public space / publicity which is a product of the human mind. No doubt that the development of media on the surface strongly with the public, it aimed at all agency-factors and so itself as konglamerat represents an agency-factor unstructured. But be given that long, even first had an approach, which supported by Habermas that the public by a social category historical, dictated by these dynamic processes, developed in public opinion that represents, in fact, a political-philosophical categories.1

For Habermas, bourgeois public sphere was basically formed by the values of the elite dialogue. Printed in major magazines, oriented in the form of dialogue or rather in the form of editorial. However, many media scholars and political scientists, the theory of Jurgen Habermas's public sphere may seem at the beginning of aging, when one considers the landscape of television in Europe or elsewhere. In his famous study, the structural transformation of the public sphere (1989/1962), Habermas builds his model of bourgeois society on the development of 17th-century and 18th in Europe. Based on this context, it suggests that a space was formed afterwards and realized between the economy and the states, where people can be informed and discuss, in order to form decisions and act on those decisions.

The instruments of this area were: newspapers, books, salons and societies where debate on a relatively unique arena eg Church and State or, characterized by openness to all citizens. Forum also sees such a communication as a model for a public sphere that facilitates rational-critical debate among citizens, which accordingly ensures the formation of political will, and therefore it is essential for democracy.

To have a public space for better quality and which recognizes and protects the issues raised in the general interest needs against public officials who have a relationship contradictory in general, trying to be out of the vicious circle with the aim of protecting, preserving, education and development of their views, both types have a common public, and that is the issue or rather which measures problems such as issues of general interest. But, in reality against public capacity it is very small, not to say very small electronic media.2

The importance of the idea of Habermas's public sphere, one can say that had more significance and echoes her

1 Berisha, Ibrahim: “Media agijenset e komunikimeve”, Pen Qendra, Prishtinë, fq.82.
to sensitize the public on this issue. Only very large number of reviews and criticism emphasizes the importance of this opinion. Different points of dissatisfaction include a requirement that Habermas idealizes the bourgeois public sphere and favors for public enlightenment while neglecting others. Yet another criticism is that rational consensus Habermas highlights the continuing need and not to compromise the different interests and a pluralistic public sphere. He rejects the traffic that is not directed towards consensus and accordingly creates a very large boundary between information and entertainment.

However, the analysis of the substance of the case, we should stop to it than what is public and what is private, what is the boundary between these two notions. So, both public and private are the essence of what we discuss taking the idea of the public sphere, namely the difference or opposition between public and private. This theory is widely debated in political and social sciences (eg, Dahlgren discussions in 1995 and 2005). Only public and private settings are complex: for example, John B. Thompson (1995, 121-123) identified two different meanings for public and private attributes that both have been important in discussions about media. The first meaning relates to the private sphere, composed of organizations operating in a market economy and personal life and relations among them; and public property including economic and other organizations state. Between these two poles there are, according to him, the intermediate organizations such as political parties. On the other hand, Thompson sees another meaning to the concepts of public and private that their meanings are taken as attributes (public, private): These are related to visibility and invisibility, publicity and privacy.3

This understanding has been widely discussed in relation to the media, both scientists as they study the political and cultural rights in relation to the media, it appears that opinions on these attributes are very fast and constantly under change of opinions (an account summary discussion is provided by, for example, Dahlgren, 2005, 419). Often used empirical examples such as "celebrity status and their affairs private," "popular media", "ordinary people", these statements more clearly show that this issue is sensitive and affects us all, pavarërsisht whether we are or are not public profile people, of course, public profile people, are attacked in the context of the confrontation and the publication of personal items without their will and consciousness.4

However, the question arises whether there is a private man, in the sense that despite the exercise of public profile, can have personal life separate from her public presentation. In most Western democracies, discussions are geared to redefine public and private, the problem is posed in such a way that gjithënjë growing interest to get as much of it private, so, from another's privacy, can be overshadowed and make invisible all the issues that have special importance for society at large. One of the frequently cited works in terms of political communication which provides the crisis of public communication is what the authors Blumler & Gurevitch 1995.

Some authors have claimed also that kind of policy-making has its own importance in the creation and conception of the public sphere, and as a starting point have had this type of policy, as in the private but also in everyday life; and that such policies are well fed, if only because of popular culture which evokes official resistance against hegemony or "power-blocks" for example to Fiske 1989, which brilliantly elaborates the development of this issue. If either of these views is correct it is a question, but they stress the idea that Habermas's public sphere, needs further consideration in the definition of what is intended and desired to the public.

Regarding the need for updating of this issue, the notions of public and private are regarded as notions more specifically, made by many scholars in the 1990s, that Habermas remains insensitive to the dynamics of development between the two genders or even wars other social groups. This way of thinking finds ground as critical theory and cultural studies. Notably, feminist theorists issues such as Nancy Fraser (eg, 1991) and media researchers as Lisa McLaughlin (1998) and Annabelle Sreberny-Mohammadi and Liesbet van Zoonen (1999) have emphasized the patriarchal-bourgeois nature the public sphere, which excludes women from the fields of their participation in civic life. This is certainly true of many other social groups and different movement, and this is why Habermas has been accused of elitism.

However, the ideals of the public sphere are present, for example, in many aspects of the law on the transmitter public, such as the ideals of free access to all citizens, and similar aspects that have to do with the fact that all the citizens They have the right to be informed by the public broadcaster, without making distinctions of ethnicity, religion or nationality. This discussion, which is naturally the claims of the crisis of public communication very well argue Blumlet and Gurevitch in publishing their 1995, which include the relationship aggressive public and tyranny of the media, and the decline of journalism - that threatens many liberal democracy.

*Habermas reflects the ambivalence which is felt more in terms of mass communication, but can be used for the

3 Mc Gannon, Donald, Communication research center, Bronx, fq.6
4 Mc Gannon, Donald, Communication research center, Bronx, fq.6.
public good? We suggest that pessimistic responses tend to underestimate the complex and contradictory nature or fragmented contemporary mass media, which paves the way for an escape from the institutional control, while more optimistic positions often ideally placed very high on the public sphere. These formulations of alternative public sphere that receive and are built by nature complex and fragmented media, suggest a more positive than the media can facilitate and legitimize the debate of general public - through compromise and no consensus - and understanding between groups and marginalized opposition.5

Political actors can participate in an exchange of open and honest opinion. This applies to both types of policy, and creative life. Talk about the case when thinking about an issue formed an opinion about it, he sets out to others and try to convince you that your view, there is something in itself. At the same time they heard others say, that, if their arguments are better, to change opinion. This is a behavior related to politics. It is common to hear, and easy to believe that politics has little to do, or not at all, with calm and serious discussion. But here, more than anywhere, you must stay vigilant to distinguish reality from the sayings and images to. Democracy is not only elections and têrhepje rope. It is also a system that makes the debate a daily occurrence. Although participants did not always stand for rhetoric and analytical skills, it is impossible for them to contain the question: "why do you think so".6

2. Objectives

Through certain research methodology arrives to collect information that will help us to respond to questions on research and testing of the hypothesis raised. This paper has used purely secondary research. So, secondary data are used to understand the problem posed. As secondary data are used literature various international and national. Through secondary data efforts have been made to be tested, respectively accepted or rejected the hypothesis of the paper, that social status is a precondition to enter the public space and social status, is a prerequisite to be part of the public space?

3. Results

Although it was planned and conducted in conditions and circumstances most closed as bourgeois salons and palaces, public spaces in the last century has undergone a major change in the way of creating debates, the way of confrontation of different actors. Now all are part of it regardless of social status which they enjoy, and can konstibuojnë differently in this public space.

The importance of the idea of the public sphere of Habermas, one can say that had more significance and echoes her to sensitize the public on this issue. Only very large number of reviews and criticisms highlights the importance of this opinion. Different points of dissatisfaction include a requirement that Habermas idealizes the bourgeois public sphere and public enlightenment favors for neglecting the others. Yet another criticism is that rational consensus Habermas highlights the continuing need and not to compromise the different interests and a pluralistic public sphere. He rejects the traffic that is not directed towards consensus and accordingly creates a very large boundary between information and entertainment.

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The development of mass media, market liberalization of the media, strengthening the new media like the Internet where among his many traditional media have opened web sites / portals and may have readers from all over the world, has created nessesary that almost most of their program to be commercially and not neutral and outside professional ethics. To have as much public attention sensational information should be established to create this information, in most cases need to intervene in the private lives of public people. Using their private lives, we expect to publicity, which turns into trade and create such opinion and work in order to bring as many viewers to have as much advertising in their media.

Habermas separated as Marx, as well as by Weber, retaining only part of their critique of modernity. Human acts include all levels, without having to split them. Public space is not reserved on only institutional actors, but understood already being launched by civil society and the media of the measure (law and democracy, 1992) where distinguished associations and social movements, considered as major contributors to an arena that should constantly nourished.

5 Mc Gannon, Donald, Communication research center, Bronx, fq.6.
6 Malnes, Raino, Midgaard, Knut; "Filozofia politike", Rozafa, 2007, fq.9.
XVII th century, it can not be considered as an idle period preceding the democratic prosperity, but he was moved by conflicting exchanges expressed in the literary sphere, unable expression in politics (Helen Merlin, 1994). Sociologists and historians dekristanizimit, especially Michel de Certeau (1975), it had clearly stated that religious beliefs were suppressed diversity of opinions and had allowed them to express themselves with the game's endless internal quarrels and deviations outside then. During the twentieth century's, in some East European countries that were under the tutelage communist Catholic Church it became a refuge contradictions, while Islam under his project unitary capture policy, hides diversity and tensions of public space including the feminine, according to researchers Nilufer Gole in 1997.

Public space thesis summarizes least two debates. First, the debate on how the rationality of actors: a guided them from logical reasons, in terms Habersian, or by interests and passions, with all that this entails strategic? This tension first, illuminating because it is based on the existence of different ways of expression, there is only reference to the scheme "idealists against sophists" should not forget that he can not serve to substancializuar reason and conviction as two units completely autonomous, rational or even right better rationalize power is just an act, viz. affects language that has achieved success as an effect language has its reasons, its rationale (in this regard, to follow the theory of generalized arguments of George Vignaux, 1976, that the justification as a decoration common all forms of recognition).

References

Mc Gannon, Donald, Communication research center, Bronx.
The Important Role that Cultural Heritage Plays in a Life of a Nation and Its Sanction in the Universal Declaration of Human Rights

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1. Problem Overview

Cultural and natural heritage is one of the most precious assets of our world and artistic tradition created by the man. It is sanctioned in Article 22 of the Universal Declaration of Human rights.

Heritage is dedicated to the recognition and popularization of the tradition and distinctive values created by nature and mankind over the years. For this reason cultural and natural heritage links in a single unit human and natural values created in the world with those created in Albania. Therefore, becomes tangible the capital importance of appreciation of these values in terms of historical, cultural, geographical and environmental point of view.

Cultural heritage has two basic divisions: the material and spiritual heritage. Cultural heritage is the artistic and cultural production that is selected and assessed only by time. An Integral part of cultural heritage is also natural heritage. Natural heritage and landscape are estimated to have the same value equivalent to cultural heritage. Landscape itself plays an important public role in the formation of cultures in every environment and that these cultures have served and serve as the basic component of the European heritage and consolidation of the European Identity.

Cultural heritage is the wealth of generations, our major obligation toward our past and future, material and spiritual continuity of a nation. As such, cultural heritage is a constant challenge facing state care, to keep track of the age-old creative genius and to convey it to the future. Albanian Cultural heritage is a heritage enriched in values. It includes archeological, urban, architectural, historical and engineering values. It also includes movable heritage, archeological sites, monuments, books and documents, numismatics, almise and firearms, artistic artifacts and rare items. Spiritual heritage includes language, oral folklore and music of all genres, traditions and beliefs of all kinds and handicrafts.

2. The Purpose and Objectives of the Study

The purpose of the study is to show the precious values and the role that cultural heritage plays in our lives. The major objective of this paper consists in the promotion and dissemination of cultural heritage of our country, stimulating broader educational activities related to its historical values as the first priority, including all national and international educative and scientific mechanisms.

Cultural and natural heritage of outstanding beauty and artistic values, of its diverse kinds and important cultural and natural monuments, in its essence includes education of a civic European culture and meanwhile it helps to create a personality as citizens of the world. Heritage, in addition to other things, affects the creation of the cultural identity feeling, in the growth of respect and in the promotion of the values of cultural heritage, in the integration of our heritage in the contemporary lives of Albania and Albanians as well as in commemoration of a work and lives of the outstanding personalities of the heritage and to all others anonymous artists who created these values over years. The aim is to have a correct perception of the national identity at the same time.

Through this study we will understand that heritage will serve to deepen our knowledge that will lead to interconnect theory and its values with its characterization in practice as well as in relation with tourism, environment and legal education related to this field.

3. Methodology

The methodology employed in this paper is qualitative research, related to the research of the national and international legislation, aiming at the unification with EU law and bringing the highest legislative standards that regulates the relations between monuments and state.

The first strategic step regarding monuments is the definition of a new philosophy that naturally intertwines the...
current enriched Albanian experience with the highest internationally recognized achievements and standards. Monuments will no longer be seen as an amorphous thing in itself, but as an integral part of cultural tourism and economic development of the country.

4. Findings and Recommendations

- Constant improve of legislation, aiming legal unification with the EU countries, thus bringing higher standards and achievements of legislation that regulates the relations between monuments, government and community, relationships that until now were not properly structured, related to responsibilities and benefits.
- All monuments are not completed without scientific documentary, which means providing all monuments with accurate technical-scientific passports, which will summarize all important achieved data, given the high standards provided by international organizations related to monuments.
- Thorough restructuring of activities of institutions legally responsible for the protection and management of monuments.
- The creation of more flexible structures which provide optimal territorial coverage; the creation of efficient structures to ensure not only protection, but also a beneficial management of monuments; the creation of modern structures that ensures optimal coordination between central and local governing institutions, local communities and civil society organizations. The right coordination of these relationships will ensure a greater interaction related to monuments.
- Scientific reforming of state institutions responsible for the heritage enables the creation of a new generation of architecture and art restorers, as well as improving current restorers’ technological knowledge, promoting their training and qualification.
- Involvement of local communities as partners in decision-making process for monuments, seeking their contribution in the revitalization process of monuments and their involvement in socio-economic life of communities.
- Increased funding to protect monuments, a step that would be seen as inseparable from increased cooperation with international partners, donors and individuals.
- Cooperation between the restorers and archeologists is seen as a necessary prerequisite to increase the impact of institutional activities. New archeological excavation should be planned jointly to prevent any kind of damage or lack of attention.
- In addition to propagation, another priority is seen a broad educational activity related to the values of our heritage, including all educational and scientific mechanisms in the country in a joint initiative.
- Field care for monuments and their protection, especially from the abuses committed by human, is one of the most strategic step that has attracted and attracts the attention of institutions, by monitoring in details all violations committed to the monuments, identifying all these violation and taking appropriate technical and legal measures that not only avoid mistakes of the past but do not create space for future violations. To avoid possible violations and to repair the violations committed, the cooperation with the police department of construction would ensure an effective protection.

References

Kuri,V: The Albanian Tradition and customary law .
The Universal Declaration of human rights.
The law no.9048, date 07.04.2003 " For cultural heritage ", disorted.
The Convention for heritage and cultural materials.
Riza, Emin : The Folk architecture and its evaluation.
Feilden, Bernard, Jokilehto, Jukka : The guideline for world cultural heritage management.
The Higher Education a Private or a Public Good?

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Abstract

This paper aims to treat the views that see the higher education as private or a public good. Many countries based in liberal and neoliberal theories have started to see the higher education as private good. They see the higher education as market of a capitalist kind when demand and supply arrange each other. The supply is the high education, offered from universities and the demand has to do with people that want to take this education. This relation is treated as business where the consumer pays for the product. The education has a price that is paid by the subject that buys it. This view is criticized by other, which think higher education is a public good because all society benefits for it. Questions that arise are: Does the public benefits from higher education? Is it the education more expensive than the benefit? Is the high education a profitable business as other business or not? Must the states continuous to subsidize the higher education or not? What can happen if the state will treat the high education as business? Those are some of the question that will take answer in this paper. The method of work is based in analyses of theories and practices that are known in higher education.

Keywords: higher education, private good, public good.

1. Introduction

The right of education is a fundamental Human Right that is known internationally and nationally. The article 26 of Declaration of Human Rights, approved by United Nation in 1948 provided that “everyone has the right of education” (Article 26 of UN, The universal Declaration of Human Rights, Paris 1948). In the International Convent on Economics, Social and Cultural Rights, education is divided in three categories as primary, secondary and higher. This Convention considers the primary education as “compulsory and available free to all”. While secondary education was considered as “available and accessible to all by every appropriate means”. The access on higher education is considered by this Convent as “equally accessible to all, on the basis of capacity” (Article 13-2 of International Convent on Economics, Social and Cultural Rights, United Nation 1966). The definition of this Convent makes the higher education an opportunity for all but limited from criteria of merit that is a primary condition for having it.

The ministers of European Union at Summit of Prague for Higher Education in 2001, made a common declaration considering the higher education “a public good” and “a public responsibility”. (Toward the European higher education Area, Communiqué of the meeting of European ministers in charge for the Higher Education, Prague 19 May 2001). Politically, European Union considers high Education as public good and responsibility of state and United Nations, based it in criteria of merit, but scholars are divided in two parts, one that see the higher education as public good and the other that see it as private good. “On the one hand, we have those who look upon higher education as a social institution with specific cultural and social functions. On the other hand, there is the perspective that views higher education as an industry and a part of the economic system”. (Pedro Teixeira, The torturous ways of the Market, Looking at the European Integration of Higher Education from economic perspective. LEQS Paper No. 56, 2013, p.8). Let see this different views for higher education.

2. The Business Views for Higher Education

Education and especially the higher education is considered to be, one of the most important public good until now, a necessity and responsibility of state. In fact “In a democratic society education of the populous could appear to be an unspoken priority. Unfortunately, the opposite appear to be the path most often taken” (Rodney K Hopson, Carol Camp Yeake, Francis Musa Boakari; Power, Voice and the Public Good. Schooling and Education in Global Societies; In
“Advances in Education in diverse communities. Research Policies and Praxis, volume 6; Emerald Group Publishing Limited, 2008 f. 139). Almost all scholars agree that elementary and secondary education is public good but for the higher education the views are different. Many scholars do not consider it as public good but as a private one.

The business view see higher education as a private business linked with the personal benefits of people that want to be educated. As long as the benefit is personal and the subsidy of this personal education must be made by private money not by public money. According to Schoenenberger, “The existence of private benefits, supports the view that education is a private responsibility” ( Alain M. Schoenenberger, Are higher education and academic research a public good or a public responsibility? In The public responsibility for higher education and research; Council of Europe Publishing 2005, p.55). According to Blaug “education is not a pure public good because at least some of the economic benefits of education are personal to the educated” (Schoenenberger 2005, p.56). Teixeira thinks that ‘whoever enjoys the benefit of higher education should pay for it’(Yasemine Kooij; European Higher education policy and the social dimension. A comparative study of Bologna process, Palgrave Macmillan 2015, p.96)

Morgan argues the reason why higher education is been considered as a private good. He writes that, “Under the influence of neo-liberalism, educational institutions have been undergoing re-organization, with the private sector assuming an increasingly important role. This trend has also been driven by pressures on public finances and an accompanying economic austerity. This has been accentuated by the 2008 global financial crisis, through the rising costs of public goods to the state, while the tendency towards lower tax regimes has been a long-term trend.” (W. John Morgan and Jan White. The value of higher education. Public or Private good. In Grud Fragen und Trends, International, Weiterbildung 2014, p. 40)

Although the element of competition is strong in higher education, this industry differs from a typical private marketplace, ( Jane. S. Shaw, Education a Bad Public Good, In the Independent Review, vole 15, Fall 2010, p.249). Tilak thinks that the “Commoditization of higher education for trade is considered as a very lucrative avenue of making huge monetary gains in national and international markets in the shortest possible time. Higher education is seen by these groups primarily as a private good, as a tradable commodity that can be subjected to the vagaries of national and international markets. Treating higher education as a commodity is much more complex and dangerous than it appears on the face of it. It might affect higher education in a variety of ways”. According to him, “instead of serving public interests, higher education become an instrument of serving individual interests” and “the whole higher education scene would be eclipsed by private sector”. He thinks that “even if there are some gains in commoditization of higher education for trade, the gains will be few and short-lived, and the losses would be immense and may produce very serious irreversible long term dangers. (Janidhyala B. G. Tilak; Higher education a public good or a commodity for trade. 2005, p. 2-3.)

Human capital theory, considers education as “optimal investment decisions of rational individuals” ( Schoenenberger, 2005, p.57). In fact investment in education is a kind investment in economy. Investing in human resources is a huge investing that guarantees the gains. The human capital in economy is much more important than any other capital because it puts in circulation every capital that exists. The educated people with multiple the benefits in economy and if we do not educate them the economy will not have gains in future. Cutting the spending of public money for education will cause a major damage in macro economy.

So the economist see the problem of education only in the logic of personal business and they do not see others factors. The business is focused in investing and profiting and it is not seen the public benefit from people that have received the higher education with public money. The universities are seen as sellers of knowledge and students as buyers of it. So according to this logic the investment must be personal as long as they see the benefit only as personal. The business view thinks only to commercialize the higher education for the profiting of the businesses and do not see the benefit that take society from it. The interests of some businesses come before everything and before the logic in economy. The quick gains of some businesses will cause a major loss in near future for economy because of the lack of efficiency that will come from lack of qualified people that have the capacity but would not be able to qualify themselves because of lack of money.

3. The Higher Education as Public Good

A public good, needs to fulfill some criteria to be considered as such; Scholars think that public good has this characteristics.

1- The existence of a beneficial consumption.
2- No exclusion of this good.
3- Externalities - public goods impose costs or benefits on others.
Richard Musgrave considered as public those goods that “are satisfied by the market within effective demand. They become public wants if considered so meritorious that their satisfaction is provided for through the public budget, and not those goods that are not so meritorious.” (Musgrave, 1970, p.25)

No rivalry in consumption implies that my consumption of a good does not prevent others consuming it too. Non-excludability implies that is difficult if not impossible to limit access to certain goods. The production of knowledge may serve as a primary example of a good that is not excludable because it is difficult to make such knowledge exclusive or to control it privately. The consequence is that such product cannot be left to the market because the market is primarily interested in selling for exclusive use to consumers who pay for the privilege. In theory we may these conclude that the central product of higher education and research has characteristics of a pure public good. (B.W.A. Jongbloed, Public – private dynamic in higher education. Expectation, Developments and Outcomes. Verlag Bielefeld 2007, p.12).

All public is able to consume the higher education based on merit and capacity. Nobody is excluded from this good. As long as this good is linked with merit that give the opportunity to all people to show merit but in end the people that have capacity for it will be financed by public money. The people are not excluded from it with a negative discrimination but are excluded from it because they do not deserve it. Business view excludes merit and capacity in education. The people can take education if they have money not if they deserve it according to merit and capacity. So business view is anti-merit. It give education to people that do not deserve it but have money to pay for it. This is also a monopole in the market of education, monopole that is caught by money, which does not guarantee a good product for the market of goods.

The benefit in consumption comes for all society through the investment that they have made in human capital that will turn this investment back. Paying for the people that deserve it the higher education is a big investment with maximum of efficiency. The investment in education is cheaper than gains we take, so it is a very profitable investment. As we said only people that fulfill the criteria of merit can take this right, despite that all society pays for it. People pay for health but not all of them take medical treatment, in this case this medical treatment is taken by people that need it and deserve it. That does not mean that as long as we do not need it or deserve it, we do not have obligation to pay for it, because we can have the potentiality to have it in any time and for this we must contribute for it. The same is for higher education that is very important because from it is depended the human resources of public and private sector.

Today in some countries the responsibility of higher education is made personal. The states instead to rise the percentage of GDP to higher education tend to cut the public spending for it. The young and talented people that have the will to study will be limited and conditioned by moneys. Education cannot be considered as a category of goods that enter to luxury because it is a necessity, an investment from which will profit not only the people that take the education but all society. Making education expensive, for profiting private businesses it is against economic development of all society. Treating the high education as private good, makes education a thing that has value only because of money and excludes merit from having it. This kind of education will create fake educated elite and will cause a lot of damages to progress in science and economy and as consequence will cause damages in general wellbeing of people.

4. Conclusions

The debate about higher education is very actual today. There are different views for higher education, some considered as a private good and others as public good. It is a debate, if the higher education has to be personal or a public investment. The business view sees it merely as private investment and the public good view, sees it as a public investment and as responsibility of state. Human capital theory sees the subsidizing of higher education as investment. To see it from the logic of economy it is a big investment that some time produces more than natural resources of a country. When in the weight of economy the human resources are more important than the investment in natural resources, than we have as conclusion that we do not spend so much money for a successful investment that produces more than billions invested directly in economy. If the higher education will be considered as a good that can be taken by people that have the opportunity to pay the fee than this will bring the lack of merit and an investment in economy that its destination is fail. The people that have ability to produce will stay out of market because of monetary incapacity. So the business will suffer for investments in the human resources that are the most important capital in economy.

The authors that see education as business, point out that many people do not get the high education and for that reason they must not pay money for educating other people. The business view sees only personal profiting and does not see the public benefit or the economical benefit of the private sector of economy. In one way all society profits from educated people because they serve to society not only to themselves. The higher educated people are profiting from this investment from public good because of merit and capacities they have that will be turned as benefit to all people that are
paying for them.

So seeing the education as private good is against the logic in economy. Education is business only for the output but never for the input. The state must continue to subsidize the higher education and also must do and the private businesses. Investment in higher education is investment in economy and in private sector that will profit directly from it because will have educated people that will increase the incomes of private businesses. So the private sectors must subsidize higher education for its benefit too, together with state.

References

Alain M. Schoenenberger, Are higher education and academic research a public good or a public responsibility? In The public responsibility for higher education and research; Council of Europe Publishing 2005

Article 26 of United Nation, The Universal Declaration of Human Rights, Paris 1948

Article 13-2 of International Convent on Economics, Social and Cultural Rights, United Nation 1966


Jane. S. Shaw, Education a Bad Public Good, In the Independent Review, vole 15, Fall 2010,

Janidhyala B G Tilak, Higher education a public good or a commodity for trade. 2005

Pedro Teixeira , The torturous ways of the Market; Looking at the European Integration of Higher Education from economic perspective, LEQS Paper No. 56, 2013

Rodney K Hopson, Carol Camp Yeake, Francis Musa Boakari; Power, Voice and the Public Good. Schooling and Education in Global Societies; In Advances in Education in diverse communities. Research policies and Praxis, volume 6; Emerald Group Publishing Limited, 2008

Toward the European higher education Area, Communiqué of the meeting of European ministers in charge for the Higher Education, Prague 19 May 2001

Yasemine Kooij; European Higher education policy and the social dimension. A comparative study of Bologna process, Palgrave Macmillan 2015

Preferential Trade Agreements

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Abstract

The WTO stifles the possibility of developing countries to utilize trade as a means to economic growth and development. Requirements to implement WTO rules are at odds with development ideals- and countries simply try to implement these rules in such a way that can give them more opportunities, profits and contribution to the attainment of development goals. One important trend in recent years in the field of trade policy is the proliferation of preferential trade agreements (PTAs). Normally, PTAs provide for greater levels of liberalization among the parties than what the countries may have committed to at the WTO in terms of tariffs or services liberalization. The new generation of PTAs tend to contain disciplines which go beyond relevant WTO disciplines, or regulate issues in respect of which there are no WTO disciplines. One example is the agreement that the European Union has signed with South-East European countries. This agreement deviate from the purely trade-focused purpose but it includes other broader intentions. But still many developing countries are addressing the fact that they are not benefiting from the WTO system and they are claiming that the cost of adjustment to its rules is higher than the advantage of being part of the WTO. One of the main problems addressed by developing countries is the reciprocity of the market access concession. The WTO should face this problem and try to find suitable solutions with minor costs for the members.

Keywords: reciprocity, market access, concession, rules, tariffs.

During the first days of the GATT times the decision making process was in the hands of the developed countries. The GATT institution was considered as a “rich man club” where developing countries did not fully participate in the exchange of concession during the process negotiation1 although they benefited from the system as a result of the national treatment and the Most Favored Nations disciplines. In the WTO era things changed in many aspects. The WTO is much more a “developed concerned” institution creating a new agenda and new mechanisms in order to give assistance to developing countries and creating a new instruments and new systems where decisions are made by consensus and not by taking into consideration only the developed country needs. Special steps in this regard were undertaken during the different rounds of the GATT/WTO which consisted in longer tariff-phase down period, flexibility in implementing the GATT/WTO rules and disciplines, preferential market access, technical assistance etc.2. In comparison to the past, nowadays developing countries are more and more involved in signing trade agreements trying to get as much benefits as possible out of the system. The number of these agreements has created a complex and overlapping network with voluminous agreements by hardening their applications creating the “spaghetti bowl” effect. We must say this is a relatively new trend in world trade, because couples of decades ago the rules of trade were very different. The inter-war period was a dark period for the world trade system. When World War II started the tariffs were high everywhere and trade had collapsed to 70 per cent of its level on 1928 level. The US’s 1930 Smoot-Hawley tariff had sparked tariff wars and defensive trade blocs3. After twenty years, in the 50s, the rules of world trade started to change. This was mainly a

2Fazel, I. Mainstreaming development in the World Trade Organization, journal of trade law 39 (1) 2005, pg.15.
result of the economic institutions created during Bretton Woods and in particular of General Agreement on Tariffs and Trade. This agreement had an importance on the reduction of the customs tariff and on the liberalization of the trade. Since then trade agreements and in particular Preferential Trade Agreements (PTAs) have been proliferating. This proliferation has happened especially for the last twenty years. A large literature has studied various aspects of this phenomenon. Recently a major weakness of this literature has been the treatment of all PTAs as equal. In fact, PTAs are not standard and differ significantly in terms of design, institutions, scope, actors involved etc. Some agreements, such as the European Union (EU) or the North American Free Trade Agreement (NAFTA), are very broad and are not limited only on trade issues. They also include trade in services, foreign investment, property rights, intellectual property rights, government procurement, product standards, completion law, rules of origin, environmental issues etc. They are more forward-looking, wide-ranging bilateral trade and investment agreement which will be not isolated only to one specific geographic region or signed only by a reduced number of states. For instance, the EU has PTA with countries are geographically close such as Western Balkan countries but on the other hand it also PTA with far-away developing countries such as Chile, Mexico, South Africa etc. and poor developing countries in Africa, Caribbean and Pacific (the ACP countries). The purpose of singing such agreements is driven by different reasons which go far beyond the WTO framework and rules.

The FTA between EU and the Western Balkan countries, Albania, Bosnia-Herzegovina, Macedonia, Montenegro and Serbia it part of the broader Stabilization and Association Process which aim to harmonize, align and exchange the institutional and legal reforms of these countries as EU candidate members. These agreements aim to overcome the consequences of the communist regime of these countries as well. It’s clear that the aim of this agreements goes far beyond trade and its more geo-political focused. On the other hand, EU has agreements which are comprehensive on the geographic aspect. More and more these agreements are ambitious including states with great distance and simultaneously by focusing on to the trade tariffs. The EU is more active since 2006 by undertaking some Free Trade Agreements of new generation, which have as scope the achievement of the high standards of liberalization, especially on the emergent trades which have high rate of development such as India and Korea which include liberalization of tariffs, non-tariff barriers, and services, plus new disciplines in the areas of competition policy, intellectual property rights, labor, and the environment. Many of these agreements refer to commitments in policy areas not currently covered or regulated by the WTO. For instance, there are no current WTO undertakings with regard to environmental protection, labor laws, human rights, or movements of capital.

According to some studies, EU and U.S. PTAs tend to cover WTO-plus and WTO-extra provision, in the coverage of services (in the financial and telecommunication services) and IPR. The US uses the “negative” list approach compared to the GATS approach of a combination of positive and negative lists. The EU treatment of services and IPR, according to the London School of Economics study, is less ambitious than the U.S. approach, because it uses a positive-list approach that provides the flexibility to exclude sensitive sectors both for itself and its trading partners. However, this agreements are not WTO inconsistence, but they are a clear example of the fact they nowadays PTA are broader and tend to include many other sectors than the sectors mentioned by the WTO in order to achieve higher regulative standards and more effective results. But still, there are plenty of agreements which are narrow and exhibit modest commitments.

We can say that nowadays PTAs are more and more ambitious in the terms of the sectors included. Members are not limiting their agreements only to the WTO rules but they go far beyond. Not only the sectors included are more numerous but also the practices of negotiations have changed. They are more transparent and are trying to eliminate every information asymmetry and are including more non state actors such as Multinational Corporations and NGO.
Another important thing to bear in mind is that today members are involved in the negotiations of mega agreements such as the Transatlantic Trade and Investment Partnership. In such kind of ambitions agreements is difficult for the members involved to stay strict within the WTO provision because they include many interests and many state, non-state actors. So, this new generation agreements shall include and regulate issues in respect of which there are no WTO disciplines. This will increase the effectiveness of the agreement and the benefits of the actors involved.

But still many developing countries are addressing the fact that they are not benefiting from the WTO system and they are blaming the developing countries, is the reciprocity of the market access concession. This problem was raised especially from the small developing countries, some of them located in remote part of the world, which are of only limited interested from an export perspective. That’s why the reciprocity principle does not work for them. Another problem is the tariff reduction cause for developing countries tariff revenues are fundamental and they economically rely on them. Some of the developing countries claim that don’t have the capacity to tap the tariffs. Another important point is the protection of infant industries which is very important form a development perspective. Very important issue is also technical assistance provided by the WTO toward developing and Least Developing Countries (LDC). The question that is rising in this regard is how the country is actually benefiting from the WTO aid and is the aid helping the key developing sectors of the specific country? As a result we can argue that some of the common policy under WTO are not feasible for developing countries or at least, for some of them. Other policies like technical assistance are limited and are not really strategic. That is the reason why some of the developing countries are skeptical about the WTO system and are blaming the developing countries for kicking the ladder being them because they are not allowing developing countries to use practices and instrument utilized by them in their developing process. But what can the WTO actually do for the developing countries and LDC in order to make them benefit from the international trade rules and to foster their development? In the WTO legal text developing countries and LDC have special and differential treatment which basically include: Provisions aimed at increasing the trade opportunities of developing country Members; provisions under which WTO Members should safeguard the interests of developing country Members; flexibility of commitments, of action, and use of policy instruments; transitional time-periods; technical assistance; Provisions relating to LDC Members.

I think that the WTO has to move from just setting timeframes and general provisions. It has to apply a more case by case approach because the developing needs of different countries are not the same. Like the Trade Facilitation Agreement, an outcome of the Bali Ministerial meeting, the WTO has to incorporate rules and mechanisms for trade expert in order to identify why a developing country is not able to implement commitments within the scheduled timetable. After identifying the specific problem of the country the group of experts, should try to analyze the situation and to find solution to the problem. An important point to add is that the WTO structures should work together with the government and local entities. On the other hand the government should implement a legal system which complies with the WTO developing program. They should also give space to countries and their developing concerns regarding cost and capacity constrain. On the focus should be also the technical assistance. One of the challenges is to provide more funds in order to make more investments in infrastructure, ports, roads, training people etc. It is also very important to find out specific strategic developing sectors, of the specific country or region and to put in place mechanisms to make them more effective and efficient. In my opinion another issue to take into consideration is the fact that there is huge gap between the developing countries group. This means that some developing countries such as India, South Africa or Brazil are treated in the same way as countries as Cabo Verde, Burkina Faso or Macedonia. I think that special classification should be made in this regard in order to address properly the special needs of some of the developing countries

Conclusions

As conclusion I would like to add that there are number of ways to look at the WTO. This international organization is a negotiation institution, a dispute settlement body etc. One of the purposes of the WTO is to boost international trade and to increase the benefits of the members from the rules in place. Some scholar thinks that it is a developing institution some other thinks the opposite. What is surly try is that the WTO is doing a lot in negotiating with members on trade, and sometimes on non-trade issues. This is not an easy process. Adequate national regulation and international regulatory

12 Fazel, I. Mainstreaming development in the World Trade Organization, journal of trade law 39 (1) 2005, pg. 15.
cooperation will often need to take place for the process to move on. Things become even more difficult when parts of the whole process are many parties with different needs. That is why the WTO should move forward in order to implement more politics and sign new agreements in order to facilitate the process and to make every one better-off.

References


The Analyze of the Risk Management and Control of Internal Audit

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Abstract

The need to manage risk has arisen in many areas and approaches used at each field reflect the skills and interests of the people involved and the importance of it with data availability. According to the article of the “Journal of Consumer Affairs, "is quoted that" young people leave school without earning a basic skill to manage the affairs of their personal finances, placing them at high risk not being able to plan responsible way their financial future. Typically, risk is understood in terms of clear patterns in which the variables are related. At first it seems that there is no "risk" as such because the word "risk" is not always used, but in fact most of the risks represented by the values of the uncertain future of the variables in these models.¹

Keywords: Management of personal finance, consumer, auditing, model of economization.

1. The Goal of the Paper

According to the article of the ‘‘Journal of Consumer Affairs, "is quoted that" young people leave school without earning a basic skill to manage the affairs of their personal finances, placing them at high risk not being able to plan responsible way their financial future. In order to benefit from the knowledge and competence in financial behaviors, students and consumers need to understand the problems encountered in the market. They must have the knowledge and training necessary in order to protect the best way possible for themselves from falling into financial ignorance victim.

2. Introduction

In studies taken as example it is found that students lack the knowledge on personal finance. On the other hand it indicates that there is insufficient tutorials and workshops for all students provided by state institutions and hinted at why students are less knowledgeable in the field of personal finance. Studies have shown that people generally have higher levels of education, have a higher level of financial knowledge, although many studies have found that the level of financial literacy is still low. This can be avoided through financial education and open seminars and university courses located in personal finances.

Financial Literacy has important implications for financial behavior. For example, people with low knowledge and financial literature are more likely to have problems with debt (Lusardi & Turfano, 2009), and less likely to participate in the capital market (Rooij, Lusardi, & Alessi, 2007), with little opportunity to choose mutual funds with lower fees, fewer opportunities to accumulate wealth and to manage the assets effectively and less likely to plan retirement (Lusardi & Mitchell 2006).

Finance is an important financial component for decision making and more people require as much financial

¹ Matthew Leitch, Intelligent internal control and risk management, Published by Gower Publishing Limited, Hampshire, 2008, pg 15-16.
knowledge you need even more today. 84% of university students said that you needed more education on financial management topics, 64% would like to get information about topics of Financial management in high school (N. Shaari, N. Hasan, R. Mohamed, M. Sabri “financial literacy: A study Among university students).

Risk management study began after World War II. Risk management has been long and is connected with the use of market insurance to protect individuals and companies from various losses associated with accidents.

2.1 Roles and responsibilities in internal control

Everyone in the organization has some responsibility for internal control:

- Managers - are directly responsible for all activities of the organization, including design, implementation, monitoring and maintaining proper functioning and documentation of internal control system. Their responsibilities vary depending on their function in the organization and characteristics of the organization.

- Internal auditors - examine and contribute to the continuing effectiveness of the internal control system through evaluations and recommendations and therefore play an important role in effective internal control. However, they have no key management responsibilities for designing, implementing, maintaining and documenting internal control.

- Staff members - also contribute to the internal control. Internal control is a detailed or implied duties of each. All staff members play a role in the results of the control and should be responsible for reporting problems of activities, non-compliance with the code of conduct or policy violations.

- Outside parties - also play an important role in the internal control process. They can contribute to achieving the objectives of the organization or can provide useful information to influence internal control. However, they are not responsible for the design, implementation, proper functioning, maintenance and documentation of the internal control system of the organization.

- Supreme Audit Institutions (SAI) - encourage and support the establishment of effective internal control in government. The assessment of internal control is essential for SAI audits of implementation of laws and regulations, financial audits and performance. They communicate their findings and recommendations of interest.

- External auditors - audit certain government organizations in some countries. They and their professional bodies should provide advice and recommendations regarding internal control.

- Lawmakers and regulators - establish rules and guidelines relating to internal control. They should contribute to a common understanding of internal control.

- Other parties - interact with the organization (beneficiaries, suppliers, etc.) And provide information about the achievement of its objectives.

Other forms of risk management, insurance alternatives for market surfaced during the 1950s when the insurance market is perceived as too costly and not full protection against pure risk. The use of derivatives as risk management instruments were established during the 1970s and expanded rapidly during the 1980s, as companies intensify in managing their financial risk. International regulation of risk began in 1980, with financial firms held internal models of risk management and calculation formulas membership hand protection against unforeseen risks.

3. Literature Review And Hypotheses

At the same time, the governance of the frame of a large risk management essential for integrated risk management, introducing and membership officer positions created for managing risk. However, these regulations, the rules of governance and risk management methods failed to prevent the financial crisis that began in 2007. Statement of Cash Flow (Cash Flow) reports inflows and outflows are classified as cash from operating activities, investing and financing.

Fluxes from investment activities are those fluxes resulting from the purchase or sale of property, plant, and equipment of a subsidiary or business segment and the purchase or sale of investments in other firms. Investment Activities include activities related to the purchase and sale of property.

- Fluxes from financing activities are the fluxes resulting from the issuance or repayment of debt or issuing equity withdrawal and dividends paid to shareholders. Related financing activities or repayment of capital

2 http://www.issai.org/media/13329/ntosai_gov_9100_e.pdf, date 26.02.2015, page 43-44
inflows. Two main sources of such funds are the owners and creditors

- Fluxes from operating activities include cash effects of all transactions not classified as investing or financing activities. Operational activities are part of the daily transactions of the business operation.
- Overview of cash flows as a tool of analysis of financial statements, cash flows used by analysts to review the liquidity situation and better perception of factors affecting cash surplus of the entity over a specified period of Practice. Statement of Cash Flow (Cash Flow) is an important analytical tool for creditors, investors and any other user data that helps in determining statements of these indicators:
  - The ability to generate cash fluxes in the future
  - Ability to cope in times of monetary obligations
  - External financing needs in the future.
  - Success in the management of financing activities
  - Efficiency Strategy implementation and investment financing.

4. Research Goal

Accounting principle for the construction of the statement of cash flow is accounting principle of base money, and not the principle of rights and liabilities assumed (accrual accounting), used for the construction of other financial statements. This overview, measures the inflows and outflows, according to the moments of time when they are realized regardless of when revenue and expenses recognized in the accounts.

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There are two methods to calculate the net effect of operating cash flow, the direct method or direct, and indirect or indirect methods.

Direct Method, which lists all the specific cash flows, which are associated with profit after tax such as the purchases of materials, pay wages of employees, receipts from sales of products and services, payments for rents and energy costs etc. (recommended by the standard IAS 7).

Indirect method, according to which cash flow is calculated starting from the profit after tax in the Income Statement. The indirect method calculates cash flow from operations in four steps:

Step 1) Starting with net profit
Step 2) Remove the profits or losses resulting increase as cash flows from investing or financing (such as gain from the sale of land)
Step 3) Add all non-cash expenses (such as depreciation of machinery and good name).
Step 4) Add accounts changes in balance sheet assets and liabilities arising as a result of operational activities

Total cash flow is equal to the sum of cash flows from operations, cash flows from investing and financing cash flows. If done correctly the total of cash flows will equal the change in status of cash at the beginning of the period with the situation at the end of the period.

Total cash flow is equal to the sum of cash flows from operations, cash flows from investing and financing cash flows. If done correctly the total of cash flows will equal the change in status of cash at the beginning of the period with the situation at the end of the period.

4.1 Definition of the control system

Internal control is an integral process that is affected by the entity's management and personnel and is designed to handle the risks and provide reasonable assurance that the pursuit of the mission of the entity, the following general objectives are being met:

- execution of activities in an orderly, ethical, economic, efficient and effective;

4 http://www.issai.org/media/13329/intosai_gov_9100_e.pdf, shikuar me daten 26.02.2015, faqe 6
fulfillment of obligations towards responsibility;
implementation of applicable laws and regulations;
preservation of resources from loss, misuse and destruction.

As part of the integrated management system or business membership organization, internal control should be understood, carried out and actively escorts from the board of directors, management and other personnel, to mitigate the risks of a business or organization to achieve its objectives through:

- effective and efficient strategy and operational processes;
- securing reliable information for users internal and external to obtaining timely and effective decisions;
- securing acting in accordance with laws and regulations, and also with its politics as, procedures and guidelines;
- the maintenance of its resources from loss, fraud, abuse, and injuries; and
- the maintenance of availability, confidentiality and integrity of IT systems.

Internal Control supports management of organizations or businesses in achieving their strategic objectives through effective and efficient operations, enables storage resources by providing reliable information, and provides membership acting in accordance with laws and regulations.

4.2 The importance of using financial reports.

Analysts analyze the financial statements of a company to gain a deep understanding of financial decision making and operational performance of the company. The financial data are converted into reports to make them easier to analyze. Examination of key reports provides an overview of how the company is performing compared with other years in its industry and economy as a whole. Although there are thousands of reports that can be calculated, it has a relatively small subset that an analyst should focus.

Reports used to evaluate five key performance features and conditions of a company like:

1. Internal Liquidity
2. Operational Performance
3. Risk Profile
4. External Liquidity
5. The potential growth

Reports Analysis includes methods of calculation and interpretation of financial reports to assess the financial situation and performance of the firm. It is of interest to shareholders, creditors, and managers of the firm or financial institution itself in our case.

4.3 Liquidity ratios

With liquidity means the ability of a company or institution to pay its short-term obligations when they will mature. Liquidity analysis is very important for creditors, suppliers, management and other interested organization’s ability to meet short-term liquidity requirements. Liquidity analysis a dose of uncertainty: forecasting future ability to meet future needs for liquidity. The forecast made according to historical records of the institution and no financial report can not serve as a proxy of future developments. Current ratio is the best measure of liquidity:

Control systems should be developed and implemented to give management the right balance between risk that business objectives are not achieved and the level of control required to ensure fulfillment of business objectives.

5. Sample and Data Collections

According to the International Organisation for Supreme Audit Institutions of (INTOSAI): Internal control is an integral process carried out by's management and staff of an organization or business and designed to address the risks by providing reasonable assurance in achieving the mission of the organization or business, being achieved general objectives in the following:

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6file:///C:/Users/shxhema/Downloads/Doracaku%20Financiar%20Kontrollit%20(1).pdf, seen on date 25.02.2015, page 111
Regular executive operations efficient and effective, ethical and economic development;
Fulfilling accountability obligations;
Compliance with laws and regulations;
Providing resources not loss, misuse and damage.

Internal control consists of five components, which must be present and make the efficient functioning of the internal control of them are 8:
- The control environment;
- Risk Management;
- Control activities;
- The debt ratio shows how part of the financing of the company or institution is performed through debt. This report takes into account all assets financed by debt. Mathematical interpretation of this measure is that it reaches the source cover the debt, the company’s total assets.
- Indirectly, this indicator tells us the owner rights over the asset. In 2009 we have a fund of 0.85% through debt, while in the following years this percentage has declined, exactly with 0.84% in 2010 and 0.82% in 2011.

6. Conclusions

Usually viability reports put the size of the profit counters (taken from the statement of income and expenditure) and appointing a resource size (taken from the balance sheet) invested to achieve this profit. Otherwise termed viability metrics and profitability metrics. Profitability indicators can be compared with the average rate of return on deposits in the market. They aim to measure the performance of the company to one or more training periods making the size of the profit realized from comparable company.

References

The World Bank (2003), Construction of the consumption aggregate and estimation of the poverty line, LSMS 2002 – Albania.
Aline Coudouel, Jesko S. Hentschel, and Quentin T. Wodon Chapter 1 Poverty Measurement and Analyze.
Canova, Luciano University of Sussex (August 2006), The many dimensions of poverty in Albania: income, wealth and perception
World Bank Institute (August 2005), Chapter 1. What is Poverty and Why Measure it?
World Bank Institute, Chapter 8. Understanding the Determinants of Poverty
Betti G. and Neri N. (June 2010), Further Updating Poverty Mapping in Albania

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*file:///C:/Users/shxhema/Downloads/Doracaku%20i%20procedurave%20te%20Menaxhimit%20Financiar%20dhe%20Kontrollit%20(1).pdf, seen on date 26.02.2015, page 113*
Role of Multinational Companies (MNE) in the Transfer of Human Resource Management (HRM) Practices in Albania

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Abstract

Globalization is part of everyday life for everybody and for companies, too. In this globalization era, multinational companies (MNE) are gaining new experiences in diverse environments, diverse nations and diverse cultures. So, a big concern for MNEs, nowadays, is the issue of convergence versus divergence. In the focus of this issue is the transfer of Human Resource Management (HRM) practices across countries. The effectiveness of this transfer is the key of success of MNEs and it depends on different factors, such as: the cultural distance between MNEs home country and host country; new institutional environments; presence of expatriates in their subsidiaries etc. This paper is a literature review one and has in focus the identification of factors affecting the transfer of HRM practices from MNEs in their subsidiaries in Albania. In the Albanian reality there is a lack of studies in this aspect, which serves as the contribution of this topic, same as for academics, as well as for MNEs that have subsidiaries in our country. The future research will continue with survey method which tends to collect data from the top managers of subsidiaries of MNEs operating in Albania.

Keywords: globalization, multinational companies, HRM practices, Albania.

1. Introduction

Nowadays, companies are facing a more competitive environment due to globalization. Globalization has accelerated not only the transfer of products and services, but also the transfer of managerial practices, including HRM (Human Resource Management) practices. MNEs (Multinational Enterprises) are a powerful operator in the transfer of capital, managerial and technical knowledge between nations (Tayeb, 1998).

According to Harvey et.al, (2001), the role of human resources is even more important now that companies expand their activities in different countries. This is especially true in the case of MNE’s, where the effective management of these resources can be a key factor for success or failure (Tung, 1987). Effective transfer of HRM practices, which can be difficult to imitate by competitors, is perceived as the key to success of MNE’s in the 21st century. In the same subsidiary of a MNE, some management practices may remain the same as those of the parent company, while other practices may change and adapt to those of the host country. It could be argued that cultural and institutional environment, as well as other factors, have a decisive importance for the transfer of HRM practices in host countries.

2. An Overview of MNEs

The globalization of the economy means an increase in economic activity between countries. The importance of MNEs is increased due to the globalization and the need to achieve a competitive advantage in such a competitive environment.

There are several definitions of a Multinational Enterprise (MNE). According to Ghoshal and Bartlett (1990) define it, as a group of geographically dispersed organizations that include its headquarters and the different national subsidiaries. According to Caves (1996), defines it as an entity that controls and manages production establishments in at least two countries; according to Dunning (1993) defines a MNE as “an enterprise that engages in Foreign Direct Investments (FDI) and owns and controls value adding activities in more than one country”; and so continuing, there are definitions of MNEs second different authors and researchers on this field.
According to Bartlett and Ghoshal (1998), the evolution of MNEs can be divided into four periods: the multidomestic period (1920-1950), when MNEs set up a large number of foreign manufacturing subsidiaries that are independent from their headquarters, this is for the reason to be able to compete due to high tariffs. The international period (1950-1960), when a need for new technologies and products pushed especially American MNEs to have foreign investments in Western Europe and developing countries. The global period (1960-1980), when decrease protectionist policies, decrease costs transportation, communication improvement and manufacturing technologies made it possible for MNEs to have profitable export and foreign investment of centralized and standardized production and the transnational period (1980-2000), when increased recognition of difficulties linked to geographically spread made MNEs more responsive to the needs for global efficiency balanced with national responsiveness.

MNEs operate today in various sectors of the economy, manufacturing industries, the mining industry and the oil, agriculture, as well as in the service sector (Eitman et al., 2004). They have opened their subsidiaries in foreign countries to develop more diverse activities, from providing research and development services and after sales services to production or insertion of different products.

So, what are the reasons why many firms become multinational? Ferdows (1997), Madura (2002) and Eitman et al. (2004, 2007) linking the creation and existence of multinational companies with the need to increase sales in foreign markets and the need to provide inputs such as raw materials and the workforce, with lower cost. Likewise, according to Ferdows (1997) and Madura (2002) many firms expand a portion of their production activities in other countries in order to avoid tariff barriers that hinder the export of products in these markets, and in order to react and distribute risk arising from changes in exchange rates. An equally important reason is the possibility that multinational companies to provide additional technical and managerial knowledge from suppliers, customers, competitors and research centers in foreign markets (Ferdows, 1997; Eitman, 2004; 2007).

Strategic management of international human resources is becoming more and more a crucial factor for the future prospects of MNEs, as much as their activities globalizing (Harvey et al., 2001). Human resource management in an international context represents a more complex process, due to the differences between business environments in different countries where it has spread a certain company. This process involves the recruitment, selection, training, development, evaluation and compensation of employees, as well as establishing good relations with them.


International trade and foreign direct investment constitute the two main forms of globalization in the economy. The liberalization of the latter led to overcome quite a few barriers in trade and capital movements, associated with the development of foreign trade and attracting increased foreign direct investment. As a result of this phenomenon, today in the Albanian economy several hundred companies have been settled with foreign capital, which for many years work in our country (Uruçi & Boriçi, 2008). In the framework of efforts to become part of the global market and also a member of the European Union (EU), since 2000 Albania has entered the World Trade Organization (WTO) and has signed the Stabilization and Association Agreement with The European Union, an agreement which entered into force on 1 December 2006. This agreement provides for the gradual liberalization of tariffs for products imported from countries of the European Union (EU), the process that meets fully the end of 2011, and removal of tariffs for almost all Albanian products that are exported to EU countries, with the exception of a limited category of agricultural and industrial products.

3.1 Foreign Trade

A very important factor that affects the growth of a country and reflects the increasing competitiveness is also its foreign trade. Albania applies a liberal trading system, which, according to a decision of the Council of Ministers in 1998, guarantees an open regime of import-export, with the exception of certain goods such as military and strategic goods, radioactive materials, which are subject to the same regulations as the international ones. Exports are not subject to any taxes or other barriers to the same effect, while imports only apply customs duties. Albania’s membership in the WTO, the signing of the Stabilization and Association Agreement with the EU, as well as its participation in the CEFTA 2006 represented the major efforts of the Albanian state to further liberalization of foreign trade, thus increasing the participation of our country to global markets.

3.2 Foreign direct investments in Albania

The phenomenon of globalization of economic activities has become a key factor in promoting direct foreign investments.
They were very big changes in trade policies through liberalization and tariff reduction, acquisition and privatization of some industries of various countries, which have served as the most important catalysts for expanding the role of foreign direct investment (Uruçi & Boriçi, 2008). According to a common definition of the International Monetary Fund and the Organization for Economic Cooperation and Development, "Foreign Direct Investment (FDI) are meant to secure a long-term interest of a resident entity in one economy (foreign investor) in an undertaking that is resident in another economy" (Bank of Albania, Economic Bulletin, 2006). FDI occupy an important position in the economy of a country. They are associated with a variety of positive effects on the host countries, such as a sudden increase in the productivity of enterprises purchased by foreign investors, technology transfer, human capital development and creating a more competitive business environment in these countries.

4. **Transfer of HRM Practices**

Nowadays it seems very important to study the transfer of HRM Practices from MNEs to their overseas subsidiary. MNEs are a powerful tool for knowledge transfer and technical management, capital and other production functions between countries. The whole process is part of their overall strategy. Generally, MNEs have three strategic HRM options to choose from: ethnocentric, polycentric and global (Perlmutter, 1969).

An **ethnocentric strategy** is one in which the company chooses to implement policies and practices of HRM similar to those of the originating country in its affiliates. When a company mainly pursue policies and practices that can find in the host country; then it’s choosing a **polycentric strategy**. In case it chooses **global strategy**, the company will develop and implement a universal policy, which "feeds" from its culture and organizational philosophy, regardless of where it occurs.

As organizations in developing countries and industrialized countries have different external environments, the transfer of management theories and practices from one country to another, may have limited applicability (Kanungo & Jaeger, 1990). This is why, "the transfer of management theories and techniques based on Western ideologies and value systems have contributed in many ways to organizational inefficiency and ineffectiveness in the context of a developing country." (Kanungo & Jaeger, 1990)

Since in most cases the organizations are formed within a particular country, their ways of working are strongly influenced by the culture of that country (Hofstede 1980; Laurent 1983; Schneider 1988; Trompenaars 1993). Practically, there is no aspect of management that is completely unaffected by culture and extensive research shows that cultural differences are an important cause of divergence in management practices worldwide. Another more descriptive point of view about the international HRM is offered by Teagarden and Von Glinow (1997), who argued that many HRM practices are specific to particular cultures and cannot be generalized.

Kostova (1999) also proposes that transfer between different business systems is influenced by "institutional distance" (i.e. the difference between "institutional profile" of MNEs country of origin and the host country in which it operates), or as Silverthorne (2005), suggests, HRM practices in many countries are also affected by the rules that govern business. In summary, the HRM practices in a given country tend to be influenced by both; cultural and institutional arrangements (Leat & El-Kot, 2007).

Another study that identifies the factors affecting the transfer of HRM practices is that of Beechler and Yang (1994), who argued that there are three groups of factors that influence whether a multinational company wants or can transfer its HRM practices in subsidiaries thereof. These are, first of all, the factors associated with the origin country, like the culture of the home country of the MNE. Secondly, factors associated with the host country, such as: culture and its distance from the culture of MNEs home country, labor market conditions and industry practice rules. Thirdly, the factors associated with the company itself, such as: to what extent MNE's subsidiaries are an integral part of the parent company's strategic plans and the degree to which the parent company is dependent on its affiliates to provide resources required. Keller (1989) suggested that it is easier to transfer the technical parts of management than those parts that directly affect employees.

Another factor in determining and implementing global practices in HRM national level is the presence of foreign managers in subsidiaries of MNEs. Indeed, the presence of foreign managers has increased the similarity of HRM practices between MNEs subsidiary and parent company (Rosenzweig & Nohra, 1994) and thus encouraging, greater adherence to the guidelines set by MNEs. In addition, foreign managers also have the communicative role within the subsidiary in the host countries and serve "to transfer their knowledge and managerial skills in subsidiaries of the host countries", orienting, so local employees to a favorite work style (Gamble, 2003).

Choosing HRM strategy by MNE depends on how the foreign subsidiary is set up. If it is set up as a green field, managers transferred to the subsidiary have more room to exercise their choices on HRM practices that they use; but, if
the subsidiary is established by acquisition an existing local company, the new company is more likely to resemble other firms in the country (Tayeb, 1998).

Other studies aim to see the impact of the size of the subsidiary in the transfer of HRM practices. We cannot accurately determine from these studies the impact of the size of the subsidiary in the transfer of HRM practices because, on the one hand, major subsidiaries may seek employment to a significant number of workers from the host country, which may make it difficult to transfer HRM practices; on the other hand, major subsidiaries may perhaps depend on resources from the parent company, which may make it easier to transfer HRM practices (Rosenzweig and Nohra, 1994).

Another factor affecting the transfer of HRM practices is the influence of the parent company which may be stronger at the beginning of the activity of the subsidiary, but can be expected to diminish over time and thus affiliates will begin increasingly to resemble the local environment (Rosenzweig and Nohra, 1994). Thus, it is intended to review the impact of the age of the subsidiary in the transfer of HRM practices.

5. Proposed Methodology

Reviewing literature on the transfer of HRM practices indicates that there is a very extensive literature on this issue, namely, it is important for the study to find ways of collecting and processing information. The methodology used combines primary data with secondary ones.

Secondary data are the result of a review of a wide and contemporary literature on the transfer of HRM practices from MNE's operating in different countries and cultures. In the Albanian reality there is a lack of studies in this aspect, which serves as the contribution of this topic, same as for academics, as well as for MNEs that have subsidiaries in our country. Its contribution will be to identify the factors that may affect the transfer of these practices by parent companies to their subsidiaries in Albania.

While the primary research sought to be achieved through the distribution of questionnaires to affiliates of foreign companies operating in Albania. The questionnaire will be addressed to the high levels of management in these companies to collect the necessary information regarding factors that influence the transfer of HRM practices.

The advantage of using the questionnaire is that quantitative data from statistical relationships between them produce general results about cases in the study (Creswell, 1994). The use of the questionnaire also enables the collection and analysis of quantitative data using descriptive statistics. These data can be used to suggest possible reasons for certain links between variables and to create models of these connections (Saunders et al, 2009). According to Bartunek et al. (1993), there is no superior search method.

6. Conclusions

Globalization represents today a phenomenon, whose consequences are involving developed and developing countries. The main forms of economic globalization are: international trade, foreign direct investments (FDI) and the integration of capital market. The increased amount of FDIs is caused by MNEs activity. Even there are different definitions of such firms, they can be considered as companies with activities expanded in more than one country.

The reasons why companies become multinational are: to provide new markets or low labor cost, to provide new technological and managerial knowledge etc.

A key of success for MNEs, as much as their activities globalizing, is the strategic management of international human resources (Harvey et al., 2001). Second Perlmutter (1969), MNEs have three strategic HRM options to choose from: ethnocentric, polycentric and global).

A great concern for MNEs is the transfer of HRM practices across countries and the identification of factors affecting this transfer. There are different studies on this field such as Beechler and Yang (1994), who argued that there are three groups of factors that influence whether a multinational company wants or can transfer its HRM practices in subsidiaries thereof. These are, first of all, the factors associated with the origin country, like the culture of the home country of the MNE. Secondly, factors associated with the host country, such as: culture and its distance from the culture of MNEs home country, labor market conditions and industry practice rules. Thirdly, the factors associated with the company itself, such as: to what extent MNE's subsidiaries are an integral part of the parent company's strategic plans and the degree to which the parent company is dependent on its affiliates to provide resources required.

Other studies tend to focus on the age, size and type of the subsidiary (as a Greenfield investment or an acquisition) and how these factors can affect the transfer of HRM practices.

This research work represents only the start in the series of studies dedicated to transfer of HRM practices in the subsidiaries in Albania. Other studies in the future may not limit only in the identifications of the factors influencing the
transfer of HRM practices from the MNEs in their subsidiaries in Albania, but may also study the impact of this decision on the performance of these companies.

References

The Incidence of Different Candida Albicans Infections in Durres Area

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Abstract

Candida albicans is an opportunistic fungal pathogen that is responsible for candidiasis in human hosts. C. albicans grow in several different morphological forms, ranging from unicellular budding yeast to true hyphae with parallel-side wall. Its ability to transform from yeast to hyphae is considered as a virulence factor. The vast majority of Candida infections are mucosal, but in severe cases, the fungus can penetrate through epithelial layers into deeper tissues, reach the blood stream and, from there, may cause life-threatening systemic infections. Our study was carried out between July 2013 and June 2014. This study is part of a 3-year study related with C. albicans infections in Durres area. In previous studies we have found the relation of these infections by gender, age groups, seasons. In this study we wanted to show which of these C. albicans infections was the most prevalent for this period of time in Durres area. A number of 2641 persons suspected for C. albicans intestinal, cutaneous, throat or genital infections, came in the Laboratory of Microbiology, DRSH, Durres, Albania, from July 2013 till June 2014. 655 persons out of 2641 were suspected for C. albicans feaceal infections, 97 persons out of 2641 were suspected for C. albicans cutaneous infections, 764 out of 2641 persons were suspected for C. albicans throat infections, 1125 out of 2641 persons were suspected for C. albicans genital infections. It has resulted that the most prevalent C. albicans infections in Durres area, for the period of time July 2013 - June 2014 were the cuteneous infections.

Keywords: Candida albicans, candidiasis, hyphea, mucosal infections, systemic infections

1. Introduction

Candida albicans taxonomy: Domain - Eukaryota, Phylum - Ascomycota, Class - Saccharomycetes, Order - Saccharomycetales, Family - Saccharomycetaceae, Genus - Candida, species= albicans (MicrobeWiki, 2014).

While almost all of us possess Candida albicans in our oral cavity, gastrointestinal tracts, genitourinary tracts, and on skin as a relatively harmless commensal organism, Candida albicans is a major systemic fungal pathogen in humans (Gow N et. al., 2011). C. albicans is an opportunistic fungal pathogen that is responsible for candidiasis in human hosts. C. albicans grow in several different morphological forms, ranging from unicellular budding yeast to true hyphae with parallel-side wall (Sudbery P. et. al., 2004). Its ability to transform from yeast to hyphae is considered as a virulence factor. Hyphae formation from yeast cells is a virulence trait that enables the human opportunistic pathogen Candida albicans to invade host tissues (Farahnaz Bineshian et. al., 2015). Hyphal differentiation in Candida albicans results from an integration of signaling events from environmental cues that can act either alone or in combination. These include elevated temperature, pH or CO₂, limiting O₂, nitrogen or carbon, and exposure to serum, GlcNAc and other less well defined inducers. Signaling to Ras1, adenylate cyclase (Cdc35/Cyr1) and the APSES transcription factor Efg1 provides a link that integrates many of these disparate environmental signals (Michael L. Pendra et. al., 2015).

The vast majority of Candida infections are mucosal, manifesting as vaginal or oral candidiasis, which together account for an estimated 40 million infections per year (Julian R. Naglik et. al., 2014). In severe cases, the fungus can penetrate through epithelial layers into deeper tissues, reach the blood stream and, from there, may cause life-threatening systemic infections (Betty Wächtler et. al., 2011).

The interaction between Candida albicans and the host during infection is a complex and dynamic process.
utilizes different strategies to cope with the host's environmental cues for morphological change, proliferation, and escape from the host's immune defenses (Yan Yu Chen et. al., 2013). An important attribute of microbial adhesive proteins is the presence of determinants that confer targeting to the yeast or hyphal cell surface. Als1p and Ala1p, encoded by members of the large ALS gene family were reported to adhere to endothelial and epithelial cells, and extracellular matrix proteins (Paula Sundstrom 2002).

In the routine diagnostic microbiology laboratory, C. albicans can be identified presumptively with simple, rapid, and inexpensive methods such as germ tube or colorimetric tests, as well as the use of selective chromogenic agar media (Jan Trnovsky et. al., 2008).

2. Materials and Methods

This study was carried out between July 2013 and June 2014. A collection of 2641 yeast strains was obtained by routine isolation from fecal, cutaneous, oral, spermatic and vaginal swabs in the Laboratory of Microbiology, DRSH, Durres, Albania.

All specimens have had a label completely filled with the patient's name, age, sex and specimen source. Swabs were immediately transferred to Sabouraud's Dextrose Agar (SDA). Than culture tubes were incubated at 30°C for 24-48 hours.

For C. albicans identification we used Microscopy Identification. The microscope is the best tool for a microbiologist. Distinct features of yeasts can be identified by observing their morphology. Microscopes can be used for fast identification and detection of possible yeasts in a clinical sample. When C. albicans was present, short, slender, tubelike structures (germ tube) were observed under the microscope.

3. Results and Discussions

This study is part of a 3-year study related with C. albicans infections in Durres area. In previous studies we have found the relation of these infections by gender, age groups, seasons. In this study we wanted to show which of these C. albicans infections was the most prevalent for this period of time in Durres area.

In this study we have analysed 2641 individuals suspected for some different C. albicans infections. The samples taken from these persons were obtained by routine isolation from fecal, cutaneous, oral, spermatic and vaginal swabs in the Laboratory of Microbiology, DRSH, Durres, Albania. The samples were taken from July 2013 till June 2014.

655 persons out of 2641 were suspected for C. albicans fecal infections, 97 persons out of 2641 were suspected for C. albicans cutaneous infections, 764 out of 2641 persons were suspected for C. albicans throat infections, 1125 out of 2641 persons were suspected for C. albicans genital infections.

The chart below shows the percentage of the persons analyzed for each C. albicans infections.

Chart 1. The percentage of the persons analyzed for each C. albicans infections

To analyze C. albicans intestinal infections, we have collected 655 samples from persons suspected, 446 of which resulted negative and 209 resulted positive. The number of positive and negative C. albicans intestinal infections is shown in the chart below.
Chart 2. The number of negative and positive *C. albicans* intestinal infections

A collection of 97 cutaneous swabs form persons suspected for *C. albicans* cutaneous infections, was obtained to analyze the incidence of these infections. 32 out of 97 samples resulted negative, 65 out of 97 samples resulted positive. The number of positive and negative *C. albicans* cutaneous infections is shown in the chart below.

Chart 3. The number of negative and positive *C. albicans* cutaneous infections

According to *C. albicans* throat infections, we have collected a total number of 764 samples. The analyzes showed that 573 out of 764 samples resulted negative and 191 out of 764 samples resulted positive. This incidence of *C. albicans* throat infections is shown in the chart below.

Chart 4. The incidence of of *C. albicans* throat infections

To analyze *C. albicans* genital infections, we have collected 1125 samples, 890 of which resulted negative and 235 resulted positive. The number of positive and negative *C. albicans* genital infections is shown in the chart below.
In this study we wanted to analyze the incidence of *C. albicans* infections, which of them are more prevalent in Durres area for this period of time. The processing of the data showed that only 32% of persons suspected for *C. albicans* intestinal infections resulted positive; 67% of persons suspected for *C. albicans* cutaneous infections resulted positive; only 25% of persons suspected for *C. albicans* throat infections resulted positive; only 21% of persons suspected for *C. albicans* genital infections resulted positive. The chart below shows the incidence of *C. albicans* infections for the period of time July 2013 - June 2014, in Durres area.

As shown in the chart above, the most prevalent *C. albicans* infections in Durres area, for the period of time July 2013 - June 2014 are the cutaneous infections. Which are followed by intestinal infections and throat infections. The lowest number of *C. albicans* infections is occupied by *C. albicans* genital infections. The number of persons analyzed for *C. albicans* cutaneous infections is smaller than the others, but the percentage of positive cases resulted much higher. So we can say that may be clinical signs appeared in skin during *C. albicans* cutaneous infections are more specific, compared with *C. albicans* intestinal, throat and genital infections, whose symptoms can be confused with other microorganism infections.

References

Betty Wächtler, Duncan Wilson, Katja Haedicke, Frederic Dalle, Bernhard Hube (2011) From Attachment to Damage: Defined Genes of Candida albicans Mediate Adhesion, Invasion and Damage during Interaction with Oral Epithelial Cells. Plos collections DOI: 10.1371/journal.pone.0017046


The student-edited microbiology resource Candida albicans (2014), MicrobeWiki

Post Traumatic Stress Disorder in Children Sexual Abuse

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Abstract

The aim of this study is to research deeply on the post-traumatic stress disorder in sexually abused children. Proving the presence of forms of the disorder in children and their treatment mode will be in the center of the study. The methods used to conduct this study will be a literature review on the focused issue referring to reviews of articles which focus on the defined peer group. For the purpose we have selected only articles focusing on sexually abused children treated for post-traumatic stress disorder. The results of the study reveal that all forms of abuse could bring consequences on children, even more, post-traumatic stress is the language with which the victims communicate their sorrow in the most typical mode. Sexual abuse as one of the major forms of abuse, is among the most severe which cause irreversible consequences over a category of children. In conclusion we can assume that post-traumatic stress in sexually abused children might appear through the most severe forms of psychiatric and psychological symptoms and for the recovery and rehabilitation of the child in many cases the pharmacological treatment seems as the best choice for the child.

Keywords: post-traumatic stress disorder, children, sexual abuse, psychological trauma, treatment.

1. Introduction

Sexual abuse is widely known as one of the most severe forms of traumatic experiences (Foa, Hearst-Ikeda, Perry, 1995). For the nature of trauma it implies, it has a significant influence on the everyday life of the individual affected by this kind of experience. If we would refer to the literature there are many studies that focused their research just to sexual abuse and the consequences it cause. The focus of the current study regards children sexual abuse, centering on the later life consequences to victims. Some authors refer to sexual abuse as one of those traumatic experiences with a capital "T", which lay out all defense mechanisms of the individual by creating a prelude for a deteriorating picture with significant psychiatric symptoms. If we would have to speak of trauma caused by sexual abuse, we must focus on two important aspects:

- physical damage which refers to physical pain and wounds that a child experienced as a consequence of sexual abuse
- psychological damage that relates to the damage of the coping ability skills of a person, capable to face emotionally the lived experience and the consequences derived from the event.

Both these aspects are interachted with each other and often lay children to the screening of post-traumatic stress disorder (Beers & DeBellis, 2002).

2. Methodology

In realizing the research we centered in a review of articles and studies which relate to sexual abuse. 40 articles were analyzed regarding post-traumatic stress, from which 17 articles focused primarily on sexual abuse, 7 of them were case studies and other articles elaborated on children sexual abuse. The categories of children varies to a peergroup between 2-18 years old.

3. Results on the Diagnostication and Treatment of Post-Traumatic Stress Disorder of Sexually Abused Children and Adolescents

It results that not all sexual abuse victims (Utzon, Breinegaard, Bertelsen et al., 2014) react in the same way after a traumatic event. Different children will show the effects of trauma in a different intensity and forms (Breslau et al., 1999). The reaction way after the trauma will depend on a variety of factors such as:
The way the child perceived the experience, thus the meaning it gives to the event
- The time when the event occurred and its continuity
- The person caused the event, if he/she is a known or unknown person.

Referring to the studies (Gureje & Obikoya, 1990, Bremner et al., 1997) the number of sexually abused children is greater than the solicited documented in the police and prosecution authorities. This for the fact that a part of them are unreported by victims or their familiars. Usually as a prey to sexual abuse falls children in the peergroup of 4-14 years old (Bremner et al., 1997) but without excluding other categories, as there are cases where a victim of sexual abuse were children in the age of 2 years old. Sexual abuse referring to literature sources (Chu, 1997, Beers & Debellis, 2002; Anda, 2002) are carried out mainly by males, there are many rare cases of females involved in a sexual abuse with children. Abusers could be adult unknown or known people to the victim. Eventhough in a number of studies it is showed that in the position of abusers were often family members (Cohen, Hien, Batchelder, 2008), as father, brother, uncle, grandfather etc.

The element of family members makes the event even more traumatic and difficult to be overcome by a child who has been a victim of sexual abuse. Studies reveal even another interesting fact that connects all victims of abuse which is the tendency not to speak for the event (Breslau Reboussin, Anthony Storr, 2005) and therefore not to look for a possible help. It hardly difficult to speak for the abused child (Cloitre, Koenen, Cohen, Han, 2002) for what is happening to them and to search for help.

The tendency of not telling is either a remorse for many parents who feel guilty (Andrews, Brewin, Philpott, Stewart, 2007) for not reaching to protect their child. The dilemma “why he/she didn’t ask me for help” is a real torture for them. But, we have to know that silence is a symptom of trauma and that this happen to every sexually abused children. In the psychological aspect, the sexually abused child feel an emotional toil (Cohen et al., 2004) to face the disgust, horror, fear and the helpless caused by trauma (Smid, Mooren, van der Mast, Gersons, Kleber, 2009). Such an event swing the mental equilibrium of the individual and even more the self-esteem, self-image, the trust in self and in the people around (Eytan, Guthmiller, Durieux-Paillard, Loutan, Gex-Fabry, 2011).

In the psychological aspect, sexual abuse might cause feeling of guilt and loss of interest for life (Zhang et al., 2013). According to Friedman (2006) many of the unwanted symptoms of trauma are normal and do not last more than a number of weeks. Symptoms regards emotions such as hostility, fear, sadness, feeling of guilt and shame, numbness, shock, cognitive disorientation, difficulty in concentration, somatic symptoms, problems with sleep or appetite, irritation etc (Cohen, Mannarino & Deblinger, 2006). The majority of a traumatic event survivors are self-recovered, their symptoms disappear with time and they do not go through a post-traumatic stress. At the other side, if we speak for a trauma linked to a sexual abuse, we could not say that this is a trauma which would pass itself. Sexual abuse is jointly accepted by researchers and experts of the field, that cause a trauma which lingers deep tracks in a child psychic organization and functionality. Trauma caused by a sexual abuse inevitably leads in the experience of post-traumatic stress in children and adolescents (Cohen, Mannarino & Deblinger, 2006). The later will start functioning after the traumatic event in a new and worrying form either in behavioral, mental and emotional aspect (Deblinger, Behl & Glickman, 2005).

In children and adolescents who are affected by post-traumatic stress it is necessary an evaluation to define whether the child fulfills the DSM-IV criteria (American Psychiatry Association, 1994) to be diagnosed with post-traumatic stress disorder and if this is true, to assess the time duration and severity of that. As our aim is to see into symptoms that are caused by sexual abuse and the show after of the post-traumatic stress disorder we will focus in DSM-IV to screen for the presence of the following symptoms:

As above mentioned, according to DSM-IV, that a child to be diagnosed with post-traumatic stress and that there is a trauma, the child has to:
1) experience at least an event that cause or risks death, or a very serious physical damage or that compromises the physical integrity of the person or someone else.
2) the diagnosis of a traumatic event requires that the response of the person to the situation is shown with a high intensity fear, powerless and horror. The DSM criteria for the diagnosis of the post-traumatic stress involve the constant repetitions of at least a symptom, the presence of constant avoidant and numbering symptoms, constant psycho-motor agitation with an overall clinical framework persistent in the child for at least 1 month actively.

The sexually abused child experience repetitive symptoms which include the refeel of events or constant nightmares (Putnam, 2003) nighty relating the traumatic event. The overall situation creates a constant unwanted raise of stress rendering the child life into a true horror. Repetition might be shown in the forms of flashbacks, which develop the feeling of reliving the event again. In the case, flashback is an episode when the child detach from reality and not merely
an image or a memory from the event. During the experience of flashbacks, such children are detached from reality. Flashbacks usually last some minutes and during the period the child relives, not only remembers the traumatic event. Flashback might be associated with hallucinations in the type of listening or in the form of seeing (Saunders et al., 2003). Repetitive symptoms could be sensorial experiences which appear in the visuality of the unwanted images of trauma when child close eyes or the evocation of odors, tastes, noises or emotions experienced in the moment of trauma (Saunders et al., 2003). Evocation might appear in the form of nightmares which make waking up in the night with panic attacks. Avoidant symptoms appear in the avoidance of stimulus that are related with the traumatic event. One of the symptoms is the avoidance of location of trauma but either of other places similar with the trauma locality which comes for the generalization that the victim make. Sexually abused individuals might constantly avoid people who remember them the abuser. Moreover, victims might avoid people generally because they fear they would be disappointed by again and are generally sceptical to everybody.

Eventhough, avoidance of people and places with risk is not a symptom for post-traumatic stress alone. Numbing symptoms appear in the form of not involvement emotionally and the lack of showing emotions generally. Victims could not feel love, happiness, do not have the sense of humor and lost the interest in activities they have liked before trauma. In some extreme cases, numbing symptoms make individual feel dead inside. Numbing might be alternated with periods of hostility, sadness or anxiety. Numbing might lead even in the usage of narcotic substances which in the other hand, happens to achieve the numbing state again for not feeling what happened or to beat numbing itself.

Symptoms of agitation appear in different forms. Traumatized children might be over vigilant and controlling constantly for possible dangers. They might be altered easily and to misunderstand normal situations. Agitation may cause insomnia, but this might be even a consequence of repetition symptoms or avoidant ones. Insomnia might be a response to constant awaking from nightmares and the child avoid sleep to avoid nightmares (Taylor, 2006).

Refering to the treatment, we could say that traumas need for an intervention which bring in scene a series of important actors. Cognitive-behavioral therapy is seen as a successful treatment form for traumas. The number of sessions usually varies from 6-12 therapeutic sessions. In children and adolescents with a more severe symptomatology would be necessary a greater number of sessions. Exposure is seen as an important element of trauma treatment, revealing in a technique which is necessary. Refering to trauma treatment, even more, a number of important elements have to be part of a successful treatment. We will begin with the importance of choosing therapist who has to be a highly competent in the field of trauma and has a qualification in working with sexually abused children. Another important element is the support of family and their involvement in the treatment.

To make a fully successful trauma treatment in the cases of sexual abuse it is highly recommended the use of psychoeducation (Fairweather & Garcia, 2007).

Psychoeducation in the sexually abused children and adolescents help for the treatment of a number of important aspects of trauma relating modification of thoughts regarding the perception for their body, sexuality, intimate relationships and sexual abuse. In some cases the effects of trauma are very hard and seek for a therapeutic intervention associated with a pharmacological treatment, eventhough in children the pharmacological intervention should be assessed carefully for their adverse effects (Federal Drug Administration, 2002) which might influence even in the normal development of the child or adolescent. Refering to the pharmacological treatment it results effective treatments through antidepressants (Davidson, 2000) (SSRI, alpha-adrenergic agonists). In children and adolescents with might suffer from PSTD with a more severe symptomatology it results successful pharmacological treatment of Fluoxetine, Setraline, Venlafaxine, Citalopram and Fluvoxamine (Hagman, Andersen & Jorgensen, 2001). SSRI treatment resulted more successful either for the fact that adverse effects are less harmful, eventhough, such treatments have negative side effects which can appear in the form of gastrointestinal troubles, or blood pressure matters. hypothermia etc. Medicinal treatment even seen as a necessary form of trauma treatment in the cases of severe symptomatology should be administer in attachment with Cognitive-Behavioral therapy (Mueser et al., 2008) for a more permanent results in children and adolescents.

4. Conclusions

Sexual abuse remains as one of the most severe forms of trauma. These traumas mark deeply in the individual subconscious either delimited as an adult or child. As a result of such a trauma, children and adolescents may develop a post-traumatic stress disorder, that usually in them is manifested more as disorders of anxiety, behavioral and substance abuse, but does not exclude other forms of psychopathologies. In a way that these traumas might be overcomed there is a need of immediate therapeutic interventions. These interventions can be either psychological therapies or pharmacological combined. Among psychological therapies, cognitive-behavioral therapy were given the
most positive results in trauma treatment, but when trauma is associated with severe symptoms there is a usually use combination with pharmacological therapy. The latter is closely watched in order not to cause to the child a detrimental side effects which can negatively affect its bio-psycho-social development. This therapy should be given short-term that the main focus could remain child and adolescent recovery, rehabilitation and personal empowerment through a healthy thinking and behavioral intervention and modification, which is successfully carried out with cognitive-behavioral therapy.

References


The Analysis and the Audit of Enterprises,  
A New Challenge in Front of Global Crisis Today  

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Abstract  

A number of studies have tried to explain SME and how they affect economic growth. These studies have mainly taken the role of SME as an engine of economic growth but connected with perfection of the market and institutional role. While various skeptics question the efficiency of SME and their role speaking in favor of large firms (Biggs, 2002). While many studies have assessed the importance of micro SME in economic growth just in the process of industrialization (Snodgrass and Biggs, 1996). Beck, Demirguc-Kunt and Levine (2005) provide the first evidence on the links between SME, economic growth and poverty reduction, using a new database compiled by Ayyagari, Beck and Demirguc-Kunt (2003). According to their per capita GDP growth and employment in manufacturing report from SME, show a strong positive correlation during the 1990-s.  

Keywords: economic growth, efficiency, SME consumer, auditing, GDP correlation.  

1. The Goal of the Paper  

Regressions applied clearly and detailed are controlling the opposite of causal relationship and simultaneous bias or prejudice, in the relationship between SME and economic growth. So the results do not necessarily lead to the conclusion that SME do not bring economic growth. In addition, they fail to reject the hypothesis that certainly SME do not show a causal effect on the growth of GDP per capita.  

This conclusion is consistent with the view that a large sector of SME is a characteristic of fast-growing economies, but not because of their rapid growth. Beck, Demirguc-Kunt and Levine (2005), also did not reveal any evidence to any link of a large sector of SMEs with faster growth of income for the portion with lower incomes and rapid rates of poverty reduction. The private sector takes place there where this foreign direct investment and domestic investment grow and thrive. Foreign direct investments are directed where business opportunities are greater and barriers to entrepreneurship are small. Then, who are the main factors in determining these investments? First, macroeconomic stability, which certainly plays a role in the central bank, low inflation and political stability. Of course, political stability should be defined first and one of the areas where such ambiguity is what we mean by sustainability and political security.  

2. Introduction  

An obvious study of the rules of the political game and institutional scheme. This stability does not mean that governments should not be changed, because in this case Italy would be developed over the past 60 years, but it means setting clear rules of the political game. Other factors are: a system of appropriate legal and regulatory; of financial markets, employment and real estate, which function well; a good system of property rights and contract enforcement, and low corruption or mechanisms to combat it. What can be done from the standpoint of the government to facilitate
domestic investment and foreign direct? The traditional way of developing the theme is to consider investment incentives, financial and fiscal incentives, targeting investors and the sectors to develop competitive advantages of the country. These factors should be considered, although should be taken into account because significant distortions are created when using incentive of this nature, but they can be used and used. The most important activities that can take the government to promote investment are: interference on administrative barriers; intervention to reduce corruption; intervention to promote and develop strong sectors, through a number of indirect mechanisms; and creation of an attractive business environment, which implies factors of production conditions; certainly investment in human capital and infrastructure investments.

3. Literature Review And Hypotheses

Meanwhile, there is no firm data on the cross-country relationship between business environment and economic growth. Evidences in industrial level, and firm-level studies consistently show a positive correlation to a competitive business environment with access, entrepreneurship and investment.

✓ Report of economic growth and the entry of new firms

Klapper, Laeven and Rajan (2006) demonstrate that a means by which business environment affects economic development is the introduction of new firms. Using firm-level data for Western and Eastern Europe, they discover that the input settings, measured as the cost of registering a company, inhibits the creation of new firms, and arrangements to ensure the protection of property rights and access to finance, enhancing so the introduction of new firms.

Moreover, the effect of the strengthened entries appear in a low productivity: the value added per employee in industries usually with "high intake" grow much more slowly in countries with the most severe regulations on introduction. The document also suggests that in some cases a poor business environment can affect the performance of the SME sector because of market limitations and imperfections restrain competition and slow the growth of the firm.

A comparison of Italy and the United Kingdom (UK) illustrates this effect. In Italy, where input costs are 20% of GNP and the opposite in the UK where they account for 1.4% of GNP, it has many small firms with slower growth. The problem in Italy is that the SME sector has many old and inefficient firms compared with its counterpart in the UK. Indeed, in Italy they are the biggest firms in the beginning, but grow slowly, while firms in the UK are about twice as large after ten years. These results complement the findings of Beck, Demirgüç-Kunt and Levine (2005a) and can provide an explanation of why a large SME are likely not be linked to faster growth, that if the SME sector is large a reflection of inputs and throughputs of small firms.

4. Problems Encountered by SME

4.1 General issues

Until now the business environment in Albania did not allow the private sector to lead economic growth in the country. This mainly happens because of not enough law enforcement and weak economic infrastructure and social services and administrative inefficient bureaucratic barriers that do not allow to use competitive advantages and benefit from the free trade regime. On the other hand, the lack of competitive advantage is the result of shortcomings in the process of learning of the owner / manager. These deficiencies or gaps in knowledge, the expertise and technical capabilities necessary to generate a-mance discrepancies between actual and desired performance or needed for the firm in a competitive environment. Quite often, education and professional training of entrepreneurs in the past was not related to the business they started. The practice has been the best teacher for them. But today, when competition is strong and growing market opportunities are shrinking, often experience of managers / owners of SMEs is not sufficient to continue business growth. In this context, innovation and development of business management capacity becomes vital for sustainable growth and for establishing business in a high-level that SMEs in Albania focus predominantly on domestic and international competition was lacking. This affects not only the growth opportunities in international markets but should also consider the fact that globalization brings in Albanian international competition at enterprises in their domestic markets. Various international reports, including the Progress Report of the European Commission note that the business environment for SMES in Albania there were good improvements, particularly with regard to the registration of companies and access to finance.

4.2 Sample and Data Collections
However, significant gaps remain in terms of human capital development and technological capacity, hampering the ability of Albanian companies to compete properly with SME and EU and thus survive in EU market competition. It is recognized that technological developments in recent years have progressed by leaps galloping and small and medium enterprises in Albania are not longer good enough resources to adapt to these changes. This is reflected in the productivity and quality of products Albanian SME, which compared with those of the EU leaves much to be desired.

**The micro-credit**

The micro-credit can be considered as a kind of pre-financing for SMEs. The micro-businesses and family have no access to formal bank loans and as many micro-businesses can not grow significantly, but others can be developed and transferred to SME officially recorded in the future.

In addition, a small number of financial institutions, recently, have started to give loans to SMEs, based on their experience and success in working with them mechanisms for an effective microfinance. By assimilating all the above principles, the final goal of the microfinance sector must be build financially sustainable institutions, which then become a permanent characteristics of the financial system, in other words, who can continue their activity when donor grants or soft loans are no longer possible.

At this point you can take advantage of microfinance institutions and commercial sources of funding, enabling them to significantly expand their activities and scope. Based on successful practices at the international level, there are a number of elements that are essential in creating effective microfinance institutions:

- Using best practices in microfinance project design: it covers a range of issues, including whether the loan is appropriate for group identified how he served the poor, whether using experts in project design phase etc.
- The need to evaluate microfinance against alternative interventions: this includes determination whether microfinance is appropriate and successful, review other strategies that could give better results; and additional interventions.
- Microfinance usually seen in terms of microcredit, even though credit components usually are not as successful for as long as donors do not verify credit access scheme is a real limitation; use of microfinance expertise in the design, implementation and monitoring of projects; creating a performance indicators that follow credit components;
- Supporting the strengthening of institutions specializing in the provision of financial services; and in the absence of the latter, special support microfinance projects which can lay the foundations for the establishment of permanent financial institutions.
- Because microfinance is different from commercial banking activity, he has to walk to the regulatory and supervisory system of microfinance, as is the removal of the ceiling on interest rates; enabling credit institutions to perform only to lend without licenses and supervision; development of powerful institutions licensed micro-financing; encouraging to establish sound financial procedures and publish them; recognition that microfinance can be provided by a variety of different institutions and the development of an effective supervision of microfinance. Another factor worth mentioning is e-commerce. During recent years have increased in Albania Internet users, especially the younger generation, but still can not speak of a massive use of internet among small and medium producers. Infrastructure generally is considered very poor, limited usage is mainly in Tirana and much less in some of the major districts, while it is almost non-existent in other regions of the country.

**4.2.1 Financial barriers, legal and Institutional ones.**

Becket al. They have shown that higher barriers actually translated into slower growth. Financial barriers to small firms have almost twice the impact on annual growth have are these financial barriers to large businesses. This difference is even more powerful in the case of barriers related to corruption and the legal system, where small firms of “suffer” the consequences about three times more in terms of growth, than large businesses. So not only small businesses reporting higher barriers, but also these barriers more influence in the case of these businesses.
In general, institutional development is the most important characteristic in various countries explains the differences between countries in terms of financial barriers. Firms in countries where higher institutional development report lower financial barriers that firms in countries with lower institutional development. The positive effect of the financial and institutional development can be observed and the use of external funding sources. Better protection of property rights increases external financial resources to small businesses more than large firms, particularly as a result of different impact it has on financing from banks and suppliers.

Eg. Small businesses grow faster in Germany than in Albania, while the opposite occurs for large businesses. Many authors have managed to show that the effect of growth on growth barriers of small businesses is in countries with legal and financial systems of developed countries. And moreover they are very small businesses that benefit most from this institutional development. The effect of financial development and legal barriers and increasing the connection between is noticeably high for small businesses than large ones.

5. Research Goal

Many authors suggest that businesses are larger in countries with legal and financial system develop. Also businesses are larger in countries where judicial mechanisms for resolving conflicts and to protect property rights are more developed. These show that the agency problems between foreign investors and domestic contenders make the businesses to be smaller in countries where financial and legal systems are weak. It indicates that programs to promote small businesses can be ineffective and often non-productive time and in places where these systems are not developed, and force small businesses prefer to stay small than grow.

5.1 Problems faced by Albanian entrepreneurs

According to a survey I conducted in 60 small businesses in Tirana showed that the biggest problems faced by entrepreneurs are:

a. High tax levels.
b. Unfair competition.
c. The low purchasing power of the population.
d. Difficulties in accessing funding.
e. Lack of cooperation between the various public and private SME support.
f. Unstable legal environment.
g. Lack of qualified human resources

17% of respondents rank as the main problem of unfair competition, the top 41% tax level, and 17% of the low purchasing power of the population.

6. Conclusions

Another shortcoming observed in this study was the fact that SME generally have not asked support from various service providers for businesses.

Thus 46% of respondents stated that they have never asked the support of various service providers for SME. While 28% said they had asked support from these service providers when their business began to grow or had problems
and only 26% said they had used the services provided before or during the business creation process.

References

Mohr, L. B. Explaining organizational behavior, San Francisco
De Castri M., "Spazio e organizzazione: verso un nuovo rapporto"
Knittel-Ammerchuber, “The element of success and the strategies and business objectives”

Website

WWW.NCPPP.ORG/
WWW.LGPA.ORG.
http://www.worldbank.org/ (20.05.2012)
http://www.jobsetc.gc.ca/eng/home-accueil.jsp (20.05.2012)
History of Illegal Immigration in the Western Balkans Associated with Socio-Economic and Political Developments in the Region

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Abstract

Illegal immigration from the Western Balkans towards EU countries now is considered the number one concern for the EU institutions. This phenomenon has increased significantly in late 2014 and during 2015. The key driving factor towards emigration is primarily the high level of unemployment, and unstable economic situation of these countries. The low level of democracy, as well as conflicting policies, is another important factor. Some EU countries, such as Germany, Italy and Greece are directly confronted with this phenomenon, which has created substantial costs for its management, not only in humanitarian terms. Italy and Greece are affected more by political emigration, immigrants coming from conflict areas. Germany is affected by migration from countries of the Western Balkans, in particular Kosovo and Albania. A study of immigrant’s preferences argues that about 34% of them select Germany as the primary destination for a better economic future. The paper tries to argue that policies that lead to the coordination of economic cooperation are concrete steps towards deepening European integration. Deepening the integration and enlargement of the EU cannot be threatened by a wave of illegal immigrants from the Western Balkans; on the contrary, these policies will lead to the reduction of this phenomenon.

1. Introduction

Illegal migration of the Western Balkan countries towards EU Member States does not constitute a new phenomenon, but given the trends, now is considered the number one concern for the EU institutions, and especially some of its countries. This phenomenon has increased significantly in late 2014 and during 2015. Frontex organization oversees immigration statistics since 2008, but according to their influx has never been greater than during this year.

Der Speigel, 27 August 2015 in an article entitled "Mass emigration, what is urging Balkan exodus" publishes a map with the number of immigrants from every country of the Balkans, who entered Germany during the first seven months of 2015 and applied for asylum. In this map, as can be clearly seen, Albanian nationals seeking asylum in Germany for the period 1 January-July ¬31 are 29 353. It seems that the Kosovo Albanians account for a larger number just 29,997 people. Macedonia, for the same period have sought asylum in Germany 5514 nationals, while 11,642 nationals from Serbia and from Bosnia-Herzegovina 2981 nationals. According to German media, 7500 Albanian nationals applied for asylum only in July.

Meanwhile, it is pretty clear that member states of the EU does not provide asylum for economic, financial or social reasons. International Organization for Migration defines illegal immigration as "Crossing borders without complying with the necessary conditions for legal entry. In the context of the EU, "asylum is granted to persons fleeing persecution or serious injuries in own place, and therefore need international protection " in other words, the status of asylum was granted only to those illegal immigrants who have fled their own countries because of persecution or the threat of danger to life (Haxhikadrija, Gashi, 2012).

In certain international organizations, research institutes and academic circles the term “illegal immigration” is looked upon unfavourably and the terms “irregular migration”, “undocumented migration” or “unauthorized migration” are used instead (Đorđević,2009:4). According to these references, in this paper the term “illegal migration” is used where the decisions from the Pact and the Directive are quoted.

The nature of irregular immigration in the member states of the EU is unlikely to return in numbers. In addition to personally decide immigrants flee from their countries, with thousands of other people are trafficked each year to the EU. The Eurostat data show that in 2013 the number of illegal immigrants caught within EU Member States was about 429,000, a figure that represents a 30% decrease from 2008, defines The Institute for Development Policy, 2015.

The World Bank data comparison of refugee population by country or territory of origin of Western Balkan countries emphasizes the fact that the Western Balkan region has a very high level of refugee population by country or territory of
origin. Particularly, Serbia, Bosnia and Herzegovina and Albania have the highest refugee population level. Montenegro has the lowest refugee population by country or territory of origin (Aliu, 2013: 7).

Aliu found that numerical results of Western Balkans are as such: During 2000-2010 according to the World Bank data, Albanian net migration (total migration) numbers are as follows: -270245 (2000) -72243 (2005) and -47889 (2010). During 2000-2010 according to the World Bank data, Macedonian net migration numbers are as such: -9000 (2000) -4000 (2005) and 2000 (2010).


Over the last 15 years Albania has experienced massive migrant outflows, primarily to Greece and Italy, driven by economic hardships during the transition process and fostered by geographic proximity and the liberalization of migration (Mendol Carletto, 2012:871). Estimates suggest that Greece and Italy together account for approximately 80% of the migrants, with Greece as the leading destination because of its geographical proximity (Vullnetari, 2007).

Mariapia Mendol Calogero Carletto (2012) states that “there are about three million Albanians who continue to live in the country and almost the same number left the country already”. Albania is ninth in the rankings of the World Bank country level immigrants compared with the population. According to a study of the Foundation “Friedrich Ebert”, two-thirds of young Albanians want to leave the country.

The emigration of Albanians to European Union countries and beyond has been a historical process of post-communist Albania, with a significant impact on the Albanian demographic and socio-economic development of the country. According to the Institute of Statistics (2011, p.14), the last decade of the Albanian population has decreased by 7.7% (from 3,069,275 people in 2001 to 2,831,741 people in 2011) where the main reason of population migration remains. The main destinations of the Albanian emigration are two neighboring countries, Italy and Greece, over the years although migration map has been expanded to other non-European countries (IOM, 2008).

Given the size of the Albanian population (3 million in 2001), this implies that more than one-quarter of Albanians have moved abroad since 1990. Looking more closely at the host-country stock figures for 2006 for Greece and Italy, these two countries alone accounted for 858,000 Albanian migrants: 482,000 in Greece, where Albanians make up approximately 60 percent of all immigrants; and 376,000 in Italy (King, Piracha & Vullnetari, 2010: 3-16).

Due to the massive and irregular character of Albanian emigration, there are no accurate official figures on the distribution of Albanian immigrants. Statistics show that about half of the immigrants are not equipped with proper documentation (Ibid).

The International Organization for Migration, Albania (2009) underline that “Migration remains a complex phenomenon that has affected many decades Albania. Many studies have been undertaken to explore the distribution of Albanian international migration after the fall of communism in 1990”. According to INSTAT (2004), 700,000 Albanians fled the country during the 1989-2001 periods and in 2005 the number of immigrants rose to 864,485, which represents 27.5% of the total population in the country (World Bank, 2005).

The first wave of migration slowed during the stabilization of the political and economic (1992-1995) characterized by the reduction of unemployment (12%), inflation rate (<10%) and higher levels of GDP growth (from -7.2% to 9% in the period 1993-1996) (Carletto et al., 2004). However this growth and economic stability had short life and the collapse of pyramid schemes in 1996 prompted another wave of migration.

Third wave of migration (1998-1999) happened during the Kosovo crisis that pushed many Kosovars to seek refuge in Albania. An estimated influx of 500,000 Kosovars demographic outlook changed again to Albania, even though it was a temporary state of imbalance. After a short stay in Albania, many Kosovars sought refuge in other countries of Western Europe, the United States, Canada and Australia. Albanians tried to migrate posing as Kosovo. Albanian migration during this time considered "invisible" (IOM, 2006; Vullnetari, 2007) because the Albanian authorities during that time were less involved in the identification and prevention of the consequences of this wave of migration. In subsequent years (2006 and later) migration became more difficult for Albanians (application of the rules for crossing the border) and the influx of recent international migration has to do with the Albanians who moved from primary place of destination (such as Italy, Greece) in other countries, mainly the United Kingdom, the United States and Canada. In a profile of recent migration (IOM, 2007) countries like Greece and Italy have been identified as the primary destination countries (ie migrant 434,810 in 2003 and 348,813 migrants in 2006). Other countries at high levels are the United States, United Kingdom, Canada and Germany.

The end of 2014 and the first month of 2015 is marked a period of exodus, where the European Union has
experienced a rapid growth in the number of Kosovo citizens who have entered its territory through the border of Serbia – Hungary, and then to Western Europe. Still, we do not have reliable data on the number of people who left the country during that period, but according to estimates are about 50,000 Kosovo citizens who have fled from the country illegally. Other sources give a number of other illegal immigrants, this figure reaches 100,000 people. This sudden wave of illegal immigration shows that the country is facing serious difficulties in economic and social development.

In April 2013, the government of Kosovo and Serbia reached an agreement in areas as: regional representation, recognition of diplomas, trade and customs, etc. In this context, the Serbian authorities agreed to lift restrictions and rules and procedures to facilitate travel at border points. The latest wave of illegal migration followed immediately after the easing of travel regulations, enabling them to reach the limits Kosovars the EU through Serbia.

These are some datas according to the Institute of Development Policy (2015) on Kosovo illegal immigration:

Table 1

![Table 1](image)


Albania, Bosnia and Herzegovina (BiH), Macedonia and Moldova – have rates of emigration equating to between 22 and 45% of their in-country populations. These ratios are amongst the highest, not only in Europe, but in the world. For post-Yugoslav countries, however, the migration data need to be interpreted with caution: high rates of emigration from BiH and Macedonia and high numbers of migrants from Croatia and Slovenia reflect a history of internal migration which the events of the 1990s and the break-up of Yugoslavia turned into ‘international’ migration (King, Frykman & Vullnetari, 2013: 131).

2. Why They Leave?

Poor countries like WB, characterized by low rates of economic growth and high unemployment, see immigration as the main settlement against poverty. Migration is a phenomenon with multilateral development implications, often contradictory in all areas of social, economic, and political, especially in countries that are more exposed to "flow". (Dervishi, 2003: 1-2).

Several factors may be temporary, but the main push factor to migration, the decline in positive expectations, fueled by high levels of unemployment and poverty will remain non-current. People who migrated to the stage from 2000 to the latest wave of illegal migration left the country for three reasons: 1. migration for the purpose of family reunification; 2. Legal migration for the purpose of education and temporary work, and 3. encourage illegal migration due to widespread poverty, corruption, high unemployment, and lack of prospects for the future.

German newspaper has interviewed enough asylum seekers from the Balkans to try to discover the causes of the exodus. According to "Der Spiegel" the economic reasons are more or less those pushing Western Balkan nationals seeking asylum. Exodus continues, it shows that the wounds of the Balkan wars are not yet healed. The consequences are: lack of investment, social welfare systems failed, corruption, organized crime, high unemployment and poverty. "Der Spiegel", 2015, quotes and hope is that changing the rules would encourage fewer people migrate to Germany from the Balkans.

In the same way analyze King, Frykman and Vullnetari, (2013), when stressing the economic reasons say that yet
within this shifting migration landscape of migrant stocks and flows, the fundamental economic geography of different wealth levels and work opportunities is what drives most migration, now as in the past. This article contends that immigration into the EU, and more specifically access to the labour markets of the EU for citizens of southeast Europe and the western Balkans in particular, may be an answer to the problem of organized crime by curtailing the Balkan mafias’ access to its key resource – labour (Glenny, 2004:250). The data show that the economic weight of remittances is especially strong in Albania, BiH, Moldova and Serbia, accounting for between 10 and 21% of Gross National Income. (World Bank 2011).

According to Ivailo Izvorski, “the first transition started in the 1990s and its ultimate completion will help advance the second. Progress on the second transition, the EU integration, will unleash the EU convergence machine that has seen all but two countries in Europe achieve and sustain high income status. He argue (Table 2) that the third transition, overcoming the middle-income trap, remains the most important long-term strategic policy challenge for the Western Balkans. Judged by the past experience of others in Europe and East Asia, even that demanding transition could be achieved in one or two” (Izvorski, 2015).

![Real GDP growth has weakened](image)

**Figure 1. Real GDP growth has weakened** (EBRD transition index)*
**Sources:** National sources and Bank staff calculations and projections.

![Progress on structural reforms has stalled](image)

**Figure 2. Progress on structural reforms has stalled** (percent change year-on-year)
**Sources:** EBRD. ECA = Europe and Central Asia

Armando Aliu in 2013 found that comparing inward and outward remittance flows of the Western Balkan countries, the graphs illustrate dynamic trends. For example, Serbia and Bosnia and Herzegovina have high level of inward and outward remittance flows. Albania has the lowest level of outward remittance flows. Axiomatically, migration flows from Western Balkan to the EU have also economic consequences and dimensions. Incrementally, in Albania, there is an increase at both inward remittance flows and outward remittance flows. Another economic consequence of migration flows is workers’ remittances: in 2009, Albania received $1.1 billion worth of remittances per year, Bosnia and Herzegovina $1.4 billion, FYR Macedonia $260 million and Serbia $3.8 billion (Aliu, 2013:7-8).

In recent years, all types of migration have declined, possibly due to improved economic conditions in the country (World Bank 2007). Migrant remittances have played an important role in rebuilding the economy of Albania after the
collapse of "pyramid" then. According to a report compiled by the IOM (2006) the amount of remittances sent home by immigrants is three times the foreign direct investments and nearly double the development assistance received from the Government of Albania. In general, migrant remittances have played an essential role in the Albanian economy and in particular by preventing and alleviating poverty.

In a Statement made by U.S. Department of State, 2015 is shown that more work it has to be done on the corruption perceptions and climate of doing business in Albania (Table 4).

Table 4

<table>
<thead>
<tr>
<th>Measure</th>
<th>Year</th>
<th>Rank</th>
<th>Website Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>TI Corruption Perceptions Index</td>
<td>2014</td>
<td>110 of 174</td>
<td>transparency.org/cpi2014/results</td>
</tr>
<tr>
<td>World Bank’s Doing Business</td>
<td>2015</td>
<td>68 of 189</td>
<td>doingbusiness.org/rankings</td>
</tr>
<tr>
<td>Report “Ease of Doing Business”</td>
<td>2014</td>
<td>94 of 143</td>
<td>globalinnovationindex.org/content.</td>
</tr>
<tr>
<td>Global Innovation Index</td>
<td>2014</td>
<td>94 of 143</td>
<td>aspx?page=data-analysis</td>
</tr>
<tr>
<td>World Bank GNI per capita</td>
<td>2013</td>
<td>USD</td>
<td>data.worldbank.org/indicator/NY</td>
</tr>
</tbody>
</table>


According to International Organization for Migration, Albania (2009), the reasons for removal from Albania (push factors), are as shown below in Table 3. The most important factor that has driven the country migration has been economic factors, where 67% said that economic difficulties (e.g., poverty, economic problems, unemployment) were the primary reason for the removal. Other important factors were poor living conditions in the country (9%), reunification with other family members (7%) and the opportunity for a better life in Western Europe and in other countries (7%).

Table 3: Reasons for leaving (push factors)

<table>
<thead>
<tr>
<th>Reason</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic difficulties</td>
<td>730 67%</td>
</tr>
<tr>
<td>Poor living conditions in Albania</td>
<td>103 9%</td>
</tr>
<tr>
<td>Family reunification abroad</td>
<td>82 7%</td>
</tr>
<tr>
<td>Better opportunities in destination countries</td>
<td>78 7%</td>
</tr>
<tr>
<td>Perceived lack of security in Albania</td>
<td>49 4%</td>
</tr>
<tr>
<td>Education</td>
<td>32 3%</td>
</tr>
<tr>
<td>Medical reasons</td>
<td>10 0.9%</td>
</tr>
<tr>
<td>Other</td>
<td>9 0.8%</td>
</tr>
<tr>
<td>Personal Conflict</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Ethnic conflict</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Political reasons</td>
<td>&lt;1%</td>
</tr>
</tbody>
</table>

One of the main reasons for migration is employment opportunities, with the majority of those who were unemployed in Albania (53%) intending to migrate for a short spell abroad (European Training Foundation, 2007). The main factor for migration is the lack of demand for labor, particularly in the formal sector.

In the report of IOM, 2009 it is stressed that Albanian international migration can be examined through the main push and pull factors that characterize this phenomenon. In his study 2004 Barjaba identifies unemployment and poverty as major driving factors that influence migration decisions and experience of Albanian migrants. Other factors include poor living conditions, lack of personal and political security (De Sotto et al., 2002).

A recent study of INSTAT, 2013, gives the reasons that push Albanian citizens to migrate: higher wages, the financial support of the family, better conditions of work, better conditions of life, better conditions of education, more security and order in the country.

INDEP (2015) offer analyses to understand the reasons why the people of Kosovo are more likely to migrate. It found that we need to take a look at the leading indicators of economic well-being of citizens in the country. Living
standards in Kosovo are significantly disadvantaged compared with the standards of the member states of the EU. Kosovo is considered as one of the poorest countries in Europe with a GDP per capita of € 2,894, is 11% of the EU average. During the nineties have been several factors that have impacted negatively on the economy country, as poor economic policies, ethnic conflict, sparing approach to foreign trade and finance, as well as sanctions (Indep, 2015: 3-4).

In recent years, economic growth has brought about 4% (Table 1), and that this increase was driven mainly by public and private investments, which do not involve any product or any improvement in labor market conditions. The growth rate is insufficient to cope with the challenges it is facing currently Kosovo.

Reducing poverty and improving the welfare of Kosovo can not be imagined without a strategy to create jobs in the meantime. What we see on the horizon does not look promising. The most worrying situation in the labor market in Kosovo is the high rate of unemployment. The average unemployment rate in Kosovo is 35.1%, while unemployment among young people, aged 15-25 years, is even higher and is about 55.3%. An estimated shows that 34% of the population living in poverty by 45 euro per month, which in other words means that live around 1.4 euro per day. (INDEP, 2015:6).

In February 2015 a survey was conducted by IVS Union (Initiative for Social Action) in some municipalities where the main motives were identified last wave of migration ilegal. The reasons listed are: economic instability (69.66%), frustration (confidence in the institutions of the state (54%), lack prospects for a better life (41%), social reasons (26.33%) and political reasons (27.66%) .

USAID in 2014 showed that only 21% of citizens were satisfied with the overall performance of goverment. Other issues related to the lack of prospects for a better life have to do with the level of corruption, lack of rule of law, and inefficient justice system. All these have caused frustration to the citizens of Kosovo and as a result have led to illegal immigration. Regarding the perception of investors of Kosovo in relation to the business environment in the country, the responses obtained from a survey of current and potential investors show that the main obstacles to investment in Kosovo are: lack of rule of law, corruption, and economic instability and political.

Biljana Đorđević argue that is necessary to respond to EU labour market needs and to attract highly qualified workers into the EU, to facilitate the reception of students and researchers, to favour temporary and circular migration. But on the other side she stress that if the most qualified citizens leave, the developmental prospects for developing countries will only worsen, thereby reinforcing the pattern of irregular migration to the EU. In other words, if the EU wants to tackle the problem of irregular immigration seriously, it has to open more channels for regular migration. Short-term migration organized and regulated considered as a mechanism to reduce the high unemployment rate (AFP: 45.5%) and the lowest employment rate that is 26% in Kosovo. (Haxhikadrija, Gashi, 2012:2.

Authors like Glenny, (2004) underline that despite all "yet from a practical point of view, the economic stabilisation of SEE brings the EU more benefits more quickly than would similar processes elsewhere". The economic requirements of the SEE and the EU are complementary – the latter needs to replenish its labour force, the former needs to alleviate unemployment and find ways of injecting liquidity into local economies. The integration of SEE into European structures represents a massive challenge but also an opportunity for both the region and the EU (Glenny, 2012:5).

Glenny argue that “as opinion both in the western Balkans and, more slowly, in Brussels and member state capitals comes round to the idea that the Stabilisation and Association process needs to offer greater incentives to the region if it is to help galvanize local social and economic development, the issue of increased labour market access should be integrated into any revision of the relationship between the EU and SEE. One is hardly likely to underestimate the difficulty in persuading Brussels or member states that increased market access for SEE citizens would be a good thing”.

In the same line King, Piracha & Vullnetari (2010) say that for the time being, emigration is still occurring, but the return migration trends are uncertain. The stress that in the future, economic and social planning, and a more ethically sound political culture, are the exogenous inputs that can help frame a more beneficial impact of emigration. For these authors “there needs to be substantial infrastructural improvement, notably in roads, public transport, electricity, and water supply. (King, Piracha & Vullnetari, 2010: 8) From an economic planning perspective, another priority is to develop import substitution industries (foodstuffs, building materials, and furniture are some examples), given that so much of the remittance income generated by migrants circulates immediately abroad to purchase basic necessities and consumer durable goods”.

3. Conclusions

Migratory experiences are influenced by factors such as unemployment, poverty, lack of individual and collective security (push factors) as well as economic premises, education and a better life (pull factors).

Some EU countries, such as Germany, Italy and Greece are directly confronted with this phenomenon, which has
created substantial costs for its management not only in humanitarian terms. Italy and Greece are affected more by political emigration, immigrants coming from conflict areas. Germany is affected by migration from countries of the Western Balkans, in particular Kosovo and Albania. Statistics of Germany argue that most emigrate for a better economic future.

Debates on how to reduce illegal immigration from the Balkans to the EU, separates leaders of the main countries and institutions of the EU into two groups. A group emphasizes accelerating the integration of the Western Balkan countries and another group that seeks restoration of the visa wall.

Countries in Eastern Europe after the fall of the Berlin Wall wanted to be part of EU, and are working on implementing a set of reforms. Experts think that free trade agreements, customs union, single market and the euro are concrete steps to deepen European integration.

Studies have argued that the EU-15 countries are beneficiaries of this process. EU, although it is mainly extended to the poorest countries that they founder, by extending its only managed to be the biggest economic bloc and the second for the rate of per capita income.

The question is how to deepen integration based on four fundamental freedoms of the EU enlargement? There is a need for more effective policies in cooperation with the Balkan countries, which will be possible by increasing equality of opportunity for the Balkan countries.

References


Misha Glenny (2004): “Migration policies of Western European governments and the fight against organized crime in SEE”. Southeast European and Black Sea Studies, p: 250-256. DOI: 10.1080/1468385042000247556m http://dx.doi.org/10.1080/1468385042000247556


The Orthography of the Cartoons’ Proper Nouns

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Abstract

The development of the Albanian language has encountered many different issues in three of its subsystems: phonetics, lexicology and grammar. The polemics of the discussions among the linguists on these problems are various and the time has come to analyze not only the noticed changes, but also the factors that have had an impact on them, which sometimes come as social and external factors of the language and sometimes as an internal development of Albanian language. Through a thorough research our study aims to discover the problems that arise from orthography of the proper nouns, mainly found in the children cartoon characters that do not come from the Albanian cartoons. 1 Using direct questionnaires with 8-9 years old children, respectively the second and third classes, we collected the data for the use and proper writing of proper nouns of the most favorite cartoons such as Sponge Bob, Patrick, Mickey Mouse, Tom and Jerry, Winnie the Pooh, Sailor Moon, Tweety. We designed a questionnaire with visual photos of the children’s cartoons where the children are supposed to write the name of the cartoon in Albanian language. These data serve as the bases for our research on the proper writing of the cartoons’ names. The Albanian orthography should tell us the proper way how to write a word and how to use this word the right way in Albanian system. This study brings its contribution in the research of the children language and finds discovers the orthographic problems of the foreign proper nouns.

Keywords: children, speech, proper nouns, orthography, pronunciation.

1. Introduction

The children’s language very often has been on the center of attention regarding the linguistic studies from the psycholinguistic and pragmatic point of view, among the socio-linguistic research too. The objective and persuasive evaluation of the language development is the basis for the early discovery of the kids. Our environment lacks the attitudes and measuring instruments for the language development of the children and the problems that cause the defects learnt during childhood. The study aims to find the relation between the orthography and pronunciation in the children language research mainly in the models of the orthographic norms of the proper nouns that derive from the foreign languages and to discover the consequences of the improper use, in order to help reinstating the right ways of writing. The issues of the study relate to the pronunciation, which in children is learned through the imitation of the adults’ language and the impact of the media use of language (mainly listened in the foreign children movies).

The norms of proper pronunciation are part of the development process of the standard Albanian language, they present the state and development of the Albanian language in the specter of the improvement of the Albanian culture in general and the wider areas of the public word, the language of the media etc., which goes closer to the written form by following the writing grammar rules and lexicon during the speech. The language of the social community is always developing being under the influence of the different factors and it never stays in the same level.

2. A General Overview

The wide relations with the political and cultural life of other countries pose the issue of the orthographic of the proper nouns2. The orthography of the foreign proper nouns is mainly based on their original language pronunciation by adopting the graphic system of the Albanian language. Excluding the rr, the double consonants of these names are not kept in

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1 We should emphasize that the Albanian cinematography and cartoons with Albanian characters do not play an important part in the language formation of the Albanian kids, as during the globalization period and the demographic movement this technology has been mainly global. The most known cartoon characters for children are the ones from the animated movies and for children only.

Albanian language. According to Xh. Lloshi, when in one text there is a foreign name mentioned for the first time, the name’s original form should be included in parentheses. The Albanian orthography does not aim to teach us how to read the foreign languages, especially when this process goes through many manuscripts. For the languages with non Latin origin, there exists an international standard transcription.

The direct contacts with the outside world and the influence of the massive media means are creating a relatively new condition in the relations of the Albanian language with the foreign languages. A very important graphic problem that comes from the new names is the adding of the words in foreign language, mainly american-british which have the letter w. Recently, there are many of these words foreign proper words that have entered into the Albanian use of words.

According to Gj. Shkurtaj adding such foreign names is bringing the necessity of considering the letter /w/ in Albanian language. The rules of orthography in Albanian language starting from the time when the letter W was only found in a few names of science personalities as Wat, William, Wilson etc., had resoluted that such names in Albanian had to be used with the letter U (for example Uljam, Nju Jork, Ulison).

Nowadays, it is a fact that the standard Albanian language is gradually entering in all the communication areas, including the spoken language, so the knowledge of the rules and norms of orthographic is a very important task, especially for the schools, public and private radios and television, theaters and other institutions which directly relate to the users of the spoken language. The term orthographic means the pronunciation of the sounds in different phonetic positions or when these sounds are joined with other sounds. But the variety of problems and issues involved within this notion is far wider. The orthography involves other particular phenomenon of the spoken language such as the position of the accent in the word, despite the fact that it presented in the written form of the language. Apart from this, orthography is closely related to other issues that belong only to the spoken word, as the diction and intonation, which makes the notion of orthographic much wider than requires the proper pronunciation of the phonetic system of the language. The academic pronunciation norms are slowly getting better as a presentation of the general development of the standard language.

3. Methodology

The methodology used in the realization of this paper has a complex character and as such it implies a number of elements and techniques, which are based on the basic rules of Albanian language spelling, as well as practical experience in the approach to the language development by keeping on mind the general trends of the Albanian language especially orthography trends.

The persistence to observe the facts consists the main side of Behaviorism, which constitutes the methodological basis of our paper.

We designed a model survey, which helped us research the degree of the possession of spelling rules, mainly writing the proper nouns in a foreign language that come from the world of animated films. During this phase, more than ever, there are concrete measures needed in the field of pragmalinguistics. We note that the model is only suitable for children who only spoke Albanian language.

**Questionnaire**

- Put the name of the cartoon beside the figure:

![Cartoon Images]

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3ASHAK, The Albanian proper writing, Prishtine 2005, pg.579 (Prepared from Rexhep Ismajli)
During the selection of the participating children we asked for their data. In the experiment we did not include children who in any way have had difficulties in the psychosocial development aspect. We also excluded the children who spoke two languages, those who spend some of their time in a bilingual environment, children who have lived abroad and the ones who have undergone logopedic treatment.

Initially, we tried to see if the children had knowledge about the characters of cartoons.

4. Hypotheses

Are the rules of orthography learned in the same level, especially the proper nouns that come from foreign languages?

- How does the media and television language affects this learning process?
- Up to what extent does the pronunciation affects orthography of the proper nouns?

5. Results

The testing is conducted on 60 children divided in the sections and registration of the proper nouns of cartoons. Each of the sections measures the degree of knowledge of the orthography of the proper nouns, where each noun has particular feature related to their spelling, containing the general phonemes: \( w, y, oo, nn \) (double consonants), \( rr, ai, ou, g \).

The analyzing of the questionnaires shows that the orthography of the proper nouns in different age groups constitutes one of the issues of Albanian orthography. These age groups tend to be under the influence of television, media and internet and they use more foreign words than Albanian ones. The television transmission of the movies in foreign language affects in the expansion of the forms in foreign language, affecting the orthography of the proper nouns according to the problems stated in the use of phoneme sounds. Keeping in mind the application of the phonetic principle according to which the words and their understandable parts are written in the same way they are spelled, so for each phoneme there is a grapheme. The proper writing is influenced by the direct photography where the child is faced with two different forms: orthographic form and pronunciation form. Very often the children present signs of confusion or doubt between the heard form (the one in the foreign language) and the written form as in the last one the phonetic principle of the Albanian orthographic is not applied. There are general features found which are related with the children’s language such as the sounds deformation, adding or dropping of the sounds in the spelling and pronunciation too, but this phenomenon is not part of this study.

From the results of the linguistic analyzes, one of the main factors is the defect of not learning the norm since the childhood, which is proved in the above cases. In a previous study of the author: “The problems of the orthographic norm” it is emphasized that the level of the understanding and use of the orthographic norm is very disturbing. From the 5th up to the 12th grade the learning progression of these norms is inconsiderable, which means that the process of learning Albanian language in schools does not achieve one of its main objectives: the proper learning of the orthographic norms.

Table of Results

<table>
<thead>
<tr>
<th>The orthographic norm</th>
<th>The pronunciation form</th>
<th>Written in foreign language</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sponge Bob</td>
<td>9</td>
<td>14</td>
</tr>
<tr>
<td>Patrick</td>
<td>12</td>
<td>0</td>
</tr>
<tr>
<td>Mickey Mouse</td>
<td>23</td>
<td>35</td>
</tr>
<tr>
<td>Tom and Jerry</td>
<td>5</td>
<td>55</td>
</tr>
<tr>
<td>Winnie the Pooh</td>
<td>4</td>
<td>56</td>
</tr>
<tr>
<td>Sailor Moon</td>
<td>5</td>
<td>52</td>
</tr>
<tr>
<td>Tweety</td>
<td>10</td>
<td>50</td>
</tr>
</tbody>
</table>
From the analysis of the results we notice that in general the children know very well the pronunciation in Albanian language, which shows that the pronunciation is well acquired.

They use: Sponge Bob, but they show defects in the use of the proper name (Bob instead of Bobby), Tom and Jerry, Winnie the Pooh, Sailor Moon, Tweety. Tom and Jerry is the most popular use of the proper noun. The object of this paper is not to examine the other subsystems of the language, mainly the grammatical system, which will be studied in another paper.

6. Conclusions

The use of the language and its communication forms has always presented a complicated process and also very important for the human being. There are many factors that affect and condition the development, the learning and proper understanding of the language and communication.

Many cartoons use the captioned translation which helps the children to differentiate between two languages, as they are firstly aware of the use of two languages and in the same time possess a higher language competency, by separating the variety of the spoken language from the variety of the written one. It is too early for children to understand the application of the morphological principle of the Albanian language, but from the pragmatic point of view, they use easily the proper nouns in different genitives by using the wordforming forms, even though not associated with their proper written forms.

The study provides data for pragmatic research of the language and helps the analyzes of children language and for the designers of the texts of the Albanian language in the direction: orthography and writing.
The Role Analysis of State Law in Initiating the Bankruptcy Procedure

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Abstract

The goal of any state is its legal order implemented spontaneously and without violations of legal norms that regulate the specific legal substances, implementation of a legal system designed to rate the actual legal relations of legal entities, whether legal entities means behavior own initiative and spontaneous voluntary legal entities in accordance with legal norms. In the opposite case it lacks efficiency of implementation of legal norms of the legal system and in the scene is presented the mechanism of efficiency and secondary measures, which means the realization of their violent, that in the scene are presented the procedures as in reality is civil procedure, execution and bankruptcy procedures as violent procedures in legal theory for implementing the rule of law to exist and apply valid legal norms of the legal system. Legal order of each state is based on the strong ties between its legal norms (normative element of the legal order) and actual behavior of people under them normative (factual element of the legal order), the dynamism of its legal order begins with the creation of legal norms and ends with their implementation between the behavior of people in legal relations

Keywords: Legal norms, legal theory, legal system, bankruptcy, the measure of bankruptcy procedure.

1. Introduction

Bankruptcy as a legal institution was present in Roman law, in this aspect of insolvency law is considered legal and protective measure that has been in relation to the creditor against the debtor or debtors known as simul in bonae si cesion bonorum.

In simul in bonae the creditor goal was to confiscate the property of the debtor or the debtor by the creditor to realize the sale confiscation of seized items and to meet its requirements through the sale of confiscated items, through cesion bonorum a debtor in voluntary order he has submitted wealth creditor itself in order to fulfill the obligations that have arisen in relations binding.

1.1 Overview of Bankruptcy

In this regard therefore the bankruptcy has been important and necessary for the economic and legal circulation of the reports that have been created between the subjects of the law, after a certain period, it is necessary that will be realized as such protection and and by what rules and actions to protect such a right and which bodies will be responsible for protecting the rights of creditors? Thus arises then the failure procedure and the authority to protect the rights of creditors is the only authority body that protects all rights of law subjects such as courts.

Taking into consideration our positive law and its development thanks to the recent period of failure law and its proceedings and judicial practice of the Republic of Macedonia has taken important steps in this field.

The Bankruptcy law, the content and the way is developed the failure procedure consists on bases of socio-economic aspects and of the general legal system of the Republic of Macedonia. With this law is regulated, the purpose and conditions of the opening of failure proceedings, the failure procedure bodies, management and disposition which goes into failure measure, meeting the requirements of creditors in failure proceedings, the legal effects of the opening of...
bankruptcy proceedings, the personal direction, other duty relief, specific forms of insolvency, and other matters relating to failure. Through this law are regulated form and content on how to develop the procedure of failure and all the elements and conditions for an efficient development and right one, regarding to failure context. In this context we must emphasize that against the general rules of Bankruptcy procedure and special rules exist for the development of the insolvency proceedings as well as materialistic nature and even of formal legal. By this law is regulated and opening of the failure proceedings against the property of physical and legal persons, with all the legislators have foreseen and rules that can be exercised as of the insolvency proceedings to legal persons, including law as individual traders. Major changes and reforms regarding insolvency began in 1997 as a transistor with system changes that need to get such a step, in order not to remain processes at the crossroads. A great focus is given to lawmakers under current law the previous laws is set as the division of failure measure but also to physical changes are made to the legislation planned and other ways of proceeding ways of reorganizing the alternative preventive measures for the salvation of companies from failure.

2. Literature Review and Hypotheses

If it is achieved to be viewed the failure from the standpoint of the definition of insolvency within the legal aspect commercial companies can be defined as a form of termination of legal subjectivity of a company in economic failure outlook presented as market instrument through which companies create efficient selection or that may exist in the market as opposed to those which are not efficient and are not rentable in the market. Legal nature of the failure procedure in theory has different views regarding failure as legal branch, attitudes in theory are as to the definition of failure as a separate civil procedure, while the other approach is related to the failure proceedings which can participate in the contentious procedure as assigning special progressive procedure. Despite the theoretical approaches we can conclude that the failure procedure has a special purpose in the context of the state’s judicial legislation with the aim of protecting creditors by the debtors and the main goal is fulfillment of the se requirements. However, these theories appear the oldest literature of the classical part of failure proceedings. Today, one can safely conclude that the definition of such failure procedure as a means of enforcement against violent and property of debtors and enforcement tool is ungrounded and not functional as a concept in legal terms.

3. Research Goal

Failure proceedings is beginning the execution procedure against all of the assets of the bankruptcy debtor in bankruptcy creditors benefit everyone. Failure proceedings, as a general procedure of execution has priority over the execution procedure. A feature appearing as theoretical between Bankruptcy proceedings and other classic theories in the face of violent about failure is that with the beginning failure procedure, it could not be initiated enforcement proceedings in all previous actions lie in the same report which can be filed in failure measure that means in failure procedure. With the opening of failure procedure, the failed creditors can not demand their insurance claims against the bankruptcy debtor, other procedures such as the execution procedure performance and security procedures with the beginning of these proceedings, these procedure are interrupted under the rule of law. Bankruptcy proceedings unlike bankruptcy proceedings as a means of execution procedures executing always is held against particular persons with special needs who may request the debtor to meet the demand of the creditor, while the insolvency procedure to all their demands are not creditors. (Dumi A “Analyze of SME and Management” Tirana 2015, pp 239)

They address their requirements in order separator but all the requirements jointly submit the failure measure. Based on the law on the procedure of insolvency of the Republic of Macedonia are regulated in accordance to the recommendations of the European legislation, which under this law are regulated way on how initiated bankruptcy proceedings. Persons who are authorized to initiate bankruptcy proceedings where under the law is provided; the organs of bankruptcy proceedings, management and disposition that goes into bankruptcy measure, meeting the requirements of creditors in bankruptcy proceedings, legal effects with the opening of bankruptcy proceedings, reorganization plan, personal direction, the release of other obligations, bankruptcy procedures specific personal status of traders, and bankruptcy proceedings with foreign element and other issues.

2 The same point
4 Law on failure Section 1. “Official Newspaper of RM” no: 34/06
4. Sample and Data Collections

In accordance with the legislation of the Republic of Macedonia is regulated bankruptcy proceedings that at the beginning of pluralism where its beginnings bankruptcy procedure law was within the law on the organization of business companies, then in 96/97 with creation time of the law on bankruptcy, then supplementing and amending 06/07 and last time the amendment of the law on the procedure of insolvency in 2014.

4.1 The notion of Bankruptcy Procedure

Bankruptcy is considered a judicial order of termination of commercial companies if they are operating at a loss and are not able to make the implementation of their demands. In these cases is considered that financially debtor is unable to perform duties within certain achievements, in those cases where the debtor does not meet the demands gold of creditors collectively jointly creditors may initiate failure proceedings, who at the beginning of failure proceedings specifically in failure measure which takes place in the first stadium's procedure is considered the request for failure proceedings can not be entered as debtor, and open trial and the wealth of the company finds a clear step in insolveny and under this failure measure and property which the company is available, through the failure judge through experts will make an evaluation of property and on the basis of this capital will fulfill the requirements of failed creditors. (Dumi A “Analyze of SME and Management” Tirana 2015, pp 24)

Bankruptcy proceedings has quick character of the procedure for the property which is owned by the failed debtor which may occasionally lose its value, for the purpose of insolvency proceedings which has quick character, efficient and with certain period.

Through main principles contained in this procedure and make sui generis of civil procedure has to do with the principle of legitimacy, on which failure procedure may be opened only under the conditions specified by law. Where under Article 5 as conditions for the opening of failure proceedings, and as an essential element of the principle of legitimacy presented paragraph 2 of Article 5 ever failed debtor is unable to pay for a period of 45 days from when the invoice or is created an obligation, where that has been particular carrier of payment, where that is not paid in fixed amount that should be paid under the obligation created.

Today the bankruptcy procedure is defined as the state where the debtor can not fulfill its obligations towards creditors bankruptcy where the other side is approaching execution of creditors’ claims against the assets of the creditor where such a situation may lead to the loss of legal subjectivity failure debtor.

Based on the law on commercial companies it is predicted cases where the company may be at the opening of failure proceedings or capital company has entered in failure procedure that according to Article 13 of the law on commercial companies which is specified that problem. where according to this article is noted that can not be registered as sole proprietor or individual upon who, (1), on which is open failure proceedings, (2). On which the final court decision is confirmed that is opened failure, because could not perform the requests to creditors until the prohibition last for performing the activity that is certified by judicial decision, (3) which is in the competence of the body, according to the law, was forbidden to exercise activities under this law for the duration of prohibition. 6

According to the law is given the vacant importance of the opening of Bankruptcy, proceedings and all commercial companies over which the insolvency proceeding are obliged to register traders noted that these are commercial company failure, or liquidation, the purpose of this Article the commercial Law has to do with the protection of the companies which are present in the market in order not to tie binding commercial relations that are in financial distress and is a kind of preventive measure. (Dumi A “Analyze of SME and Management” Tirana 2015, pp 112)

It also has to do with the protection of free competition between companies and the identification of companies that are in failure proceedings or on to open failure proceedings is the decision of the competent authority for initiating a procedure or when certain Commercial companies which are in the process of liquidation and the protection of other entities in order to be careful in relation to the establishment of contractual relations with these business entities.

4.2 Law Treatment of Failure Procedure.

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6Dumi A “Analyze of SME and Management” Tirana 2015
6Dumi A “Analyze of SME and Management” Tirana 2015, pp 239
Law on commercial companies Article 13 “Official Newspapers of RM” No. 28/04
Legal and legislative basis of failure proceedings, now is considered as the backbone of the operation of the legal system and free economy in capitalist systems against those who have concentrated capital in the state, by means of these laws placed an order in the economic circulation in order to show which commercial companies are capable of standing to market.

The first law on bankruptcy law passed in the Netherlands in 1515, which in this period is considered as a global center of commerce, the law passed in England has provided for the first time today based on the principle that collective compensation insolvency creditors has a great impact on the development of insolvency that has been Bancrupcy reform Act of 1978 of the US in which the first was scheduled reorganization as measure to stop the insolvency, whereas in English law Insolvencu Act 1986. In Albania we have in 2002 bankruptcy law, in Kosovo we have the law on liquidation and failure of legal persons in the event of insolvency in 2003, in Croatia there is bankruptcy law in 1996, in Germany we Insolvenzordining 1994. 7

Bankruptcy as a very important legal notion as previously noted there was a considerable importance in the capitalist countries and advanced capital in the international plane, Holland since 1515 has developed the first norms in the sphere of insolvency given the geo-political circumstances that existed, and a well established principle, today recognized on the right of collective meeting the requirements insolvency creditors in bankruptcy measure opening. Then taking into account the commercial legal practice was necessary to establish the legal norm by specifying and solve problems that have been created such as the creation of a legal institutes such as the reorganization of companies as a form of bankruptcy that preventive measures today in this period where there is no security and the global financial crisis is very necessary to take such action as a preventive for not filling a financial crunch of certain states.

In the period 2012 to Macedonia in 2121 initiated bankruptcy proceedings of which are reorganized 7 subjects that have opened bankruptcy, and are closed about 834 business entities. 8

On the basis of these data issued by the Central Register leak that during 2013, there were more initiated bankruptcy proceedings, and to a large volume, where that can be taken into account factors that outgrow the International economic climate where Macedonia and medium economies have suffered from the international financial crisis, if the impact of foreign investment if the foreign indirect investment.

After the proposal and meeting the conditions prescribed by law for the opening of bankruptcy proceedings and fulfillment of the essential elements of the proposal, but also the stage when the judge decides that the proposal but edhata procedural aspect in the material in this case the judge passes the next phase of development procedure.

Judge who decides to accept the proposal for the opening of proceedings after the procedural action, the judge in the decision to open the proceedings, the judge can appoint a temporary director bankruptcy, then judge calls judicial hearing bankruptcy creditor and debtor about their requirements and objections that may arise in connection with the opening procedure.

With the opening of the procedure bankruptcy judge in coordination with the interim director bankruptcy organize a session with a public announcement, as presented creditors and bankruptcy debtors and third persons that have legal interest judge examines applications of creditors which demand divided into two groups:

a) Creditors' demand which are confirmed by final decisions.

b) Creditors' demand which are not confirmed by final decisions.

The demands of creditors which are certified by the final decisions in the first judge finds that these decisions are consistent with the legal interest of the opening of the procedure but should certain them whether dealing with the same subject of trade which is open to the procedure. In cases when demands of creditors who appear at the hearing and at the opening of proceedings and to bankruptcy measure, but when these claims are not confirmed by the final decisions, bankruptcy judge does not accept such claims and sends the request to certify the procedure litigation and then to present it in front of a bankruptcy procedure. After reviewing the requirements proposed in bankruptcy proceedings, the bankruptcy judge appoints an economic expert to do any analysis regarding Active and Passive assets and property of the bankruptcy debtor, then the expert will present a financial report about the wealth of debtor and then send them to a bankruptcy judge.

As the concept of insolvency proceedings and legal institute in itself includes the protection of creditors, but also at the same time has to do with the protection of debtors and determines how the rules can be implemented in mutual demands between subjects of law, bankruptcy proceedings in our system legal is made known to the transformation of companies, and new legal institutes was difficult at first prior to implementation and judicial practice.

If we take into account the chronological aspect of the insolvency proceedings given the socialist system that has

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7 Jashari A. "Business entities of law," p. 537 Tetovo 2012  
8 The data were taken from the Central Register of the Republic of Macedonia with nr Arkivor 08-3117 / 3
been ion state but also the Balkan countries, the bankruptcy procedure has been the one unknown institutes but also taboo in some countries of the socialist system, so that as the institute and legal norm has been forbidden by law the bankruptcy of companies (SOE).

These commercial companies although they meet all the essential elements for the initiation and opening of bankruptcy proceedings are not such procedures as the fact that all the losses of the seller are covered by the main founder of the companies but also the only founder.

In the context of bankruptcy proceedings exist even a special branch and particular forms of insolvency and as such are well known in the legal literature but also on the basis of the law on bankruptcy, such as operating and developed within entities fixed and fixed content.

As a separate procedures are accounted international bankruptcy, insolvency against property to the deceased, bankruptcy to spouses, are counted as separate procedures for the fact that in these proceedings it comes to wealth which did not enter or they go into bankruptcy and the extent to which certain individual under the law have rights over the property of bankruptcy and in this way to achieve the fulfillment of creditors’ claims against the above mentioned categories need special form of procedure for the realization of the rights of creditors in bankruptcy proceedings.

As a special form is the procedure which takes place on the property of a deceased person i.e individual trader on his property if there is a right of any creditor acquired after his death and the creditor may require performance by the legacy of heritage which wealth has entered into bankruptcy measure, given the procedure that must be followed according to the legal provisions of the insolvency. In cases when there’s a special need to prosecute the bankruptcy proceedings against the property of the common property spouses who may have come into bankruptcy and the extent to which there are certain requirements and separate to that common property of spouses or in cases when spouses have agreed an agreement and dispose of property part of bankruptcy and realization measure and for the opening procedure is followed a separate procedural actions in certain cases. Also in international bankruptcy cases as a special form of insolvency procedure which is needed at a time when the opening of the insolvency procedure set when the creditor estate or other state-related bankruptcy need international legal tool to develop an adequate procedure of bankruptcy, where in this procedure requires procedural actions which do not usually follow the normal procedure of bankruptcy, procedural actions in the form of the procedure are the implementation of international treaties in relation to the development of bankruptcy proceedings and recognition of documents of foreign states on conditions and reciprocity among states in respect of the bankruptcy proceedings.

References

International Standards, October 2011
GJEDNJ, 13 Nëntor 2007; kërkesa nr. 3371/02
Resolution of the Conference of European Ministers of Justice, 4 to 5 October 2001. Taken from the recommendation of the Committee on Legal Co-operation on the implementation of judgments of the member states of the Council of Europe.
“Guides stones-jurisprudence of the European Court of Human Rights” Tirana 2000. Vol 1fq 198
“Law court and the Convention of the Rights of Man “European University Centre of Warsaw vol 2, 2001 pp 19-21
“For a European public order; Selected decisions are the European court of human Rights” Tirana 2000, Vol I, pp 7
“For a European public order; Selected decisions are the European court of human rights”. Tirana 2000, Vol I, pp 289
“For a European public order; Selected decisions are the European court of human rights”. Tirana 2000, Vol I, pp 22
“Vienna Convention on the Law of Treaties” VLC Vienna, Austria 1980 pp 89-91
Cultural Heritage and Sustainable Development in Mountainous Areas - Case of Kelmend

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Abstract

Natural and Cultural Heritage preservation is an important issue toward sustainable development. This paper is focused on Kelmend - a region lying in Northern Albania in the cross border area with Montenegro. Its beauty and greatness is because of the natural heritage which constitutes the main advantage for its future development. Kelmend Region represents a typical alpine landscape with high peaks and deep valleys and with a rich biodiversity. The environment protection and the preservation of natural heritage is the most important aspect toward the sustainable development of the area, but cultural heritage is also as much important. It reflects an authentic complexity which is at risk. The article tries to explore this second issue: the socio-economic sustainability based on cultural heritage. Despite the rich and unspoiled natural and cultural heritage certain factors limits the effective management of the area. The tangible and intangible culture is not protected and is adapting everyday to the consumers’ needs being so under the threat of standardization. Through qualitative methodology we argue the possibility of using the past as a resource for the future in this specific area.

Keywords: Cross Border Area, Cultural Heritage, Mountainous Area, Sustainable Development.

1. Theoretical Framework

The Albanian rural area is distinguished for a rich and diverse rural heritage of immense values and exploitation possibilities, but by far the studies concerning this heritage have been mostly of ethnological nature and do not refer to the role that the valorization of rural heritage might have in the development of tourism in these areas (Laci, Kola). Landscape planning or development policies based on cultural heritage have mostly been an issue of study in Albania coastal areas where archaeological sites or potential exist and where environmental areas of exceptional value are also present (see Polese F, 2009). Cultural resources have began recently to be taken in consideration by the economists and Ost argues that cultural resources have been analyzed and integrated in economic theories or research only recently because of the difficulties in dealing with qualitative or subjective matters (Ost 2009).

An examination of the linkages between sustainable development and the cultural heritage should start by recognizing the important role that the latter plays in society (UNESCO 2013).

As defined by UNESCO:

The cultural heritage is a powerful asset for inclusive economic development, since it attracts investment and ensures green, locally based, stable and decent jobs relating to a wide range of sustainable activities in areas such as conservation, construction, food production, traditional healing and pharmacopoeia, crafts of all kinds and the arts in general, not to mention tourism. These jobs rely on human and other resources that cannot be moved out of the communities concerned, and when compared with other sectors of activity they offer economic opportunities to all groups within society, including women and young people (UNESCO 2013, 3-4)

It is important to realize that heritage is not a fixed thing, but rather a process, so its preservation has to be based on preserving the conditions of the possibility to engage in these processes rather than fixing something (Winiwarter 2015, 29). Culture and heritage are renewable resources (Wall 2009, 31). The recognition that sustainability can only be
a dynamic equilibrium, as the biosphere and human society are evolving brings up an important issue, the question of evolution and its role in the sustainability-oriented management of cultural heritage (Winiwarter 2015, 33).

The article analyzes the cultural potential of the region seen as cultural capital which is dynamic and in evolution. According to Throsby recent research in the application of economics to the analysis of cultural heritage has been concerned to provide a theoretical foundation for the economic interpretation of heritage. In more formal terms given by him: An item of cultural capital can be defined as being an asset which embodies or yields cultural value in addition to whatever economic value it embodies or yields (Throsby 2009, 15).

2. Objectives

Through this article we aim to stress out that cultural heritage is an integral part of Kelmend population and interacts with the biological diversity. The first is often neglected while the latter is often highlighted. We argue that these two elements are complementary to each other and should be seen as such if we aim for the sustainable development of the area. The cultural heritage demonstrates the inextricable link between cultural and biological diversity, which rather than existing in separate and parallel realms, interacts with and affect each other in complex ways in a co-evolutionary process (UNESCO 2013, 2). Tangible and intangible cultural heritage are revealed as potential resources for incomes and employment through, mainly but not only, tourism development.

3. Discussion Home is of God and Guest

The inhabitants of Kelmend depend directly on nature for their livelihood through the exploitation of meadows for their livestock and a few agricultural activities. Remittances after 1990 have been another important element for their economic, social and physical well-being. More than any other economic activity, tourism has intricate relationships to natural and cultural heritage, as it depends on the availability and quality of such resources. At the same time tourism may lead to the degradation of those resources, ultimately eroding the potential for sustaining tourism (Girard-F L, Nijkamp P 2009, 4). Based on the incomes from the out-migration, the resident population is trying to provide touristic accommodation which is still in the first steps. In the ethno-cultural aspect Kelmend Region possesses a rich tangible and intangible national culture which helps in making a complex touristic offer. The growing interest of the tourists for this unexplored area has fostered the development of the touristic infrastructure not always in accordance to a environmental friendly concept.

Every single element of tangible and intangible culture are an important asset for the development of cultural tourism, especially material and immaterial values inherited form the past. It can be distinguished some main objects, traditions and values some of which are still vivid in the every day life and some of them are fading.
Vermoshi Municipality consists of 8 settlements, villages, where the houses are scattered everywhere, at different hypsometric levels. Building heritage in this rural area consists of alpine-type bungalow homes, houses of a tower type with special architectural value in a regional and national level as well and comfortable new homes built after the 90s. This mosaic of authentic, archaic and modern values displays a potential factor for tourist attraction.

Another ethno-cultural element that has generated a special kind of tourism are wedding ceremonies. They are mainly at summer when the members of the family, relatives and friends come from abroad giving rise to the visiting friends and relatives seasonal tourism. These ceremonies are are a reflection of the traditional colourful clothes, values and mores.

In the mountainous area of Kelmendi, like generally in Northern Albania, social life has been organized according to the Lekw Dugajini Canon which has influenced the cultural background of the population. One of the main cultural attributes of it is the concept of hospitality. Hospitality is a habit that exceeds the bounds of tradition, it is deep in the mentality of people. One of the basis of this concept is that "Home is of God and guest" and to meet this tradition to the guests is reserved a warm welcome accompanied with a rich gastronomic menu with traditional dishes and drinks of Kelmend area. A few years ago, this cultural value has served more as a complementing element in the formation of the regional cultural profile, while recently this virtue is being explored as a pull factor to the tourists in order to benefit economically from it. Many guesthouses are organized as familiar businesses with this concept as a focus. They offer, besides accommodation and food a warm communication in English, hounds for hunting companion, hiking guides etc. All the family is involved in serving and helping the tourists. They are served with different gastronomic specialties, with meat and cheese dominating. The tradition of cheese production has been preserved for long and Kelmend cheese is well known in overall Albania.

As already mentioned, the main type of economic activity is farming. This activity is based on natural pastures where have been built seasonal modest residences, stan. In these settlements summer tourists, who prefer the direct contact with the farming life and practice, can taste its untreated products in an original form, such as milk, cream, cheese, buttermilk, roasted meats etc. These practices may be the first steps toward agrotourism which is very little known in the area.

Another integral element of the ethno-cultural rural offer are the traditional clothes. Xhubleta - the national women costume known not only in the area but in the whole region- and the doublet, çakshira - men clothes - are preserved from generation to generation. Currently they are used mainly from the old generations and little known and appreciated from the young ones.

The rural heritage of the area is displayed also in the historical and cultural objects such as: Tamar Bridge, The Vukli Castle ruins and the caves, as that of Vukli which provides data for an early population of this area, since the Neolithic Period.

Intangible cultural heritage which should be seen as a attractive potential toward sustainable development. It is expressed in the songs, dances or festivals which are a well kept wealth transmitted from a generation to the other and a significant authentic part of this region identity. One of these festivals is Logu i Bjeshkëve. This was a religion based festival and it used to be known as the Shna Prenda or Bajrak festival. After a long period of interruption this cultural event began to be organized since 1998 on the second Saturday of August, in Lëpushë Village. The main element of this folk manifestation is the runaway with the most beautiful girls of the area in order to choose the Mountains Miss (Miss Bjeshka). It is a real and colourful performance of traditional costumes, songs and dances. This festive event is part of the intangible cultural heritage which should gain greater attention since its meaning is more than simply a ritual. The festival days are in August, when most of the migrants visit their home country as a temporary return to their roots. Translocal migrants maintain relations to their home communities in various ways that do not include physical movements between states and across borders, but also flows of ideas and messages, beliefs and values (Leutloff Grandits, Pichler 178). This is a typical summer festivals when many migrants from different western countries, especially USA where they are mostly settled – gather and celebrate. It is also an opportunity for men coming from abroad to choose a spouse so this festival becomes a mean to intensify the transnational network among neighbours and friends. It becomes also symbol of the dedication to the local culture and tradition.
The inhabitants of the area are known as good processors of wool and wood. Their artisan products can be used not only to meet everyday needs but also as a touristic offer. They are rated for their practical and decorative functions or handicraft products in form of souvenirs for touristic demand. Albanian folk motives, nature or historical elements have been drawn or carved by craftsmen in the form of landscapes, eagles, musical elements, photo frames etc. on wood surfaces. The market they are oriented to is limited, mainly inside Albania, in Shkodra, Durres or Tirana, and a very few of them abroad. We can say the same for the wool products: rugs, tapestries and carpets with motifs of many different colors. The combined fantasy motives and colors have made these products very popular and used in the interior design of the region generating so some economic effects for Kelmendi families.

Analyzing this complexity of rural elements we can conclude that Kelmend offers a rich potential of tangible and intangible culture. The integrated menagement of natural and cultural heritage is an important pillar toward sustainable development and should be taken in consideration in the development strategies.

Despite the beautiful nature an the rich cultural potential, the area faces economic and social problems like: modest economic development, low standard of living, traditional land cultivating and old agriculture means, decreasing of the population, remote infrastructure, poor employment possibilities, lack of touristic promotion and fading of the traditions.

4. Results

Kelmend Cultural Heritage is at risk as a result of different phenomena like out-migration, inequalities between the urban and rural population, globalization etc. We argue that it is important to pay more attention to the cultural heritage – sustainable development nexus in the development strategies and beyond. Culture is a domain where the concept of sustainability can be applied, in that development paths for an economy can be seen as being culturally as well as ecologically sustainable (Thorsby 2009, 14).

Heritage links and provides continuity between the past, the present and the future (Wall, 2009, 31) and we see the inhabitants of this region as the main actors involved in this process. To think in a sustainable approach for the region means also to fill the gap between the generations in order to keep this continuity. Developing tourism as the main activity linking natural and cultural heritage is the main pillar for the future development of the area, but this development should not lead to the degradation of the region trying to get financial resources as soon as possible. Cultural capital cannot be studied and analyzed without taking in consideration natural resources. Cultural capital which has been inherited from the past can be seen to have something in common with natural resources, which has also been provided to us as an endowment; natural resources have come from the beneficence of nature, while cultural capital has arisen from the creative activities of human kind. (Thorsby 2009, 16). Policy makers in the context of policy analysis have to value cultural heritage in order to achieve its valorization: to add new values to the existing ones. Therefore valuation represents a crucial step in the management of cultural heritage (Girard-F L, Nijkamp P 2009, 4).

Heritage should be managed sustainably if it has to make an enduring contribution to society. This means that it should be considered in a broad context, including economic, environmental and socio-cultural as well as institutional and political dimensions (Wall 2009, 43). The cultural heritage of the area needs to be recognized not only from the inhabitants, but in a broader context. It possesses some authentic traditional values that have to be protected if we want...
to enhance them toward diversified economy and income resources. This can be achieved by filling the gap between researchers, local authorities, central government and local communities.

References

Boccardi G, Duvelle C (2013) Introducing Cultural heritage into the Sustainable Development Agenda, Background Note, UNESCO
Dibra N., (2008) Turizmi ne kuadrin e zhvillimit rajonal te Alpeve Perendimore, Disertacion Tiranë
Laci S, Kola E. Vlerësimi i trashëgimisë rurale në funksion të zhvillimit të turizmit në Shqipëri
Grammatical Elements as Meta-Language Tools for Teaching the Italian Language

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Abstract

The purpose of this paper is to describe and classify the various issues related to teaching and learning of grammatical Italian rules, to Albanian pupils and students. In the multiplicity of problems associated to the transmission of grammatical elements of each language, we will focus on a very important step as meta-language: language used to transmit foreign language grammar. Thoughts on the role of a meta-language bring us to binomial oppositions, which are acceptable depending on the circumstances in which they are used and actualized. Meta-language as an essential element of this process often turns into the main weapon to achieve the objectives of the learning process. In this paper we have used theoretical researches in the field of teaching, especially in the twentieth century by foreigners and locals, and the data obtained from surveys and questionnaires conducted not only to teachers of Italian language at all levels of education, but also to pupils and students. Grammar, in a traditional context of teaching foreign languages, has offered an irreplaceable and exclusive aid only through teachers, while today the approach of grammar should be moved within a multidimensional linguistic communication.

Keywords: meta-language, Italian grammar, learning, linguistic and multi-dimensional communication.

1. Introduction

For all the time that humanity has accepted the existence of different codes in order to express notions, objects different points, realities perceived in a million of ways, it has existed even the interest to know deeply these codes, to make it as much realizable each view of this reality. A considerable part of these codes is grammar, as one of the main elements of each language. Naturally, in the course of centuries independently of prevalent trends, the grammar has taken the main part of the discussions, often acquiring even the spaces of other elements “with equal rights” for languages. Recently, together with the development of humans toward infinite horizons of knowledge, the grammar status during the acquisition of foreign languages, has changed, anyway it remains static the approach that the profound acquisition of each human language is unconceived without the deep knowledge of the appropriate grammar. It have been developed many debates toward the manner of knowledge transmission, related to grammar, in fact what has remained unchangeable is the wish to explore more and more, every day, techniques and manners to acquire more effectively in less time the grammar. In the majority of problematic related to the transmission of grammatical elements of each language, we will halt in a very important element such as meta-language: the language of language that is used to transmit the grammar of a foreign language.

The approaches on the role of meta-language lead to a dichotomy, which is acceptable in dependence of the situations where they are used and updated. Among the advantages we may mention the fact that in the phase of arranging the grammatical knowledge, the meta-language may accelerate what is called the reflection and to rise even more the clarity given by schematism. On the other hand the appropriate time to acquire this terminology, the excessive importance that is given to the abstract reasoning on the language, the fact that many teachers use it intensively make a foreign language a double-edged blade. A pragmatic approach and not a dogmatic one to the problem may lead to a resolution and a partly new use of the meta-language. Above all the use of the use of the grammatical terminology of a foreign language is advised in a deep relation to a general, methodological shift. It is necessary for the teacher to be attentive to motivate the use of the meta-language through interferences that have the aim to determine effectiveness. An
interesting role may be attributed to meta-language as an instrument to help the autonomy of the student due to the fact that the acquisition of this terminology makes it possible the exploit and the consultation of enormous texts. If this is a description in theoretical terms what happens in practical terms? Students have difficulties dealing with teachers that work intensively on the way of study; that promote the developments of language abilities; that make it difficult the communicative dimension of language study; that aimed the activation and education towards the use of both brain’s modalities, owing to the kind of teaching materials made available; that apply strategies of inductive kind and not only deductive; that propose and pretend a study and a review at home and in class constant and stretched in time; that have the tendency to appreciate not only the product but even the way of learning and so on. On the other hand, on different realities, colleagues of other disciplines, ranging from cases similar to the Albanian language (mother tongue in our case), lead their work in a study based mainly on learning themes through a traditional type, causing methodological distortions and student's distraction. The grammar in a traditional context of teaching foreign languages offers an exclusive and crucial role only through the teacher, while today the approach toward grammar must be shifted in the reference of a multidimensional communication. In other words the teacher should be careful when dosing grammar in order not to base the didactic process more or less on this component.

Apart from the ascertainment that the proposed input should answer the criteria of understanding (Krashen), the process of acquisition by the student comes thanks to mechanisms that partly speed to teacher’s control, but the latter will try to favor putting into practice appropriate strategies, establishing appropriate atmosphere, etc. The teacher may ask students to choose structures that need to be analyzed and submitted by the stage of globality, in order to activate the student’s monitoring ability.

With the desire to drop the level of general theories on the situations assessed in complexity or assumed, and looking to be a little more descriptive, we can say that the levels of students we encounter every day in our auditoriums, meta-language often remains a dream, because in fact the students do not know the terminology neither in the mother tongue, in fact perhaps even an well-educated Italian does not recognize properly meta-language and will not be able to explain the function of "ne" (partial pronoun) in any sentence. The problem actually becomes more acute when we are "armed" with an arsenal grammatical terminology to an audience, which instead of processing data, should begin to teach as a new language.

This reflection would not be complete, if we will represent only facts, without reflecting and without giving a motivation toward a profound reflection for this problem: according to our opinion.

Firstly, as the foreign language is taught in third grade it would not be reasonable to pretend a thorough inconceivable of the meta-language, even though in this phase should be applied some elements of the terminology (those that are more used), but only if students know this terminology even in native language. Later, the grammatical terminology is adopted according to the age and the level of language acquisition. Concretely in one of the methods of Italian language used in the third grade, it is being taught to the students present perfect (passato prossimo) which is a composite tense, a concept which is being known for the student. On the other hand a big difficulty it is found in the use of the auxiliary verbs have and to be which are different from the Albanian language. In Albanian and Italian language the indicative has the same terminology but a problem is found in some tenses which are explained earlier in Italian language. Altogether it is not existent the infinitive. Gerundial forms into Albanian are formed by the past participle and not by the infinitive. Another grammatical element which represents difficulty during teaching is even the noun:

a) The problems of the terminology: noun-name
b) The absence of cases, a problem that lead to the use of a concept even more complicated such as the preposition; the cases function in Italian is held by the preposition (simple and composed) because the prepositions are necessary in the first steps of language acquisition to create first sentences (even those simpler) especially for children it is difficult to be absorbed all the prepositions in their multifunction.

c) In Albanian language the gender and noun forms (singularity vs. plurality) is defined by inflections while in Italian language this function is held by the article.

d) On the other hand the article into Albanian is part of the adjective while in Italian is part of the noun and it serves to show even the gender, inflections of nouns and its definiteness.

Secondly, the idea that to learn a foreign language, is right, the learner to shift his position as a learner to be redefined from that of a person who is on a receiving and of the teaching process to that of an open–minded child like a situation which is gradually acquainted with a new code and along with a corresponding grammatical terminology.

Thirdly, reflecting more during teaching grammatical syllabuses of foreign languages we have observed that the use of the parallels terminology facilitates the learning process of terminology, such as: referring to Italian language for a student is easier to learn and use in practice the term "composto" even where the use of this term is optional because there is another term more specific as futuro composto instead futuro anteriore, or preposizione semplice or composta...
instead preposizione articolata, ausiliare instead verbo, proposizione instead of exclusively used frase.

2. Conclusions

1. The student must develop his skills in the use of language to communicate ideas with much more efficiency in concrete situations. The thematic diversity (age, culture, recreation, science) encourage the learner to rely on the use of grammar rules in an efficient and convenient communication.

2. Competence and capacity in learning a language, their reflection as similar to the owner of a language or their reciprocal report ratio between theory and examples are followed by the use of language in various communicative situations.

3. Tommy Thomason and Geoff Ward in “Tools, Not Rules Teaching Grammar in the Writing Classroom” emphasize the importance of linking learning grammar with speech and writing. They say “good grammar can contribute to clarity, understanding, fluidity and style. If we want students to use the language they must exercise to practice speaking and writing correctly and care about the good use of language.

References

Mezzadri, M. (2003), I ferri del mestiere, Perugia
Rrokaj, Sh. (2011), Këndvështrime për mësimdhënien e gjuhës dhe letërsisë në shkolë, Tiranë.
Pedagogical Challenges of ESP Teachers in Albania

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Abstract

The aim of the present study is to identify past and present pedagogical challenges that ESP teachers face in Albania. The data was gathered through an online survey composed of 15 questions through which were identified different aspects of ESP teachers’ job in some higher education institutions in Albania. The identified issues were partly expected as there are no educational specialised courses offering training and formation of ESP teachers, instead they have been mostly trained and graduated as GE teachers and have taken personal and private training to accommodate their teaching skills into the setting of a specific institution where they teach English to students of specific fields with specific needs imposed by the field of study and professional requirements needed for future employment. Apart pedagogical issues ESP teachers have to deal with linguistic challenges at the start of their job because they might have limited knowledge of the core subjects and key terminology characterizing that branch of study whose students the teacher is teaching. Thus, many challenges and issues, both pedagogical and linguistic, were identified as well as some recommendations were given by the 18 teachers and lecturers who responded the survey.

Keywords: pedagogical challenges, linguistic issues, ESP teachers.

1. Introduction

The English language learning has become a priority in the long-term prospective of the Ministry of Education in Albania this reflected also in the fact that English or other foreign language classes are offered to pupils from the 3rd grade up to the final year at high school. From 2015 foreign language is a mandatory exam at the end of the 12th grade (CEFR B1 level), while a considerable percentage of students choose English as an elective exam at the end of this cycle (B2 level) and it will be one as well for pupils ending the lower middle school at the end of 9th grade (A1 level). This provides the basis of a nationwide standardized testing of the first foreign language of students at the final examinations before enrolling at university. Based on the fact that the majority of the students belong to B1 level of language proficiency lays the ground for language teachers at university to design and deliver ESP classes. When they attend higher education students attend English classes for 1 up to 3 semesters in most of the universities within Albania. These are mainly ESP classes but general English classes are still taught at some faculties or universities. These classes aim mainly to improve further their general foreign language skills but also to introduce field specific text and genre as well as vocabulary in order to prepare these students to the demands of their future profession and labor market. In this context, the problem that rises is that of training of ESP teachers as all of them are graduated mainly as EFL teachers and the majority of them teaching the ESP classes lack a proper training as ESP teachers. Thus, GE teachers who now teach ESP classes have encountered and still face many situational as well as methodological problems.

2. Research Objectives

This study aims to identify some of the issues faced by ESP teachers in Albania, the issues on focus here are common for ESP teachers worldwide as such confirmed by many studies carried out by different researchers in many countries. Through a questionnaire delivered electronically to many English teachers, but to which only 18 responded the present study aims to:

1. Identify the challenges that ESP teachers met at the start of their job at the respective HEI
2. Identify which issues they are facing at present
3. Investigate some common problematic aspects of ESP teaching in Albania through the responses submitted by teachers
4. Summarizes some suggestions the teachers have provided on how to overcome these difficulties
3. Theoretical Framework

The problems mostly encountered by ESP teachers, as studied and identified as well as explained by many researchers and scholars of the field such as Hutchinson & Waters, Dudly Evans & St.John, Chambers etc, vary from needs analyses to curriculum development and appropriate teaching materials design and use.

It is no surprise that at the start of their profession ESP teachers state to have had difficulties in analysing students’ needs as this issue is identified and explained by some scholars of this field. Some reasons why needs analyses is challenging are such as: students do not have a clear prediction of the future needs they will face in their occupation setting (Long, 1996), the level of motivation of students may also disorient the teacher for their immediate or present language needs for example in the case of EAP students (Chambers, 1980). If the needs analyses is not accurate this affects the setting of the objectives and consequently the choice of proper teaching strategies and methodology, course content which on the other hand may demotivate the learners and consequently the course will not meet their expectations and real immediate or future needs.

Another reason they encounter problems is that they lack ESP training or related courses on ESP methodology as the majority of them have finished university at a time when this subject was not part of the curricula. Currently, undergraduate students and future GE teachers are taught a subject on ESP at the respective faculty. This lack of training makes them come across situations and issues they cannot cope with because as Hutchinson and Waters (1987) explain ESP teachers are in: “…a new environment for which they have generally been ill-prepared.”

What makes ESP teaching challenging is also the fact that an ESP teacher, called ‘practitioner’ by Dudley-Evans and St John (1998), has many roles to play. An ESP teacher is not only a FL teacher but he/she is also a syllabus designer, course content developer, teaching materials designer, evaluator, collaborator as well as a researcher. This multifaceted role of the teacher’s job of course makes it demanding and challenging.

4. Findings and Discussion

The data was gathered through an online survey composed of 15 questions through which were identified different aspects of ESP teachers’ job in some higher education institutions in Albania. The data gathered from the questionnaire were processed using SPSS package.

The number of respondent teachers is 18, and 72% of them teach ESP (chart 1).

Chart 1: Percentage of GE or ESP teachers.

39% of them have been in ESP teaching for 5-10, 28% for 1-5 , 22% for 10-15 years (chart 2). As the responses show the majority of the teachers subject of this survey do teach ESP and have experience as ESP teachers, 7 or 39% of them have been teaching ESP for 5 to 10 years, and 6 of them have a longer experience more than 10 years (4 teachers have taught for 10-15 years and 2 of them for more than 15 years).

Chart 2: The number of years in ESP teaching.
As it is reflected in the teachers’ responses (chart 3 below) they have encountered and still face problems, such as: students’ needs analyses, relevant course content and material selection and use, designing or developing new or existing teaching materials, employing methodology, students’ motivation as well as feedback. They also state that using AV aids in the language classroom is problematic or difficult for them at present maybe due to lack of facilities and proper infrastructure. In the past the dominant problem was finding out and analysing students needs but it seems that with the passing of time and the gained experience they have overcome the problem.

While at present the aspect which they have chosen as more challenging is the selection and use of relevant class materials. This could be due to the dilemma whether to use general English materials or field specific and authentic materials, even though they strongly support the idea of using specific content materials (chart 5), which some of the teachers might have difficulty to understand as their are highly technical text and need expertise knowledge of the key concepts of the field and the language teachers are not at ease in this context.

Chart 3: Past and present issues.

All these problematic issues could be due to lack of ESP training, as 83.3 % (chart 4 below) of the asked teacher do not have one, even though as ESP has gained ground now there’s an ESP subject taught to future teachers at university, another reason is unfamiliarity or lack of deep understanding of the core subjects or field of study which makes it difficult for them to explain the field specific language without a deep understanding of the concepts of it, they are not at ease when it comes to using authentic materials, even though knowledge of the field was not a requirement at the start of their job it could have been very helpful. A way to cope with this problem is to consult with professors of the core subjects as 66% (chart 4) of the respondents do. ESP teachers bridge the gap of lack of specific field knowledge and field terminology by consulting the specialists of the respective fields in order to accommodate themselves in a field of expertise which they do not master.

Chart 4: Teacher’s perceptions.

Other perceptions brought to light through this questionnaire (chart 4) are: the majority of teachers encountered problems at the start of their job as ESP teachers and at almost the same percentage they say that they have not attended and ESP training course; as mentioned earlier, a source of problems is the fact that ESP teachers have many roles to play and many duties to accomplish at the same time as it is the lesson plan and program that they have to design and
implement, and before reaching this stage they have to identify and analyze students’ needs, make decisions as regarding classroom materials, vocabulary selection and teaching strategies to satisfy these needs and to improve their language skills and prepare them for their profession.

Other issues presented by teachers through an open question are: lack of infrastructure or A/V equipment, lack of terminological dictionaries to foster independent learning, finding and using strategies to practice in and out of the class, and difficulty in finding appropriately tailored resources for some specific fields. Another challenge they have to overcome is also the large number of students in classes often students with heterogenous abilities and needs and when this adds on de-motivation because of difficult or uninteresting materials makes the gap deeper and wider.

The majority of the respondents, 94.4% agree that pre or in-training ESP courses would make their teaching easier and help them cope with problems at the start as well as enable them to be efficient and innovative in the course of their teaching.

Chart 5: Teachers’ suggestions

83.3% the teachers (chart 5) agree that it is necessary that the ESP course improves the four language skills and at the same time it needs to introduce the students to the genre of texts and language features of their field of study through field specific content materials. In order to teach ESP classes they think that they need to develop a good understanding of the field form which they are selecting and using authentic or tailored class materials.

Obviously the majority of the teachers (94 %) support the idea that ESP teachers need to have special training and that can be solved through pre-training or in-training courses.

5. Conclusion

The findings of this survey can be summarized as following:

The identified challenges that the ESP teachers in Albania faced at the start of their teaching experience concern mainly students’ needs analyses, followed in percentage by the choice and use of relevant class materials and class management. The first two aspects are still felt by the teachers and apart from them they also face problems such as the use of A/V aids, student feedback and motivation as well as issues of ESP methodology and the design of classroom materials.

Despite all the issues and challenges, both pedagogical and linguistic, they face in the course of their ESP teaching, the teachers agree that ESP classes are important to be delivered to university students, moreover they fully agree that the classroom materials should be of field specific content in order to prepare the students to the requirements of their academic life and demands of their future profession.

The teachers subject of this survey suggest that the identified and perceived problems they have faced and still encounter are mainly due to lack of prior training as ESP teachers thus they could be overcome through pre or in-training for this sub-division of English teaching in order to have appropriately and fully trained ESP teachers.

References
Chambers, F. (1980). A re-evaluation of needs analysis. ESP Journal, 1/1
The Cooperation of Educational Partners in the Management of the “Cyberbullying” at Nonmetropolitan Albanian Adolescents

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Abstract

Educational partners, more important are teachers and parents are considered as one of the main elements in the management of Cyberbullying in the school environment and not only for their child's safety. The aim of the study is to evidence the cooperative elements among parents, teachers and students during misuse of the Internet and its functions and violence caused by the technology. The sample of the study includes 200 pupils aged 15-19, 55 Male and 145 Female from High School's Elbasan. Instrument used was “Student Needs Assessment Survey” APPENDIX E by N. E. Willard (2007). The questionnaire was modified and adapted by the authors and contains 20 items. The statistical data processing was performed by SPPS statistical program, version 20. Cronbach's Alpha 0.751 were used to assess the reliability of the instrument. Relying situated in the role of one who puts pressure on the Internet to others, and the role of the person on whom are pressured by the results obtained we note that students are not included in any of above mentioned role. For the psycho-pedagogical point of view we can say that viewed a positive relationship and not only communication between adolescents and their parents, but also among school staff. Students claim that their peers do not feel pressured by others and also students affirm that they are not aware of any material posted on the Internet that denigrates the image of a school staff member.

Keywords: cyberbullying, adolescents, parent, school staff, communication tools.

1. Introduction

Adolescents are currently the defining users of the Internet. They spend more time online than adults do. When online communication technologies, such as e-mail and chat rooms, became popular in the 1990s, several authors believed that these technologies would reduce adolescents' social connectedness and well-being.¹

It refers to adolescents’ relationships with others such as friends, family members etc. At the time, it was assumed that the Internet motivates adolescents to form superficial online relationships with strangers that are less beneficial than their real world relationships and time spent with online strangers occurs at the expense of time spent with existing relationships. The virtual world in the Internet is not unreal, because online relationships still involve real life – friends met online can be contacted in real life.²

Cyberbullying is deliberately using digital media to communicate false, embarrassing, or hostile information about another person. It is the most common online risk for all teens and is a peer-to-peer risk. Although “online harassment” is often used interchangeably with the term “cyberbullying,” it is actually a different entity. On the other hand, cyberbullying can occur to any young person online and can cause profound psychosocial outcomes including depression, anxiety,

severe isolation and tragically suicide.³

As to power imbalance, many cybervictims experience helplessness if their bully remains anonymous and often there is no getting away from cyberbullying, as technology based interactions can take place any time and in any place. Occurs most often when children are at home, but it can also take place during school. Another aspect distinguishing cyberbullying is anonymity with cyberbullies able to remain unidentified behind their computer screen or cell phone and to aggress against their victims even when they are physically far away. This physical distance may help to disinherit cyberbullies making it easier to say or write things they normally would not in a face-to-face interaction.⁴

Cyberbullying may be transmitted via e-mail, social networking sites, chat rooms, message boards, instant messaging or cell phones. Most cyberbullying categories are: flaming, Harassment and stalking, Denigration, Impersonation, Outing and trickery, Exclusion.⁵ ⁶

The school, as well as parent and community members can help to facilitate parent and community outreach and education. Information should include an overview of the concerns, how to prevent, detect and intervene if children are targets, preventing children from being cyber bullies, legal consequences and strategies to empower and also activate bystanders.⁷ ⁸ Since most cyberbullying takes place at home, it’s important that parents know about cyberbullying and that they get involved in preventing it. They must educate their kids about appropriate online behaviors just as they convey appropriate offline behaviors. They should also monitor their child’s activities while online – especially early in their exploration of cyberspace.⁹

2. **Methods**

2.1 **Research procedures**

The sample of the study includes 200 pupils aged 15-19, 55 Male and 145 Female from High School's Elbasan.

Instrument used was “Student Needs Assessment Survey” APPENDIX E by N. E. Willard (2007). The questionnaire was modified and adapted by the authors and contains 20 items. Likert scale questions contain three alternatives (1 - Often to 3 – Never and Yes, 1 - 4 times to 3 – No) and four alternatives ( 1 – Often to 4 - I don’t know and 1 - Most probably to 4 - No possibility) while other questions are categorical. Categorize the responses of pupils in the role of the knower of pressure on others and offer personal contribution to cooperate named in the three categories: harmful, neutral and successful.

The statistical data processing was performed by SPPS statistical program, version 20. Cronbach’s Alpha .751. In completing questionnaire was maintained entirely pupils’ anonymity.

3. **Discussion and Conclusion**

The data show that 73% of students use the Internet not only at school but also at home and 27% of them are not affected by it. During the week the subjects spend approximately less than 2 hours per day (34.5% of them), 2 hours per day (27% of them) and 20% of them more than 5 hours. The correlation between sex, frequency of Internet use at home and time spent during week is 0:01 significant level (2-tailed) and it shows that users of the Internet and its functions are men and women at the same time.

Graphic Nr. 1: Approximately how many hours per day you use the Internet during the week?

![Internet Use Chart]

Table Nr. 1: Correlations between gender and time navigating on the Internet at home and during the week.

<table>
<thead>
<tr>
<th></th>
<th>Gender</th>
<th>Internet use at home</th>
<th>Spending time online during week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pearson Correlation</td>
<td>1</td>
<td>-.054</td>
<td>-.028</td>
</tr>
<tr>
<td>Internet use at home</td>
<td></td>
<td>.446</td>
<td>.696</td>
</tr>
<tr>
<td>Pearson</td>
<td>-.054</td>
<td>1</td>
<td>-.369**</td>
</tr>
<tr>
<td>Spending time online during week</td>
<td>.446</td>
<td>.000</td>
<td>1</td>
</tr>
<tr>
<td>Sig. (2-tailed)</td>
<td>.696</td>
<td>.000</td>
<td></td>
</tr>
<tr>
<td>N</td>
<td>200</td>
<td>200</td>
<td>200</td>
</tr>
</tbody>
</table>

**. Correlation is significant at the 0.01 level (2-tailed).

Some of favorite concrete activities of students are: Surfing the Internet to see and learn new things (71%), communication with school friends (65%), making the homework with the help of the Internet (45.5%), entertainment playing games (43%), construction of the pages / profiles various Internet (13%) and others. Referring phone use in school institution by students, 74% said they didn’t use during the learning process and only 26% say that they use this communication tool.

Graphic Nr. 2: Favorite online activities chosen by pupils.

![Favorite Online Activities Chart]
An important role in management of the use of internet functions of children is the parent, which considered as particular importance in the educational aspect and not only. Often parents think that if their children are at home using a computer they are safe, but it can happen that the child may be the target of a potential pressure from others or be the cause of any pressure. Communication between the parties is necessary because it helps in eliminating of a lot of problems caused by the Internet. The data show that 84.5% of students claim to have communication with their parents and 54% of students say that with the occasions have controls by their parents for what they do online.

**Graphic Nr. 4:** Do your parents have talked about the way how you should treat your relatives?

**Graphic Nr. 5:** Do you see your parents what you do online?

Turns out that 70.5% of student’s use the most widespread social network Facebook, and 45% of them affirm that their profile sometimes or occasionally is seen by their parents, where 52% of them claim that they communicate with their parents about people who have friends in this social network. 31% of them communicate more often with the parents.

**Graphic Nr. 6:** Do you have your own profile on any social network like Facebook for example?
Graphic Nr. 7: Did your parents see this profile that you have?

Graphic Nr. 8: Do you communicate with parents about people who have friends in this social network?

Relying situated in the role of one who puts pressure on the Internet to others, and the role of the person on whom are pressured by the results obtained we note that students are not included in any of above mentioned role. This means that they use the Internet by their peers is not the problem neither the psychological aspect of their teaching.

Graphic Nr. 9: The role of the student as a person who exerts pressure on the Internet to others and as a person over who are pressured.
Students (77.5%) claim that their peers do not feel pressured by others, only 21% of them felt under pressure 1-4 times. Also students (83.5%) affirm that they are not aware of any material posted on the Internet that denigrates the image of a school staff member or a student who has posted on the Internet material that suggest the use of violence (83%) or suicide (94%). This shows that our school system managed effectively using the Internet and other communication tools.

**Graphic Nr. 10:** Do you think that your friends feel pressured class from the others in the Internet?

![Graphic](chart1.png)

**Graphic Nr. 11:** Have you seen or are aware of any material posted on the Internet that denigrates the figure of any member of the school staff, which have threatened or suggested the use of violence or suicide.

![Graphic](chart2.png)

Referring to the use of computers of the school 71% of students claim they don’t know if it happens online pressure when used school computers, 19% of them claim that never occurs pressure, 10% of them affirm that it happens occasionally. While referring other adequate electronic tools or mobile phones 48.5% of students say they do not know if the pressure occurs on the Internet when they use these electronic tools in the school environment, 34% of them claim that pressure
sometimes occurs through the use of mobile phones, 11.5% say it happens often and only 6% say that never happens pressure.

**Graphic Nr. 12:** Do you think that happen online pressure when students use school computers?

![Pie Chart](chart1.png)

**Graphic Nr. 13:** How often do you think that the pressure on the internet via cell phones they use at school?

![Bar Chart](chart2.png)

If students would be the victim of pressure on the Internet and will not have the opportunity to be contained 77% of them indicated that they would approve of their parents and also (70.5%) to school staff members, but even if they will see one of their peer has become the victim of pressure (63%) or that suggested violence or suicide (81%) they were again collaborative with parents or with any member of the school staff. For the psycho-pedagogical point of view we can say that viewed a positive relationship and not only communication between children and their parents, but also among school staff.

**Graphic Nr. 14:** Students report referred pressures concerns freely online to parents and school staff.

![Bar Chart](chart3.png)

**Table Nr. 2:** Descriptive Statistics about reporting and support that offer student if they saw someone whose pressure is on the Internet become.
If students were going to see someone who is coming under pressure in the Internet they say that there is no opportunity for them to join pressure posting similar material, or to back the person who was making pressure (m = 3.73), which means that the risk level does not appear to cause violence by technology. Students appear to neutral levels around avoiding Cyberbullying (m = 2.1) even students report that will help their peers a little bit if they were the victim of pressure exerted by Internet users who denigrate their image (m = 2.2).

Recommend that it is necessary to maintain a school climate where bullying is less likely to take place and students feel comfortable reporting cyberbullying. Where incidents of cyberbullying are impacting on the learning of any student, schools will need to respond to these incidents, even if they occur out of school hours or on private equipment. The appropriate response will depend on the circumstances of the cyberbullying. It is necessary to be promoting antibullying messages throughout the school community. Schools will need to provide support to any student who is experiencing bullying, any student with bullying behaviors and any bystanders. Referring teachers they should know their students. Don’t ignore or discount their situation by suggesting they ignore it or that it will stop on its own. Know their schools anti-bullying policies and reporting structures and establish an understanding of the existing evidence based approaches to dealing with cyber bullying. Develop an understanding of the role of bystanders in cyber space. Use the curriculum to support an investigation into cyber bullying.10

References


E-Tailing in Kosovo: The Effect of Trust, Satisfaction and Service Quality in Achieving Consumer E-Loyalty

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Abstract

The global e-tailing industry growth in numbers of online consumers has been impressive in recent years. Because of the low entry barriers, this trend is equally evident in the number of providers. Online consumer behaviour has attracted the attention of researchers to investigate this phenomenon, who have identified e-loyalty as the most important source of business stability and profitability. Among various perspectives, the elements of trust, satisfaction, and service quality have been proposed as originators of e-loyalty. Yet, previous efforts fail to consider the combined effect of these factors, and largely ignore the occurrence of this phenomenon in developing countries. This research deducts the extant theories to develop and empirically test the hypotheses by employing a closed-ended online questionnaire. The findings show a significant positive correlation between the proposed relationships from the perspective of Kosovo online consumers, towards Kosovo e-tailers. The conclusions are drawn and future research directions are identified.

Keywords: Trust, Satisfaction, Service Quality, Website Customisation, E-loyalty, E-tailing, E-Commerce.

1. Introduction

Today’s online consumers have become more demanding than ever, since they have access to sufficient information; they have lower switching costs; greater number of alternatives; and they are constantly one click away from making a purchase decision. This indicates that predicting and controlling consumer behaviour has become difficult (Amani, 2015). It has been recently reported that the number of online consumers is increasing at extensive rates, with an average growth of around 20% on a global basis (Subramanian et al., 2014). Indeed, this growth is being noticed on all levels of e-tail categories, ranging from virtual book stores, online groceries, apparel, electronics, and many more (Chen et al., 2012).

In contrast with traditional brick and mortar stores, the Internet environment is significantly complex, particularly in terms of alternative and competing offers. Low entry barriers of the online retailing industry and the sophistication of digital marketing technologies are placing e-tailers under great pressure (Wu and Tseng, 2015). Researchers have noted that online businesses have been rather naïve in the early stages of doing business online. E-tailers have been wrongly focusing only on acquiring new consumers while struggling to recognise the advantages attached to satisfying and retaining the existing ones. To make matters worse, online consumers have indicated different attitudes and shown signs of dissimilar behaviour compared to the traditional expectations. This has grown the e-tailers confusion, thus it has attracted the attention of scholars to explore this phenomenon. To this effect, commercial transactions between consumers and e-tailers are no longer approached with the traditional focus on acquisition. Conversely, greater emphasis is currently placed on retaining existing consumers (Ozuem et al., 2015).

Increasing the efforts to retain existing online consumers is a logical resolution, considering the probability of greater benefits that e-tailers have to achieve stability and profitability (Rafiq et al., 2013). Moreover, recent findings assert that e-tailers have the chance to elevate their profits up to 125% by employing strategies that focus on retaining
their online consumers (Srivastava and Rai, 2014).

Various investigations have been conducted in this domain and previous researchers have developed theories that suggest several originators of loyalty in an online context. Extant literature is fragmented into several perspectives regarding the development of e-loyalty as the main goal of relationship marketing. Kim et al. (2009) suggest that both satisfaction and trust are vital inducers of e-loyalty. Kwon and Lennon (2009) note that online consumers’ perceived risk towards an Internet transaction with the e-tailer affects the development of e-loyalty; Fang et al. (2014) propose a positive impact of previous purchase experience in developing e-loyalty; while Zhang et al. (2011) identify website quality and website customization as a strong component in influencing online consumers’ trust in an e-tailer and online consumers’ repurchase intention.

However, only few descriptive studies have been conducted in this topic (Pizzuti and Fernandes, 2010), and previous studies fail to provide satisfactory outcomes regarding the role of these elements and their effect in an e-tail environment in developing countries, and to the researchers knowledge, there have been no prior investigations conducted in small developing countries such as Kosovo.

WTO (World Trade Organization) reports that developing countries are in a favourable situation to benefit from technological advancements introduced in today’s global economy, while emphasising the opportunities that have arisen in particular industries such as e-commerce and e-tail (World Trade Organisation, 2013). Pizzuti and Fernandes (2010) suggest that there is a correlation between high levels of Internet access and Internet penetration in one side, and the development of online retailing on the other side.

Kosovo is a Southeast European country with a population of around 1.8 million people (Kosovo Agency of Statistics, 2013). Statistical figures reveal Internet penetration of 76.6% based on users, and 84.8% based on households (Kosovo Ministry of Foreign Affairs, 2015). These figures are very similar to the data of UK Internet penetration statistics, which is the leading country of online shoppers, where that 87% of adults have used Internet in the first quarter of 2014 (Office for National Statistics, 2014). The online retail market accounts for 15.2% of the retail industry, and an average UK consumer is expected to spend £1,174 online in 2015 (Moth, 2015). Regrettably, there is no data available to the researchers knowledge, which unveils online shopping statistics in Kosovo.

However, based on a research conducted by STIKK (2013) when the respondents were asked about their confidence to shop online, 27.78% responded “Yes, without doubt”; 7.683% responded “Yes, if shopping on international well-known websites”; 8.511% responded “Yes, if there were truthful websites in Kosovo”; 41.37% responded “Would not believe on online shopping”; and 14.66% responded “Do not know, never heard of such option”. These figures provide a clear indication of the requisite to explore this phenomenon in depth.

Consequently, the objective of this research is to understand why e-loyalty is relevant for Kosovo e-tailers’ business success, and what is the effect trust, satisfaction and service quality to e-loyalty, from the perspective of Kosovo online consumers.

2. Theoretical Background

The growth of Internet penetration on a global scale has reshaped the way in which companies do business. Business-to-consumer (B2C) firms have established their online presence as an attempt to acquire new consumers and retain the existing ones for long-term profitability. E-loyalty is a relatively new concept that broadens the definition of traditional loyalty to adapt consumer behaviour in an online environment (Carter et al., 2014). In absence of physical human interactivity revolved around this environment, traditional loyalty literature has adjusted its definitions accordingly. Yao et al. (2015) defines e-loyalty as the consumer’s intention to use a website and to take into consideration placing an order from that website in the future. Other definitions portray e-loyalty as a consequence of a positive intention of a consumer that manifests commitment towards an online business that results in repeated purchase behaviour (Asgari, 2014). For the purpose of this study, the researchers have chosen to identify the measures of loyalty, in order to conceptualise this phenomenon in an online context. Therefore, three major approaches were identified in consumer loyalty measures that were proposed by scholars, i.e. attitudinal measures, behavioural measures, and cognitive measures.

An attitudinal point of view reflects consumer loyalty as a deep commitment to repurchase a favourite product or service in the future, without being affected by competitive efforts that generate switching behaviour (Moreira and Silva, 2015). However, applying only an attitudinal construct to measure the consumers’ psychological and emotional bond towards the provider has been criticized in the literature (Al-hawari, 2015). Moreover, the researcher suggests that emotional attachment fails to always materialise into action.

The cognitive approach, as suggested by Lopez-Mosquera and Sanchez (2014), portrays the creation of judgements and beliefs, where consumer satisfaction is regarded as an outcome of the consumer’s perceived results and
their expectations. This implies an attitudinal construct; therefore the researchers consider that cognitive loyalty can be categorized as attitudinal loyalty together with emotional and psychological loyalty.

Conversely, a measurement that focuses exclusively on behavioural characteristics limits the definition of loyalty as repeated transactions or returning consumers, which is measured by simple observations (Jumaev, 2012). Yet, behavioural loyalty can be considered as crucial from the managerial perspective, since it is translated into actual sales and revenues for the e-tailer. However, it is suggested that behavioural loyalty bears higher costs for the e-tailer and requires considerable commitment by the consumer (Liao et al., 2014).

There is no universal agreement between scholars regarding the dimensions of consumer loyalty and their measurement, yet the combination of behavioural and attitudinal loyalty is supported as a consensus between contemporary social scientists (Han and Woods, 2014). Based on this construct, the researcher proposes to include consumer trust and previous purchase satisfaction as a composite measurement of e-loyalty for the purpose of this research.

However, there is another perspective of conceptualising consumer loyalty in regards to service quality (Zeithaml et al., 2013). This view holds that service quality is an important antecedent of consumer loyalty, and its mediating effect has been explored and empirically tested by previous researchers. Yet, the case differs in an online environment and virtual stores. Various exploratory and empirical studies have been conducted in this aspect, however the research conducted by Hsieh and Tsao (2014) stands out, since it focuses on the perspective of website quality.

The literature considers website quality based on various components, such as Information systems (IS) approach, a marketing oriented approach, or a combination of both (Elkhani et al., 2014). In that context, Hsieh and Tsao (2014) established a conceptual model based on the suggestions of an e-Commerce Success Model proposed by DeLone and McLean (2004). Their empirical test findings reveal that website quality reduces the online consumers’ perceived risk which results in e-loyalty. Yet, this study fails to recognise two main elements, the combined role of website quality, trust and satisfaction, and their combined effect on e-loyalty; and the cultural factors that might affect this relationship. The latter is particularly significant for the e-tailers operating in developing countries where this research is conducted, since these business environments are in fact largely influenced by local cultural traditions.

Thus, for the purpose of this study, only website customization is taken in consideration as an originator of e-loyalty, based on local cultural preferences such as language and layout.

2.1 Why is consumer e-loyalty important for the e-tailer?

Most of the previous researchers argue, based on a study conducted by Harris and Goode (2004), claiming that online consumer loyalty is much more difficult to be achieved, yet it has greater value compared to traditional loyalty (Rafiq et al., 2013). This suggestion is rather disputable when alternative findings are considered. As illustrated by a Harvard Business Review research conducted by Reichheld and Schefter (2000) who set out to examine the strategies of the leading e-tailers by interrogating thousands of their online consumers, they arrive to variant conclusions. In contrast, they note that online consumers are predominantly willing to become loyal towards the e-tailers.

However, there are strong justifications to support the claim that consumer loyalty has greater value for online retailers in comparison to traditional offline stores. Recent studies reinforce this suggestion (Fuentes-Blasco et al., 2010) by implying that online consumer acquisition cost is higher. Moreover, e-tailers need to establish a loyal clientele in order to become profitable, and what is more, the profit volume expands further with time, which gives the e-tailers the prospect to build upon this opportunity by extending their offerings range, i.e. to increase their profits even further.

As a factor worth considering, by returning to the starting point, the findings of Reichheld and Schefter (2000) illustrate that the e-tailers profit value per consumer increases in a considerable amount in a life-cycle of three years, where specific sectors of online stores (i.e. apparel and groceries) almost double within this period.

2.2 Trust and E-loyalty

Online shopping involves risk-taking actions from a consumer; therefore trust is needed to build confidence so that Internet transactions can be accomplished. The literature defines trust from various perspectives over several disciplines, i.e. sociology, economics, and social psychology. Furthermore, trust interpretation has been refined in other fields of study such as management, IT systems, and marketing. Pertaining to the marketing domain, trust was approached from a relationship marketing perspective associated with buyer-seller trade, or consumer-company exchange (Chen et al., 2012).

In that context, scholars suggest that trust at its core is related to an individual’s confidence and the will shown by
that individual to become vulnerable in an exchange transaction with the other party (Chen and Saeedi, 2006). Another view describes trust as a belief, which is the assumed probability that the other party will act in accordance to the individual’s benefit (Sapienza et al., 2013). Yet, it is arguable that beliefs lead inevitably to future intentions, therefore they are not sufficient to justify the existence of trust in regards to e-loyalty (Schlosse et al., 2006). In a less sophisticated proposition, trust is articulated as a person’s reliance to another, by risking to become exposed to harm (Hurwitz, 2013). These suggestions emphasise risk as a problem in a personal level, thus trust is further suggested as a resolution to the problem of risk (Vos et al., 2014).

Literature review displays enormous evidence of the positive influence of consumer trust in an e-tailer in developing e-loyalty. Yet, there is another group of researchers that suggest that the role of trust has been exaggerated, whence e-loyalty is not all about trust, it is also about price. In this fashion Valvi and West (2013) research findings suggest that ‘trust does not play a pivotal role’ (p.2012) in achieving online consumer loyalty. This claim is in contradiction with several theories supported by other researchers. As noted by Lim (2015), consumer trust is the main booster of favourable future intentions for the e-tailer. Bart et al. (2005) findings reveal that consumer trust on an e-tailers website has a positive influence on their eagerness to recommend the e-tailer to their friends and family. Moreover, Moreira and Silva (2015) findings validate the positive effect of trust in developing e-loyalty.

Based on these arguments, for the purpose of this research, the following hypotheses are proposed:

H1: Consumer trust in a Kosovo e-tailer has a positive effect on e-loyalty for the e-tailer.

2.3 Satisfaction and E-loyalty

Relationship marketing research has been largely focusing on the phenomenon of satisfaction and its outcomes (Gounaris et al., 2010). However, satisfaction has been widely drawn in terms of emotional conditions emerging from the fulfillment of expectations in the possession or consumption experience. Yet, current research studies suggest that this transaction-based conception built only upon a cognitive perspective is not sufficient to understand how satisfaction is generated (Ltifi and Gharbi, 2012). With a similar approach, Flint et al. (2011) imply that relationships between suppliers and consumers reflect deeper connections. Meeting the consumer expectations requires a better understanding of what consumers value, and how their perceptions are built. Moreover, their survey studies show the benefits that suppliers get by recognizing their consumer’s perceived value, which results in higher satisfaction and loyalty.

Chen (2012) posits that consumer satisfaction is instrumental in developing e-loyalty. This claim is supported by empirical findings where trust, commitment, involvement, and perceived value are situated as mediators between satisfaction and the formation of e-loyalty. Ludin and Cheng (2014) suggest a view that compares consumer expectations with consumer experience. This view holds that satisfaction is generated when the experience meets or surpasses consumers’ expectations. Moreover, satisfied consumers are expected to develop repurchase intentions if the provider has accomplished or surpassed their expectations. Similarly, previous researchers suggest that satisfaction is not one-dimensional; it is rather a combination of various elements such as consumer expectations and perceived values (Razavi et al., 2012). However, Deng et al. (2010) argue that the conceptualisation of e-satisfaction should be narrowed to transaction-specific boundaries; otherwise the conceptual context would become over-extensive. Still, the majority of research findings propose that e-satisfaction is a central originator of e-loyalty (Ghane et al., 2011).

Based on these considerations, the researchers hypothesize:

H2: Consumer e-satisfaction has a positive influence on developing e-loyalty for the Kosovo e-tailers.

2.4 E-service Quality, Website Customization, and E-loyalty

Traditional service quality literature indicates a connection with cultural perceptions in relation to consumer behaviour. Cultural factors influence consumer expectations, thus they affect their purchase decisions (Kueh and Von, 2007).

In order to further examine this subject, it is significant to understand what constitutes culture and cultural factors. Leung et al. (2005) defines culture as a set of norms, values, beliefs, and behavioural patterns held by a group of people. Other scholars suggest that culture is a simple shared system of meanings. However, the focus of this research lies in an online exchange relationship environment, hence the researchers propose to review cultural factors in regards to e-services quality. In that context, Al-Nasser et al. (2015) propose a combined model of traditional services quality dimensions situated within a web-based service quality.

Lu et al. (2013) expand this view in regard to the relationship between website quality and the development of online consumer loyalty. They propose to explore e-loyalty with respect to cultural factors, by classifying them as individualism and collectivism. These two concepts that originated from sociology are associated with interdependence of
human beings (collectivism) and social independence (individualism). Their findings show that cultural factors indeed have an impact on consumer e-loyalty.

Built upon this theoretical foundation, this study draws a boundary on the view of service quality by taking into consideration only the element of website customization based on local cultural elements such as language, and layout. This approach is further supported by the work of Zhang et al. (2011) and Cyr et al. (2008). The latter propose that online consumers prefer to shop online and exhibit a tendency to become loyal to e-tailers that have customized their websites based on local cultural preferences in comparison to foreign websites (Cyr et al., 2008). Therefore, the following hypothesis is proposed:

H3: Kosovo e-tailer’s website customization based on cultural preferences such as language and layout has a positive impact on obtaining consumer e-loyalty.

3. Conceptual Framework

The theoretical foundation on which this research is based is deducted into a framework that emphasises the main elements that contribute to resolve the research problem, as illustrated in the figure no.1.

![Figure 1. Conceptual Framework](image)

4. Methodology

In order to investigate the effect of trust, satisfaction, and service quality on the development of e-loyalty, from a Kosovo online consumers’ perspective towards Kosovo e-tailers, an online survey was administered. The researchers took a positivist philosophical standing in order to avoid bias and become objective. The questions were developed from deducting the identified theories by employing a deductive approach; hence the hypotheses were transformed into questions in order to find out the correlation between the variables. The sample was determined using a purposive judgemental sampling method with a preliminary quota in order to avoid error, and to support the validity and reliability of the findings. First, he questionnaire was pilot tested to warrant the effective performance of the questions, and to confirm that the overall research mechanism functions properly.

A purposive sampling technique is a non-probability sampling method that complies with a certain criteria (Babbie, 2015). The researchers designed the questionnaire to query if the respondents had previous purchase experience from Kosovo e-tailers. The respondents that answer negatively this question are not taken into consideration and their data is not included in the analysis of the findings. The respondents were targeted through posts on specialised technology groups in social networks. Additionally, the researchers received support from some Kosovo e-tailers who provided a number of e-mail contacts from their databases in order to construct a sampling frame.

The researchers produced two different collectors to be able to distinguish the origin of respondents, i.e. the number of respondents attracted by the social media campaign, and by the e-mail marketing campaign. 209 invitations were sent by e-mail using the YMPL email marketing software, which produced a number of 32 respondents, or 15.3% within one week. This return rate is lower than the average, as suggested by Fisher (2010), a rate of 30% is realistic. The
social media campaign produced an additional number of 83 respondents. However, 8 responses were missing data on some questions of the online survey, thus the researcher processed only 107 responses. This number was additionally reduced based on the negative answers from the filtering quota, as suggested by Blumberg et al. (2014). Finally, the researchers were left with a total number of 84 responses for the data analysis.

5. Findings

Based on the quantitative data collection method, i.e. online survey closed-ended questionnaire, which was discussed in the previous section, a descriptive statistics method is used to analyse the demographic characteristics. Moreover, Spearman’s correlation technique is utilized to measure the relationship between independent variables and the dependent variable based on the conceptual framework, which indicates that the hypotheses are tested and the findings are evaluated.

Out of 84 respondents, 49 were male (58.33%) and 35 were female (41.67%). The majority of the respondents were under 25 years old (48.81%), followed by 27 respondents who were between 25 and 34 years old (32.14%). 14 respondents (16.67%) were 35 to 44 years old, and only 2 respondents (2.38%) aged between 45 and 54 years old. There were no respondents older than 55 years old. Regarding the education level of participants, the sample predominantly consisted of graduate individuals, whilst only one respondent (1.19%) was with primary and secondary school certification. 8 respondents (9.52%) were with high school diploma, 63 respondents (75%) were with graduate degrees, and 12 respondents (14.29%) held post-graduate degrees. There were no participants with a doctorate degree.

The findings show that there is a significant positive correlation between consumer trust and e-loyalty with a significance scale of .686. These figures coincide with previous research findings such as Moreira and Silva (2015), Bart et al. (2005), and Vos et al., (2014). In a similar fashion, the results show that there is a strong positive correlation between e-satisfaction and e-loyalty with a significance scale of .680. This means that the online consumers who were satisfied with the Kosovo e-tailers are willing to commit to repurchase intentions towards the e-tailers. These findings correspond with previous researchers’ findings such as Chen (2012), Ludin and Cheng (2014), and Ghane et al., (2011).

Although at a much lower significance, the correlation test results reveal that there is a slight positive correlation between website customization based on cultural preferences such as language and layout and e-loyalty for the Kosovo e-tailers, with a significance scale of .270. The findings are on par with the suggestions of Cyr et al., (2008), and Zhang et al. (2011), although at a lower level. The respondents’ relatively young age and fairly high level of education might explain the low significance of website customization to them.

6. Conclusions and Future Research

Retaining online consumers is integral for e-tail business success in Kosovo. Although e-tail marketing managers have been displaying lack of understanding on how to gain advantage and benefit from the extensive proportions of growth displayed recently in e-commerce, this approach has shown signs of change. Literature review indicates that doing business online is more complex and the market entry barriers are very low. Online consumers are exposed to innumerable competitive offers, and their switching cost constitutes only one mouse click.

E-loyalty is much more important for e-tailers compared to traditional retailers mainly because of the nature of the Internet environment. Apart from the fact that online consumers exhibit different behavioural patterns, they have shown indications of willingness to exhibit repurchase intentions. The findings of this research suggest that the majority of satisfied Kosovo online consumers intend to continue shopping from trustworthy Kosovo online stores. The findings show that e-service quality, in the form of website customization based on local cultural preferences such as language and layout, plays a significant role in reaching consumer loyalty. However, the level of significance of this relationship is lower than trust and satisfaction.

For future research, replication longitudinal studies should be performed to gain better insight into this phenomenon. Additionally, more sophisticated sampling methods should be employed, in order to increase the validity and generalizability of the findings. The logical next step is to conduct future research on how to effectively build trust and satisfaction. The area of study can and should be extended in context to the moderating elements that impact this relationship.
References


Transfer Pricing System in Banks

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Abstract

In today’s environment of banking services industry, where competition is emerging every day, where the customer’s requirements are becoming sophisticated and the number and diversity of products and geographic markets is growing, maintaining margins is becoming more and more difficult. Developing a successful activity, profitable and sustainable has become one of the key factors to survive. Consequently, performance measurement systems take a special significance as the most important techniques in decision making processes. Currently, commercial banks operating in the Albanian banking market does not follow a specific model/method for assessing profitability and performance for each organizational unit. Generally banks, in the process of measuring their performance, are guided by budgeting process detailed of each unit within the bank and fulfillment of the objectives set. But, these objectives refer only to level of sales (eg., collected deposits or loans granted) for each unit/branch and don’t distribute costs generated by each cost centers. Funds transfer pricing is a technique suggested to assist banks in measuring profitability. This technique allows managers to compare the profitability of different products, different branches and management and economic performance of the various units. This paper discusses the key principles of functioning of a transfer pricing system, and actually it as a useful method to be used in measuring the performance of various units within a bank. First, the paper briefly addressed the cost of funds for banks, as a starting point for setting the transfer price. Then it treats methodologies for determining the transfer price. Finally, at the end it addressed the application of the system of internal transfer price in a hypothetical example which derives into specific conclusions.

Keywords: transfer pricing system; cost of funds for banks; marginal cost and average cos; single – pool method; multiple – pool method.

1. Chapter 1

1.1 What is a transfer pricing system?

Transfer pricing system is the allocation of net interest income in different organizational units of the bank. For example, if one unit of the bank has a lack of funds, what is the rate that it should apply in the funds received by other units of the bank to enable the financing of loans or investments? And if one unit of the bank has surplus funds, how much should it benefit from the funds it provide toward the unit that has lack of funds?

So, the transfer pricing system is an internal accounting system or an accounting tool that transfer price from one division of a company (business unit that generate assets (loans/ investments) to another division of the same company (business unit that provide funding) for a product transferred between the two divisions.

In the absence of the transfer pricing system of funds, end users of funds will receive loan for the interest income without paying for the full amount of interest expenses, while the final providers of funds will pay for interest expenses without credited for the total amount of interest income. In such environment, users of funds have the advantage because of all interest income are related to assets and interest expenses are related to liabilities. This makes the user's funds look profitable compare to funding providers. From the perspective of the bank as a whole, this situation does not create any problem because interest expenses and interest income are analyzed in total.

However, bank management should know where and how the profit is generated into the bank, in the product level, unit or client. For this purpose, it is suggested the use of transfer pricing system. Transfer pricing provides a domestic source of revenue for the providers of funds and a domestic interest expense for users of funds.

Finally, it should be noted that the transfer pricing system is part of the control system and management accounting, which includes budgeting, planning, profit and asset-liability management. All these systems must be guided by a single philosophy to achieve the coordination of the efforts of the organization towards the objectives.
2. Chapter 2

2.1 Average and marginal cost of funds

As mentioned above, the transfer pricing system is a process of interest income attribution to internal business units on various levels. As a result, during the implementation of this system it is necessary for banks to recognize their cost of funds. For this reason it is important to treat the method of calculating the cost of funds by the bank. Below is treated the average and marginal cost of funds.

The average cost of funds is a measure of average interest rate that banks and other financial institutions pay to use their funds that may be customer's deposit/money, equity, borrowed funds, etc. The average interest cost for the entire portfolio is calculated by taking the total interest expense on annualized basis and dividing that total by the average interest bearing deposits and other interest-bearing borrowings. And for each source of funds, is calculated as ratio of interest expenses by source to the average outstanding debt for that source.

The primary problem with the historical cost is that it does not generally reflect current market valuation and consequently does not provide any information for interest rate changes (increase or decrease of future interest rate). The use of average costs assumes that interest rates will remain constant at historical levels during the current pricing period.

Average historical cost can be used very well is evaluating the past performance. It is relatively easy to understand, after the fact, why a bank's expenses and profits differ from those of peer banks by comparing average borrowing costs and assets yield. Average costs of non-interest expenses (commissions, etc.) can be evaluated and applied in the calculation of total costs of providing additional funds.

The marginal cost of funds represents the incremental cost of obtaining financing. For its calculation should include interest and non-interest expenses, and to determine which part of the funds will be invested according to the types of assets. An approximate formula for calculating the marginal cost of funds from a single source, when all related costs are known, is given below:

\[
\text{Marginal cost} = \frac{\text{Interest rate} + \text{servicing costs} + \text{acquisition costs} + \text{insurance}}{1 - \% \text{ of funds in non earning assets}}
\]

Denominator includes the liabilities that will be invested to generate income (the rest is related to the creation of reserves, or keeping balances on hand and current accounts of correspondents). All elements of the nominator represent the expected costs for each additional unit of funds, returned on an annual basis. A bank may also add indirect costs to the numerator, such as the implicit cost of increased risk associated with higher leverage, to obtain an effective marginal cost estimate. From all of the above mentioned costs, only acquisition costs are determined by the volume of check processing business handled by a bank.

2.2 Marginal cost vs Average cost

When interest rates rise, the marginal costs exceed historical/average cost. The reverse is true when interest rates fall. Marginal costs also serve as an indicator of the relative costs of different sources of funding. This helps the bank to choose the source with the least expensive source for financing growth.

2.3 Weighted marginal costs

The cost of debt. The marginal cost of different types of debt varies according to the magnitudes of each type of liabilities. High volume transactions accounts generate substantial servicing costs and have the highest reserve requirements and floats. The advantage of low interest is offset by other costs and the fact that the banks can invest only a smaller percentage of investable funds. Purchased funds, in contrast, pay higher rates by carry smaller transactions costs and require lower reserves with greater investable balances.

The cost of equity. The cost of capital refers to the expected returns of shareholder and differ only in their perspectives (shareholders versus company). There are several methods used for determining cost of capital or this required return such as dividend valuation model, CAPM (Capital Asset Pricing Model), etc.

Weighted marginal cost of total funds. Many banks price loans using the marginal cost of a single source of debt funds as the base rate (example: LIBOR, Treasury Bills, etc.). Unfortunately the cost of any single source of funds may change more or less than the cost of other sources and thus vary substantially from the bank’s composite cost of financing.
So the weighted marginal cost of total funds, which averages the required returns from all long-term financing sources (Debt and Equity), is the best cost measure for pricing the assets. It is the opportunity cost of not investing existing funds elsewhere. This measure includes all costs (implicit and explicit) associated with each source of funds. Weighted marginal cost of total funds is estimated in three stages:

1. Estimate the necessary amount of funding to be provided by any source of funds (debt and equity) over a certain time horizon and identify the most important changes in the composition of liabilities during this horizon.

2. Assess the marginal cost of each source of funds (the forecast of direct costs - interest and dividends allocation of indirect costs and calculation of the part that will invest in nonearning assets). Here we must keep in mind the fact that the debt leverage ratio could bring change to the bank’s risk level, and this will have an impact on interest rates demanded by investors.

3. The management of the bank should combine individual assessments for calculating the weighted cost, which is the arithmetic average (mean) capital cost, where the contribution of each capital source is weighted by the proportion of total funding it provides.

Unfortunately it is very difficult to accurately measure the marginal cost. There are two problems that can lead to large errors during the measurement:

1. Relevant interest rate should be predicted to all investment time horizons and this is a very difficult task at a time when interest rates are very unstable. So the projections need to be modified whenever interest rates change.

2. It is difficult to determine exactly what proportion of total expenditure, staff costs and other indirect costs shall be allocated to each single source of funds. On the other hand, a part of these costs are fixed and do not change when additional funds are provided.

The evaluation of marginal cost is not exact. However useful decisions can be made but as long as the data are reported and analyzed in a consistent manner.

3. Chapter 3

3.1 Internal Pricing System and Marginal Cost

Most large banks are divided into organizational units with well-defined sets of responsibilities. Considered separately, each unit typically attracts source of funds and also uses funds directly. Banks establish internal funds transfer systems to allocate funds between units. Under such systems, a unit that is a user of funds pays an interest charge for the funds, while a supplier of funds receives credit. Marginal cost of funds estimates determine the return to suppliers of funds and the cost of funds users. Because each unit is viewed as a separate profit center, these cost estimates are extremely important.

The application of the transfer pricing system in the bank provides the following advantages:

- Correctly identify the cost of opportunity value of funds.
- Enhance asset and liability pricing decisions.
- Separate credit risk from interest rate risk.
- Facilitate the profitability measurement of various products and components.

In the best funds transfer system, each organizational unit or profit center is assigned specific bank assets and liabilities, which it generates through normal business activity. It then separately sells its liabilities to a funds management profit center and buys financing for its assets from the funds management units at appropriate transfer prices, which serve to cover their operational costs/expenses. The funds management unit sets each transfer price, which varies depending on the characteristics of the underlying instruments.

One of the main dilemmas of banks in this process is whether to use multiple source systems or a single source system.

3.2 Transfer Pricing Methodologies.

There are three methods in determining the efficient transfer pricing system within an organization. Method of a single source is the simplest method and simultaneously less effective. Method of multiple sources is a good method because it better reflects market movements. More complex and effective methods is the method of compliance of maturities mismatches.
The method of a single source of funding (single – pool). According to this method, all funds are allocated to the same pool and one rate is quoted to all users. While the single – pool system is easy to understand and use it does not assist in handling interest rate risk or separating interest rate risk from credit risk.

The method of multiple sources (multiple – pool). Funds management group faces with variety sources of funds and each of them has its marginal cost and various maturities and thus different interest rate risk. They reflect the composition of bank liabilities according to types of financing source and re-pricing frequency. Therefore in this method these source of fund are used more than one cost of funds rate. Number of rates that will be used will be influenced by the re-pricing characteristics of sources and uses of funds. The advantage of this method is that it is more realistic. However, it is a complex method.

One of the main dilemmas of banks in this process is whether to use multiple source systems or a single source system. Multiple option may seem desirable at first glance, but its use can cause adverse effects during the transfer price calculation. The most serious consequences are:

- Wrong allocation of resources.
- Margin that are calculated in different ways and cannot be compared between different products.
- Inaccurate measurement of overall interest risk for the institution.
- Incorrect conclusions regarding credit risk and interest rate.

If transfer pricing methodology is correct, the interest rate risk will be isolated from the operating units, which do not have any control over interest rate. The fund management center, which usually is a unit within the Treasury Department, will treat/manage this risk. In this way it is possible to measure the actual performance of the business units in a more accurate and more productive way.

If the transfer pricing system is properly implemented, the bank can determine the contribution of loans, deposits and interest rate on net interest margin.

### 3.3 Example of a sample funds allocation scheme.

In this example, there are three profit centers: lending, investment and deposit gathering. Each box represents a separate profit center.

The funds management unit is a forth profit center, responsible for borrowing in the money and capital markets. Each profit center generates revenues and expenses associated with transfer prices as well as with normal business activities.

The lending and investment centers compare transfer prices plus actual operating costs with revenues obtained directly from assets booked by each unit. The net difference determines the division profit. The deposit gathering unit receives a credit for supplying funds, which it compares to its actual acquisition and processing costs. The funds management unit makes a profit if the transfer prices it charges on financing loans and investments exceed the sum of the transfer prices it pays for deposits and its actual borrowing and personnel costs.
Funds transfer pricing scheme may employ a weighted average marginal cost of funds allocation or a single-source marginal cost allocation. If the funds management unit uses a fully weighted cost system, it sets the transfer price equal to the weighted marginal cost of capital.

The principal advantage of internal funds transfer pricing is that it separates interest rate risk from credit risk in ALCO pricing decisions. However, such a system does not guarantee that banks will be successful in isolating/management the interest rate risk.

4. Chapter 4

4.1 Funding Costs and banking risks.

Interest rate risk. The above example demonstrate the difficulty of accurately projecting funding costs. Unanticipated changes in interest rates and in composition of bank liabilities can significantly affect net interest margin, depending on whether interest costs rise or fall faster than interest income. These changes also affect the bank risk position.

Today the majority of depositors and investors prefer short-term instruments that can be quickly rolled over as interest rates change. To induce investors to invest in the longer term and undertake more risk, banks must pay higher prices/yields. Many of the banks have decided not to increase prices in order to have long-term resources, but rely on frequent re-pricing of liabilities. The impact of this strategy on interest rate risk will depend on the measures taken by banks for re-pricing of assets with the same frequency. For this reason many attempt to price all loans on floating rate base and the duration of their investment portfolio no longer than 5 years.

To reduce interest rate risk and to maintain a lower cost of long-term funding the bank can compete for retail core deposits which are usually individual saving deposits.

Core deposits have a predictable cost, imply a degree of customer loyalty and are less interest rate-sensitive than alternative funding sources such as funds provided in the interbank market (money market liabilities). So, their interest expense is more stable when interest rates rise. In general, core deposit inflows will positively affect the bank’s interest rate risk profile. Core deposits carry an additional advantage to banks because interest rates are lower, but they still cost more to handle.

Liquidity risk. Many depositors compare interest rates between available investment alternatives and move their funds toward alternative that provides the highest return/yields. For this reason it is getting more difficult to establish a stable and long term relationship with them, that withstand rate differentials. Large depositors react immediately to financial distress or even rumors, by shifting their funds into less risky instruments until the crisis passes.

Liquidity risk faced by banks depends on the competitive environment. Many banks operate in small communities where there is little competition. Clients want to invest their money locally (closer to home) so that they can conveniently contact the bank when they have questions or easily withdraw amounts of money. Liquidity risk is low and deposits outflows are predictable. Banks that operate in large communities usually face more aggressive competition, which increases liquidity risk. They should closely monitor the composition of their funds. It is important to note that the "core deposit" of the bank provide an advantage regarding liquidity.

Credit risk. Change in banks’ funding costs indirectly affect the credit risk. This means that If "core deposit" is leaving the bank and the price it has to pay for new funding rises, the cost of funds will be higher. This can force the bank to lend more risky loans and consequently reduce the quality of assets. Due to the pressure of competition, it may not be
able to re-price existing assets that have high quality to offset this increased costs. In these conditions, to maintain
margins, banks lend riskier loans at higher promised yields. They may be able to maintain margin in the short term, but
will increase losses over time from these loans as a result of their low quality. This effect is very sensitive to small banks
that have limited opportunities to generate income from other activities.

Bank Safety. Now it is clear that funding costs and composition of funds are therefore central to many aspects of
the Bank’s earnings. The increase of funding cost reduce net interest margin. And if the bank does not have any other
non-interest income or does not raise capital, the borrowing costs will rise even more and Bank suffer its safety in the
aggregate.

5. Conclusions

Transfer Pricing System is a management accounting tool, which enables management to analyze profitability. At the
same time, it assists management in pricing decision making. This technique allows managers to compare the profitability
of different products, different branches and management and economic performance of the various units.

Like any other management tool, it should be used together with other techniques to offer to the management
useful information on analysis and decision making process.

Type of transfer pricing system to be applied will depend on technological and human resources available, as well
as approved objectives. Usage of a single transfer price, does not stimulate managers of specific profit centers when
interest rates paid on deposits exceed the transfer price. On the other hand, users of funds are not encouraged when
transfer price exceeds the interest rate paid on deposits. This situation does not support the process of asset/liability
management. Providing an incentive for the growth of deposits should not increase the volume of loans, and the
opposite.

Correlation of transfer price/cost of lending with cost of funds/return rate of interest earning assets makes it
possible the flexibility in motivating the increase of deposits and loans independently to each other. For example, if the
objective is to increase the deposit, transfer pricing for providers of funds will be placed higher than the return rate on
interest earning assets.

References

“Managing the cost of funds”, Thomas A. Farin
Transfer pricing for financial institutions, John Smullen, 2001 Edition
Local Governance in Albania: The New Administrative-Territorial Reform

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Abstract

Since the creation of the Albanian state, local government has seen numerous transformations influenced by various factors such as external and internal ones. This has led to a variety of bodies which have comparative basis between them for study purposes. Changes in the local governance organs have come as a result of adaptation to the way the country was governed. For research purposes, the work will be divided into four main parts, the part of the historical survey which covers the period 1920-1944 and 1944-1990. During these periods occurred many changes in the content of local government in Albania. The third part deals with the local government after 1990, during the difficult period of transition and adaptation with the new legislation based on democratic principles and those of the European Union. The last part will be focused on the new administrative-territorial reform, as a very important experience that can bring fundamental changes in the organization of new local government bodies. In this research I will give a full overview of the definition of local government compared with other legislations mostly to the European Union member States. Then there will be a detailed study of historical and legal side of this local governance concept in our country, defining not only the elements but also its operation, ie organizational and functional side during the years 1920-1944 and 1945-1990. What were the main issues during the Zog period and foreign influence in local government organization. Practical achievement of such an organization and limitations. I will speak in detail on the Zog Law of Municipalities, one of the most successful laws that can compare with the current laws concerning the organization and functioning of local government. Later during the totalitarian system in Albania, which were the local government bodies, as they change, what functions and how were were composed. Then there will be treated the period post-90s, the period of transition, the organization of structures and issues in relation to adaptation and performance of their functions. Here it will be mentioned the changes that suffered the law on local government derived by EU law, which Albania was forced to implement as a result of the integration process. In the last part will be treated the new administrative-territorial reform, the way it was achieved this division, the methodology provided and reality in which the separation was made, the critical approach with regard to the constitutional aspect regarding the popular consultation and the values that this reform, positive and negative sides to it.

Keywords: Local governance, Municipalities, Albanian Law, Administrative-territorial reform, Communes.

1. The Legal Base of Local Governance

The first post-communist legal basis regarding the local governance was issued in 1992 which was not the best one since it was only a decision of the Council of Ministers about the country's administrative units. Our opinion on non representing the best of legal basis, derives from the fact that even during the communist dictatorship, such a very important decision for the country was approved by the Presidium of the National Assembly, giving not only a solemn importance to the issue but also a matter ligit which it was adopted. Thus the decision of Council of Ministers no.269 dated 25.06.1992 also set the administrative division in 357 units.

Following the above mentioned Decision of the Council of Ministers, there is a special law on local finances. Thus, in 1993 the Parliament passed the first law on December 22 called "The local budget". This law determined the annual financial program, incomes and expenses that each municipality has in the territory they operate.

For the first time we have an organic law on local governance only in 2000 which was preceded by the ratification by the Albanian state of the European Charter of Local Autonomy highlighting the lift to another level, in the political, economic and administrative level of the local government. Also this card has also provided the very important principle of subsidiarity, according to which the central government will exercise only those powers that can not be exercised by the local government. So from this principle emerges once again the division between central and local functions now also in the jurisdiction, which gave more impetus to local development. It already appears the term of decentralization meaning...
independence and disconnection of central and local government functions and powers.

Before this law was approved, it should be noted that was determined on the basis of constitutional level the organization and functioning of local government in the Albanian Constitution of 1998, which it gave a further importance and solemnity to these bodies.

Thus Article 108 of the Constitution of the Republic of Albania, stated that:

"The units of local government are communes or municipalities and regions."

According to the Constitution any other unit of local government shall be determined by a special law. Municipalities or communes were determined as the basic unit of local government, since they perform all the self-governing tasks and are in direct connection with the public and the citizens. As regard, municipalities and communes are first level units of local government and counties or regions are second level ones.

2. Definition and the Subject of Local Governance

The right of self-governance is guaranteed by Constitution to these organs. Article 108 states that this right is exercised through their representative bodies or by popular referendum.

The executive organs of local government units are the mayor of the municipality or that of commune, and as representative bodies are the municipal councils.

Given that Law No. 8652 dated 31.07.2000 "On the organization and functioning of local government" serves as the most important legal basis for our research, we will profoundly deal with. For the first time through this law it was determined who was part of the local government organization of its functioning, rights and duties of local government units.

The law stipulated that the local government units acts and exercise their functions and duties on the principle of local autonomy and that of subsidiarity. The basic unit of local governance were municipalities and communes.

Under the law aforementioned communes represents an administrative-territorial community of residents, mainly in rural areas but also in some cases in urban areas. While the municipality represents an administrative-territorial unity and community of residents usually in urban areas but in special cases even in rural areas. Municipalities were divided into neighborhoods and those were created by the decision of the City Council when crossing the 15,000 inhabitants.

The county or region was designated as the local government unit of the second level. It represented an administrative-territorial unity that consisted of communes and municipalities related between them through traditional, geographic, economic, social ties and bringing common interests.

It is interesting the fact that article 5 of the above law set the existence of the circle/ rreth, which is defined as subdivision of the county.

Law 8652 of 2000 was amended by Law 9208 dated 18.03.2004. Thus it was determined that the village was led by the leadership of the village which took the initiative on various issues of interest to the community and were proposed to municipal council for municipal review.

In 2001 the Council of Ministers approved the Decision No. 55 on the organization structure of the Civil Register offices, an integral part of local governments, whether in communes or municipalities. While in 2004, the Ministry of Territory adopted a guideline No. 4, dated 11.08.2004, which would serve to determine the manner of the exercise of powers by the local government regarding territory planning.

The legal basis was enriched with the decision of Council of Ministers No. 1619 dated 02.07.2008 for classification of functions, grouping of local government units as for their payment and the setting of limits of salaries of local government bodies which were amended after with the decision No. 693 of 2010. Finally the organic law was amended by Law No. 30 of 2015, such changes were a result of the new administrative-territorial reform.

The legal basis has evolved and changed depending on the problems and cases of bodies of local government and relevant departments or the respective offices that emerged during their work. Also legal basis is divided on the legal basis of international acts, the legal basis of internal legal acts and legal basis to various acts adopted within the territory and jurisdiction of local authorities, given that the body of local government may issue regulations and make different decisions on which bases its work.

Local government is the people's right to govern their affairs within a given territory independently and through bodies which themselves choose within that territory directly. An independently governance is achieved on the basis of decentralization and local autonomy. Therefore, this principle takes priority in the existence of good practice in local government.
The functioning and organization of local governance depends on the legislation of the country and as provided in its constitution. Also the relationship with central government agencies depend on the constitutional meaning.

Every part of the territory is administered by a government's municipal and all states within their territory recognizes and accept a set of values and principles on which local democracy functions. But the big problem of urban areas, it remains that how to structure and relate the different levels of organization meanwhile meeting the functional needs in the best manner possible.

We must distinguish between regional self-government and regional autonomy. The latter is a more powerful form, close to classical federalism than local self-government, which then brings a greater impact in the constitutional structure within the state.

In countries like Italy, Portugal, Spain or the United Kingdom we see a growing tendency that local authorities are developing where many of the public services are performed by the private sector.

Local autonomy is a term that includes steadily the academic and popular endless discussion about the local government, but rarely is defined carefully by a conceptual point of view or become the subject of an empirical research.

Local autonomy can be defined as decentralization, as local fiscal discretion or as a “home-rule” adjustment to do or define rules within "your own house".

The central feature of local government in Albania is established and functions on the principle of local self-government.

The objective of local government is to provide a governance as good as at the local level by being closer to citizens, recognizing and accepting the existence of values and different identities within different communities, through respect for the rights and freedoms of citizens. This objective is achieved through the effective exercise of the functions of local government itself or implementation of services through appropriate forms and above all promoting participation of community members in decision making.

The relationship between central and local government is based on the principle of subsidiarity and cooperation between them. To achieve a successful governance is needed this kind of cooperation in order to meet the best needs of the citizens.

3. **How the Local Government Units are Established**

These bodies are established under the law and as part of local government they are constitutional bodies.

The commune represents a group or community of residents who are resident in rural areas in general but are not excluded in any case the urban areas. It is an administrative-territorial unity. The name, residence or its territorial extension shall be determined by law. The commune is divided into smaller units which are villages but the law does not exclude that in special cases to be commune subdivisions even the cities.

The municipality consists of a group of citizens and communities that live in the city but do not exclude the case when includes rural areas. The name of the municipality and its territorial borders are defined by law. It is divided into areas and smaller territories called neighborhoods and the number of its population is determined by law. Neighborhoods can be created by a decision of the Municipal Council. In cases where the municipality includes rural areas as mentioned above, then this subdivision is called village. In any case, when there is create a new city, this is done by law and according to well-defined criteria regarding the prospects of urban development and the number of inhabitants or its urbanization.

The County1 or region is a second level unit, an administrative-territorial entity which included municipalities and communes which have geographic, territorial, economic, traditional and social ties and relationships. The region has a boundary that is determined by the boundary of those communes or municipalities that is composed from, and his name is defined by law. His center usually is one of the main municipalities that has under its territory. Currently there are twelve regions2 throughout the territory.

If mayors of municipalities or communes or municipal councilors are elected directly by the people by universal suffrage, the president of the Regional Council or its members are elected indirectly. So the members of it are the members of municipal councils or mayors depending on the population of the local government units.

As a region subdivision earlier was determined the circle/rreth3 but this is not any more defined as a term, after the latest changes on the law. This is not provided in the administrative division or organization of local governments.

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1 The Albanian term for this is Qark
2 These are: Lezhe, Durrës, Berat, Diber, Kukes, Elbasan, Tirane, Fier, Korce, Gjirokaster, Shkoder, Vlore
3 Law 8652, article 5, paragraph 6
4. The Representative Bodies of Local Government

In Chapter VI of the organic law on local governance is defined the composition, creation, and organization, powers and duties of the municipal council.

The municipal or commune council is the representative body of the municipality or commune and it consists of councilors elected by the people under the provisions of the Electoral Code of the Republic of Albania. The number of members of these councils depends on the number of population of the local government unit. According to the law on local governance, Article 24, the local government units that have up to five thousand people are represented by a council consisting of 13 members. The local units with number of population of five thousand to ten thousand, are represented by fifteen members, those with a population of ten thousand to twenty thousand are represented by seventeen members, those with a population of twenty thousand to fifty thousand are represented by twenty-five members and those with a population from fifty thousand to one hundred are represented by thirty-five members, those with a population from one hundred thousand to two hundred thousand are represented by forty-five members. The Municipality of Tirana, the municipality with the largest population in the country is represented by fifty-five members of the council. The prefect, as representative of the central government to local governments, depending on the number of people laid out of the Civil Register of the territory, of January 1 of the election year, determines the number of members than would be in the municipal council.

Members of the municipal council shall not be at the same time the mayor or deputy mayor of the municipality, then their function is incompatible and should therefore leave one of the functions. Also they can not be civil servants of local government units or secretaries of local municipal council or perform the function of a parliament member. It has to be underlined that the law excludes categorically that within the same local government council members have family or marriage ties, such as husbands, parents and children, siblings, or parents-in-law of the bride or groom. Elections for members of the councils of local governments are made at the same time as the elections for the mayor of the local government unit.

After the election, depending on the votes cast, each member receives a mandate from the election commission. Within twenty days from the announcement of election results by the Central Election Commission and the receiving of each mandate, is held the first meeting of the local government council. This meeting is called by the secretary of the local government council and when he does not call, then the mayor is the one who calls the first meeting of the council. The law provides for the fact that what happens if none of the above entities does not exercise its right to convene the first meeting of the council. According to Article 26, paragraph 3 of the organic law, if no entity does not call a meeting for various reasons, then the council would be convened by his own initiative within ten days. This meeting is valid providing there participate more than half of its members, if the majority is not achieved, then the meeting is postponed for three days. This can be repeated up to three times, and if these three times a quorum is not reached to develop the meeting, then the council of the local unit is considered dispersed.

Until the election of president of the council of the local unit, the meeting is headed by the older member of the council. In the first meeting usually is elected the committee of mandates that will make the validation of mandates, then every member will make the sworn and only at this time they start their duty as local councilors. The council is constituted only if it is made validation of the mandates of more than half of councilors. After that they have the right to elect their chairman and vice chairman and representatives for the regional council.

5. Why is it Necessary the Administrative-Territorial Reform

Reforms of this nature are normal processes that take place in order to improve governance. After more than 20 years of changing political and economic system it is necessary to reflect on the outcome of democratization and in this context comes the need for the administrative-territorial reform.

Let mention some of the reasons most discussed and essential for this reform:

(i) we have high fragmentation of local government level, both as in terms of geographic fragmentation and in terms of representation of citizens;

(ii) since the last administrative-territorial organization of Albania, there have occurred major changes in demographic, socio-economic field but also regarding the representation in the territory and governance;

(iii) the efficiency in providing services to the citizens of municipalities and communes remains low;

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4 Law no 8652, 31.07.2000
5 Law no 8652
(iv) the vast part of local government units fails to generate local economic development;
(v) There is high level of inequality between municipalities and communes in socio-economic background.

However, apart from these reasons there are a number of other elements that generate the need for reform and these are related to limited human resources, often facing the small local units. As a result, comes the inability to exercise the functions and generate local accumulated incomes or provide services. Also, another factor is the interrupted process of administrative and fiscal decentralization, somewhat from the low local human resources, but also from frequently and chaotic interventions in the legal basis, of the reduction of fiscal autonomy and non financial coverage from central government agencies of Common functions delegated to them. Another gap left since the 2000 law reform is the unclear role of the regions.

The administrative-territorial reform in the first level units, coupled with decentralization reform are designed to address and give a solution to this problem by creating bigger local units, not only in terms of the number of people they represent, but the human resources, local revenues, etc. Meanwhile, intermediate-level governance, or the second level governance unit such the region, is not intended to cover services such as water supply, building permits, street lighting, garbage collection, urban transport, which really need the residents to be near the center of service delivery. These services are and should remain at the level of municipalities. Region will cover functions that require larger scale, such as intercity transportation or management of protected natural areas, and where the interaction with citizens is of long duration. So the principle of subsidiarity is the key word in how the functions are allocated to each level of government.

6. Conclusions/Results/Problems

1. The system has been overflowing by many uneffective organs, that have result in non compliance with the citizens needs and objectives,
2. The system has been stuck by a large number of local governance units beyond any forecast, since Albanian territory is not as big enough to have such a large number,
3. There have been many costs just to pay the wages of officials, costs and funds that could have been used for a better propose, such as for new roads and parks for the citizens,
4. The new reform has cut the number of local government units and has change their organisation but the good implementation of it is yet to be prove.

References

“Local finance and affordable housing and the financial crisis”, key issues for local government (same address supra note)
“Baltic experiences in Local Government”, Larry A. Bakken
“Local Government in Latvia”, Edvins Vanags, Paper presentation at 14th conference on Baltic Studies at the University of Illinois (June 8-11, 1994)
“Comparing local government autonomy across states” Hal Wolman, Robert McMannmon, Michael Bell, David Brunori, George Washington Institute of Public Policy, The George Washington University, www.gwu.edu/ gwipp
“Local government reforms in (Seven) European Countries: Between convergent and divergent, conflicting and complementary developments”, Hellmut Wollmann, Humboldt University Berlin, Germany, (Local government studies, vol.38, No.1, 41-70, February 2012)
“L’esperienza di decentramento istituzionale in Italia e lo sviluppo locale”, Daniela Adorni, Stefano Magagnoli (Relazione presentata agli incontri pratesi su lo sviluppo locale, Artimino, 12-16 settembre 2005, versione provvisoria)
“Italian Regions and local authorities within the framework of a new autonomist system” Gloria Marchetti, (Centro Studi sul Federalismo. Perspectives on Federalism. ISSN: 2036-5438)
Materials found in the Albanian State Central Archieve for the period 1920-1990
Organic law of local governance in Albania, Law no. 8652, dating 31.07.2000 (with changes)
Effects of Physical Education into Improving the Quality of the Students' Achievements in the High Education Institutions

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Abstract

Relations between the exercising thereof and the students’ participation in physical and sports activities, on one side and their academic achievements and social performance on the other, has been a much-discussed topic both in the narrow sportive ambiances and the wider social ones. In these terms, critics say that participation of students into physical and sportive activities diverts them from school and distracts their attention from studying, whereas supporters of the sportive programmes into the educational institutions back the idea that, on the contrary, they effect the amelioration of the academic achievements as well as bring improvements to their social performance. The aim of this writing is to present facts and data brought out by canvassing students of certain high schools which support the idea of the effects of the physical activities and sports into ameliorating the students’ achievements and their educative, learning and social performance.

Keywords: Physical education, sports, quality, achievement, academic performance, etc.

1. Introduction

Sport activities have not been considered as essential part of instruction process by education institutions and many people have believed that participation to sport effects students’ education negatively. (Arnett, 2006). The relationship between the participation into sport activities and the academic achievements of students is a much-discussed topic by the sportsman, members of the association and the investigators. (Hartman, 2008). On one side the critics think that participation into sports drives children away from school and distracts them from studying. Whereas on the other side, the supporters of sportive programmes in the education institutions say that participation into sport activities ameliorates their academic achievements, elevates their education aspirations and keeps them away from the vices and the negative phenomena of the society. The aim of this study is to reveal the effects of the physical education and sports into the mission of the school and better social results which can affect both the qualitative achievements and other aspects of the school. To young people sports consists into an important component of the physical activity. Therefore, this study, just as the other studies in this field, aims to reveal, by means of analyzing and considering facts and data, the role of the sports activities not only in the development of the students physics and the fulfillment of their spiritual satisfaction but even wider, into ameliorating their academic, educational and social achievements

2. Connection of the Physical Education and Sports with the Educational Process

The actual scientific cognition regarding the relationships between sports and its effects into different aspects of education in schools derive from and are based on many long term investigations. Studies by many scholars have revealed that students participating into sport activities in schools have a better tendency to accomplish their school obligations than their colleagues which do not partake into sports activities. (Hanks and Eckland 1976; Otto and Alwin 1977; Landers 1978). These scholars have brought many examples regarding the effects of sports in building up the students’ characters and socialization, based on the rapport existing among the necessary skills and wonts for their achievements to school, sports and their everyday life. (K. McHale et al 2005; Eccles et al 2003; Daneze 2002; Ewing, et al. 2002; Larson 1994; Spreitzer 1994). The last psychological and social probes have confirmed relationships among those participating into sport activities and their mental health and self-esteem. (Miller et al 2005; Darling et al 2005). Recently, sociologists have considered the role and the effects of the sport activities even into the community activities as well as the cultivation of the social capital in general. (Perks 2007; Harvey, Levesque, and Donnelly; 2007; McHale, et al.
2005). At the same time, although the empirical facts witness a considerable report between participation into sports and the educational level, this does not mean that sports contribute automatically and unavoidably to academic achievements both in individual and institutional level. Actually, other scholars and experts believe that relations between participation into sports, academic achievements or any other positive and social results regarding this question are too complicated. The significance of the educational complexity and variations of sport is essential if the curricula and the sports policies are able to benefit from the full educational potential of sport.

Therefore, it is very important to better understand the nature and the complexity of the relationships between partaking in sports and the academic achievements as a specific relationship to identify its causes, variations and limitations. Studies of the question under consideration show the positive effects of the sport and physical activities into the academic achievements of the participants and the well-known saying; “Healthy mind in a healthy body”, confirms the possibility and the perspective of sports in the intellectual development. Research studies have also confirmed that the physical and sport activities increase the level of readiness, (both mental and physical) and improve the intellectual function of the participants. (Hills, 1998). Sport activities ameliorate the working capacities of the important bodily systems and improve the participants’ scale of vigilance. Sport activities not only affect participants’ humor positively but even increase the mental vigilance, (Hills, 1998) and the physically prepared students always succeed into accomplishing their school obligations. (Taras, 2005).

Educators and the specialists of physical education and sports ascertain the fact that participation into physical education brings about a lot of psychological, physiological, educational and social benefits to students. These benefits include the improvement of the students’ health by consuming extra energies, acceptance of competition and other social rules as well as limitation into acquiring negative behaviors, promotion of social values and integration of the character, self confidence, motivation, self-esteem, social interaction and possibilities for education and career in the field of sports, the evolvement of the living abilities and skills to afford difficult situations as well as getting entertainment and spiritual satisfaction. The successful sport programmes attract more students with high academic results and ameliorate the educational institution as a whole. (Mixon, Trevino, dhe Minto, 2004).

3. Research Methods

1. Compiling, cataloging and making use of the contemporary literature regarding the physical education and sports curricula offered into the educational institutions.
2. Making use of the documentation and the curricula upon which the activity of the high school institutions have been built.
3. Observation and investigation of the instructional and educational process regarding the physical education and sports in schools and out of them.
4. Canvassing and processing questionnaires which served to understand the conclusions.

4. Results

An important part of the study is canvassing, by means of which, students of the three main gymnasiums of Elbasan town were involved, respectively, K.Kristoforidhi”, “A.Dakli” dhe “V.Kamami” gymnasiums. It is important to be emphasized here that these three schools take students from all the social strata of the society, with different psycho-cultural formation, so making it possible to reflect wide social problems. The canvassing realized with those students aimed at revealing the role and the place the physical education and sports occupy in their life as well as determining their rapport with the different activities students undertake, including learning and walking with their friends and kinsmen, staying in front of the TV, reading artistic literature, etc. In order to enhance the outlook of the young people regarding the world of sport we organized a rubric evidencing the causes impeding students to accomplish different sport activities. This and the other rubrics placed in the canvassing intended to know the students mentality for the physical education and sports as well as defining the ways to coordinate the education institutions’ work to bring as many students as they can to the world of sport, far from vices and the wounds suchlike drugs, prostitution, alcoholism, etc.

5. Results from Students’ Canvassing

Canvassing was done with the students of the 10th, 11th and 12th classes of the three aforementioned gymnasiums and brought out the following results:
Table no. 1. Number of Students included in canvassing Class 12, Class 10, Class 11.

<table>
<thead>
<tr>
<th>Classes</th>
<th>Kostandin Kristoforidhi</th>
<th>Ahmet Dakli</th>
<th>Vasil Kamami</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>72</td>
<td>74</td>
<td>62</td>
</tr>
<tr>
<td>11</td>
<td>68</td>
<td>60</td>
<td>57</td>
</tr>
<tr>
<td>12</td>
<td>64</td>
<td>56</td>
<td>43</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td></td>
<td><strong>556</strong></td>
<td></td>
</tr>
</tbody>
</table>

Graph no.1. Number of Students included in canvassing Class 12, Class 10, Class 11.

Table no. 2

<table>
<thead>
<tr>
<th>Motives</th>
<th>Main Importance</th>
<th>Relative Importance</th>
<th>Less Important</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good Health</td>
<td>204</td>
<td>122</td>
<td>68</td>
</tr>
<tr>
<td>Harmonious Bodily Development</td>
<td>180</td>
<td>140</td>
<td>94</td>
</tr>
<tr>
<td>Avoiding Stress</td>
<td>110</td>
<td>102</td>
<td>104</td>
</tr>
<tr>
<td>Desires and Friendships</td>
<td>20</td>
<td>96</td>
<td>60</td>
</tr>
<tr>
<td>Ambition to be Affirmed in the Society.</td>
<td>13</td>
<td>47</td>
<td>79</td>
</tr>
<tr>
<td>Improvement of the Social Status</td>
<td>5</td>
<td>13</td>
<td>85</td>
</tr>
<tr>
<td>Enhancement by the Physical Education Teacher.</td>
<td>15</td>
<td>12</td>
<td>56</td>
</tr>
<tr>
<td>Other Motives</td>
<td>9</td>
<td>20</td>
<td>10</td>
</tr>
</tbody>
</table>

Graph no. 2. Questions of the Canvassing

6. Conclusions

1. Sports and the other physical activities constitute an essential component of the school curricula. They assist into enhancing the necessary team spirit and especially sports spirit in the students and serve as an effective way to integrate children with different social and cultural background.

2. We conclude that participation of the children into sports activities has important positive effects for their learning achievements. This ascertainment agrees with the theoretical considerations for the division of time and the education productivity.
3. This study, as all the other studies in this field, show that the academic achievements are better realized and ameliorated when a considerable part of the curricular time, (almost one class added daily), has been given to the physical education and sports.

4. The physical activity and sports can ameliorate the positive behavior in classroom by contributing into the students’ academic achievements and the physical and sports activities have sufficient potential to affect the attitudes and behaviors of the students in school.

References

Physical Education in Schools (Bulletin 1); 2001.
Physical Education & Sports in Schools – a Necessity for a Completed Education. (I) Prof. Dr. Lumturi Markola 17/10/2013 15.
Institute of Pedagogical Studies; "Curricula and the School", Physical Education. 4, Tirane, 2003.
Institute of Pedagogical Studies; "Curricula and the School", Physical Education. 1 Tirane, 2002.
The Determinants of Foreign Direct Investment in Albania

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Abstract

The growth of FDI in Albania has been significant in recent years. The paper analyses most of determinants factor of FDI in Albania. It’s not so easy to identify all the determinants factors of FDI because depends on several characteristics that have country. In this paper, we analyze the theoretical determinants of FDI and then we focus to determine the determinants of FDI. It’s very important to determine the main determinants of FDI because in this way Albania can attract more foreign direct investment. The main determinants factors that we analyze are the size of our country, natural resources, quality of workforce, privatization process etc.

Keywords: FDI, literature review, determinants of FDI, developing country.

1. Introduction

Nowadays, every country that wants to attract the largest number possible of foreign investors should promote and advertise its own main advantages. The right determination of such advantages is necessary for the foreign investors to make the best benefit out of it. Many studies point out different determinants. This perhaps is due to the specifics of such countries, or to their economic development.

2. Literature Review

Various studies emphasise different determinants of FDIs, which are related to the different characteristics of the countries. In the following review, different scholars cover different determinants in their studies.

Lim (2001) outlines the key factors attracting FDIs. The distance between countries that have an impact on the transport costs, the market size, business climate, economic and political stability and openness of the country are some of the determinants have an impact on attracting FDIs. In his study, Lim deals with the effects of these determinants on economic growth.

Chakrabati (2001) argues, in his study, that the market size is one of the main determinants of FDIs. The bigger the host country market, the more opportunities have foreign investors to exploit the natural resources available in these countries or the main factors of production, such as labour forces. In addition, as another important determinant of FDIs, Chakrabati (2001) identifies the level of salary that can be a driving factor. The salary level would be attractive to investors if their activities are mainly concentrated in manufacturing (thus, contributing directly to minimize the cost of production). On the other hand, Merledeve and Schoors (2004), as the main determinants of FDIs, mention the market size of the host country and the degree of openness of the country to the international market.

The degree of openness of the host country (the ration between exports and imports) is an important determinant of FDIs. For example, in their study Lipsey and Kravis (1982) found a significant positive relation between openness and FDIs. If the host countries have such factors, the number of foreign investors willing to invest in these markets would be relatively higher, compared to those countries with a smaller market size, or with a smaller openness to markets.

In the past, foreign investors were encouraged to invest in countries with low economic development, because they exploited the low-cost labour force of such countries. Today, we notice that human capital is one of the main determinants of FDIs.

De Mello (1997), in his theory, deals with the positive correlation between human capital and FDIs, even though host countries should have a certain minimum level of human capital. On the other hand, Campos and Kinoshita (2002)
argue in their empirical research that there is a positive correlation between FDIs and human capital, and in the countries with a certain level of human capital such correlation is significant. In addition, Noorbakhsh et al. (2001) argue that human capital is an important determinant to attract FDIs in developing countries. In their study, they emphasize that human capital is a significant indicator, and with time the countries that have a great number of graduated people are more likely to benefit more foreign investments.

In his study, Cho (2003) determines the economic conditions and policies of host countries as the key factors to attract FDIs. Cho mentions the market size, natural resources and competitiveness as key factors of economic conditions. While in the policies of host countries, Cho (2003) includes macroeconomic policies, the private sector, and FDI-promoting policies.

Matev (2008) examines the key determinants in the Central and Eastern European countries, by dividing them into two main groups. In the first factor group, he includes factors such as market size, and in the second factor group, the infrastructure and human capital. According to Matev, these countries should have trade liberalization regime, foreign exchange and improve the general infrastructure. In addition, Matev (2008) emphasizes that the fight against corruption and bureaucracy will directly contribute to increasing the number of FDIs.

Another important determinant, observed recently by foreign investors, is the quality of infrastructure in a country. Many scholars ground such conclusion on the results of empirical evidence that they have. The term infrastructure comprises roads, ports, railways and telecommunication systems, which have an impact on the economic development of a country. The quality of infrastructure is one of the main determinants to attract FDIs. If the host country doesn’t have a regular and good infrastructure, it could result in an inevitable obstacle to investors. For this reason, the government of every country must take measures to improve the quality of infrastructure.

Easterly (2001) argue that the host country infrastructure plays an important role in attracting FDIs. The model of Easterly foresees that the initial income and inflation affect negatively on the real GDP growth, while human capital, FDI, telecommunication infrastructure and OECD expansion have a positive effect on the real growth of GDP.

As a key determinant of FDIs, Walsh and Yu (2010) mention also the potential and size of host market, economic sustainability, openness level of host country, income level, and quality of institutions and economic development of the host country.

From the above studies, we see that some of the key determinants that the host countries should have to attract FDIs are the market size, business climate, economic and political stability, the level of salary, natural resources, human capital etc.

For the case of Albania, we can say that after 2006, the country has absorbed a significant number of foreign direct investments, and this is thanks to the country’s advantages. Several reforms were undertaken to improve and facilitate the conditions of doing business in Albania. The privatization reform of state enterprises had a positive effect on the economy. Due to A privatization, the country benefited an increase of foreign direct investment. The continuous improvements of infrastructure, energy sector, decrease of different legal and administrative obstacles have stimulated foreign investors to invest in Albania.

According to various report1, Albania has made significant progress in economic and institutional terms, since late ‘90. Such reports stress the opportunities that Albania has for higher economic growth in the coming years. Taking the status of candidate country to the European Union is also an advantage for the development of economy, in general, and in promoting foreign direct investment.

The geographical position of Albania and the favourable climate are advantages that can be exploited by investors. The main ports of the country and the proximity with other Western Balkans countries have a positive impact on transport costs. The modernization of maritime ports has made the country market even more competitive. In addition, the construction of the Durres-Kosovo highway has effect on the improvement of infrastructure, thus, contributing to the facilitation of trade between the countries.

Albania is a country rich in many mineral resources, such as chromium, copper, nickel, coal, phosphorus, oil etc. These natural resources have encouraged foreign investors to enter into agreements with the government to exploit such resources. For example, “Kurum Energy” (Turkey) and Sichuan Jiannanchun International Group Ltd (China) which have signed agreements to use the chromium resources2.

One of the factors that encourage FDIs is the level of wages of the host countries’ economies. Lower wages decrease the overall cost of production. Albania has a low level of the minimum wage (compared to other countries of the region). It is the outsourcing companies (clothing and garments) that are using such advantage, thus employing the

1Global Rating Agency, 2012
2 FDI Report, 2012
largest number of persons in the sector. Besides the low wages, the young age of employees is a strong preference for FDI. According to the official statistics, Albania has a relatively young population which is a promising indicator for foreign investors.

The entirely open economy is a good opportunity for all domestic and foreign investors who want to invest in Albania. As some of the best advantages that our country offers to investors are: the tax system, registration of business activity, the opportunity to invest in many sectors etc.

In studies abovementioned, we saw that the market size is a major determinant to attract FDI in the country. In Albania, the small market size and the low purchasing power are perceived as the main barriers to attract mainly the medium and large investors. Despite the good economic growth, the GDP per capita still has remained low.

The business environment is another important factor affecting the decision-making of foreign investors. However, for Albania we cannot speak yet for a favourable business environment.

However, several policies and measures are taken to create a better climate for foreign investors. Some of the measures are the registration of businesses, public procurement, tax reform, trade policy, regulatory reforms to improve transparency. It is indispensable that public institutions operate in a transparent manner. If the procedures are prolonged in time, their acceleration would be accompanied by corruption. This phenomenon affects negatively on the business climate, therefore it is important to increase efficiency of public institutions. For such purpose, minimizing bureaucratic procedures of public institutions would be an important factor for the investment climate in general.

In addition, the regulatory framework has a huge impact on the activities of companies (foreign and domestic). In those sectors having un complete regulatory framework or which are characterised by a low level of implementation, the business in general suffers difficulties. This issue can affect also the security of firms, in particular of foreign firms, to invest in our country. It would also affect on the decision of investors to withdraw from our country.

The property title over land persists to be a major problem for foreign investors. It is very difficult for many properties to have a property title and get registered, due to the lack of documentation, or because several persons claim to have property title upon the same assets. Such problem affects negatively on both foreign and domestic investors are reluctant to invest their money in countries with property title issues. We hope that in a near future these issues are resolved by the close cooperation of the relevant institutions.

3. Conclusions

It is true that Albania has made a lot of progress in various fields during these years; alas it needs to make a lot of work, yet. What is perceived as a challenge for the country's economy should necessarily turn into advantage to attract foreign investors. The rule and strengthening of law, security of property titles, reduction of corruption, regulation of construction permits, enforcement of contracts, etc., are some of the problems which are perceived as key barriers by foreign investors.

If Albania will continue to move with the same paces, we hope that in the future FDI's are increased having a positive and relevant effect on economic growth.

In conclusion, we can say that the economic and political stability, market size, openness of the country, tax level, commercial policies, government policies, institutional aspect and quality of infrastructure are the main determinants that effect on the attraction of FDI's from the host countries.

References


Doing business 2014


FDI Report, 2012

Global Rating Agency, 2012


The Process of Re-integration and the Perspective of the Service Providers

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Abstract

This article aims to demonstrate how important is the process of reintegration in essence. A long and complex process. The focus of this article is to show the highlight efficiency of the policies pursued by providers of social services from our country to improve the living conditions of girls. In the center of this study was located the service providers. The purpose of this study is to analyze the meaning of the reintegration process in general ways and the specific needs of trafficked women who are faced during the process of reintegration in society. The specific objective of this study is: To improve service providers to a successful reintegration of girls, victims of trafficking and to analyze the importance of this process. The methodology used in this study is that qualitative, as an effective method which offers detailed and specific information, also a deep understanding in exploring subjects. Instruments that were used, are focus groups with service providers and existing information that refers to data which has been conducted by relevant institutions, which treat the problems of girls.

Keywords: trafficked victim, reintegration process, assessment, of true services.

1. Literature Review for the Offering Ways of the Social Model in Assisting of Trafficked Victims

The definition of the reintegration process of trafficked victims are:

Reintegration refers to the process of recovery and socio-economic inclusion of individuals following a trafficking experience. Reintegration involves the placement in a secure environment, access to a reasonable standard of living, opportunities for personal and economic development, and access to social and emotional support. In many cases, reintegration includes the return of the victim in the real family/community of origin. However, it may also include integration into a new place, depending on the needs and interests of the victim.1 (Surtees, 2008).

Services for trafficked victims in Albania are divided into two groups:
- Residential
- And community (non-residential).

2. Residential Centers

In these centers, the trafficked victims are should stay for a short time for example the reception centers or even for a long time which are reintegration centers that provide supporting for long-term reintegration. In Albania the residential centers are open or closed, reception centers are closed while the reintegration centers are open or semi-open (closed center).2 (Reception Centers) means that during the period of accommodation in them, they shouldn’t move (to enter, exit).1 In the meantime centers open and semi-open (re-integration centers)3 give you the opportunity to pursue a professional course, go to work accompanied by staff of the center or just depending on security problems that may have any individual).

Except centers to non-profit organizations "Te ndryshem & Te barabarte", "Vatra" and "Tjeter Vizion " also offer shelter opportunity and necessary services in apartments which are: semi-independent apartments and apartments with complete independence. The apartments can be rented by the organization which follows the victim or the victim financially supported by the shelter. Reception centers offer the first assistance to the victims and they make it with

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1 Surtees, Rebecca.2008. Re/integration of trafficked persons: how can our work must be more effective. Nexus Institute.
2 The closed center means that during the period of accommodation we can’t move them. (To leave them the premises)
basic package of services where address their immediate needs and basic needs such as security. Shelters \ Centre Long reintegrating, these centers offer a long-term reintegration trafficked victim services. Reintegration Centre in Albania are:
- Organizations "Te ndryshem & Te barabarte; " Psychosocial Centre "Vatra "; "Tjetër Vizjon ".
These organizations achieve the support of three phases:
Phase I: first assistance (accommodation in a center or other opportunity, non-residential ).
Phase II: medium assistance (semi-independent life for beneficiaries in the apartments).
Phase III: Long-term assistance (independent life for the beneficiaries).
Phase I - The first phase is the initial phase which includes accommodation in a center residential which provides services such as accommodation, shelter, clothes, food, medical assistance, legal assistance, psychological services, preservation and 24 hours physic security, vocational training, communication periodic telephone, family mediation, family meetings, translation for the foreign / beneficiaries, other transport services, referrals alternatives for long-term reintegration. This first phase of assistance is offered by all centers in Albania.
Phase II - The second phase is the medium assistance phase where the life that make the beneficiaries is semi-independent.
Organizations like "Vatra ", "D & E" and "Tjetër Vizjon" except the support that make trafficked victims in the centre they support even after they left the shelter by finding another accommodation, and this is done in two ways as housing apartments received rent from the organization this way is applied by "Vatra " and "Tjetër Vizjon" and the payment of rent house this way is applied by "Te ndryshem & Te barabarte ".
These organizations are not only the part of the shelter that offer other services such as employment support, familiarity with community resources, counseling, etc, these services empower victims by directing towards an independent life.
Phase III - The third stage is the stage which sends long-term beneficiary to a life independently. This phase is the last stage which is achieved when a case can live independently.
The support that is given to cases that go out of the help program consists of:
- Offering of reintegration assistance through the utilization of family / community.
- Information on services and resources available in the community, the necessary contacts / map services.
- Helping cases to establish and strengthen relationships with community welfare institutions where he lives.
- Monitoring and subsequent prosecution.

3. Nonresidential Services

Besides residential services in Albania now there are residential or community services that are more outside the field anti-trafficking but their programs also support of trafficked victims. These services are provided by day care centers that are set up in cities from NGOs and institutions in the state.

Daily and community centers offer several types of services like:
- Services of legal and administrative assistance; Support and continuous monitoring; Psychological services or counseling services; Financial assistance; Vocational training; Support to find a job; Medical assistance; Educational assistance; Information campaigns;
Reintegration into school; Association during voluntary return ²

4. Methodology

In this chapter is submitted that how is realized the study, followed steps for realizing its constituent elements and how to combine them to obtain the final results. The methodology used in this study is that qualitative, as an effective and offers more detailed information and specific and in-depth understanding in exploring subjects.

4.1 Search Design

Referring to previous studies performed in our country in connection with the trafficking of human beings, it is noted that studies have not focused on the process of reintegration during assisting in shelters and not continuously after leaving the

² Standard 1: Purpose and types of services in standards "Social care services for trafficked persons or at risk of being trafficked in residential centers" approved by Decision of VKM 195, dt.11.4.2007
service program.

The study tried to reflect a view to integrate the problems that are faced by trafficked girls in our society such as: problems in finding a job and keeping as long as its not having an interaction with the family of origin, prejudices stereotypes that They exist in society for trafficking victims girls, and the reasons that lead trafficked girls to be recycled again into society. The study is analyzed with detail the situation by focusing and elements that create a clearer picture of the problem of overlap with the social, economic and institutional.

4.2 The method used

The method used for the realization of this study includes the analysis of primary and secondary data. This method is seen as more appropriate to analyze the long experience of the providers of services for victims of trafficking.

The method selected is appropriate also because of the nature highly sensitive and delicate issues that are included in this study, given that there are few studies in this field. During the study is kept in mind that a qualitative element that differs method quantitatively, that is, the money is deductive and the second, qualitative method is inductive. A deduction approach is what passes by a theory or hypothesis in empirical observations to conclusions. Approach Inductive follows the inverse so when observation precedes hypothesis, theory and interpretation.

Using qualitative method has helped in creating a theoretical perspective, which led the research study questions, to address the first question somewhat research his current situation.

4.3 Why is used the qualitative methods in this study?

The qualitative methods helps when is studying a delicate matter. Such as, disturbing and witty, is the issue of reintegration of victims in Albania, not only for the institutions at the national, but also international ones, as it is not yet found the key to solving this problem.

* To explore a phenomenon that has not been studied before (and that can be developed in quantitative later), as in our case, it is the key the role and importance of service providers in this process long and difficult.
* Qualitative methods that are used to deepen the issues that disturb us, because it gives the opportunity to see the problem in different ways: in our case the conclusion of the process of reintegration with the institutions that provide services directly for itself.

4.4 Drafting of research instruments

The progress and the methodology used to collect data was conditioned from the purpose of the study. Without doubt, the method used to collect data in qualitative research is the interview (a question-answer process realized with the person in front interviewer person). Interviews are flexible tools for data collection, used to portray certain events related to a topic in a particular context, presenting the reality in perceptions and attitudes. In this study were used semi-structured interviews. These interviews should be used as information for many people and when we need to learn about their experiences.

Questions in focus groups with representatives of organizations were organized to collect information divided into three sections:

1. The first section includes general data, place of work, occupation, time of employment in the shelter;
2. The second section includes data on reintegration services offered to VOT, ex: Is the institution where they are operating involved in the fight against in human beings trafficked? Does the reintegration programs that are offered, come parallel from your Organization with your specific needs? What are the challenges facing the trafficked women during the process of reintegration? etc.
3. The third section includes the measures taken by government for the reintegration of VeT, problem that is found from them.

Separation of questions like this way has helped to clarify the situation, difficulties faced victims of trafficked girls during the process of reintegration in society, the needs that come for changing of policy and institutional efforts in this direction.

4.5 Drafting of the focus group interview

3 Jane Ritchie, Jane Lewis, Qualitative Research Practice: A Guide for Social Science Students and Researchers, Sage, 2003, pg. 106
Focus group interviews may encourage more "openness" of the interviewed and provide more free and complex information. Drafting of a guide is a list of essential topics or themes that are discussed and the researcher uses as guides focus group discussions. Through it, the interviewed stimulate each other with ideas and opinions. Focus group offers various data, because the participants encourage communication encourage ideas about how to think and talk. Through this instrument reached collected qualitative data.

Each focus group had up to 5 person participants, because the group with this composition generates more ideas. Center employees were participate in focus groups. In realization of the focus groups, the applicant took into consideration what Wells says about the ideal size of the group, and how the participants sit down, style and personality of the facilitator of the meeting in respect of the participants.

4.6 Collection and date analysis

That long experience in the anti-trafficking has become the service providers of VET, that are able to identify the factors for a successful reintegration of VeT. For identification of these determining factors to VeT in Albania have played professionals anti-trafficking actors who have determined that in Albania for a successful reintegration of VeT should have these key factors:

- Reintegration services (full package of service according to the needs of VeT) Cooperation between actors
- Supporting from the family, community, education, vocational training and employment.
- Legal Protection of VeT
- Stability in financing aid organizations that offers direct assistance to VeT.

5. Data Analysis

One part of the study was focus groups with service providers who operate directly to VET. The focus group consisted of social workers who had a long experience working with VeT. This experience in the anti-trafficking has made the service providers of VeT to be capable to identify the factors for a successful reintegration of VeT. Also with them they were identified by meeting the challenges they face in the process VeT. These challenges include:

- The absence of support from origin family

According to service providers shows that family environment has a fundamental role in the successful reintegration. The experience has shown that VeT is supported by the family and they have managed this process, thereby enhancing VeT in other difficulty, has this process.

"We noticed when victims have support from their families, they are very successful in reintegration that girls who do not have support from their families of origin," says social worker of the headquarters 'Vatra' Vlore

According to service providers there were cases where the family may have been the direct or indirect cause of traffic. This usually happens in families that have severe social-economic:

- Education, professional formation, employment.

Most of trafficked girls have a few years education, a fact which makes it more difficult to find and keep a job. This fact create a necessity for more professional training opportunities and greater employment opportunities. Service providers which evidence professional backgrounds have benefited during assisting NGOs have been successful finding a job during the reintegration process. Most cases are employed through the support of assistance from NGOs private businesses, while the role of the state remains at low levels and not contributing to this process. Albanian NGO workers say:

"Until today the state has only provided professional courses free training but though that are pursued employment policies to this target group, the result wasn’t positive because the victims don’t want to be identified as such in the Employment Centers ... says the social worker of the headquarters D & E, Tirana

"The state should develop social policies and to find the resources to implement them ...." Says psychologist of the Centre "Another Vision", Elbasan

- The absence of support from the state in the process of reintegration

In terms of technical part of the reintegration programs offered by shelters, professionals agree that the package of services provided is complete, but some services are highly dependent on factors which are not in control of shelters. Despite that services are provided in full by state shelters does not provide support to enable a more qualitative reintegration process in the long term because when the girls did not receive complete service they face with the problem of recycling. Shelter social workers think:

"As the shelters provide first services, the state should continue its support in other ways during different phases of the reintegration .... says the coordinator of the center "D & E", Tirana.

It is important to strengthen and lays the foundations the welfare state in Albania.

➢ "It should be the state institutions by themselves, to receive over the provision of services for ranging from medical assistance, professional formation, employment, housing, legal protection ...." Says the coordinator of social center "Vatra" in Vlora

Compatibility of services offered with the needs of trafficked victim

The question of whether the services provided are insufficient for victims of trafficking, service providers have responded positively but seeing in different ways. According to them providing of residential services for trafficked victim are very positive but it should not be only offered after and state institution should contribute more to meeting the needs of his country. Service providers say:

"When cases are in low risk are deemed as sufficient services while in high-risk cases could not attain the needs of victims ...." says social worker of the center "D & E", Tirana.

As psychologist and social center "Another Vision" Elbasan regarding this issue says: "... services should provide more employment opportunities, safety, and access to the legal system the best lawyers in the market ..."

➢ Legal protection for trafficked victim

A problem that was identified by service providers was mainly related to the legal protection of VeT. The biggest obstacles to girls when they directed VeT confronting the justice system for help are: lack of information on their rights and cooperation with NGOs working in this field. Service providers about this issue express their opinions that are different.

"Most of the institutions and structures have no idea what their responsibilities are to identify and protect victims of trafficked victim, without including the Interior Ministry, many of them try to dispose of them by directing fingers other actors. Security issues precisely with this issue ...." Said the social worker of the center "Tjeter Vizion", Elbasan.

Lawyers employed by the shelters must be collaborators in the fight against trafficking in human beings and to fight more vigorously to protect the rights of the victims during court room where the hearing to tutor. Service providers say that:

"Our lawyers for one reason or another never defend the victim, trafficker lawyer is always more" aggressive "in the courtroom ...." says social worker of the center "Vatra" in Vlora.

It should consider that issues and decisions related to the judicial system in Albania have never been fair, and independent. One of the major problems of the judicial system remains passive corruption and external pressures that may have the judges in making the right decision in favor of the victim.

6. Conclusions and Recommendations

The integration process is a long process. In Albania shelters are in service of trafficked victims that offer completed packages, quality services and long-term reintegration. The package of services offered to the VeT in Albania includes the following services: (accommodation, food, medical assistance, psycho-social services, etc.).

These services have a particular importance in the process of reintegration. Professional education depends on the level of education they have and the will and desire of everyone to move on because there are cases where the victim doesn't want to fight for a better life, feels exhausted and devastated by life in these cases the results of the reintegration process will be minimal.

Family support affects in the performance of process and performance of the victim's life. A good relationship with the family is the motivation and boost despite the fact that haw was their relationship before the trafficking process, only
in cases where the family has been involved in the trafficking process, then in this case are the victims themselves who do not want reinstatement relationships with them. If the victims have decided reliable social relations then the opportunity to become part of reinsertion in the process of traffic are rare.

7. Recommendations

For a more successful process and nearer trafficked victim have a lot of work, but despite this some recommendations are needed also as:

- Development of social policy to come to VeT assistance in connection with their employment in state institutions.
- Collaboration is essential between the state and NGOs to improve Legislation, enforcement mechanisms, financial resources and services offered.
- The growing of public awareness on all forms of trafficking in persons (trafficking for sexual exploitation, labor exploitation, begging children, etc.).
- Central and local government must help the victims in the provision of social housing.
- For more information, the reintegration process will greatly facilitate the victims could be reimbursed financially for the damage caused in order for them they could start a normal life. (confiscation of property of the trafficker).

References

Matthew B. Miles, A. Michael Huberman, Qualitative Data Analyses: An Expanded Sourcebook, Sage, 1994, botimi II.
Rezoluta nr. 55/25. 15 Nëntor 2000.
Richard A. Krueger, Moderating Focus Group Kit 4, Moderating FG.
Standard 1: Purpose and types of services in standards "Social care services for trafficked persons or at risk of being trafficked in residential centers" approved by Decision of VKM 195, dt.11.4.2007
The Impact of Macro-Economic Factors on Non-Performing Loans in Albania

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Abstract

Albania’s banking system has made great progress, especially in recent decades. In the last five years the economy has had many important changes, with regard to financial sustainability in Albania. Our country is going through a difficult moment and the Albanian banking system is characterized by high levels of non-performing loans. Our banking system has several problems and the authorities are not giving the proper solution and the implementation of these solutions is taking too much time, thing that aggravates even further the current situation. Our hypothesis in this paper is: despite the totality of all the macroeconomic factors that influence in a country, the main factor that had a negative impact on the high level of nonperforming loans in Albania is the gross domestic product. To prove this hypothesis, we used two methods, the first one is the linear regression and the other one is stress tests. Besides that, we have referred to the most recent literature and see also the experience of other countries. The same methods were also used by other authors both foreign and Albanian such as (2004), Vlieghe (2001) Shijaku & Czech (2010) etc. Meanwhile, we have also analyzed the internal factors which had an impact on the portfolio of non-performing loans in commercial banks in Albania, highlighting the impact of the professional analysts of credit, the implementation of procedures and manuals from banks, corruption, the rapid growth of the non-performing loans during 2007-08 etc.

Keywords: non-performing loans, the banking system, the gross domestic product, macroeconomic factors, corruption.

1. Introduzione

L’Albania come tutti gli altri paesi in transizione, ha vissuto tanti fenomeni connessi alla transizione, ed ha anche fatto delle grandi riforme nel sistema finanziario del paese tra le altre la creazione del sistema bancario a due livelli, la Banca Centrale e le banche commerciali. Il nostro sistema bancario ha vissuto dei grandi cambiamenti anno dopo anno e il cambiamento più importante e stato quello nell’erogazione dei prestiti. Essendo che questo sistema bancario era nuovo si sono verificati dei fattori che hanno favorito e altri no, i quali hanno inciso più tardi nella creazione dei prestiti con problemi. Il fattore più importante potremmo dire era la mancanza dell’esperienza, per il fatto che prima degli anni ‘90 noi avevamo solo una banca, la banca Nazionale la quale quasi non dava prestiti per gli individui (casi rari solo mutui per la casa). Il latto positivo era che noi potevamo sfruttare l’esperienza degli altri paesi per non ripetere gli stessi errori, usando tutta la legislazione bancaria dei paesi occidentali sia quelli della regione per disegnare i regolamenti e le procedure dell’intera attività creditizia, delle trasferte, riciclaggio di denaro sporco etc. Specialmente l’attività creditizia, che era una nuova attività per le banche albanesi, ha avuto molti problemi soprattutto in quelle banche dove lo stato Albanese era uno dei diretti azionisti. Con il processo di privatizzazione il portafoglio di queste banche si pulì, attraverso la concentrazione di questi prestiti con problemi nell’Agenzia del Trattamento dei Crediti (ATC). Con l’ingresso delle banche privati nei primi anni il livello del attività creditizia era basso e la loro qualità non poteva influire nel risultato finanziario delle banche.

Siccome si stavano creando delle nuove banche per la prima volta in Albania si stava creando anche il capitale umano, termine questo usato per la prima volta dall’economista Theodore Schultz, nel 1971. Lui credeva che il capitale umano era come ogni altro tipo di capitale, per il quale si poteva investire nell’educazione, corsi di formazione etc., che avrebbe comportato il miglioramento della qualità del lavoro.

Dopo il 2000, con l’ingresso delle banche con capitale straniero, come Reiffessen Bank, Intesa San-Paolo Bank, Societe General Bank, il sistema bancario si sviluppò in maniera lampante e questo sviluppo si è riflesso nella crescita dell’attività creditizia delle banche. Questa attività ha avuto il pico nel 2008 con la crescita del portafoglio prestiti con il
46.77%\textsuperscript{1} comparato con il mese dicembre del 2007. Dopo quest’anno, come risultato della crisi finanziaria che ha coinvolto tutti i paesi del mondo, si è verificato anche in Albania il processo del calo dell’attività creditizia delle banche, il rapporto del portafoglio crediti nel 2009 comparato con quello del 2008 cadde fino al 14.15\textsuperscript{2} per cento. Da quest’anno in poi, il ritmo di crescita di questo portafoglio prestiti e venuto ad abbassarsi fino nel 2013, anno nel quale abbiamo il primo calo della crescita di questo portafoglio con il -1.1 per cento. Nel 2014 abbiamo un altro rialzo di questo portafoglio con il 4.85\textsuperscript{3} per cento.

Le banche in Albania non solo aumentarono il portafoglio dei prestiti, ma aumentarono anche la tipologia dei prodotti bancari che veniva offerta alla clientela come sportelli bancomat, e-banking, POS, carte di credito, carte di debito etc., cosa che ha dato uno sviluppo molto importante all’impresa bancaria in Albania.

Con l’inizio della crisi finanziaria nel 2007 fino ad oggi, anche se in Albania non si è avuta un’influenza diretta, poi che non era stata nella base internazionali, il sistema bancario registrò un calo, semplicemente dal panico bancario, cosa che portò all’abbassamento dei depositi dal settembre del 2008 fino a marzo 2009 con il 9.5 per cento. Nell’aprile del 2009 con l’intervento da parte della Banca Centrale Albanese con l’assunzione di diverse misure a rassicurare il pubblico ed i mercati che a dicembre del 2009 si ebbe una crescita del 1.6 percento comparato con il settembre del 2008.

Un’altra caratteristica dello sviluppo del nostro sistema bancario durante questi anni, è stata la crescita del numero delle filiali e delle agenzie in tutto il territorio Albanese. Questo ha fatto sì che i servizi e i prodotti bancari potessero essere offerti anche in quei territori che erano meno sviluppati, quindi attraverso il miglioramento dell’infrastruttura interna delle reti bancarie.

Le banche crescendo e rafforzandosi migliorarono la loro struttura organizzativa, creando dei dipartimenti appositi di gestione del rischio, cosa che prima degli anni 2000 non esisteva, creando il Comitato ALCO etc.

Negli ultimi tempi le nostre banche sono entrate anche nell’attività del leasing, creando le società a loro a carico per sviluppare questa attività.

\section{2. Un Panorama Sopra il Pensiero Economico Connesso con i Fattori Determinanti del Processo Creditizio delle Banche}

Molti autori hanno studiato il fenomeno negativo dei prestiti con problemi, perché questo e un fenomeno internazionale il quale incide direttamente sui risultati delle banche. Per l’Albania questo è un nuovo dibattito, poiché come lo abbiamo sottolineato sopra noi abbiamo soltanto due decenni di esperienza nel processo creditizio.

Keeton & Morris (1987) hanno fatto una ricerca in circa 2000 banche negli Stati Uniti, per spiegare il cambiamento del livello dei prestiti con problemi in queste banche. Secondo gli autori alcune banche hanno registrato delle grandi perdite a causa connessa alla casualità, altre dalla cattiva gestione del processo creditizio ed altre ancora hanno avuto la possibilità di creare dei portafogli ben diversificati che hanno permesso a loro di abbassare i criteri per dare dei prestiti e di mantenere un rischio minimo. Un’altra ragione e che alcune banche erano in paesi con un economia non molto sviluppata e le altre erano in paesi con un economia forte. L’argomento di questi autori ci aiuta anche a verificare la nostra ipotesi secondo il quale il PIL e il fattore principale che incide sulla qualità del portafoglio dei prestiti.

La maggior parte delle banche avevano avuto problemi perché quelle erano specializzate a dare dei prestiti solo in un settore dell’economia. Questo porta in una mancanza possibile per diversificare il portafoglio dei prestiti, cioè a diminuire i rischi di credito.

Robert T. Clair (1992) nella sua ricerca conclude che esiste un legame tra la crescita dei prestiti e la loro qualità. Secondo l’autore, per misurare la qualità del prestito si devono usare due standard:

\begin{enumerate}
\item Il rapporto dei prestiti perduti con la somma totale dei prestiti
\item Il rapporto dei prestiti con problemi con la somma totale dei prestiti, per il fatto che questi due rapporti rappresentano la probabilità attuale della capacità per pagare i prestiti.
\end{enumerate}

L’autore conclude che una crescita rapida dei prestiti porterebbe un miglioramento di questi indici nel breve termine, pero nel lungo termine quelle potrebbero rappresentare un grande potenziale per diventare prestiti con problemi. Secondo noi questo fenomeno è presente anche in Albania, perché le nostre banche quando la crisi cominciò, hanno frenato il processo creditizio, e nel frattempo che i prestiti non crescevano i prestiti con problemi aumentavano. Questi prestiti stanno crescendo anche perché il paese sta passando una situazione difficile economica, come ad esempio l’abbassamento del ritmo di crescita del PIL, ma anche perché i problemi per i pagamenti dei prestiti non si verificano nei

\textsuperscript{1} Banca d’Albania, il rapporto Annuale 2006-14
\textsuperscript{2} Lo stesso
\textsuperscript{3} Lo stesso
primi anni che i prestiti sono erogati dalle banche. Questo succede perché spesso il prestito da se si poteva utilizzare per pagare le rate nei primi anni dell'ammortamento del credito (principalmente i mutui per la casa che sonno a lungo termine occupano il 29.46 per cento del portafoglio prestiti nel 2014 (Banca d’Albania).

L’autore si ferma anche sul problema che la gestione dei crediti deve essere più efficace, per impedire che i prestiti diventino dei prestiti con problemi. Lo studio suggerisce che per la crescita dei prestiti e un fattore determinante la qualità dei prestiti, e gli analisti dei prestiti devono usare un informazione ampia per conoscere meglio i loro clienti. Questa cosa e richiesta anche dalle nostre banche. Nei loro manuali del processo creditizio l’analista deve andare al posto di lavoro del cliente nel momento che la banca dia il prestito, il quale deve disegnare un rapporto sulla sua situazione finanziaria per far parte della file del cliente. Dall’altra parte queste visite si devono ripetere ogni anno dal dipartimento del rischio dopo che i prestiti sono stati dati, per monitorarli.

Fernández de Lis, Martínez Pagés & Saurina (2000) nella loro ricerca analizzano il comportamento ciclico del prestito bancario, cioè la qualità dei prestiti che si riflette nel rapporto prestiti con problemi/totale dei prestiti la quale si presenta con grandi tendenze cicliche in Spagna. Secondo gli autori questa comporta dei problemi anche da parte delle banche, pero anche da parte delle autorità di vigilanza. Gli autori pensano che questa ciclicità dei prestiti con problemi si collega a questi fenomeni:
- il forte legame tra i prestiti con problemi e il ciclo economico
- l’erogazione di grandi somme di prestiti senza rispettare i criteri, in momenti specifici della crescita economica, le quali cominciano a presentare dei problemi, quando l’economia si abbassa, o peggio ancora va in recessione. Lo stesso fenomeno si e verificato pure in Albania. La grande crescita dell’ammontare del prestito erogato nel periodo 2006-2008 ha fatto che i prestiti con problemi aumentassero dopo il 2010 fino ad oggi.
- la voglia dei manager delle banche, a prendere grandi quote di mercato, senza analizzare bene i prestiti erogati, e ad entrate nei nuovi settori o regioni del paese, dimenticando i risultati delle loro istituzioni.


Usando un modello di regressione, gli autori prendono come variabile dipendente i prestiti con problemi, e come variabili indipendenti i fattori macro-economici e bancari tali come: la crescita annuale del PIL, il tasso reale d’interesse, il tasso d’inflazione, il tasso reale effettivo di cambio, il rapporto tra il totale dei prestiti e il totale delle attività, il tasso reale d’interesse, la percentuale della crescita dei prestiti delle banche. Il risultato del loro studio dimostra che, il legame tra il rapporto prestiti/totale attività e quello con i prestiti con problemi e positivo, ciò significa che queste banche hanno erogato più prestiti, cioè hanno un rapporto prestiti/totale attività e livelli più alti dei prestiti con problemi. Il tasso reale d’interesse e in diretta relazione con i prestiti con problemi, pero il loro legame e debole. Questo si e verificato anche in Albania, quando le banche erogavano prestiti durante 2006-08 i tassi reali di interesse erano più alti che negli anni seguenti, pero il livello dei prestiti con problemi era più basso. Secondo noi, questo legame e debole, perché esiste un Gap tra il tempo in cui si applicano gli interessi e il tempo in cui si ha un effetto nella qualità del portafoglio prestiti, ciò è dovuta al fatto che i clienti soffrono dagli alti tassi d’interesse quando l’economia si ferma. La crescita del livello dei prestiti presenta un legame forte e inverso con i prestiti con problemi ed è importante nel tempo t, t-1 e t-2. Il tasso reale effettivo di cambio presenta un forte legame con i prestiti con problemi, mostrando che i prestiti in valuta estera vengono influenzati direttamente dal tasso reale di cambio. Il legame tra la crescita del PIL e i prestiti con problemi e inverso, invece per quando riguarda il legame tra l’inflazione e i prestiti con problemi esiste una confusione poiché i coefficienti sono negativi per il tempo t e positivi per il tempo t-1. Il legame tra la grandezza della banca e i prestiti con problemi non e significativa dimostrando così che le banche più grandi non e che sono necessariamente più efficienti nel analizzare i prestiti con problemi, e che influiscono sulla sua applicazione. I risultati dimostrano che tutte e due le variabili, sia il PIL che l’ammontare del
prestito erogato, dipendono fortemente dal loro valore del trimestre precedente.

La possibilità che le imprese possono usare tutte le fonti del prestito è importante sia per il loro sviluppo, nei diversi settori dell'economia sia per la crescita del PIL, pero, dall'altra parte i settori più sviluppati dell'economia hanno più possibilità ad usare i prestiti come fonte di finanziamento. Questo fenomeno si verifica anche nelle banche albanesi, le quali sono più orientate a dare dei prestiti nei settori più forti dell'economia, come ad esempio il settore dell'edilizia, perché esisteva una maggiore possibilità di pagare i prestiti in questi settori grandi che in altri settori dell'economia, tale come l'agricoltura.

Boudriga, Taktak dhe Defi (2009) Questi autori hanno esteso la loro ricerca in 59 paesi per vedere meglio gli effetti dei fattori che incidono sui prestiti con problemi. Questa ricerca si è estesa nel periodo 2002-2006, studiando non solo tutti i fattori che incidono su di esse, ma hanno preso in considerazione anche il ruolo della Vigilanza della Banca Centrale. I risultati della ricerca dimostrano che gli elementi più importanti che fanno abbassare il livello dei prestiti con problemi sono: l'alto livello di capitalizzazione, una politica prudenziale delle provvigioni, il concentramento dei prestiti in un solo settore dell'economia ed anche la presenza del capitale straniero. Loro concludono che la partecipazione dello stato nelle banche fa crescere il livello dei prestiti con problemi.

Dopo l’analisi fatta, tramite questa ricerca, gli autori arrivano a dare alcune conclusioni importanti:

a. Quando più alto sia il livello di capitalizzazione bancario, tanto più bassa sarà l’esposizione al rischio di credito.

b. I paesi sviluppati che hanno un economia forte sono meno rischiati nei confronti degli altri paesi in via di sviluppo perché hanno un sistema economico e bancario più consolidato.

c. La proprietà privata e la partecipazione dei capitali esteri fa sì che i sistemi finanziari siano più sani nelle economie meno sviluppate, mentre nei paesi sviluppati i capitali esteri comportano dei problemi più grandi per i prestiti.

d. Per avere un esposizione più bassa del rischio di credito dobbiamo avere delle leggi più forti, istituzioni più efficaci, controlli più rigorosi e spessi sulle banche.


I risultati datti dagli autori dimostrano che la crescita reale del prodotto (la variabile endogeno) è un processo auto regressivo perché i suoi valori di uno e due periodi precedenti sono statisticamente significativi. La conclusione degli autori e che diversamente dagli Stati Uniti, i cambiamenti nell’offerta del credito bancario per le imprese non hanno un impatto significativo nell’attività reale dell’economia. Da tutto ciò è importante capire l’importanza che hanno le banche centrali nel monitoraggio dello sviluppo del credito bancario e delle loro politiche.

Hoti Ilir (2010) Questo autore ha studiato l’impatto dell’esposizione del rischio nel settore bancario in Albania e tratta il problema dell’informazione asimmetrica che caratterizza tutti gli elementi sistemici in questo settore, in Albania. L’autore conclude che l’esame diagnostico copre l’incoerenza tra la Basilea II, IFRS e i Regolamenti della Banca Centrale Albanese, per identificare i rischi del prodotto di portafoglio crediti nella sua misura e gestione.

L’autore ha sviluppato un modello per misurare l’impatto di stress testing e l’implementazione di IFRS 39 sulla qualità del portafoglio crediti, almeno su base mensile. Il quadro del stress test per il capitale minimo richiesto è basato in uno scenario che tiene conto di tutte le componenti d’esposizione rispettando Basilea II e IFRS. Questo include tutti i paradossi che provengono dallo sviluppo del rischio di credito e di conseguenza, per misurare gli effetti sul capitale minimo richiesto. Questa ricerca fornisce punti di vista simili e concorrenziali nel sistema bancario Albanese e pone l’accento sull’importanza dei modelli similari fra i paesi.

La conclusione più importante data dall’autore per l’Albania, è che non esiste una protezione per i consumatori nei confronti dei prodotti bancari, sia dei depositanti o dei prestitori di prestito. Questo mette in pericolo i depositanti che possono perdere il loro potere d'acquisto, poiché i loro depositi non sono protetti dall'inflazione.

3. Un Breve Panorama del Processo Creditizio in Albania

In generale, la Banca d'Albania con le normative emanate, ha gestito in modo conservatorio il portafoglio delle banche, esercitando il controllo almeno una volta l'anno, per le banche classificate secondo il sistema CAMMELS da 3-5 e una volta in un anno e mezzo per quelle banche classificate 1 e 2 (cioè, molto buone e soddisfacente).

Il rischio di credito rappresenta il rischio principale per il sistema bancario. Negli ultimi anni, è stato osservato che
tale rischio costituisce un problema molto serio per le banche operanti in Albania. Su questo rischio hanno influenzato fattori interni, dei quali possiamo menzionare:

- La ragione più importante è la corruzione che esiste nel sistema bancario, un fenomeno questo, al quale non e stato dato una grande attenzione, pero il nostro pensiero e che questo e un fenomeno molto diffuso.
- Inadeguato livello professionale degli analisti dei prestiti;
- Il sistema bancario e relativamente nuovo nel processo creditizio e noi sapp iamo che i prestiti non dimostrano subito i loro problemi nei primi anni della loro emissione;
- L'espansione che ha avuto l'emissione dei prestiti nel periodo 2006-2008, l'accelerazione delle banche a concedere prestiti per occupare tutti i segmenti del mercato, si sarebbe sicuramente accompagnata dalla crescita dei clienti con problemi, e la mancanza delle capacit a umane e dell'infrastruttura interna delle banche.
- Le banche non hanno rispettato in modo rigoroso le procedure e il regolamento sviluppati da loro, che in questo periodo hanno lavorato con un certo liberismo nella concessione dei prestiti, senza tuttavia sentire il peso dei prestiti con problemi. (Bozdo, A. & Testa, M. 2014)

Oltre a questi fattori interni, un impatto significativo ha avuto anche la crisi finanziaria e il declino del ritmo di crescita del PIL, per questo motivo lo scopo del nostro lavoro è quello di sottolineare l'importanza dei fattori macroeconomici sul livello dei prestiti con problemi (NPL, non performing loans) e identificare il principale fattore macroeconomico con effetto negativo.

Grafico 1: Il trend dei prestiti 2006-2014

![Il trend dei prestiti 2006-2014](image)

Banca d’Albania, 2006-14

Questo peggioramento della situazione del portafoglio prestiti si è ulteriormente aggravata a causa del fatto che l’economia ha avuto i suoi problemi, il che ha portato al rallentamento della crescita del PIL.

Grafico 2: PIL e la sua crescita nel arco temporale 2009-13

![Grafico PIL e crescita](image)

4 Banca d’Albania, Rapporti annuali 2006-14
5 L’Istat 2013
4. Metodologia e Ipotesi dello Studio

Per realizzare l'analisi dei fattori macroeconomici abbiamo utilizzato due metodi: il metodo della regressione lineare multipla e lo stress-test. Quest'analisi ha lo scopo di identificare quali fattori macroeconomici operanti in un paese costituiscono il principale fattore che ha influenzato negativamente l'alto livello dei prestiti con problemi in Albania. Un altro scopo di questo studio è quello di vedere come reagisce una variabile macroeconomica quando si fa il test, utilizzando l'analisi di stress-test. Lo stress-test è un'analisi che dimostra la stabilità economica di un soggetto, una società, un istituto finanziario o l'economia intera di un paese.

Per condurre l'analisi attraverso lo stress-test abbiamo costruito un modello per l'Albania, in cui sono stati analizzati tutti gli elementi. In questa parte della ricerca sono stati analizzati gli effetti che hanno sul tasso dei prestiti con problemi, gli indicatori macroeconomici presi in considerazione. Abbiamo poi, costruito un grafico illustrativo della performance del modello per il nostro paese. L'ultima parte dell'analisi comincia con la determinazione dell'arco temporale preso in esame e poi si fa il test di questi valori sotto i tre diversi scenari presi in considerazione.

Il primo scenario è costituito da valori più estremi storici, le quali fanno crescere i prestiti con problemi, li secondo scenario utilizza due deviazioni standard per testare tutte le variabili presi in esame, mentre il terzo scenario comprende le variabili testate attraverso la consultazione con gli esperti. Questi dati testati saranno integrati nel modello al fine di prendere i valori estremi dei prestiti con problemi secondo i scenari di cui sopra menzionati. In seguito abbiamo sviluppato l'analisi del modo in cui reagirebbero i prestiti con problemi per ciascuno dei tre scenari per l’Albania.

4.1 Limiti della Ricerca

Uno dei limiti di questo lavoro è che l'analisi non tiene conto del periodo pre-crisi, cioè il periodo 2005-2008. La raccolta dei dati per il periodo prima della crisi era o impossibile o limitata per tutte le variabili necessarie per il test del modello. Il nostro lavoro prende in considerazione i dati trimestrali 2008-2014. Il fatto che la nostra analisi includa solo gli ultimi 26 trimestri, testimonia la mancanza dei dati su un lungo periodo di tempo. Un altro problema e la mancanza di studi analoghi per l’Albania. Gli studi e gli test di questi modelli vengono realizzati dalle banche centrali, ma non vengono pubblicati come letteratura teorica oppure empirica.

4.2 La Problematica

Per realizzare il modello di stress si deve prima costruire un modello che spiega la volatilità del livello dei prestiti con problemi. Tale modello ci aiuta ad analizzare quali sono i fattori macroeconomici che influenzano i prestiti con problemi in Albania. Sulla base della revisione della letteratura sono stati considerati alcuni variabili indipendenti, e la loro significanza è stata testata dal modello. Nel proseguire, noi testeremo la qualità del modello nel suo complesso per il nostro paese.

Il prossimo passo della modellazione del comportamento dei prestiti con problemi è quello di evidenziare come reagirà il livello di questi prestiti dopo i shock macroeconomici dei scenari predefiniti. Attraverso questa analisi vogliamo vedere se la nostra economia sarà in grado di reagire a queste situazioni macroeconomiche problematiche. Ciò è così noi possiamo vedere in che misura aumentera il livello dei prestiti con problemi nel caso in cui si verifichino delle crisi macroeconomiche.

4.3 L’ipotesi della Ricerca

L’ipotesi posta da noi in questo lavoro è: nonostante la totalità di tutti i fattori macroeconomici che influiscono in un paese, il fattore principale che ha inciso negativamente sul alto livello dei prestiti con problemi in Albania e il prodotto interno lordo.

4.4 I dati

I dati sui prestiti con problemi sono stati presi dalle pubblicazioni della Banca Centrale dell’Albania e il Ministero delle Finanze. Le percentuali dei prestiti con problemi (NPL) sono stati calcolati per intervalli trimestrali per il periodo compreso tra, il primo trimestre del 2008 al quarto trimestre del 2014. La serie dei prestiti con problemi e la variabile dipendente del modello. I dati macroeconomici sono i variabili indipendenti del modello sono stati presi dalle pubblicazioni dell’Istituto di Statistica Albanese e la Banca Centrale dell’Albania per lo stesso periodo, dal primo trimestre 2008 al primo trimestre
2014.

Riferendosi agli autori Beck, Roland., Jakubik, Peter., & Pilou, Anamaria (2013) uno dei fattori presi in considerazione per vedere l'impatto sul livello dei prestiti con problemi è stato il tasso reale di scambio EUR/ALL (KR). Per modificare questa variabile viene utilizzato il tasso di cambio nominale e il livello d'inflazione dell’Albania e d’Italia per lo stesso periodo. Abbiamo preso in considerazione l'inflazione dell’Italia per la ragione che questo paese occupa la quota maggiore nella bilancia commerciale del nostro paese, vale a dire che la più grande quantità di importazioni e esportazioni sono verso di essa. In particolare le importazioni dall'Italia nel nostro paese dal 2005-2009 in media compongono il 27% del totale delle importazioni, mentre le esportazioni verso l'Italia per lo stesso periodo in media compongono il 67% delle esportazioni totali. In seguito, per modificare questa variabile utilizzeremo la formula seguente:

\[ KR = r \times \frac{1 + p_n}{1 + p_{it}} \]

Dove:
- \( KR \rightarrow \) Tasso Reale di cambio
- \( r \rightarrow \) Tasso Nomina e
- \( p_n \rightarrow \) L’inf lazione d’Italia
- \( p_{it} \rightarrow \) L’inf lazione d’Albania


Un altro fattore macroeconomico che sarà preso in considerazione per spiegare la volatilità del livello dei prestiti con problemi, è anche l'inflazione.

Un altro fattore che viene preso in considerazione per l’analisi della volatilità dei prestiti con problemi è il tasso di interesse sui prestiti.

Cioè, per riepilogare possiamo dire che i fattori macroeconomici che vengono presi in considerazione come fattori che incidono sulla capacità dei debitori a essere solventi sono i tassi di interesse, i tassi reali di cambio, il prodotto interno lordo, l’inflazione e il livello dei prestiti per l’economia.

### 4.5 La costruzione del modello per l’Albania

Facendo riferimento alla letteratura, si è cercato di analizzare l’importanza che hanno le variabili macroeconomici per spiegare la volatilità del livello dei prestiti con problemi in Albania. Le variabili macroeconomiche prese in considerazione sono: il livello dei prestiti con problemi (NPL) e la variabile dipendente e gli altri cinque fattori macroeconomici sono variabili indipendenti: il prodotto interno lordo (PIL), il tasso di interesse sui prestiti (NI), l’inflazione (INF), il livello totale dei prestiti (CER) e il tasso reale di cambio Euro/Lek (KR).

Dopo numerose prove circa l’importanza dei fattori macroeconomici presi in considerazione, abbiamo visto che le variabili indipendenti, tali come il tasso l’interesse e d’inf lazione non erano statisticamente significativi nel modello. Alla fine, il modello viene modificato e prende in considerazione solo le seguenti variabili:

\[ NPL = c + \beta_1KR \_\_1 + \beta_2GDP \_\_1 + \beta_3CER \_\_1 + \beta_4KNP \_\_1 + \epsilon \]

Per quanto riguarda il tasso d’interesse, noi pensiamo che non è statisticamente significativo, perché l’effetto che questo tasso ha nel livello prestiti nei paesi come causa e basso. Il tasso d’interesse più basso e più attrattivo nei confronti dei riceventi di questi prestiti poiché il prezzo dei prestiti risulterà ad essere più basso. In base a questa deduzione, l’abbassamento del tasso d’interesse dovrebbe influenzare la crescita dei prestiti nel paese. In molti paesi il tasso d’interesse viene usato come meccanismo dalle Banche Centrali per promuovere i prestiti, ma nel nostro paese questo non ha prodotto gli effetti desiderati anche se la Banca Centrale ha abbassato tante volte il tasso base d’interesse al minimo storico. La crescita dei prestiti con problemi nel nostro paese mostra che l’economia risulta ad avere dei problemi (Maho, 2014). Per analizzare l’influenza della volatilità del tasso d’interesse abbiamo disegnato i grafici sottostanti. Come si vede dal grafico 3 l’abbassamento del tasso d’interesse non ha effetto nel innalzamento dei prestiti per l’economia, poiché il livello dei prestiti ha un andamento al ribasso anche se i tassi d’interessi hanno lo stesso andamento, a ribasso. Questa dimostra che il tasso d’interesse non ha influito il livello dei prestiti per l’economia. Una possibile spiegazione a questo fenomeno potrebbe essere la crisi economica, o il regresso della domanda per
prestiti anche se nel nostro paese si verifica un continuo abbassamento del tasso d'interesse.

**Grafico 3.** L'impatto del tasso d'interesse nel livello dei prestiti nell'economia Albanese

![Grafico 3](image)

**Fonte:** Banca d’Albania, 2007-14, Grafico degli autori.

Più in basso nella tabella 1 abbiamo rappresentato alcune statistiche delle variabili descrittive macroeconomiche introdotte nel modello.

**Tabella 1.** Le statistiche descrittive dei dati per l’Albania

<table>
<thead>
<tr>
<th>Le Variabili</th>
<th>SIGLA</th>
<th>Media</th>
<th>Deviazione standard</th>
<th>Minimo</th>
<th>Massimo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tasso Reale di Cambio</td>
<td>KR</td>
<td>135,102</td>
<td>7,398</td>
<td>121,152</td>
<td>146,853</td>
</tr>
<tr>
<td>La Crescita del PIL</td>
<td>GDP</td>
<td>0,018</td>
<td>0,111</td>
<td>-0,130</td>
<td>0,205</td>
</tr>
<tr>
<td>I prestiti per l'economia</td>
<td>KRE</td>
<td>1,224</td>
<td>0,164</td>
<td>0,909</td>
<td>1,520</td>
</tr>
</tbody>
</table>

4.5.1 **Conclusioni dell’analisi**

Dal punto di vista metodologico in questa ricerca abbiamo già accennato che il metodo che sarà usato per fare l’analisi sarà la regressione lineare multipla. Dopo aver applicato questo metodo, i risultati empirici del modello sono elencati come segue.

**Tabella 2.** I risultati Empirici del modello

<table>
<thead>
<tr>
<th>Le variabili</th>
<th>Acronimo</th>
<th>Caso del Albania</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Lag</td>
</tr>
<tr>
<td>Constante</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Tasso di Interessi</td>
<td>NINT</td>
<td>-</td>
</tr>
<tr>
<td>Tasso Reale di Cambio</td>
<td>KR</td>
<td>-2</td>
</tr>
<tr>
<td>PIL</td>
<td>GDP</td>
<td>-1</td>
</tr>
<tr>
<td>Crediti per l'economia</td>
<td>KRE</td>
<td>-2</td>
</tr>
<tr>
<td>Livello dei prestiti con problemi</td>
<td>NPL</td>
<td>-</td>
</tr>
</tbody>
</table>

Nella tabella nr 2. Abbiamo rappresentato il risultato del modello della regressione lineare che ci spiega quali sono i fattori che incidono al cambiamento dei prestiti con problemi. Il modello risulta essere statisticamente importante con un livello di confidenza oltre il 99 per cento e il coefficiente R2 che spiega l’effetto dei cambiamenti dei prestiti con problemi e al livello del 80 per cento. La regressione è stata realizzata dal quarto trimestre del 2007 fino all’ultimo trimestre del 2014, per l’Albania, quindi in tutto 26 osservazioni. Le differenze lag sono state calcolate basandoci nella loro determinazione fatto dagli altri autori, i quali hanno usato questi variabili nei loro lavori, adattandosi all’importanza del modello.

Come possiamo notare dalla tabella 2, il fattore del tasso reale di cambio ha un effetto positivo nell’aumento dei...
prestiti con problemi. Questo e tipico dei paesi importatori poiché e collegato al fatto che la svalutazione del Lek nei confronti dell’euro porterebbe all’aumento dei prezzi delle merci importate. Per le imprese albanesi che la maggior parte della materie prime le importano, aumenterebbero i loro costo se il Lek si svalutasse nei confronti dell’euro, per questo la probabilità di perdere la capacità di essere solventi per i pagamenti delle rate sarebbe più grande. Ancor di più per i prestiti in euro questo effetto sarebbe diretto, ciò significa che le rate dei prestiti in euro sarebbero più caro se il Lek si svalutasse nei confronti dell’euro. Il coefficiente vicino (KR) mostra che il rafforzamento del Lek di 1 per cento aumenterebbe il livello dei prestiti con problemi di 6.14 per cento dopo un periodo di tre mesi. Il tasso d’interesse ha un influenza negativa nella volatilità dei prestiti con problemi.

Altri autori che hanno compreso questa variabili nella loro analisi, sono giunti alla conclusione che l’innalzamento del tasso d’interesse incide nella crescita prestiti con problemi. Secondo loro l’innalzamento del tasso d’interesse farebbe sì che il debito da parte dei quelli che hanno ricevuto il prestito diventasse più caro, incidendo direttamente nella loro capacità di pagamento.

La variabile indipendente, il PIL, secondo il risultato della regressione incide negativamente nel livello dei prestiti con problemi. Questo influenza negativa e sostenuta anche dalle conclusioni simili degli altri autori. Il livello dei prestiti con problemi si abbasserebbe nel caso dell’innalzamento del PIL per il fatto che la ripresa economica testimonia un miglioramento della performance delle imprese nel paese, e questa crescita della performance si rifletterebbe in maniera diretta nella loro solvibilità. Quindi il fallimento delle imprese e più ridotto se ce una ripresa economica, la quale e a testimonianza del miglioramento della loro performance. Dai risultati del modello utilizzato ci risulta che la crescita del 1 per cento del PIL influenzerebbe in maniera positiva abbassando il livello dei prestiti con problemi nel paese di 1,59 per cento.

Facendo riferimento ai risultati del modello vediamo che i prestiti per l’economia incidono positivamente sui prestiti con problemi. La variabile del prestito per l’economia si calcola come rapporto dei prestiti totali sul PIL del paese. Possiamo dire che quando i prestiti per l’economia crescono, la probabilità che una parte di esse diventino dei prestiti con problemi e maggiore a causa della crescita di quest’ammontare di prestiti. Quando un economia si caratterizza da un alto livello di prestiti, e in caso in cui si verifichi una crisi economica, questo fa sì che le imprese di quest’ economia fossero più esposte alla perdita della loro solvibilità. Dalla tabella 2. Possiamo notare che per quanto riguarda l’Albania una crescita ad 1 percento dei prestiti nel paese inciderebbe sul livello dei prestiti con problemi crescendolo con 3.7 per cento.

4.5.2 La Diagnostica del modello

Per assicuraci dell’esattezza dei risultati prodotti dal modello abbiamo fatto alcune prove che analizzano la qualità del modello.

- In primo luogo, si e studiato l’autocorrelazione del modello. Dopo aver fatto il test di Breusch-Godfrey la LM ci risulta che il modello non ha autocorrelazione, perché il valore del Prob.Chi-Square risulta pari al 33 per cento, cioè maggiore del 5 per cento. (Appendice).

- In secondo luogo, abbiamo studiato se il modello presenta o meno eteroschedasticità. Dopo il test di Breusch-Pagan-Godfrey siamo arrivati alla conclusione che il modello non rappresenta eteroschedasticità, poiché il valore del Prob.Chi-Square risulta pari al 22 per cento, cioè maggiore del 5 per cento. (Appendice).

- In terzo luogo, abbiamo analizzato i residui. Dopo il test della dispersione normale ci risulta che i residui presentano una dispersione normale, poiché il valore del Prob.Chi-Square risulta pari al 22 per cento, cioè maggiore del 5 per cento. (Appendice).

4.5.3 La Performance del Modello

In questa parte viene illustrato graficamente la performance del modello costruito. Più in basso nella tabella 3. e rappresentato l’arco temporale dei dati utilizzati nel modello.

Tabella 3. Il periodo di tempo preso in considerazione

| Periodo di tempo | Terzo Trimestre anno 2008 – Quarto Trimestre anno 2014 |

Grafico 4. La performance dei modelli dei prestiti con problemi per l’Albania
Nel grafico nr. 4 viene illustrato la performance del modello dei prestiti con problemi per l’Albania. Come possiamo vedere dal grafico il livello dei prestiti con problemi ha un andamento crescente durante tutto il periodo di tempo dell’osservazione, che va dal 4,1 percento nel terzo trimestre del 2008 fino al 24,1 percento nell’ultimo trimestre del 2014. Possiamo dire che il modello si avvicina al andamento crescente dei prestiti con problemi anche se non la stessa esattezza. Però dobbiamo sottolineare che il periodo di tempo preso in considerazione non è molto ampio, per questa ragione questo modello rappresenta dei limiti.

4.6 I Scenari dello Stress-Test

Una parte molto importante delle prove dello stress-test è la scelta dei scenari. Come accennato già da prima, noi abbiamo analizzato tre scenari (Havrylych, 2010). I scenari vengono illustrati più in basso:

I. Il peggiore scenario storico
II. Lo scenario con un cambiamento con due deviazioni standard dal valore attuale.
III. L’ultimo scenario basato sul pensiero degli esperti.

Tabella 4. Le Variabili del Stress-Test

<table>
<thead>
<tr>
<th>La Variabile</th>
<th>Scenario 1</th>
<th>Scenario 2</th>
<th>Scenario 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tasso d’Interesse</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Tasso Reale di Cambio</td>
<td>146,85</td>
<td>151,75</td>
<td>140,75</td>
</tr>
<tr>
<td>Il Prodotto Interno Lordo</td>
<td>-0,13</td>
<td>-0,22</td>
<td>-0,18</td>
</tr>
<tr>
<td>I Prestiti per l’Economia</td>
<td>1,52</td>
<td>1,62</td>
<td>1,65</td>
</tr>
<tr>
<td>Il Livello dei Prestiti con Problemi</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

Questi scenari verranno integrati nel modello costruito per il caso dell’Albania. Ciascuno delle variabili indipendenti sarà stressato in modo che incidano nella crescita del PIL. Ciò, se la crescita della variabile indipendente influenza nella crescita dei prestiti con problemi, questa variabile crescerà in maniera tale da poter avere la massima incidenza negativa possibile sui prestiti con problemi. In caso contrario la crescita della variabile indipendente abbasserà il livello dei prestiti con problemi. Per vedere in maniera chiara questi cambiamenti delle variabili abbiamo costruito la tabella nr. 4.

4.7 L’analisi dello Stress Macroeconomico

Più in basso nella tabella 5 si evidenziano i cambiamenti che subiscono i prestiti con problemi in tutti e tre i scenari. Dopo aver compreso i valori stressati nel modello i loro risultati sono elencati nella tabella più in basso.
Come si può notare dalla tabella qui sopra, nel caso del primo scenario, cioè di quello dei valori storici più estremi le quali incidono nella crescita dei prestiti con problemi, questo tasso per l’Albania aumenterebbe con il 89,4 percento. Questo impatto così grande indica che il tasso dei prestiti con problemi viene influenzato molto dai shock macroeconomici. Da questo si capisce che l’economia albanese non è in grado di ammortizzare bene le crisi macroeconomiche, di conseguenza, il livello dei prestiti con problemi riflette in maniera evidente le variabili stressate che spiegano la sua volatilità.

Nello stesso modo anche il secondo scenario non riflette nessun cambiamento per quanto riguarda l’impatto sul livello dei prestiti con problemi mostrando una crescita ancora più grande del 230,3 % dei prestiti con problemi. Si vede chiaro che la nostra economia e debole e non è in grado di affrontare bene questi shock macroeconomici.

Secondo il terzo scenario, si vede che il cambiamento del livello dei prestiti con problemi e piccola, cioè basandosi sul pensiero degli esperti, possiamo dire che le fluttuazioni sono basse. Per concludere possiamo dire che l’Albania non ha una economia pronta a ammortizzare gli effetti negativi delle variabili macroeconomiche. Ciò significa che il livello dei prestiti con problemi si influenza molto dal peggioramento di questi variabili macroeconomiche dell’economia Albanese.

Dai risultati qui sopra, possiamo arrivare alla conclusione che per le situazioni più vicine alla realtà, cioè il primo e il terzo scenario, il livello dei prestiti con problemi e molto instabile, invece per i scenari più vicini alla realtà, il secondo scenario, il livello dei prestiti con problemi per l’Albania e più stabile.

5. Conclusioni e Raccomandazioni

L’Albania e un paese che si caratterizza da un alto livello del tasso dei prestiti con problemi. Questa situazione problematica, in primo luogo e un indice che dimostra che la nostra economia non e performante e che aumenta la possibilità di non pagare le rate dei prestiti. Dall’altra parte le banche, le quali hanno un livello basso del ritorno dei prestiti, rifletteranno questo effetto nel basso reddito della loro attività. Questo non solo a causa del mancato pagamento dei prestiti, ma anche dalla crescita dei prestiti con problemi nei loro bilanci, essendo diventato più difficile trovare nuovi prestiti. La teoria economica ci dice che c’è sempre bisogno per l’economia di uno stato ad avere un livello adeguato di liquidità. La Banca d’Albania durante tutto questo periodo ha cercato di stimolare il livello dei prestiti nel paese, abbassando tante volte il tasso base d’interesse, ma sembra che questa politica non ha prodotto il risultato desiderato. I diversi fattori che possono impedire la crescita del livello dei prestiti possono essere in tanti, tali come: la crisi mondiale economica, la quale ha avuto il suo effetto nel paese; il grande abbassamento delle remittances che hanno causato il ridursi del reddito della nostra economia; il diminuito interesse dei clienti verso il prestito, che è probabilmente a causa dello stato socio-economico del paese.

In questo momento il problema dei prestiti con problemi è molto serio nel paese, e per questa ragione trovare i fattori che governano la loro dinamica e di grande importanza. Questi fattori macroeconomici possono essere mantenuti sotto osservazione per impedirne la loro successiva crescita. Per analizzare questi fattori abbiamo usato il modello di regressione lineare multipla, in cui abbiamo considerato come variabili indipendenti il prodotto interno lordo, il tasso di crescita della popolazione, e anche il tasso reale effettivo di cambio. Dopo aver fatto la regressione ci risulta che la crescita dei prestiti per l’economia aumenterebbe i tassi di interesse. Questa potrebbe essere una ragione plausibile a spiegare l’andamento decrescente dei prestiti con problemi negli ultimi due anni. È probabile che questo fenomeno sia stato influenzato dal decadimento del sistema bancario, e che la crescita dei prestiti con problemi per l’economia si sia ridotta. Se il livello dei prestiti per l’economia si riduce, sarebbero poche le imprese ad
operare nel mercato e il prodotto interno lordo avrà un andamento decrescente. Dall’altra parte, l’abbassamento del PIL diminuirà la performance delle imprese e la loro capacità di essere solventi, il quale farebbe sì che il tasso dei prestiti con problemi si alzi. Il modello costruito ci suggerisce che la crescita del prodotto interno lordo incide nell’abbassamento dei prestiti con problemi, e quindi il governo può esercitare delle politiche le quali possano stimolare la crescita economica poiché in questo modo inciderebbe positivamente nell’abbassamento dei prestiti con problemi. La Banca d’Albania ha organizzato alcuni incontri con le banche ed il Ministero delle Finanze per trovare una soluzione. Secondo noi il nostro governo dovrebbe farsi carico di una parte dei prestiti con problemi in modo tale da ripulire i bilanci delle banche da queste prestiti, in modo che esse siano più libere ad erogare nuovi prestiti. Questo dàrebbe un impulso all’economia. Un’altra soluzione potrebbe essere che lo stato svolga il ruolo di garante per l’emissione di nuovi prestiti, per specifici settori di rilevanza strategica, i quali non possono usufruire di questi prestiti solo dalla mancanza di garanzie, che in Albania, e ad un livello del 140 percento dell’ammortatore del prestito.

Per analizzare più a fondo la stabilità finanziaria nel paese, abbiamo fatto un stress test per le fluttuazioni dei prestiti con problemi nel paese. Dopo aver fatto lo stress-test secondo i tre scenari ci risulta che il livello dei prestiti con problemi non gode di una grande stabilità dagli shock macroeconomici o alle rigide situazioni economiche, nei casi in cui i scenari erano più vicini alla realtà. Quindi possiamo dire nel caso di una crisi molto profonda finanziaria i suoi effetti sui prestiti con problemi sarebbero maggiori che in altri paesi quali non sono così interconnessi con i fattori macroeconomici come l’Italia. La spiegazione per questa situazione e forse il fatto che la nostra economia e ancora ai primi passi nel mondo capitalistico e come tale, una situazione appesantita economica ha un grosso effetto nel portafoglio prestito, la quale fa crescere il rischio dei prestiti con problemi. La nostra economia non si alimenta di grossi investimenti poiché nel totale del nostro sistema bancario solo il 50 percento dei suoi attivi sono incentrati sul prestito (Banca d’Albania 2014).

Il nostro suggerimento per abbassare il livello dei prestiti con problemi nei confronti delle banche e che dovrebbero investire di più in formazione dello staff, dove la banca d’Albania può avere anche lei un ruolo attraverso diversi corsi di formazione e anche attraverso la sensibilizzazione delle banche con la regolamentazione da lei creati, siccome abbiamo osservato che spesso le banche non conoscono bene queste regolamentazioni. Oltre a questo, la Banca d’Albania nei suoi controlli sul terreno dovrebbe tener conto anche di esaminare il livello professionale degli analisti del credito.

Le banche potrebbero ristrutturare i loro prestiti, perché spesso cambiando le clausole, l’allungamento della vita del prestito, l’abbassamento del tasso d’interesse, il condono delle multe potrebbe far sì che le imprese con problemi tomassero ad essere imprese sane. Non dovrebbe essere nel interesse delle banche, neutralizzare le loro perdite, attraverso il pignoramento delle garanzie da loro tenute, ma far sì che l’impresa possa tornare in condizioni di lavoro. Anche se ciò dovrebbe dire un abbassamento delle entrate pianeificate. Proprio per questo anche la Banca d’Albania ha cambiato la sua regolamentazione, che il ristrutturamento, quando viene fatto dal cliente prima che questo abbia mostrato questi problemi, non declassando i prestiti in una classe inferiore. Altrettanto le banche possono pulire i loro bilanci dai prestiti persi così che possono abbassare l’alto livello dei prestiti con problemi da stimolare così i nuovi prestiti per l’economia.

E in fine, un acceso lotta contro la corruzione bancaria dovrebbe essere lo scopo primario di un fronte unito di tutti i fattori interagenti. Poiché e un tumore che logora ogni sistema, per quanto sanno lui possa essere.

References

Banka e Shqipërisë. (2009). Buletini i Bilancit të Pagesave. Tirahan:


Beck, Roland, Jakubik, Petr., Pilou, Anamaria. (2013). Non-Performing loans what matters in addition to the economic cycle? 1515 (QB-AR-13-012-EN-N (online)).


Cappiello, L., Kadareja, A., Serensen, Ch. K., & Protopapa, M. (2010). Do Bank Loans and Credit standards have an Effect on Output? European central bank working papers, No, 1150. 28.


Ministria e Financave. (2014). Të dhëna për Shqipërinë. Tirahan:


Appendice

I modelli

Per costruire il modello della volatilità dei prestiti con problemi per l’Albania abbiamo utilizzato il programma di statistica E-views. La tabella nr. 3 e i grafici nr. 3, 4 e 5, li abbiamo costruiti basandosi sulla base dei dati generati da questo programma. Nella tabella più in basso si presentano i risultati del modello.

Tabella 5. Il modello di volatilità dei prestiti con problemi in Albania

<table>
<thead>
<tr>
<th>Variable</th>
<th>Coefficient</th>
<th>Std. Error</th>
<th>t-Statistic</th>
<th>Prob.</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOG(GDP(-1))</td>
<td>-1.598327</td>
<td>0.423979</td>
<td>-2.283190</td>
<td>0.0329</td>
</tr>
<tr>
<td>LOG(KR(-2))</td>
<td>6.148713</td>
<td>1.079850</td>
<td>3.581804</td>
<td>0.0018</td>
</tr>
<tr>
<td>LOG(KRE(-1))</td>
<td>3.709152</td>
<td>0.316645</td>
<td>9.877661</td>
<td>0.0000</td>
</tr>
<tr>
<td>R-squared</td>
<td>0.802209</td>
<td>Mean dependent var</td>
<td>10.83673</td>
<td></td>
</tr>
<tr>
<td>Adjusted R-squared</td>
<td>0.865515</td>
<td>S.D. dependent var</td>
<td>0.664007</td>
<td></td>
</tr>
<tr>
<td>S.E. of regression</td>
<td>0.243506</td>
<td>Akaike info criterion</td>
<td>0.129116</td>
<td></td>
</tr>
<tr>
<td>Sum squared resid</td>
<td>1.245196</td>
<td>Schëarz criterion</td>
<td>0.276373</td>
<td></td>
</tr>
<tr>
<td>Log likelihood</td>
<td>1.450604</td>
<td>F-statistic</td>
<td>75.01148</td>
<td></td>
</tr>
<tr>
<td>Durbin-Éatson stat</td>
<td>2.319685</td>
<td>Prob(F-statistic)</td>
<td>0.00000</td>
<td></td>
</tr>
</tbody>
</table>

Elaborazione dati tramite E-views

I Test per quando riguardano la significatività statistica

In primo luogo e stata studiata l’autocorrelazione del modello per l’Albania. Per questo abbiamo utilizzato il test di Breusch-Godfrey LM.

Tabella 6. l’Autocorrelazione per il modello di volatilità dei prestiti con problemi in Albania

<table>
<thead>
<tr>
<th>Breusch-Godfrey Serial Correlation LM Test:</th>
</tr>
</thead>
<tbody>
<tr>
<td>F-statistic</td>
</tr>
<tr>
<td>Obs*R-squared</td>
</tr>
</tbody>
</table>

Elaborazione dati tramite E-views
In secondo luogo è stata studiata l’eteroschedasticità del modello per l’Albania. Per questo abbiamo utilizzato il test di Breusch-Pagan-Godfrey.

Tabella 7. l’eteroschedasticità del modello di volatilità dei prestiti con problemi per l’Albania

<table>
<thead>
<tr>
<th>Heteroskedasticity Test: Breusch-Pagan-Godfrey</th>
</tr>
</thead>
<tbody>
<tr>
<td>F-statistic</td>
</tr>
<tr>
<td>Obs*R­squared</td>
</tr>
<tr>
<td>Scaled explained SS</td>
</tr>
</tbody>
</table>

Elaborazione dati tramite E-views

Tabella 8. La dispersione degli residui per il modello di volatilità dei prestiti con problemi in Albania

A far concludere, i modelli costruiti sono statisticamente significativi, poiché si passano tutti i test della dispersione normale, eteroschedasticità e dell’Autocorrelazione.
Why Albania is in a Continuous Struggle to Fulfill European Union Preconditions Toward Membership? (Focus on Lack of Property Rights)

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Abstract

The Albanian communist legacy has left a significant impact in building a democratic state. Twenty five years have passed since the change of regime, but transition phase toward consolidation and democratization still seems to be unreached and unfulfilled. Even we are geographically part of Europe, we struggling from years to achieve successful reforms in economy, politics and in law. There are five major pre conditions that European Union considers as priorities for Albania to fulfill. Property rights are one of them and it will be a focus of this research. Main objectives studied regarding this article are as follow: 1. Political culture. 2. Political parties. 3. Property administrations efficiency. By analyzing the up mentioned objectives, emphasizing negative externalities of communism, political factors during the transitional period I will try to give an explanation on why there is a real challenge for Albania to pass to the consolidation phase toward a real European democratization. Fulfilling the European criteria is a mutual challenge for Albanian government to improve the quality of people life as well as for Europe itself as the leading institution to support and guide young democracies in making them inner part of the Union. Reforms must be of European standards, effective and with positive outputs. In order to achieve successful reforms, there should be a better collaboration between opposition and the government, to be shown a mature and good political will, to work reasonably and responsibly for a better future for its citizens.

“One of the things that everyone knows, but no one can quite think how to demonstrate is that a country's politics reflect the design of its culture” Clifford Geertz

1. Introduction

One of the determinants of democracy is the rotation of power. The rotation of power has as a functional mechanism the sovereign. Due to the fact that the study involves democracy, then the “sovereign” of Hobbes is left behind and will concentrate at the Locke “sovereign” that is the liberal sovereign. (Leviathan: 2000). The sovereign- the people who make possible rotation by vote (Sovereign for one day) and the sovereign- authority that leads the policy and institutions to govern the country for the long term.

In democracy, the sovereign – the people delegate the state management to the sovereign – the state. This transfer of power through “trusteeship” from sovereign to sovereign is done within the context of human rights, creating a relationship of interdependence and of good will. Precisely, respect for human rights is the basic foundation of respect and of building a state and its consolidation. According to John Locke, issuance of personal rights, specifically the right to the enjoyment of personal property and the transfer of this right to the sovereign through the social contract, makes this right safer and better manageable.

Albania as a country in transition from 25 years still takes criticism through statements or publications on the process of irregular election / non-recognition of the results by the opposition, corrupt judiciary, and parliamentarians (representing the people) are incriminated, corrupt and incapable administrations and so forth. The 2013 parliamentary elections and 2015 local elections were rated as mostly fair election and that meet standards of democracy. (US report 2014)

This as a precondition for integration, but is not the only one. The European Union has set five preconditions that must be met in order for Albania to be considered for the status and join the European Union member states.

Prerequisites that Albania must meet in order to join the EU are as follows:
1. Continuity of implementing public administration reform
2. More actions for independence and efficiency of the Judiciary
3. Determination in the fight against corruption
4. More efforts in the fight against organized crime
5. Effective measures to strengthen the protection of human rights, Roma and implementation of property right

2. Political Culture

The problems and challenges that Albania has had to face are numerous and this because of the communist past and its effects.

Deficits of today are part and reflection of yesterday and of the weak political will of the present. Hypotheses analyzed in this study question the reasons why Albania is facing difficulties and is going through a relatively long transition towards the integration path. The precondition set by the European Union for strengthening and protection of property rights constitutes the basis of the research of this paper.

The absence or the disregard of the right to property is divided into three main variables such as:

1. Political Culture
2. Political Parties
3. Property administrations inefficiency

According to the philosopher George Berkeley privileged subject that creates knowledge and worldviews must be the state. If the state will not manage to impose its own way of looking at things then society would be in chaos. It is the state that should carry compact body of society, a phenomenon, which is best applied in our country and with the following features:

Living in a closed system, where every life activity, as political, social, cultural was dictated and controlled by the State for more than 50 years, formed a rigid civic mentality and humbled by abolishing any free initiative, because if anyone would have derived or expressed something out of the party line risked his life and family, as the countless examples of executions and political persecutions. The communist system left repercussions that were broadcasted in the democratic system as well.

Some of the variables that I consider important to mention are as follow:

1. The communist regime was a bad model to follow. As mentioned above, everything was well planned according the leader of the only Party and unfortunately the theory of the only party in the town continued during transition phase. The new political leaders were born, raised and trained from the old regime; therefore their leadership reflects the old political culture. (Fuga:2004)

According to “Gene Sharp” members of old regime may pretend that they have overcome the dictatorship, but all they can achieve is trying to put a mask to cover, because the core it’s the same.

2. Albania inherited from the communist regime a social pledge as the war between classes. During communism there as a clear separation between classes. Taking into consideration statistics on this regard there were 8,500 executions and over 400,000 people captive in prisons and concentration camps. Historical memory is a gap that cannot be erased easily. Civil war, destruction of the Albanian intelligence, disappearance of her property and theft, usurpation of power by force, imprisonment of opposition, extrajudicial killings, persecution and exile-evictions.

3. Continuity of the state- party model. In the communist regime, existed only the state and the only party was totally under the elite control, basically controlled by the leader, Enver Hoxha. Unfortunately, this model has still impact on the democratic regime and influenced all political administrations which will be analyzed deeply in the next section.

4. The country inherited a demolished economy. A bankrupt heavy industry, a backward agricultural sector and a long bill with debt. Albania was the most backward and poorest country in Europe. Poverty was a direct consequence of bad management of capital, monetary and human resources for over 50 years. Development of economic policies based on ideology and party directives had created a big gap in the lack of recognition of status real needs and demands of citizens. Around the "90s, this situation had grown inevitably social tensions in the country.

5. Besides inheriting divested institutions Albania inherited also a system with no values. In the previous regime individual values stopped existing due to repression and violence physical or physiological. The tendency to destroy owned public property turned into a concern. Society unveiled a constant hatred for everything that was public. The theft of state property was not considered immoral. Was justified and often instigated by the need to survive. The desire to possess is born, respect for other people’s possessions is taught so the lack of respect for others property is connected directly with the alienation of the social values of the communist regime. Degradation of mega-state and society as a whole manifested negative phenomena as laziness, lack
of professionalism, abuse, corruption, lack of responsibility and the destruction and theft of state property. Albania belongs to countries with a history of communist totalitarianism, where private property is liquidated and replaced by state property, the state is the sole owner and employer.

Particularly important was the land law of 1991 according to which agricultural lands were divided among those working it and their families (about two-thirds of the population, in total). All former cooperatives were distributed as part of this process, although the details of implementation varied from region to region.

With the advent of democracy, the transformation of the economy was more chaotic than the political system. Through this law, the Albanian government established violations of human rights, depriving the legitimate owner from his property. Ineffective implementation of the law forced more and more population to put into question the power and the laws of the state.

State land during the communist government, was not distributed on the basis of state law as in the south and north. In the south the implementation of land reform undertaken by the coalition government of 1991, as happened in Dropull did not take into account any previous ownership.

In Mirëdita up north town, from the rugged terrain houses were constructed at a distance from each other and surrounded by land that they owned. Plots of land that had to be allocated were too small and land borders were well remembered before communism came. Therefore, the unwritten law "Kanun" came again into power. (De Waal: 2005)

So Kanun, during this new democratic period fulfilled a legal vacuum, supposed to be treated and filled by state laws.

A great paradox of the two regimes was the anger and hatred for oppression of communism and as well resentment for the new democratic system. The new democratic order was not reflected in the so-called Tabula Rasa, where everything would start from the scratch taking nothing from the previous regime. The transition phase carried with it a strong substantive link with the old regime.

The up mentioned variables show that the communist regime has brought a very serious challenge to reduce its effects and to work in all dimensions toward assimilation of the past. The continuous challenge of transition and consolidation toward reaching integration is also because of the communist culture, of a political culture totally different from democracy.

3. Political Parties

Albania is in a continuous challenge to fulfill European preconditions also because of its political parties. The communist regime had as one of its requisites the only party in town and the only party was administrated by the state, the state was the party and the party was the state. In the early ‘90es everything changed. The communism felt down and new groups or new political parties came into life, in spreading new values and democratic speeches and allowing freedom of speaking, of thinking, creating gatherings, parties, equality of opportunities, diversity etc. One of the representatives of democratic values is Robert Dahl, according to him, principal aspects of defining a real democracy are: fair and free elections, the right to be part of the political race in a multi-party system, allows opposition, competition among parties, governmental reaction toward people preferences- considering the people as equal political beings and a certain public dispute. (Dahl: 2004)

Many scholars that have in their field of expertise democracy have made as far many formulations of what might be considered a democracy or a democratic system. A race for political domination and democratic societies are the ones who choose their governments through planned elections and through more or less fair and competitive elections.

According to my opinion, the Albanian democracy suits more to the minimalist democracy. (Schumpeter: 1950). Competitive elections are the ones where opposition is not oppressed but accepted by the elites in power (Verba, Nie and Kim: 1971)

Political parties in Albania during the long transition hardly recognize the winning party in an official way or congratulate the winner in any case. Political parties in most cases consider as illegitimate or non-transparent ways and manipulations to achieve the winning result. Albanian political parties having lack of political culture reflect it also in its programs. In Albania there isn’t a clear division of politics and they lack of a profile or identity. Most of parties have become catch all parties, trying to get electorate from the masses without making a clear definition on the electoral platform they stand for. (Krasniqi: 2008) None of the parties is identified with left or right wing, political party programs are almost the same for both wings and there is lack of alternatives.

Based on public attitudes the left and the right don’t have a considerable difference regarding property rights. In 1991 the new democratic government was unprepared to handle drastic changes in economy, politics, infrastructure, health issues and so over. Those years were very difficult to administrate from the new politics even though with old
A country that has been under a communist regime as it was Albania leaves consequences in long term. Transition is taking too long exactly because of the past but not only. The lack of political culture followed by the political parties and their lost identity brings as well inefficient administrations. There are over nine institutions that deal exactly with property rights but it seems there is an institutional impasse. Having a contradictory and incomplete legal frame over property, unstable policies of governments that lead the country creates gaps for institutions to profit itself.

From various studies of countries with a similar economy and political situation, is noted that the implementation of successful reforms is possible, but rather implementation is effective depends on the state agencies that deal with the construction and consolidation of the administrative system of property.

To improve and foster the democracy toward consolidation there have been suggested also reforms to solve the property rights but reforms are facing delays and objectives have not been met according to deadlines of implementation such as: Completion of the national registration inside 2013, the creation of a public electronic register of real estate to consolidate and improve the functions of IPR, international reports, such as IT, EC, WB show that the initial systematic registration have not finished in time, cadastral maps have not been entered into the system, therefore, public electronic register is not available, so it is faced an overdue implementation of the target. Nobody has given a decision on the recognition of ownership and therefore no expropriations. Legalization of informal settlements it is still in process and was supposed to be concluded by the end of 2013. The same situation is noticed for the verification of property titles to be concluded within 2013. Unification of an effective compensation scheme in 2013 and the beginning of its implementation based on a physical and financial fund for expropriated subjects, according to PRCA are compensated the files of 1994-1995 by governmental budget, there has been partial compensation with value up to 57%. For about 80 thousand illegal constructions, created after the deadline of 2006, it was decided that constructions in the areas where town planning / territorial are approved, will be legalized, while other buildings will break down. Time limits are not enforced, in the contrary they continue. Ministry of Justice and relevant institutions were to review and analyze legislation related to ownership in 2013 in order to draft the amendments to improve the security of property rights and to eliminate overlaps and contradictions. On the other hand another target not fulfilled is the emergency to improve the processes of registration, restitution / compensation and legalization, a target with time limit the 2012. Finalization by PRCA of the process of recognition of the ownership of expropriated subjects, about 7,000 files that have not been treated for everyone, includes religious communities as due timing but results as an objective that still has not been achieved. Reconsidering the legislation for PRCA to develop and fasten procedures for the completion of the administrative process

To not be in favor of the former owners after the Second World War was a political move to not lose the support and votes of the broad masses of the electorate. A survey of 1997 brings data that ¼ of the population expressed a spirit of violence on solving various social problems, including conflicts over land ownership.

Mainly along every electoral campaign is accompanied by social mobilization, frequent and fast constructions, such as the creation of informal settlements around the city of Tirana or displaced families in lowland and coastal areas, with the hope that the next government will legalize them. The state was aware about those movements, but the mobility from the deep mountainous areas to lowland and coastal areas was quietly allowed by the state. In practice every family that was displaced was uncertain and at the mercy of political parties and of the next government that would come into power also through the need of their vote.

4. Property Institutional Inefficiency

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1 Kanun’s power has its start in the end of late antiquity and validity of the Kanun is the period of the early middle Ages. Kanun of Lek Dukagjin is a conceptual self-governing code of Albanians in the so called pre-state era.
of recognition of ownership by 2012, as far is still a goal not an achievement. Finalization from ALUIZNI of the legalization of 270,592 illegal constructions in 2013 is still in process and far from achievement. Concluding the legalization of the administrative process based on decentralization reform within 2013, registering of legalized properties at IPRO and supervision of final judicial decisions in the execution phase through a process coordinated between ALUIZNI, IPRO and PRCA - a process that has started but not finished yet.

As it is stated in the book of Allan McConnell “Understanding Success Policy, Rethinking Public Policy “, policies are not successful or fail because they cannot be implemented, do not meet the intended purpose or because they don’t justify the work terms they perform.

Taking into account the publications and reports (World Bank, Transparency International, and USAID) and also the reform delays, the administration process is inefficient, guidelines, document and decision overlapping s, extensive procedures, and leaks of information in institutions, excessive bureaucracy, and lack of practice in structuring and organizing documents and so on. In such a situation it is necessary to find solutions, which improve system administration processes of property rights on the creation of more effective institutions of property rights.

In my opinion are needed more responsible and accountable institutions for land administration. Also in Albania, as in other countries of the region lack of defending property rights continues to be an obstacle for long-term solutions and therefore influential in preventing investment and economic development. State agencies such as IPRO, PRCA and ALUIZNI need to improve internal coordination’s to ensure faster action, better organized and administrative system of the right of ownership. There must be a tight consistency and cooperation between the local and the central government. With the large number of institutions that deal with property rights and the non-coordination among them, it would be an alternative to consider the unification of all agencies in one instead. This might bring simplicity of the very confused procedures that are in place at the moment.

In addition, to have successful and efficient institutions human resources is one of the indispensable elements for such a formula. (Strategic Human Resources Management: 1999) Institutions that operate in the field of property usually are part of the well-known mechanism of rotation. Every time that a new party will be on power also the staff would change. This brings more confusion and delays in the processes of resolving the property issues. A positive change of property administrative agencies can come through continues trainings, workshops oriented on technical procedures, technology, management, customer service facilitations and sharing of good practices with countries that have passed through the same road Albania is passing today. Transparency is also an important element to return the lost trust to the people by making public the procedures that people are interested in, to be treated all equal for the same demands that people have.

5. Conclusions

Property rights as a crucial issue for integration is unsolved in these twenty-five years of democracy as a result of several reasons. Political culture is still under the influence of the past. Albanian elites are oriented toward the West but the concrete attitude they hold is not of a western culture. Elites, political parties, institutional organisms, groups of interests have difficulties to adjust toward democratic principles. Political parties only recently have been equipped with programs, programs that cannot be differed from one another. The right and the left have the same ideology, parties have become all catch parties by losing identity. If in the past the right wing party had property rights as a solid pillar of the program, nowadays it is noticed that the left has implanted in their program matters of property and giving priority to find solutions. Parties during the long transition to consolidation have not tried to find permanent solutions to property rights but every election each of the parties have stimulated more chaos in allowing people to build houses without legal approval and in the worst case these new settlements are not build in state property but in a property that already has a legitimate owner. This has brought conflicts escalating thousands of dead people and ruining the life of many innocent families that are forced to live isolated because of enmity.

In addition, besides a communist political culture that is holding back Albania toward a faster integration and besides political parties and elites that don’t have the attitude and the will to cooperate for the good of the people and not for their own good, also governmental institutions or dependency institutions and agencies that deal with property rights reflect the chaos in not fulfilling in time objectives set by international institutions or Albanian courts and governmental entities. Lack of organization, overlapping’s of decisions, extensive procedures, and leaks of information in institutions, excessive bureaucracy and untrained staff prolong the integration process as well.

Due to the analyses of the variables mentioned in this paper, I consider valuable to suggest that the past must be an indicator of not pulling back but pushing Albania toward a better future, toward a democratic life, toward a qualitative life. Political parties must put the people first and not their selves, political parties and governments must walk in their own
feet and act as a united body in taking decisions and work to improve each other and their self, only by doing so there will come out a good product that will make Albania closer to Europe and part of it.

References

Filo, Li. (2010). Sistemet politike Bashkëkohore (Contemporary political systems), Tiranë: Botimet Ideart
Transparency International, (2011-2012), Advocacy and Legal Advice Centre
World Bank (Study of 2011) Report on property rights
Law no. 7501, (dated 19.07.1991), "On land"
Law no. 7698, (dated 15.4.1993), "On the restitution and compensation of property to former owners"
1. Introduction: Consideration Over the Current Albanian Constitution

The current Albanian Constitution was approved and entered into force in 1998, since a precedent attempt of constitutional referendum was rejected by the majority of people in 1994. The Albanian constituent Assembly, assisted by experts provided by the Council of Europe, for what concerns the question of the relationship between international and internal law has tried to be as clear as possible. In particular, in the first part of the Constitution regarding the basic principles of the Albanian legal system, the validity of general international law is recognized in direct and automatic way. According to this «solution», the international law binding upon the State is composed, besides internationally recognized general rules (principles and customs), even by treaty law. If, at first sight, this equalization between treaty norms and International general norms (principles and customs) could bring to any apparent confusion, in truth it should be interpreted as a clear and precise choice of the Constitutional legislator in order to guarantee a greater protection extending, exactly, even to the treaty obligations the same Constitutional protection granted to the general international law. This «equality» of strengthened Constitutional treatment should not be realized as an attempt of equalization of international treaty law with general international law (considering that hardly could be reached this goal by mean of internal legislative techniques or methods); instead, it should be seen as a further corollary guarantee that the constituent decided to grant to international treaty law binding upon the State.

For what regards the rank that International human rights law occupies in the Albanian Constitution, the constituent, even on International experts recommendation, demonstrated particular attention and sensibility towards the European system of human rights protection. European Convention on Human Rights (echr) became part of the constitutional provisions binding, in a direct and indisputable way, the legislative activity of the Parliament, particularly with regard to (potential) limitations of human rights in peremptory hypothesis of public interest and protection of rights of others. Direct consequence of this mechanism is the exclusive competence of the constitutional judge to question the compatibility of the limitations in object with what permitted by echr, also in the light of the interpretations of the Court of Strasbourg. Any failure to respect the European minimum standards, in this case, would be considered a violation of art. 17 of the Constitution and thus declared unconstitutional by the (Constitutional) Court. The constitutional placement of echr, although in «negative» terms of prohibition of limitations if violable of those permitted in the European system, represents an absolute originality for the human rights cause. In case the Parliament decided to restrict the core of

1 The current Constitution of the Republic of Albania, approved by Constitutional law No. 8417 of 21/10/1998 subject to popular referendum on 22 November of the same year, entered into force on 28/11/1998, the day it received the promulgation of the President of the Republic. From its entry into force, this Constitution was amended two times, respectively on 13/01/2007 by Law No. 9675 and on 21/04/2008 by Law No. 9904. The fundamental act of the Republic of Albania enumerates 177 operative articles and six articles concerning transitory and final dispositions.
2 Art. 5 of the Albanian Constitution: «The Republic of Albania applies international law that is binding upon it».
3 Albania joined the Council of Europe on 13 July 1995 while ECHR entered into force on 2 October 1996.
4 «1. The limitation of the rights and freedoms provided for in this Constitution may be established only by law for a public interest or for the protection of the rights of others. A limitation shall be in proportion with the situation that has dictated it. 2. These limitations may not infringe the essence of the rights and freedoms and in no case may exceed the limitations provided for in the European Convention on Human Rights»: art. 17 of the Constitution.
5 See, in Albanian language, also Sadushi, Jurisprudenca e Gjykatës Kushtetuese në frymën e Konventës Europiane për të Drejtat e Njerit (Constitutional Court’s jurisprudence in the light of ECHR), in E drejta parlamentare dhe politikat ligjore, No. XI, Tirana, 2003, p. 28-42.
6 Art. 131 of the Constitution: « The Constitutional Court decides on: a) compatibility of the law with the Constitution or with international agreements as provided in article 122 [...]»; art. 132: «1. The decisions of the Constitutional Court have general binding force and are final. The Constitutional Court only has the right to invalidate the acts it reviews». 
human rights and liberties beyond limitations permitted by echr, the constitutional mechanism represents the perfect instrument in the hands of the guardian of the Constitution – the Constitutional Court – to invalidate, in legal ways, attempts of this kind.

Actually, the value of echr in the Albanian legal system has a double dimension: on one hand the Convention guarantees at constitutional rank the minimal core of human rights as provided for at European level placing an insuperable limit to any attempt of human rights restriction within the whole legal system; on the other hand, as sanctioned also in the art. 116 of the Constitution, the echr inasmuch as international agreement ratified by Parliament’s law, assumes a pre-constitutional rank within the Albanian legal system and, thus, prevails on any contrary ordinary law7. In this case, echr assumes the role of an intermediate constitutional norm in the sense that it becomes a constitutional reference parameter for the ordinary legislation in case of possible contrast. It depends on Constitutional Court to decide, if requested, over the compatibility of ordinary laws with echr according to art. 116 and 131 of the Constitution and, eventually, to declare their illegitimacy.

The same constitutional guarantee is extended to all international agreements in the field of human rights (and not only) given that the Constitution (art. 122, § 2) expressively provides for the prevalence of any duly ratified international agreement on ordinary law. Fall within this category the un Covenants on human rights of 1966 as well as all those international and regional instruments ratified by Albania in the human rights field9.

2. Democratic Standards and Human Rights

Although any Constitution was not adopted immediately, at the beginning of the Nineties important goals were achieved. Though brief and provisional, the «Constitutional Chart» of 199110 sanctioned, for the first time at constitutional level, the fundamental rights and liberties that sanctioned, for the first time in the Albanian legal system, the centrality and the dignity of the individual, rendering him a milestone of the whole society. Human rights and liberties, as sanctioned in all democratic Constitutions and guaranteed and protected in international Covenants, this time entered from the principal dignity of the individual, rendering him a milestone of the whole society. Human rights and liberties, as sanctioned in all democratic Constitutions and guaranteed and protected in international Covenants, this time entered from the principal gate of the Albanian juridical order14. In addition, in accordance with the provisional Constitution, a criminal and procedure criminal code were approved15.

In practice, however, several problems related to the implementation of the human rights legislation framework emerged. As underlined even in non-governmental international organization’s reports, during the first years of the

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7 See art. 122, § 2 of the Constitution.
9 For a complete consultation of all international and regional treaties regarding human rights subscribed by Albania visit: http://www.mfa.gov.al/.
10 The provisional Constitution of 1991 was composed of only 46 articles concerning essential and temporary functioning of juridical and social order of the country.
11 Article 2 [Foundations] «(1) The Republic of Albania is a juridical and democratic state. (2) Man’s dignity, his rights and freedoms, free development of his personality as well as the constitutional order, equality before the law, social justice, and pluralism are the foundations of this state, whose duty is to observe and defend them». Article 4 [Human Rights, Minorities]: «The Republic of Albania recognizes and guarantees the fundamental human rights and freedoms, those of national minorities, admitted in the international documents».
12 See art. 6 to 14 of the provisional Constitution.
13 (Constitutional) Law No. 7692 of 31 March 1993 on amendments to law No. 7491 of 29 April 1991 (Constitutional provisions).
14 In particular, the bill of rights enumerated, ex multis, the right to life (art. 1), the freedom of thought and speech (art. 2), the absolute prohibition of torture and forced labour (art. 3 and 4), the inviolability of private liberty (art. 5), nulla poena sine lege principle (art. 6), the principle of presumption of innocence (art. 7), the right to a fair trial (art. 8), ne bis in idem principle (art. 12), the freedom of religion and conscience (art. 18), right to private property (art. 27), inviolable rights of minorities (art. 26), right to family life (art. 32-33) etc.. In other words, a catalogue of constitutionally protected rights, in full accordance with international and comparative standards of the time.
Albanian transition the capacity of the Albanian society to guarantee the full enjoyment of human rights and liberties was seriously questioned\textsuperscript{16}. The one-party mentality inherited by the old regime and the non independence of judiciary power from the executive and political one jeopardized the human rights cause. During this embryonic period cases of violence exercised by police forces against individuals, restrictions of individual liberties as those of media, association and manifestation were registered.

Anyway, steps forward with regard to political and civil rights as well as to economic and social rights are not to be ignored. The free enterprise was guaranteed at all levels without any distinction while the old-style economy of the country gradually transformed into a capitalistic model.

With the adoption of the new Constitution, the legislative framework regarding human rights and liberties continued to improve. The new democratic Constitution endorsed the most important principles relating human rights and raised them to constitutional rank; (individual and collective) human rights and liberties finally lied in their natural habitat\textsuperscript{17}. This constitutional catalogue does not only justly safeguard the centrality of human rights in the Albanian legal culture but also aims to eradicate those archaic notions inherited from the old communist mentality according to which the unconditioned protection of human rights threatens the discretion of public institutions and challenges the State sovereignty\textsuperscript{18}. The centrality and indefeasibility of human rights and dignity\textsuperscript{19}, instead, are the milestone of the new legal order imposing to all organs of the State their full and unconditioned implementation\textsuperscript{20}.

A further fundamental element of the human rights protection system is certainly represented by the art. 17 of the Constitution\textsuperscript{21}. From its analyze clearly emerge the peremptory hypothesis of human rights and liberties restriction: public interest and protection of rights of others; all in full and rigorous respect of the proportionality of the action and, most of all, only by the mean of a law of the Parliament. Furthermore, in any case, these restrictions or limitations shall never exceed those provided for in the echr. In this sense, the Constitutional Court, in a verdict of 2006, literally interpreting the article in question, firmly rejected the possibility of the Council of Ministers to intervene with proper acts (so-called normative acts) aiming the restriction or limitation of fundamental human rights and liberties stating that only the Parliament is the competent organ to legislate in similar cases\textsuperscript{22}.

\textsuperscript{16} See at this regard a detailed report of Human Rights Watch Human Rights in Post-Communist Albania (1 March 1996).
\textsuperscript{17} The current Constitution of 1998 dedicates a whole third part to the question of human rights, duly subdivided into six chapters, respectively concerning: I) General Principles; II) Personal Rights and Freedoms; III) Political Rights and Freedoms; IV) Economic, Social and Cultural Rights and Freedoms; V) Social Objectives; VI) Peoples Advocate.
\textsuperscript{18} See, for more details, Dhima, E drejta., cit., p. 141-163.
\textsuperscript{19} «[…] ne Kushtetuten e Shqiperise, ne dallim nga formulime te tjera ne disa kushtetuta te vendeve demokratike, i eshte dhene dinjitetit te Njeriut, vendi i qarte i partimit themelor kushtetues. Ai sherben si nje baze themelore per te interpretoar te gjitha pjeset e Kushtetutes dhe respektimi e mbrojtja e tj, qendron te fellen te gjitha rendit juridik»; English translation: «To the Men’s dignity, in the Albanian Constitution, unlike similar dispositions of other democratic Constitutions, is reserved a clear status as fundamental constitutional principle. It serves as a fundamental reference for the interpretation of the rest of the Constitution’s dispositions and its respect and protection is the milestone of the whole juridical order», [Omari-Anastasi, E dreja kushtetuese (The Constitutional Law), Tiranë, 2010, p. 69].
\textsuperscript{20} Art. 3 of the Constitution: «The independence of the state and the integrity of its territory, dignity of the individual, human rights and freedoms, social justice, constitutional order, pluralism, national identity and inheritance, religious coexistence, as well as coexistence with, and understanding of Albanians for, minorities are the bases of this state, which has the duty of respecting and protecting them».
\textsuperscript{21} Art. 17 of the Constitution: «1. The limitation of the rights and freedoms provided for in this Constitution may be established only by law for a public interest or for the protection of the rights of others. A limitation shall be in proportion with the situation that has dictated it. 2. These limitations may not infringe the essence of the rights and freedoms and in no case may exceed the limitations provided for in the European Convention on Human Rights».
\textsuperscript{22} Constitutional Court of Republic of Albania, Court Verdict. n. 20, Albanian Helsinki Committee et. Others v. Council of Ministers, 11.07. 2006. In this verdict the Court declared the non-compatibility with the Constitution of three normative acts issued by the Council of Ministers, respectively no. 43, 44 and 48 of 27.01.2006 in the base of the argumentation that, according to the art. 17 of the Constitution, the only body entitled to issue any restrictive law in the field of human rights and liberties is the Parliament: «The expression ‘only by law’ means that in case of restriction of any right sanctioned by the Constitution this evaluation is an exclusive discretion of the legislative power and not of other bodies, Council of Ministers included;» verbatim in Albanian language: «Shprehja “vetëm me ligj” ka kuptimin që në rast se është i nevojshëm kufizimi i një të drejtë të parashikuar në Kushtetutën, atëherë ky vlerësim është në diskrecion vetëm të ligjinësht dhe jo të organave të tjera, përfshirë edhe Këshillin e Ministrave». For further elaboration on Constitutional Court’s jurisprudence concerning interpretations of art. 17 of the Constitution, see Court Verdict. n. 9 (2003); n. 29 (2005); n. 24 (2007); n. 39 (2007); n. 41 (2007).
3. The Role of the ECHR and National Institutions in the Implementation of Human Rights Dispositions

A fundamental contribution in favor of the cause of human rights is given certainly by the institutions and organs provided for in the internal legal system. They are the principal actors invested with the arduous task of converting legal dispositions in concrete actions. In this sense, important organs as Constitutional Court, People’s Advocate, judiciary power as well as all the organs of public administration are some of the most clear examples. It is also to be underlined the contribution given by the non-governmental organizations, international and not, inasmuch as defenders and sustainers of requests coming from the social base. In many cases they are bearers of experiences of exemplar social battles as those regarding death penalty, environmental rights, bioethics, rights of categories of emargined persons, rights of women, of children as well as those in case of humanitarian crisis. The mosaic of the involved actors would not be complete without mentioning the indisputable role of the European Court of Human Rights (Court of Strasbourg) whose contribution to the cause of human rights in the Albanian society is (and has been) of fundamental incidence. If steps forward have been made in the field in question (which in certain aspects are indisputable), it is because of the joint distribution and coordination of the responsibilities among these same actors, serious interlocutors between public power and social base.

In this context, the Constitutional Court, in full and rigorous respect of its competences, left an indelible mark in favor of human rights cause. Considering echr (as well as the Constitution) a strong reference point, the Constitutional Court intervention has given further clarity to the core of human rights compelling even the legislator to take concrete legislative initiatives in order to render internal legislation compatible with echr24.

In other occasions, the Court has gone beyond the spirit of Rome Convention itself and its interpretations given by the Court of Strasbourg, extending for example, even on the basis of the interpretation of the Albanian Constitution, some criminal and civil procedural guaranties relative to the right to a fair trial even in hypothesis of administrative cases. In several occasions the Court expressed its firm opposition in case of improper restriction or limitation of fundamental constitutional rights tracing a clear minimum threshold that should never be surpassed. Having to the Court been assigned the exclusive power of judge of the laws, even with reference to the Strasbourg’s jurisprudence, it has repeatedly sanctioned that any indirect restriction of the right in object (right to a fair trial) provides sufficient evidence in order to censure prejudicial laws or conducts24.

A further important element in the institutional geography of the constitutional bodies involved in the human rights question within the Albanian legal order is certainly represented by the figure of the Ombudsman, or People’s Advocate. The political independence and impartiality, deducible even by the qualified quorum (3/5 of the members of the Parliament) requested for its election, combined with the constitutional guaranties granted for carrying out proper functions render this institution an important factor in the achievement of human rights standards25. Though its competencies are circumscribed to issue recommendations towards institutions considered guilty for human rights violations, its legal capacity to solicit the intervention of the Constitutional Court [art. 134, § (f)] render it an active and

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23 In this sense, the Constitutional Court in a decision of 1999 (Constitutional Court of Republic of Albania, Court Verdict n. 65, 10.12.1999) found incompatible with the Constitution the internal dispositions concerning death penalty in peace time, present either in criminal code or in the military criminal one, on the basis of the argumentation that those dispositions contrast with the Constitution (art. 21 and others) and echr (Prot. No. 6). Although, at the time, Albania had not ratified the Protocol relative to the abolition of death penalty (this Protocol was entered into force in Albania on 1 October 2000) but had temporarily suspended executions, the Constitutional judge interpreted in an extensive way the significance of art. 17, § 2 of the Constitution, considering death penalty a negation, rather than a limitation, of the rights and liberties sanctioned in both instruments (Constitution and echr).

24 The Court, though being essentially a judge of the laws, on the basis of proper competencies (art. 131 of the Const.) set strict limits with concern to individual’s right to a fair trial creating the basis of a correct interpretation and comprehension of this right among all judicial operators. So, in Court Verdict n. 48 (1999); n. 15 (2000); n. 20 e 38 (2000); n. 3 e 4 (2001); n. 9 (2001); n. 17 (2001); n. 24 e 205 (2001); n. 25 (2002); n. 76 (2002); n. 109 (2002) the Court brought out and underlined the inviolability of those individual’s rights whose restriction or denial could deprive from all meanings the right to a fair trial itself. Consider that the violation of art. 6 of ECHR occupies the top rank (45% of the total) among all the violations registered by the Strasbourg’s Court.

25 Apart the constitutional dictate, the competencies and powers of the People’s Advocate are defined in details by the Law No. 8454 of 04/02/1999 «On the People’s Advocate». Though not being invested with executive or decisional powers this institution has the right to make recommendations of legislative nature addressed to the Parliament (or of administrative nature addressed to the respective institutions) aiming the improvement of the legislation in the field of human rights. For what regards the sub-legislative acts considered in violation of human rights and liberties, the silence of the competent institution for more than thirty days from the People’s Advocate solicit implies the suspension and non-applicability of the same act (art. 24 of the Law No. 8454).
effective institution in defense of human rights. The attention of the Court of Strasbourg, for what concerns cases relative to Albania, has been concentrated mostly, but not exclusively, on art. 6 of echr (the right to a fair trial). Aiming to give an as more as possible extensive interpretation of the right in object, the Court never lost the opportunity to firmly underline the importance of the substantial elements of the right to a fair trial; for example, in several occasions, the Court has affirmed with force that, according to art. 6, the execution of a judgment given by any court must therefore be regarded as an integral part of the “trial” for the purposes of Article 6. In concrete terms, in the cases Qufaj Co. Sh.p.k. v. Albania (2004) and Balliu v. Albania (2005), the judge of Strasbourg, referring to consolidated jurisprudence, underlined that art. 6 of the Rome Convention does not concern only the right to a fair trial in the strict sense, but rather a set of minimal guarantees aiming an effective remedy for an alleged breach of the requirement under Article 6 of the Convention.

In other occasions, the Court of Strasbourg certified infringement of several rights and liberties sanctioned in the echr: in particular right to life (art. 2), prohibition of inhuman and degrading treatment (art. 3), right to liberty and security (art. 5), nulla poena sine lege (art. 7), right to respect for private and family life (art. 8), right to effective remedy (art. 13), right to private property (art. 1, Prot. 1) etc.

For what regards, instead, the operation and the contribution of the non-governmental organizations (NGOs) in defense of human rights, there should be mentioned, ex multis, Komiteti Shqiptar i Helsinki (Albanian Helsinki Committee – AHC), Fondacioni Shqiptar per Shoqerine Civile (Albanian Civil Society Foundation – ACSF), Grupi Shqiptar per te Drejtat e Njeriut (Albanian Human Rights Group – AHRG), Qendra Shqiptare per te Drejtat e Njeriut (Albanian Center for Human Rights – ACHR), Institutit Shqiptar i Medias (Albanian Media Institute – AMI), Forumi i Pavarrur i Guas Shqiptare (Albanian Independent Women Forum – AIWF) etc. The lack of a civil society during almost fifty years of communism rendered too difficult the task of these NGOs in the new democratic dimension of the society. This inexistence of civic responsibility tradition has been further on worsened by the unavailability of the ruling class to consider both NGOs and trade associations as direct interlocutors for the definition of the policy-making, inasmuch as representatives of the interests of society. In consequence, the civic conscience of the Albanian society still remains fragile, thanks also to the strong political hostility and polarization that reigns in the Country which has brought sometimes, even to the politicization of considerable part of civic elite exponents; this obviously generated loss of trust on public opinion towards them.

4. Conclusive Remarks

In a country as Albania, where the indelible legacy of the disastrous experience of the past communistist regime still threatens the progress of the rising democracy, the human rights question remains an open challenge. The actual situation in the country shows that steps forward have been made but there is still a lot to do. It is not a challenge against; it’s a challenge for the guarantee of human rights and liberties, for the construction of a society that gives voice to the interests and requirements of its members, that creates the necessary conditions in order that these rights and liberties become a common good at the service of proper citizens. We think there is no example to follow or emulate with fanaticism; the capacity of a well-governed society is expressed exactly in its ability to translate in concrete dispositions and actions the necessities for justice and liberty coming from the social base, in full respect of its history, culture and its best traditions.

26 In its decisions Court Verdict n. 26 of 26/04/2001 and n. 4 of 17/02/2003 the Constitutional Court, fully accepting the People’s Advocate petition invalidated as unconstitutional, in both occasions, the normative acts issued by the government.

27 Albania has been arraigned before Strasbourg’s Court thirty-two times and has been found guilty exactly 27 times mostly for violation of art. 6, art. 8, art. 13, art. 46 and art. 1, Prot. 1.

28 With regard to art. 6 see Case of Marini v. Albania, 18.12.2007; Case of Driza v. Albania and Ramadhi and Others v. Albania 13.11.2007; Case of Xheraj v. Albania 29.07.2008; Case of Dauti v. Albania, 03.02.2009; Case of Behrami v. Albania, 27.05.2010.


30 “Albania did not inherit a ‘civil society’, because there was no separation between the state and society during the communist period, as the state and the communist party had absolute control and penetrated every aspect of society and life. Even before that, Albania lacked civic traditions and independent social organizations and associations. These historical and communist legacies have been and still are among the major obstacles to the construction of a powerful civil society in Albania», (Bogdani-Loughlin, Albania, cit. p. 187).

Factors that Affect Effective Planning Skills of the Teacher in the Classrooms

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Abstract

The main aim of this article is to examine the factors that affect planning skills of the teacher in the classrooms. These factors are: organizing the classroom and the teaching materials; effective implementation of lesson plans; and time management. This phenomenon is handled starting from the students’ perceptions of the high schools in Tirana, Durrës and Elbasan. The approach of this study was quantitative and sample extraction is carried out through the stages sampling technique. For the data collection a Likert scale was used, with a Cronbach alpha coefficient reported, .77, .75, .62, and .65. Through the use of advanced statistical analysis there was identified a model which predicts that intervention in some variables such as, the organizing of the classroom and the teaching materials, effective implementation of lesson plans and time management improves the effective planning skills of the teacher. Results showed that there exists a positive relationship between teacher’s effective planning skills and other variables, which are organizing the classrooms and the teaching material, effective implementation of lesson plans and time managements. F (3,834) = 573.630, p = .000, adjusted R2 = .672.

Keywords: Teaching, planning skills, organizing the classrooms

1. Introduction

Classrooms with more structure have been shown to promote more appropriate academic and social behaviors, as well as greater task involvement, friendlier peer interactions, more helpful behaviors, more attentive behavior, and less aggression (Simonsen et al, 2008). Regardless of the amount of control teachers have over what and how they teach, in order to design and implement effective lessons, every teacher should have a: system for writing daily lesson plans that is easily managed, long-range plan and focused vision, method for obtaining and organizing new teaching ideas, and plan for reflection on teaching strategies and making improvements (Powell, 2009, p. 250)

Research highlights the importance of pupils always being aware of the purpose of the content of lessons, and it also shows that effective learning occurs where teachers clearly explain the objectives of the lesson at the outset, and refer to these throughout the lesson to maintain focus (Brophy & Good, 1990 in Sammons et al, 1995). According to Brophy and Good, these objectives should be related to previous study and to things of personal relevance of the pupils.

2. Literature Review

2.1 Effective planning skills

Good teachers are flexible and respond creatively to what happens in the classroom, but they also need to have thought ahead, to have a destination which they want their students to reach, and some idea of how they are going to get there, and a plan helps to remind teachers what they intended to do (Harmer, 2007, p. 156). Creating and implementing a productive learning environment requires careful planning. According to Emmer and Evertson (2009), classroom management begins long before the students come into the classroom. Effective teachers plan their classroom management before the school year begins, and know what tasks they will need to undertake at the beginning and throughout the year (Simonsen et al, 2008).
Stronge, (2014) states that teachers should consistently plan using state and local school district curricula and standards, effective strategies, resources, and data to address the differentiated needs of all students. For a better instructional planning the author suggests that teachers should continually seek and use multiple data and real world resources to plan differentiated instruction to meet the individual student needs and interests in order to promote student accountability and engagement. According to Stronge (2014), some of the performance indicators are as follow, but are not limited to:

The teacher: analyzes and uses student learning data to inform planning; develops plans that are clear, logical, sequential, and integrated across the curriculum (e.g., long-term goals, lesson plans, and syllabi), plans instruction effectively for content mastery, pacing, and transitions, plans for instruction to meet the needs of all students, aligns and connects lesson objectives to state and local school district curricula and standards, and student learning needs, develops appropriate course, unit, and daily plans, and is able to adapt plans when needed (Stronge, 2014, p. 35).

2.2 Effective implementation of lesson plans

For an effective implementation of lesson plans, teachers should ask students questions about their previous knowledge and experience, match the activities with the set objectives, lead the students to practice the acquired knowledge, and give students the opportunity to work individually, in groups or as a whole class, according to the task being performed. Teachers should also give clear instruction to pass from one activity to another, make sure the students are able to perform what they are asked to, and make a summary of the acquired knowledge at the end of each class.

Loughran (2010) explains that the ideas, information, beliefs and attitudes that learners bring with them to the classroom are some of the elements that comprise what could be termed as their prior knowledge, or knowledge gained prior to formal teaching (p. 57).

In order to effectively implement lesson plans, teachers should have knowledge about activities, and their types. Emmer and Evertson (2009) explain that the term activity describes organized behavior that the teacher and students engage in for a common purpose (p. 88). The authors explain that typical activities in secondary classes include discussions, recitations, group work, presentations, seatwork, and checking, although this is by no means a complete list (p. 88).

Emmer and Evertson (2009) assert that a central theme in managing activities well is the idea of activity flow, the degree to which a lesson proceeds smoothly without digressions, diversions, or interruptions. Activity flow is maintained through three types of teacher behaviors: preventing misbehavior, managing lesson movement, and maintaining group focus (p. 95.)

2.3 Organizing the classroom and the teaching material

The first step in effective classroom management is setting up a physical classroom layout that will facilitate routines and procedure, even though this arrangement should be viewed as a work in progress that will probably be changed multiple times throughout the year as teachers should adjust things for the students’ evolving needs (Powell, 2009, p. 2). How the classroom is organized and decorated can either contribute to or detract from creating a good environment for teaching and learning for students and teachers alike. Regardless of how the classroom is arranged, an atmosphere of comfort, safety, and order is a critical backdrop for effective learning (Marzano et al, 2005, p. 135). Sometimes a sitting arrangement can determine the interactivity of a classroom. In reviewing research on seating arrangements, Lambert (1995 as cited in Evertson & Neal, 2006) concluded that seating flexibility, as opposed to a perpetually fixed seating arrangement, is a necessary prerequisite for an interactive classroom.

Research suggests that the physical environment can have an effect on both the attitudes and achievement of pupils (Sammons et al, 1995, Sprick, 2006, Simmonsen et al, 2008). It was found that the decisions made by teachers regarding environmental arrangements were driven by their philosophies about how students learn. (Evertson & Neal, 2006). Sprick, (2006), on the other hand suggests that the physical organization of the classroom has a significant influence on student behavior. If student desks are arranged in a manner that makes it difficult for the teacher to circulate through the room, student behavior is likely to be less responsible than if the room is arranged so that the teacher can easily be among students (p. 58). Sprick offers the following suggestions regarding the physical arrangement of a classroom; a) make sure you have easy access to all parts of the room, b) arrange student desks to optimize the instructional tasks that students are mostly likely to engage in, and c) minimize the disruptions caused by high-traffic areas in the class (p. 62).

2.4 Time management
Emmer and Evertson (2009), state that effective teachers, who establish an efficient management system from the beginning of the school year, will have more time to devote to student learning, than teachers who are constantly trying to use an inefficient management system, but not all time allocated to academic activities is actually spent engaged in these activities (Marzano, 2001, Brophy & Good, 1984, Doyle, 1984).

Various studies have examined the relationship between time management behaviors and other variables such as academic achievement, stress, and creativity, and these studies have shown that time management behaviors or skills were often related to academic achievement; effective time management lower stress and strain; good time managers preferred planning and organization; older subjects and women engaged more frequently in planning and time management behaviors; and on the other hand, inefficient time use, lack of control over time demands, and inadequate amounts of time appeared to have a negative impact on individuals’ psychological resources (Hellsten, 2012).

Empirical research literature indicates that student achievement is contingent upon wise use of instructional time since it affects various aspects of student learning, and in fact time management studies show that the more time you spend on advanced planning, the less total time required for the completion of the project (Burden, 1981, Emmer and Evertson, 2009). Time management principles can help teachers become more aware of ways in which time can be used to the greatest advantage. According to Burden (1981), an exploration of personal time perspectives is a step toward establishing effective patterns of behavior.

3. Methodology

Population and sampling

The population of this study consisted of all secondary school students in the cities of Tirana, Durres and Elbasan. Out of the total population, a sample of 1020 students was randomly selected as respondents. To ensure equality of representation, the secondary schools were selected to be private and public secondary schools, general and professional secondary schools, and lastly the schools were chosen from the suburb as well as the central areas of the cities. Of all the 1020 participants in this study 35.4% of the respondents were males and 64.6% of the respondents were females.

The instrument

The dimensions included in this paper are; effective communication with students, organizing students for effective instruction, good practices for the assessment and feedback, and effective interpersonal relationship. The questionnaire was designed based on a Five Point Likert scale; 1 - It never happens in my class, 2 - It helps me very little in knowledge acquisition, 3 - It helps me somehow in knowledge acquisition, 4 - It helps me very much in knowledge acquisition, 5 - It is one of the elements that helps me the most in knowledge acquisition.

To ensure the validity and reliability of the data collecting tool, a pilot study was conducted in three secondary schools; each one selected from each city included in the study. The questionnaire was reviewed in the light of the results gained from the pilot study. Cronbach Alpha was calculated to ensure reliability of the instrument (Tab. 1).

Table 1. Instrument reliability. Cronbach’s Alpha of the dimensions included in this paper.

<table>
<thead>
<tr>
<th>Dimensions</th>
<th>Cronbach’s Alpha</th>
<th>Nr of items</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effective planning skills</td>
<td>.77</td>
<td>10</td>
</tr>
<tr>
<td>Effective implementation of lesson plans</td>
<td>.75</td>
<td>10</td>
</tr>
<tr>
<td>Organizing the classroom and the teaching material</td>
<td>.62</td>
<td>8</td>
</tr>
<tr>
<td>Time management</td>
<td>.65</td>
<td>7</td>
</tr>
</tbody>
</table>

Analysis of the data

Data were collected from 1020 secondary school students using a questionnaire. The 1020 questionnaires that were personally administered by the researcher to each respondent were collected back by the researcher personally and the response rate was 100%. The students who refused to complete the questionnaire are not further considered as respondents.

The data was gathered from the survey and transported into the computer statistical package SPPS, version 21. From the analyses of the dependent variable that is perception of the students for the dimension teacher’s effective planning skills has result a non-normal distribution. In this case this variable is transformed into a normal distribution, to meet the assumption of the parametric techniques. (Pallant, 2010).
Table 2. Main question, variables, and analytic procedures

<table>
<thead>
<tr>
<th>Main question</th>
<th>Variables</th>
<th>SPSS Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>How well the three measures of students’ perceptions of effective implementation of lesson plans, organizing the classrooms and the teaching materials and time management predict the variable of the teacher’s effective planning skills?</td>
<td>- Effective planning skills&lt;br&gt;- Effective implementation of lesson plans&lt;br&gt;- Organizing the classroom and the teaching material&lt;br&gt;- Time management</td>
<td>Multiple Regressions.</td>
</tr>
</tbody>
</table>

4. Results and Discussion

The findings derived from the analyses, show that 67.2% of the variance in the variable “perception of the students about teachers’ effective planning skills” can be predicted from the independent variable that are, “organizing the classrooms and the teaching material”, “effective implementation of lesson plans”, and “time management”.

Table 3. The variance of variable “perception of the students about teachers’ effective planning skills”

<table>
<thead>
<tr>
<th>Model</th>
<th>R</th>
<th>R Square</th>
<th>Adjusted R Square</th>
<th>Std. Error of the Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>.821a</td>
<td>.674</td>
<td>.672</td>
<td>.057</td>
</tr>
</tbody>
</table>

a. Predictors: (Constant), Organizing the classroom and the teaching material, Effective implementation of lesson plans, Time management

The ANOVA table shows, that the overall model revealed to be statistically significant, F (3,834) = 573.630, p = .000, adjusted R² = .672.

Table 4. Model summary to predict “Effective planning skills”.

<table>
<thead>
<tr>
<th>Model</th>
<th>Unstandardized Coefficients</th>
<th>Standardized Coefficients</th>
<th>T</th>
<th>Sig</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B</td>
<td>Std. Error</td>
<td>Beta</td>
<td></td>
</tr>
<tr>
<td>(Constant)</td>
<td>1.054</td>
<td>.012</td>
<td>90.018</td>
<td>.000</td>
</tr>
<tr>
<td>1</td>
<td>Effective implementation of lesson plans</td>
<td>.008</td>
<td>.000</td>
<td>.583</td>
</tr>
<tr>
<td></td>
<td>Time management</td>
<td>.004</td>
<td>.001</td>
<td>.213</td>
</tr>
<tr>
<td></td>
<td>Organizing the classroom and the teaching material</td>
<td>.002</td>
<td>.000</td>
<td>.123</td>
</tr>
</tbody>
</table>

a. Dependent Variable: Effective planning skills

Note. n = 1020 $R^2 = .674$, Adjusted $R^2 = .672$, F (3,834) = 573.630, p = .000

An examination of all individual predictors in Table 4, indicates that effective implementation of lesson plans (B = .008, p = .000) is a significant predictor of the teacher’s effective planning skills. This suggests that a higher level of the effective implementation of lesson plans is associated with a higher level of teacher’s effective planning skills. For every one unit increase in effective implementation of lesson plans score, there is a corresponding increase of .008 in score of teacher’s effective planning skills. Time management (B = .004, p = .000) is also a significant predictor of the teacher’s effective planning skills. This suggests that a higher level of time management is associated with higher level of the teacher’s effective planning skills. For every one unit increase in time management score, there is a corresponding increase of .004 in score of teacher’s effective planning skills. Organizing the classroom and the teaching materials (B = .002, p = .000) is a significant predictor of the teacher’s effective planning skills. This suggests that a higher level of organizing the classroom and the teaching material is associated with a higher level of teacher’s effective planning skills. For every one unit increase in organizing the classrooms and teaching materials score, there is a corresponding increase of .002 in score of teacher’s effective planning skills.

The multiple regression equation is:

\[
Y = .008 \times \text{effective implementation of lessons plan} + .004 \times \text{time management} + .002 \times \text{organizing the classrooms}
\]
and teaching materials.

5. Conclusion

At the end of this paper, some results can be concluded. From the population of the students who attend high school in Tirana, Durrës and Elbasan a sample of 1020 students was drawn through the stages sampling method. Out of 1020 students of the sample, just 361 are boys and the other 658 are girls, or 35.4 % are boys and 64.6 % are girls. To answer the question, how well the three measures of students’ perceptions of effective implementation of lesson plans, organizing the classrooms and the teaching materials and time management predict the variable of the teacher’s effective planning skills, multiple regression analysis is conducted.

From this statistical analysis it was revealed that there exists a positive relationship between students’ perceptions of effective implementation of lesson plans, organizing the classrooms and the teaching materials and time management predict the variable of the teacher’s effective planning skills.

More specifically, effective implementation of lesson plan (B = .008, p = .000), time management (B = .004, p = .000) and organizing the classrooms and teaching materials (B = .002, p = .000) were significant predictors of the teacher’s effective planning skills.

References

Public Employees’ Motivation: A Case of the Municipality of Elbasan, Albania

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Abstract

Employees, whether working in private organizations or public institutions, need to be motivated for achieving their own personal goals, as well as the organizational goals. Motivation can be considered as a mechanism that can be used from public institutions’ supervisors for creating and sustaining the desired workplace behavior or activities required for the achievement of both personal and organizational goals, as well as for the enhancement of public service performance. In Albania, there is a relatively insufficient research on the motivation of public institutions’ employees. In order to study the factors that exert influence on the motivation of employees within the Albanian public sector, a research on the motivation of employees in the Municipality of Elbasan (MoE) has been undertaken. The main purpose of this research is to address how public employee performance in the MoE can be enhanced through the identification and analysis of the factors that impact the motivation of this institution’s employees. Questionnaires were used for data collection for the study and the results obtained indicate the role that motivation plays on employees’ performance in the MoE, while prioritized areas for immediate improvements were identified so to enhance job satisfaction, organizational commitment, and eventually organizational performance.

Keywords: Motivation, public sector employees, performance, Albania

1. Introduction

Motivation, as a complex phenomenon and a very important element of behavior, has attracted the attention of many academics and researchers for investigating it through a variety of settings such as, government, public institutions, organizations, and schools, to name few. In general, motivation has accumulated a large body of applied research studying it at the level of the individual, the group, and the organization. Many motivation definitions have been produced seeking to thoroughly describe this phenomenon. In an organizational context, motivation is considered as a mean or method used for getting employees to work and achieve the organizational objectives. As an internal psychological process that causes someone to act or behave in a purposive manner on a situation, motivation in the workplace context is central in enabling employees to achieve high level performance.

Dynamic development of societies requires changes in the public institutions. In Albania, there is a relatively insufficient research on the motivation of public institutions’ employees. No relevant studies or quantitative research have been conducted so to highlight critical problems of employees motivation in the public sector. In order to study the factors that exert influence on the motivation of employees within the Albanian public sector, the research on the motivation of employees in the Municipality of Elbasan (MoE) has been undertaken. The main question that this research seeks to address is how public employee performance in the MoE can be enhanced through the identification and analysis of the factors that impact the motivation of the employees. Specifically, the objectives of this research are: 1) to identify and assess the factors that motivate MoE’s employees most; and 2) to provide recommendations for motivating employees in the MoE so to increase job satisfaction and organizational performance.

The paper unfolds as follows. First the theoretical background is presented. In the second part, the methodology of this research is described. Then, the empirical findings are presented, followed by the discussion of the generated motivation findings in the MoE. The conclusions of this research and motivation recommendations for enhancing employees performance in MoE constitute the final section.

2. Theoretical Background
Employees, whether working in private organizations or public institutions, need to be motivated for achieving their own personal goals, as well as the organizational goals. With reference to workplace motivation, Rainey (1997, p.201) defines motivation as 'how much a person tries to work hard and work well – to the arousal, direction, and persistence of effort in work settings'. Further, Williams (2004, p. 6) explains motivation as a predisposition to behave in an intentional manner for achieving specific and unmet needs, and the inner force that drives individuals to achieve personal and organizational goals. A motivated employee believes that achieving specific goals requires specific behaviors and motivation is an effective tool for encouraging individuals to exert maximum efforts in successfully performing their task or job. Hence, the likelihood of increased efforts, performance, and organizational commitment is greater when employees are properly motivated for achieving their personal goals likewise the organizational goals. Based on the importance of motivation, we can certainly conclude that motivation is a mechanism that can be used for creating and sustaining the desired workplace behavior or activities required for the achievement of personal and organizational goals.

The dynamic relationship between people and their work has long attracted psychologists and other behavioral scientists. Researchers and practitioners have been studying motivation for more than a century and various theories have been offered to help interpret motivation and explain the factors that motivate people to behave in a specific way in the workplace. These theories provide the groundwork for individual workplace behavior and organizational development and can be applied to an array of organizational contexts aimed at motivating employees, but for the purposes of this research the main theory that will be utilized is Herzberg’s Motivator-Hygiene Theory.

According to Motivator-Hygiene Theory, developed in 1959 by Herzberg, Mausner and Snyderman, motivation is composed of two largely un-related dimensions – hygiene factors and the motivators - the first ones are related to dissatisfaction, whilst the second to satisfaction (Herzberg et al., 1959). This theory notes that job satisfaction and job dissatisfaction are no opposites but separate dual continuums and the factors that lead to job satisfaction are different to those that lead to job dissatisfaction (Robbins & Judge, 2009; Champoux, 2011). Meaning that the opposite of satisfaction is not dissatisfaction but no satisfaction, consequently the opposite of dissatisfaction is no dissatisfaction. The factors leading to satisfaction, labeled as motivators, are job content factors because they are related to the nature of the work itself and the rewards that are derived directly from the performance of that work (House & Wigdor, 1967, p. 370). Hygiene factors, on the other hand are job context factors that lead to dissatisfaction, these factors are associated with the employee’s relationship to the context or environment in which the work is performed (House & Wigdor, 1967, p. 371).

Hygiene factors are necessary for the employee to experience in order to prevent dissatisfaction, but do not motivate them since they do not promote employees’ self-development and growth. Hygiene factors are extrinsic job-related factors such as working conditions, salary, job security, organization policies, and quality of supervision. If these factors are missing or offered to an inefficient level cause dissatisfaction and consequently ineffectiveness within the organization (Herzberg et al., 1959). On the other hand, Herzberg’s Two Factor Theory argues that only intrinsic job content factors, the motivators, motivate employees and lead to job satisfaction. Motivators are created by changing the nature of work while fostering ones needs for self-actualization and self-realization in the work. These factors include achievement, work itself, recognition, and growth, and thus employees are motivated when they are provided with the motivators that they find intrinsically rewarded and satisfied (Herzberg et al., 1959). Besides the dual factors of motivation, Herzberg’s theory suggests a two-step process to motivate employees. Firstly, the elimination of dissatisfaction by providing the proper hygiene factors is necessary and following that is the creation of the conditions of job satisfaction by addressing the motivators associated with the work.

3. Methodology

This research study aimed to investigate public employees’ motivation. Data on motivation were gathered from employees working in the Municipality of Elbasan. To guarantee that specific groups within this public institution are equally represented in the sample as well as to have a greater control on the composition of the sample, a simple random sampling was used and respondents were selected randomly. A questionnaire with close-ended questions was compiled for the data collection process. All participants received a 48 – item survey instrument designed to statistically investigate employees’ motivation in the workplace. In addition to the job-related motivation variables relevant to this study, data were collected for demographic and other variables, the analysis for which is beyond the scope of this study. From the 50 questionnaires that initially were distributed, 38 questionnaires were returned for an overall response rate of 76 percent.

4. Results and Discussion
### 4.1 Demographic Data

As shown in Table 1, out of 98 participants, 57.1% were males and 42.9% were females. The average age of the respondents ranged between 31 – 50 years old. Almost half of the respondents had a master degree, while the remaining mostly possessed a bachelor degree. Specialists were dominant in the structure of respondents, making up approximately 50% of the total number of respondents, followed by supervisors (31.4%) and administrators (17.1%). Last, the average length of service in public institution ranged mostly from 2 to 10 years of service (higher distribution – 48% of the respondents – was observed in the time range from 2 to 6 years).

#### Table 1: Respondents' Demographic Data

<table>
<thead>
<tr>
<th>Demographic Data</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>57.1%</td>
</tr>
<tr>
<td>Female</td>
<td>42.9%</td>
</tr>
<tr>
<td>Education</td>
<td></td>
</tr>
<tr>
<td>Bachelor</td>
<td>45.7%</td>
</tr>
<tr>
<td>Master</td>
<td>51.4%</td>
</tr>
<tr>
<td>Doctorate</td>
<td>2.9%</td>
</tr>
<tr>
<td>Working Position</td>
<td></td>
</tr>
<tr>
<td>Specialist</td>
<td>51.4%</td>
</tr>
<tr>
<td>Supervisor</td>
<td>31.4%</td>
</tr>
<tr>
<td>Administrator</td>
<td>17.1%</td>
</tr>
</tbody>
</table>

### 4.2 Job-Related Motivation Factors

One of the main objectives of this research is to address the motivation matter by asking participant “What factors motivate you in your job?” The responses provided are applicable to the Herzberg’s Two Factor Motivation Theory discussed in the previous section. Exploring the importance of these motivation factors is important to creating an environment that fosters. With the results, a public institution may gain valuable information that can be used by supervisors and managers to improve employee motivation and performance. Given that employee performance is an outcome of ability, work environment, and motivation (Griffin, 1990, p. 437), an understanding of what drives an employee to work enhances organizations performance.

The respondents were asked to assess motivation factors according to how much important each is in motivating them to do their best work. Table 2 presents the top six factors that respondents consider as the most important for motivating them. As can be noticed the top motivator selected is job security/stability, this reveals the top concern that employees constantly face due to the political employment phenomenon that is massively adopted in the Albanian public sector. This phenomenon and the general environment in Albania place public sector employees in a position of continuous uncertainty and insecurity for their job, therefore job security heads the list. Although job security is an extrinsic – hygiene factor according to Herzberg’s typology, in the Albanian case it can be considered as an intrinsic motivator because it encircles more than just financial needs but also emotional wellbeing.

#### Table 2: Job-Related Motivation Factors

<table>
<thead>
<tr>
<th>Most Important Job-Related Motivation Factors</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Stability/Security</td>
<td>94.3%</td>
</tr>
<tr>
<td>Recognition</td>
<td>82.9%</td>
</tr>
<tr>
<td>Salary &amp; Benefits</td>
<td>77.1%</td>
</tr>
<tr>
<td>Responsibility</td>
<td>77.1%</td>
</tr>
<tr>
<td>Promotional opportunities</td>
<td>74.3%</td>
</tr>
<tr>
<td>Achievement</td>
<td>71.4%</td>
</tr>
</tbody>
</table>

The second most important item is recognition for the work done. Employees are motivated by feedback and recognition for the efforts they exert. Recognition requires attention from the supervisor or managers, because they usually think they know how to express recognition, but in reality managers seldom acknowledge and express appreciation for the work...
done by their employees (Wiley, 1997). Cherrington (1992, pp.52-53) recommends three principles when expressing recognition to subordinates: describe the desired behavior in specific terms, explain why this behavior is important; and express appreciation with some kind of incentive when the specific behavior is exhibited. Recognition is highly important for all employees in all levels. Recognition for work done has positive motivational effects leading to higher job satisfaction because employees will develop a positive self-concept in terms of esteem, actualization, growth and achievement (Levesque, 1987, p. 36; Lussier, 1997, p. 377).

Given the importance of recognition, respondents were asked to suggest what kind of incentives they would like to receive from their supervisor as a sign of recognition (Table 3). Overall job promotion leads the list; this implies that the primary motivating factor arises from the work itself. Job promotion provides a psychological effect on the employee; it concentrates on the intrinsic needs such as achievement, influence, and personal growth, and as such boosts self-esteem due to public recognition (Dawson and Dawson, 1990, p. 80). Financial incentives come second. Money is an extrinsic motivator, and therefore it does not come from the work itself. Monetary rewards are short-term motivators without having a long-lasting effect on employees' motivation. Recognition for the work done may be also manifested in other non-financial ways as well, such as professional development, increased responsibility, time off, or flexible work schedule. These non-financial motivators have longer lasting motivating effects and take into consideration the emotional needs of the employee.

**Table 3: Recognition Incentives**

<table>
<thead>
<tr>
<th>Recognition Incentives Ranking</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Promotion</td>
<td>97.1%</td>
</tr>
<tr>
<td>Money</td>
<td>94.3%</td>
</tr>
<tr>
<td>Professional Development</td>
<td>51.4%</td>
</tr>
<tr>
<td>Increased Responsibility within current job</td>
<td>54.3%</td>
</tr>
<tr>
<td>Time off</td>
<td>40%</td>
</tr>
<tr>
<td>Flexible Work Schedule</td>
<td>40%</td>
</tr>
</tbody>
</table>

Referring again to Table 2, the third ranked factors are Salary and Benefits, as well as Responsibility. The Albanian economic circumstances in combination with the standard of living reflect the importance of salary and other monetary benefits in public institutions’ employees. Herzberg’s two-factor theory classifies salary as a hygiene factor which does not cause job satisfaction, but if the amount of money the employee receives does not correspond to the time and quality of work done that may lead to job dissatisfaction (Armstrong, 2007, p. 66). Motivation is a psychological process which is highly affected by the employees’ health and mental attitude, hence in order for them to be motivated and satisfied with their job they need to have certain basic needs fulfilled and money is the only mean to satisfy these needs. Therefore, money is an important motivational factor especially for operative employees and in some case for managerial employees as well (Chhabra, 2010, pp. 117-118).

Responsibility, promotional opportunities, and achievement are all forms of intrinsic motivation reflecting job enrichment and self-actualization, therefore if properly managed job satisfaction will be enhanced and eventually institutional performance. Motivation is an effective tool for creating inspiration and confidence, therefore by creating the proper conditions which may increase responsibility or provide greater possibilities for promotions or other achievements the “will to work”, which is crucial for the achievement of organizational goal, is founded.

Responsibility, allows employees to take on some responsibilities and autonomy in their current job that normally assigned to supervision or management. In this manner the employees feel that their job is more interesting and provides them more recognition and opportunities for growth. In line with responsibility, come the promotional opportunities which in different settings generate increased motivation. In general, the goal of promotion is twofold, first to put an employee in the right job, and second to generate motivation (Gibbs, 1996, 2). The reason why promotion is considered as a very important motivator is because in many cases is considered as a form of pay per performance, but especially in public institutions where hierarchy is dominant promotion is also a source of reputation. It is the professional history of positions which provides the greatest evidence on growth and achievement. Last, achievement is strongly related to motivation and job satisfaction. Achievement is a sense of success on ones job and is directly linked to productivity and personal well-being. In a public institution setting, achievement is considered as a strong source of job performance because employees with high achievement motivation are result-oriented and possess strong instincts and determination of achieving both individual and organizational success (Epstein and Harackiewicz, 1992, 129).
4.3 Subgroups Analysis

So far we have looked the responses regarding the most important job-related motivation factors. But, it is important also to analyze the responses by subgroups, e.g. gender, age, education, working years, and position, to determine whether if there are variations in respect to these demographic variables. Not all demographic groups of employees place the same importance on each of the twelve factors. Individuals at different age, with different working years and position, may exhibit different motivational values.

Gender

When responses of men and women were analyzed, differences were found in their motivational preferences. A non-parametric test of significance revealed that females and males were different (at $p < 0.01$) at job stability and security, responsibility, promotional opportunities (see Table 4). Women place greater importance on job stability and security and promotional opportunities. The males, on the other hand, place more emphasis on responsibility.

Age

Four age groups were analyzed (22-30; 31-39; 40-50; and over 50). Based on a one-way ANOVA analysis, that there exist no significant differences (at $p < 0.05$) in the ranking of motivational factors in this subgroup besides self-development and growth factor where employees in the 31-39 age group place a greater emphasis (see Table 4).

Education

No significant differences were found in the motivational factors when responses were analyzed by education. A one-way ANOVA revealed that the only factors that differ in ranking among this subgroup (at $p < 0.05$) are training opportunities and self-development and growth, for which employees with a doctorate degree have ranked as very important (see Table 4).

Working Years in Public Institution

When the responses were analyzed by the working years in public institutions through a one-way ANOVA, significant differences were found (at $p < 0.05$) in quality of supervision, training opportunities, and self-development and growth (see Table 4). For those working for two or more years, quality of supervision is considered as an important motivational factor. With reference to training opportunities and self-development and growth, those who have been working in a public institution for a period of time from 5-10 years are considered as less important.

Position

When results are analyzes according to the working position, in general no significant differences were found. A one-way ANOVA revealed that resulting rankings of employees in different working positions were statistically different at the $p < 0.05$ only for the salary and benefits motivational factor, those working in supervision positions place less importance on salary and benefits in comparison to specialists and administrators.

Table 4: Summary Information of preferences for each job-related motivational factor

| Subgroups reporting higher positive significance for a factor’s importance |
|---|---|---|---|---|
| Factors | Gender | Age | Education | Working years |
| Salary & Benefits | Specialists & Administrators | | | |
| Quality of Supervision | Women | | | 2 years |
| Job Stability/Security | Men | | | |
| Responsibility | | | | |
| Training opportunities | Women | | | 0-5 years & > 10 years |
| Promotional opportunities | | | | |
| Self-Development and Growth | 31-39 years | Doctorate | 0-5 years & > 10 years |

5. Recommendations for Public Institution Management

The striking result of this research is the clear indication of job security, recognition, and money as motivators. Currently, the Albanian economic and political circumstances jeopardize the future employment and the standard of living of the Albanian public institutions’ employees. Because employees overall expressed the importance of job security as a motivator the Albanian Civil Official Law is critical. Although this law is in force, a wide understanding and implementation of it is missing. Therefore, employees need to be well-informed in terms of the rights and restrictions arising from this law.

Clearly employees need reassurance about job security, but they also place high importance on recognition.
Recognition is imperative in enhancing employees' self-esteem and confidence by recognizing their contributions. Giving feedback and recognition has a positive psychological effect on employees. Recognition for work done may be manifested through promotional and development opportunities and money; filling positions from inside the institution can be an effective recognition tool. Money, in its clear form, on the other hand is difficult to be implemented in a public institution due to the strict regulations on payments, but promotions in most of the cases are considered by the employees as an indirect form of increased salary. Additionally, recognition can be supported by increase responsibility and autonomy in ones job, through flexible scheduling or time off providing in that manner freedom to pursue training or educational degrees.

Public institutions employees' motivation becomes more complicated when salary and benefits enter the equation. Scholars argue that public employees have an intrinsic motivation to serve the public good. Nonetheless, in Albania the intrinsic motivation, as well as the general public service morale is stranded in low levels. Public sector employees continuously demand higher wages but government budget cannot satisfy this consistent demand. Due to the Albanian governmental and economic constraints, the Albanian public institutions need to place greater emphasis on intrinsic motivation rather than to the extrinsic one such as salary. Therefore, tactics for applying public service motivation - selecting candidates with public service values, designing meaningful jobs, creating conducive work environments, and encouraging leaders with values and promoting civic-minded societies (Paarlberg et al., 2008) - are a prerequisite for enhancing public sector employees' motivation.

6. Conclusions

Employees, whether working in private organizations or public institutions, need to be motivated for achieving their own personal goals, as well as the organizational goals. Motivation, as an internal psychological process that causes someone to act or behave in a purposive manner on a situation, in the workplace context is central in enabling employees to achieve high level performance. In the Albanian public sector exists an inability to effectively motivate employees so to increase job satisfaction and performance, therefore the purpose of this research was to study the factors that exert influence on the motivation of employees within the Albanian public sector, specifically in the Municipality of Elbasan (MoE). The objectives of this research were: 1) to identify and assess the factors that motivate MoE’s employees most; and 2) to provide recommendations for motivating employees in the MoE so to increase job satisfaction and organizational performance.

The participants of this research ranked as the top six factors that motivate them in their jobs:

1. Job Security
2. Recognition
3. Salary and Benefits
4. Responsibility
5. Promotional Opportunities
6. Achievement

The findings of this research also suggest that regardless of gender, age, education, working position and working years, employees in the MoE seem to be of one accord regarding recognition as a motivational factor. In terms of job security female employees seem to place higher emphasis, whereas male employees emphasize responsibility. With reference to the working position salary and benefits are more important for specialists and administrators. Furthermore, those who hold a doctorate degree and have been working in the public sector for 2 to 5 years or more than 10 years ranked training and promotional opportunities as a very important motivational factor. Last, self-development and growth are ranked as important factors from those employees who are 31-39 years old, have a doctorate degree, and have been working in the public sector for 2 to 5 years or more than 10 years.

These factors reflect the currents state of employee needs in the Municipality of Elbasan and imply that a recognition incentive system and public service motivation strategies and tactics may be used for motivating employees in order to create and sustain the desired workplace behavior required for the achievement of higher individual and institutional performance.

References

Problems and Challenges Facing Today's Construction Sector in Albania

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Abstract

In the early 90's one of the most powerful sectors of the economy has been the construction, which has seen considerable growth in value. Today this market is growing at a slower rate than in the first years of transition. Some of the causes of this progress are the world economic crisis, limited sources of financing, the informal economy, etc. Through the study of foreign literature and the experiences of the country in this field we try to identify the problems encountered today in the construction sector and its prospects. This paper will present the construction sector as a whole, from its impact on GDP, the funding problems, and the constant requests from the sector for improvements in the tax system. Through a survey conducted in major construction firms operating in Albania we realize that construction firms should pay more and more attention to the improvement of management and they must start to work with studies and projects prepared before. Regarding the methodology used, most represented by: Secondary data carefully analyzed seriously. The methodology used is based on analysis of legislation in this area as well as studies conducted in developed countries. Are used in various international reports, conference papers, statistical database, online publications, and various online sites to meet the objectives of the study in question. Primary data that are acquired through survey of construction companies and meetings with representatives of tax authorities. The difficulties were mainly related to the skepticism on the procurement of information. The construction sector and construction activities are considered major sources of economic growth. It can be considered as a mechanism for generating employment by providing employment opportunities to a large number of unskilled employees, semi-skilled and skilled.

Keywords: construction sector, financial crisis, economical crisis, gross domestic product.

1. Review of Literature

For the construction sector, has an extensive literature and world manifold. Are focused on developments that have occurred in the field of management and accounting contributions and accounting standards in this development. The International Standards are specifically referred to 11 on "Construction Contracts", which stops specifically in the recognition of revenue related to this sector, the important point for determining the exact result on the basis of which the obligations are calculated on the state budget. Local literature to which they are mostly related to the publications of the Association Constructors, which takes the analysis in detail all the problems, constraints and administrative obstacles facing the sector nowadays.

2. The Role of Construction in the Albanian Economy

The process of transition from a centrally planned economy to a free market economy is not only associated with the transformation mechanisms and infrastructure for the functioning of markets, but above all with the need of development and creation of instruments and the new legal spaces, institutional, economic and social policies aimed at increasing the efficiency and use of public and private sources. Ratings and economic developments confirm that the Albanian economy over the last decade is characterized by a high economic growth and sustainable.

According to Albanian Institute of Statistics (INSTAT) and to the bank of Albania, during the transition period one of the most powerful has been the construction sector, which for years had risen considerably. Highest percentage of contribution are made by the years 2000 and 2004 respectively to 2.6%, 2.5%, 2.1% and 2.6% versus Gross Domestic
Product (GDP). In this sector is estimated to have over 50 thousand employees. The construction sector accounts an important contribution in our Gross Domestic Product (GDP). In terms of percentage on GDP from the construction sector see the table below. for about 10 percent of Gross Domestic Product (GDP).

Table 1: The Structure of construction sector in percentage on GDP

<table>
<thead>
<tr>
<th>Years</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction sector</td>
<td>12.90%</td>
<td>13.40%</td>
<td>9.40%</td>
<td>8.50%</td>
<td>9.40%</td>
<td>8.80%</td>
<td>7.70%</td>
<td>10.50%</td>
<td>12%</td>
</tr>
</tbody>
</table>

Contributes to the state budget every year in the form of fees and taxes, as follows.

The construction sector is the largest contributor to income tax in the country. In terms of fiscal revenue in the form of VAT from the construction sector in relation to other sectors we have this statement (in bln Albanian Lek - ALL):

Table 1: VAT of construction sector in years

<table>
<thead>
<tr>
<th>YEARS</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>REVENUES FROM TAXES AND CUSTOMS</td>
<td>123101</td>
<td>176808</td>
<td>205292</td>
<td>208870</td>
<td>223019</td>
<td>235509</td>
<td>232591</td>
<td>224105</td>
<td>260517</td>
</tr>
<tr>
<td>VAT</td>
<td>58161</td>
<td>87771</td>
<td>107094</td>
<td>110062</td>
<td>113998</td>
<td>114000</td>
<td>113970</td>
<td>107570</td>
<td>125048</td>
</tr>
<tr>
<td>OTHER SECTORS</td>
<td>43039</td>
<td>64951</td>
<td>80320</td>
<td>81446</td>
<td>85498</td>
<td>84610</td>
<td>84340</td>
<td>80678</td>
<td>93786</td>
</tr>
<tr>
<td>CONSTRUCTION SECTOR</td>
<td>15122</td>
<td>22820</td>
<td>26774</td>
<td>28616</td>
<td>28500</td>
<td>29390</td>
<td>29630</td>
<td>26892</td>
<td>31262</td>
</tr>
</tbody>
</table>

3. Problems and Challenges of the Construction Sector: Informal Economy

Situation of very prolonged transition that is going Albania today, is accompanied by a series of social and economic factors have created significant disproportion, social, economic, cultural as well, creating a suitable ground to avoid in order to open as statistical records and fiscal obligations. One of the sectors where you see that is not present on the implementation of legislation is the construction sector in particular given the whole production of construction materials.

Activities to be undertaken by the informal sector often performed in conjunction with one another, creating new forms of relationships between production, thus the construction and consumer companies, including construction companies and other consumers. In reality Albanian practice, faced with the obligation activities, unregistered, the immeasurable, which often rely on models of cooperation, mutual assistance, which are invisible to the authorities. Among the concealment of an activity may include: - Development of activity in terms of tax evasion (VAT, taxes, etc.), - Shunning social contributions by not respecting the rules on working time, minimum wage, etc., - Lack of permits, licenses and other authorizations necessary administrative activities to develop.

The construction sector plays an important role in the growth of income per capita, as is engaged in a significant proportion of the active work force.

Although this sector has a large number of employees, compared with other sectors of the economy, the construction sector is ranked first with regard to illegal employment (as a form of appearance of informality). The existence of a high number of small enterprises in construction, made it difficult to control the labor market given the fact that trade union organization in this sector is in relatively poor condition. Responsibility for the very large size of the black labor in the construction sector is common because the state does not provide the appropriate level of law enforcement. Employers have a big responsibility too because they do not do not declare the necessary data for the construction sector.

Employee despite these difficulties should increase requirements to organize a union. They are not functioning properly union organization in this sector, and this makes difficult the control of the labor market. It is understood that the consequences of black market labor are heavy as in the economic, fiscal, and social, such as: -carrying deficit in the state budget; -decrease in income for Social Security accounts; -tax evasion related to income tax; -creating a vulnerable social stratum.

The economic consequences of financial crisis - Serious international economic crisis and its financial consequences are increasingly reflected the economy of our country. As mentioned above the construction sector has had and has a considerable weight in the budget, but this sector is currently suffering a lack of liquidity and funding, first because of the collapse of the banking credit to a general economy and construction sector in particular, and secondly, due to the fall of remittances from Albanians living abroad. The latter was known as an important source of financing for
Albanian construction market. Since 2008, there is a significant reduction of throughput in the construction of housing. A strong reason for this decrease is the domestic market supersaturate constructions. Thus, if we take as an example in 2008, had very low turnover and the 2500 annual company registered at national level, about 600 have not worked. In the same period, has significantly increased the number of apartments, or unsold commercial environments. This reduction of the annual turnover is most noticeable in companies principally engaged in construction of apartments, while companies that are involved in public works (funded with state tenders) have increased the volume of their turnover.

What is actually observed decline in revenue, and laps too low compared to others, the companies active in the establishment of residential buildings. Indeed, the decline in construction sector this year was launched following the collapse of the last three years. The construction sector by 2014 sales reached a level of about 20% lower than in 2013, while the decline was reflected in the amount of constructed surface and volume of work performed.

According to INSTAT building materials prices have increased by about 22% and low sales have hindered the recovery of funds. Construction prices during 2014 have increased less than they have grown from year to year. This is another sign that this sector is in trouble. According to the Bank of Albania fall in construction can provide rapid effect in the decline of economic growth as this sector is the most important contributor to the economy or sector with the largest contribution. Building collapse in such a percentage is very important to make the most critical level of expected growth. The state sector in 2014 has managed to carry a volume of works and spend an amount of money in building greater than 2013, while the decrease is found in private business. The fact that the decline in construction related mostly to private business declined indicates that some other indicators, such as purchasing power, cost of production, the climate has deteriorated to obtain a building permit, etc.

Bank of Albania in its reports to the public has often expressed concern about developments in the construction sector and states that fall in this sector can bring the entire economy as weakening the banking system is connected more with the construction sector, and majority of loans for the building is oriented. This concern of the Bank of Albania enables us to conclude that the decline in growth rates of the construction sector can lead to increased number and value of bad loans.

4. Financing Options

For many years, construction activity is funded in a slightly strange and interesting. Once a construction company received a permit to build an object (which is often such a thing does not happen), just before it needed to start construction. Very soon started bookings for apartments and business facilities, a process which continued until the full completion of the facility. The firm offered a discount for flats and shops sold. In financial terms this method of financing has two positive aspects: First, it provides the liquidity needed to continue further activity (to complete the facilities started). Second, given that for a period of time the firm had received advance money for the facility it is building, this means that it has secured the implementation of income.

If the price will fall flat, income for a construction firm will not fluctuate, because it has signed long term contracts and have received money in advance. Exposed to this risk would be buyers who at the time of signing the contract (purchase in advance), have ownership and title over these apartments. In contrast to the apartment price growth brings benefits to the buyer (the same as income from stock price growth) and revenues of retailers are still constant.

Internal migration and factors related to the elasticity of demand for apartments did the price of the latter to grow rapidly. Being a good profit this sector is not left outside attention of investors. As a result of increased competition this led to a construction firm, which had been an important segment of the market intended for keeping and why not to extend it further. Meanwhile, in recent years the market is growing at a slower pace than in the first years of transition. Demand for residential buildings has been reduced. The construction sector is showing signs of decline, in circumstances where: the market is over saturated, banks reduce lending, is the Albanian Lek depreciated and is strengthening euro, there is a high competition in this sector and the latter is characterized by price fixing the apartments. This is due to high profits accumulated by these investors, profits which are not in proportion with the risks to which they have undertaken in this business.

Despite the problems mentioned above, the construction sector has faced so far this sector has remained steadfast in fixing the selling prices, retail prices remain high, even though demand for apartments has fallen.

In these conditions, questions naturally arise: Where will the funds available to finance construction projects? What will be the future of construction firms?
5. **The Survey Results**

According to Albanian Institute of Statistics (INSTAT) 2014 employees in construction firms occupy 16.1% of total employees. Fluctuations of these entities have consequences at the macroeconomic level.

Purpose of the survey: Presentation of the current situation of the construction companies, the problems they encountered and their projections on the business climate.

6. **Research Methodology**

To conduct the survey was undertaken the following steps:

1. **Determination of data to be collected during the survey.** We asked to the construction companies about the time of operation in the Albanian market, about the cost of raw materials, and workshop materials, about the problems and concerns of the financing of projects, about the participation or not in the state procurement and finally about the use of statistical methods.

2. **Design of the survey.** To realize the survey we used question closed primarily with skirt. To prevent the subjectivity of the respondents to the question we used the open edge, to prevent also the concentration effect of responses. We also grouped the questions under the similar aspects.

3. **Sampling.** The population in this survey consists of all businesses in the construction field. Number of construction firms is 3,292 (INSTAT, 2014). There are two types of sampling:

   1. Non-probability sampling. These types are divided: a) Eligibility; b) The intentional. Following the probability sampling, every element of the population has a known prior probability. The size of the sample was 117 surveys completed.

7. **Summary Results**

From the answer about the age of firms we saw that 73.46% of firms surveyed have been operating in the range of 5-10 years. The construction sector is seen as a sector in decline and unable to generate jobs. This fact is inconsistent with the survey conducted by INSTAT in 2014, where the result that employment in this sector increased by 1.0%.

The construction companies also are unanimous in admitting that they have to delays in payment and delay the liquidation of purchase invoices. Sources of funding are internal and only a percentage of 26.56% are from bank loans.

Problems the construction companies are facing by the questionnaire analysis are linked with:

- low borrowing from banks as a result of: collateral, high interest rates and bureaucracy; with Fiscal Legislation in the construction sector which is unclear and the extent of information is insufficient; with exaggerated requirements to obtain a building permit.

An interesting point results from the answers about state funds procurement. So about 76.5% of construction companies participate in public procurement. For all construction companies the main problem is the delay of the payment for the work completed.

Most of them uses or has used planning and evaluation methods to determine project costs.

8. **Conclusions**

The construction sector and construction activities are considered major sources of economic growth. It can be considered as a mechanism for employment generated offering employment opportunities to a large number of unskilled employees, semi-skilled and skilled. Construction planning is a fundamental and challenging activity in the management and implementation of construction projects. This process includes the selection of technology, definition of work, assessment of resources required and duration of specific tasks, and identification of interactions that connect some activities. A good construction plan is the basis for developing the budget and work planning. Prepare the building plan is a critical task in managing the construction. The problem of financing the projects is a key element in launching them or not. Prior owners raised various solution alternatives. Depending on the type of facility to build, technical terms, difficulties in analyzing alternative financing plans to select one that is more optimal value, without sacrificing quality of work and objectives of other builders.

Use of accounting standards in construction also seen as likely to report good quality financial situation. Submission to rules that impose standards will do avoid the phenomena that were mentioned during the paper on the attempt to tax evasion by construction firms. Reporting quality and reliability associated with banks and other financial
specialists of the construction sector to provide necessary funds for the activity.

After evaluation of the cost monitoring and control of its construction makes the firm to react quickly to the differences that arise between performance budgeting and spending. The project manager construction facility must analyze the causes of these deviations and then make appropriate corrections in planning.

References

INSTAT, Center for Research and Development, Tirana (2009), A study about the difficulties and obstacles albanian construction companies are facing.
Money Supply and Prices Relation in Albanian Economy

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Abstract

Paper aims to examine the relationship between money, represented by M1, and prices, represented by Consumer Price Index (CPI) in Albania. Monthly data are used from 2000:M1 to 2015:M1. Particularly, paper represents the relation of these variables in different economies similar to Albanian economy. The main part includes an econometric model, implementation of Johansen Co-integration Test which will correctly disclose the relationship of M1 and Inflation. In the last part of the paper, as it was forecasted the empirical results reveal positive relation between the variables, indicating that increase in money supply would consequently lead to an increase in inflation.

Keywords: inflation, money supply, Albania, co-integration test.

1. Introduction

Albania as a post communist country has passed difficulties in development and progress of economy and social aspects of life, the year after the regime collapsed was followed with economic downturn, social problems and emigration. Even though it has not passed through pre transition period, after 1991 the progress was substantial, the stabilization program supported by International Monetary Fund (IMF) proved to be very efficient. In 1997 the development was jeopardized by a period of turmoil passing through a very challenging situation, recovering from pyramidal schemes, social and political problems of civil hooliganism made that year the hardest obstacle of the transition period. From 1998 to present Albania has experienced positive growth rate and low inflation rates. Services, constriction and agriculture sectors are the main sources of GDP per capita of population (INSTAT, 2015). According to the Law “On the Bank of Albania”, the primary objective of the Bank of Albania is to achieve and maintain price stability (BoA). This implies to target low but positive inflation; quantitative expression is 3.0 % with tolerance of +/- 1%. By targeting inflation Bank of Albania tries to achieve economic growth and safeguard financial stability.

Albania after communism has repaired the economic and social aspects of development, many of macroeconomic indicators have been stable and have achieved the forecasted values, but still it remains to be a developing country under progress. As argued by Bolle and Meyers (2006) national currency is also one of these indicators, which has been mainly stable but still high level of dollarization means that it has not achieved the BoA’s objective to have financial and economic stability.

M1 is broadly accepted as narrow definition of money supply, considering mainly currency and checkable deposits, the money nation’s use for day-to-day economic transactions. The behavior of M1 is monitored by Central Banks of States. In Albania responsible for controlling and monitoring of money supply is Bank of Albania (BoA). CPI on the other side is an index that produces monthly data on changes in the prices paid by consumers for respective basket of goods and services. These two variables will be used in order to find out the co-integration of money supply with inflation in Albania.

This paper will be consisting three major divisions; the first part of the paper maintains the literature review, which will give a broader picture for the variables used in this model and for the relation of the money supply and inflation in other Balkan countries and other developing countries across the world, having similar economy as Albania. The second part of the paper, which is the main part, will be elaborated by performing econometric modeling and testing in Eviews8. Tests which will be performed are Unit Root testing for stationary and non stationary data, Johansson Co integration test and Granger causality test. These will give concrete empirical results related to relation of the money supply and inflation in Albania. The last part of the paper will conclude and review the results founded by the tests performed, in order to sum
up the relation of M1 and CPI in Albanian economy, based on monthly data for 14 years.

2. Literature Review

In a very broad range of studies done related to relation of money supply and inflation, majority of them are considering it as very important issue and highly reliable in determining the financial and macroeconomic stability of countries. Based on the literature and Central Banks expectations and results, in majority of developing and developed countries this relation is positive, but high dependence of Albania’s monetary policy on European Union policies can cause the relation to deviate from expectations, as country is trying to adopt the policies of the Union.

A very significant study was conducted by Simic & Malesevic-Perovic (2012) related to 6 Balkan countries; Bulgaria, Coratia, Macedonia, Romania, Slovenia and Turkey. The main objective of the study was finding out the relation of output and prices to a shock in monetary policy, finding out that monetary policy is inefficient in effecting output and prices as this countries are limited in monetary policy usage. In more detailed in Bulgaria prices and monetary policy show positive relation but the study considers this finding not to be very effective as Bulgaria is a small country in Euro area and has strong links on economic indicators of Europe. Croatia shows to have negative results in first few months and than the positive effect of the monetary policy shocks is seen on prices, considering Croatian case as having some effect on prices. Croatia has exchange rate targeting which gives them few freedom in conducting monetary policy. In Macedonia the effect of monetary policy shock on prices is negative even with 8 lags and to conclude the authors suggest that monetary policy may effect prices for a while. In Romania there is no effect of monetary policy shocks on prices, another country that is part of the sample is Slovenia which has positive effect of monetary policy on prices but it is not able to effect the prices and the main reason given from the author is the preparation for the euro area membership and alignment with ECB monetary policy. As the five countries discussed above have not been able to have effect on prices even though some have positive effect of monetary policy with prices they are statistically insignificant, contrary to them Turkey has positive effect of monetary policy on prices and the relation is statistically significant. The main reasons explained by the authors as support to the results are; Turkey is larger economy comparing to 5 other countries of the sample and the link of Turkey with Euro is weaker. These findings are in contrast to the evidences for developed countries, but as the sample countries are not having very stable monetary policy and macroeconomic indicators because of being still not developing process. Their indicators are highly affected by ECB policies and laws.

Another significant study was conducted by Suriname from Gautsankar at al. (2011) finding out the relation of money and prices using annual data for M1 and CPI for period 1980-2010. The tests used were bivariate dynamic vector autoregression model which enabled the usage of Granger Causality analysis to examine the long run and short run relationship. Results show that the long run relationship is run from prices to money and not from money to prices. This contrast finding related to other economies has been attributed from the others to occurrence of several episodes of currency depreciation and wage price incidents during 1980s and 1990s. In short run the relation of money and prices is positive.

Paun and Topan (2013) in their study for inflation and money relation for Romanian economy conclude that; inflation is the main monetary phenomenon with structural monetary causes, but consider M2 is more statistically effecting inflation and there are no statistical relevance that M1 effects inflation. In Romanian economy credit expantion has high relevance in inflation as it is part of M2. Authors suggest that more sophisticated tools should be employed in order to convey simple ideas that were common knowledge among respectable economists, including here the fact that inflation has effect on fiat money contemporary setting, with increases in money supply managed by central banks.

Madurapperuma (2007) considers that the discussion of the relation between money, inflation and growth should be revisit. The evidences of this working paper confirm a strong positive relationship between money and prices, money causes inflation. The study indicates a weak relation of growth of money and real economic growth. Paper concludes that money and inflation both are man created phenomenon, so there is place for further discussion to “cure” this illnesses.

Another significant study done by Katafano (2000) on the working papers of the National Bank of Fiji found out the simple correlation shows relationship of monetary aggregates with inflation and nominal GDP. Venezuelan economy needs to reconsider the monetary policy strategy because of; testing of the cointegration of M1 with CPI shows that they are related in the long run and the adjustment problems of fixed exchange rate system, suggests Olivo and Miller (2000) in the study done.

Literature considers that inflation and money have affected continuously each other and are man created phenomenon, generally from central banks of countries. An important point to put the light on is that countries with lower development and highly depended on policies of Unions, Example Balkan countries and their relation with EU, do not show a positive relation of M1 and CPI, a hypothesis for this situation can be indirect effect of European Union policies on
countries that are in the process of being part of it. Developing countries are trying to have their monetary policies in accordance with EU policies, in order to accelerate their integration.

3. Data and Methodology

In order to examine the casual relation of prices and money supply in Albania, additionally to literature review and conceptual framework, econometric analysis is very important. The study employs monthly data from 2000:M1 to 2015:M1 used so for a 14 year period. Data for this research are obtained from Central Bank of Albania (BoA). All tests are performed using statistical program Eviews 8. Prices are shown through CPI while money supply is presented as M1, which measures the most liquid components of money supply.

The regression model in this study is: $M1 = a + b_1 CPI + e$

$\beta_1$: Intercept is the estimated regression coefficients
$e$: is the error term
M1: Money Supply, dependent variable
CPI: Customer Price Index, independent variable

The hypothesis for this equation is represented by the following:

$H_0$: M1 is dependent on CPI
$H_1$: $H_0$ is not true

Table 1: Estimates from Regression

<table>
<thead>
<tr>
<th>Variable</th>
<th>Coefficient</th>
<th>Std. Error</th>
<th>t-Statistic</th>
<th>Prob.</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOGCPI</td>
<td>1.722273</td>
<td>0.117857</td>
<td>14.61328</td>
<td>0.0000</td>
</tr>
<tr>
<td>C</td>
<td>2.611198</td>
<td>0.658735</td>
<td>3.963955</td>
<td>0.0001</td>
</tr>
<tr>
<td>R-squared</td>
<td>0.544005</td>
<td>Mean dependent var</td>
<td>12.23436</td>
<td></td>
</tr>
<tr>
<td>Adjusted R-squared</td>
<td>0.541457</td>
<td>S.D. dependent var</td>
<td>0.333167</td>
<td></td>
</tr>
<tr>
<td>S.E. of regression</td>
<td>0.225607</td>
<td>Akaike info criterion</td>
<td>-0.129060</td>
<td></td>
</tr>
<tr>
<td>Sum squared resid</td>
<td>9.110801</td>
<td>Schwarz criterion</td>
<td>-0.093717</td>
<td></td>
</tr>
<tr>
<td>Log likelihood</td>
<td>13.67992</td>
<td>Hannan-Quinn criter.</td>
<td>-0.114731</td>
<td></td>
</tr>
<tr>
<td>F-statistic</td>
<td>213.5479</td>
<td>Durbin-Watson stat</td>
<td>0.513360</td>
<td></td>
</tr>
<tr>
<td>Prob(F-statistic)</td>
<td>0.000000</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In Figure 1 the graphical line plot represents the variables, money supply and prices in Albania. As it can be observed from the graph below they move in the same direction even though they have huge difference in the values (one of them high and the other small), the most visible fluctuation was in 2013 in CPI. While on Figure 2 the graphical scatter plot represents the relation of the variables, obviously they move in the same direction with very low fluctuations time to time.

![Figure 1: Line graph representing Money Supply (M1) and prices (CPI)](image-url)
4. Empirical Findings

Below in Table 2 and Figure 3 (A and B) are shown the group statistics performed with Eviews in order to test the normality of the data distribution. Check of Skweness and Kurtosis for the variables show that both variables are not perfectly bell shaped and asymmetric, even though money supply skewness is more near to 0 and kurtosis is near 1.5 that is sometimes considered to be acceptable, results lead to the conclusion that our variables have unit root presence. For the variables to have normality the skewness should be close to zero and kurtosis close to 3 as Hill at al. (2008) has emphasized.

Table 2: Group Statistics

<table>
<thead>
<tr>
<th></th>
<th>LOGM1_MIL_LEKS</th>
<th>LOGCPI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean</td>
<td>12.23436</td>
<td>5.587479</td>
</tr>
<tr>
<td>Median</td>
<td>12.33207</td>
<td>5.94711</td>
</tr>
<tr>
<td>Maximum</td>
<td>12.77514</td>
<td>5.793014</td>
</tr>
<tr>
<td>Minimum</td>
<td>11.54625</td>
<td>4.882802</td>
</tr>
<tr>
<td>Std. Dev.</td>
<td>0.333167</td>
<td>0.142679</td>
</tr>
<tr>
<td>Skewness</td>
<td>-0.516787</td>
<td>-1.295632</td>
</tr>
<tr>
<td>Kurtosis</td>
<td>1.889618</td>
<td>7.644397</td>
</tr>
<tr>
<td>Jarque-Bera</td>
<td>17.35504</td>
<td>213.3166</td>
</tr>
<tr>
<td>Probability</td>
<td>0.000170</td>
<td>0.000000</td>
</tr>
<tr>
<td>Sum</td>
<td>2214.420</td>
<td>1011.334</td>
</tr>
<tr>
<td>Sum Sq. Dev.</td>
<td>19.98003</td>
<td>3.664332</td>
</tr>
<tr>
<td>Observations</td>
<td>181</td>
<td>181</td>
</tr>
</tbody>
</table>

Figure 3A: Testing normality of distribution for CPI

Figure 3B: Testing normality of distribution for M1
Time series data may be stationary or non stationary, in order not to have the danger of not having significant regression results, in the first stage of the study Augmented Dickey-Fuller (ADF) test at 5% level of significance is conducted in order to estimate that series used in the model are stationary in times series. First we could observe that both variables have unit root and are rejected at 5% significance level, as p-value is higher than the percentage of significance. So unit roots in the series should be avoided by converting variables in non stationary. To overcome this, Dickey-Fuller unit root test is performed again, second difference of ADF unit root test transformed variables to non stationary.

Table 3: ADF tests for M1

<table>
<thead>
<tr>
<th>Null Hypothesis: LOGM1_MIL_LEKS has a unit root</th>
<th>Exogenous: Constant</th>
<th>Lag Length: 13 (Automatic - based on SIC, maxlag=16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augmented Dickey-Fuller test statistic</td>
<td>-1.201457</td>
<td>0.6735</td>
</tr>
<tr>
<td>Test critical values:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1% level</td>
<td>-3.469691</td>
<td></td>
</tr>
<tr>
<td>5% level</td>
<td>-2.878723</td>
<td></td>
</tr>
<tr>
<td>10% level</td>
<td>-2.576010</td>
<td></td>
</tr>
</tbody>
</table>


Table 4: ADF test for M1, Second difference

<table>
<thead>
<tr>
<th>Null Hypothesis: D(LOGM1_MIL_LEKS,2) has a unit root</th>
<th>Exogenous: Constant</th>
<th>Lag Length: 11 (Automatic - based on SIC, maxlag=16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augmented Dickey-Fuller test statistic</td>
<td>-5.900543</td>
<td>0.0000</td>
</tr>
<tr>
<td>Test critical values:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1% level</td>
<td>-3.469691</td>
<td></td>
</tr>
<tr>
<td>5% level</td>
<td>-2.878723</td>
<td></td>
</tr>
<tr>
<td>10% level</td>
<td>-2.576010</td>
<td></td>
</tr>
</tbody>
</table>


Table 5: ADF test for M1, Second difference and Linear Trend

<table>
<thead>
<tr>
<th>Null Hypothesis: D(LOGM1_MIL_LEKS,2) has a unit root</th>
<th>Exogenous: Constant</th>
<th>Lag Length: 11 (Automatic - based on SIC, maxlag=16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augmented Dickey-Fuller test statistic</td>
<td>-5.900543</td>
<td>0.0000</td>
</tr>
<tr>
<td>Test critical values:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1% level</td>
<td>-3.469691</td>
<td></td>
</tr>
<tr>
<td>5% level</td>
<td>-2.878723</td>
<td></td>
</tr>
<tr>
<td>10% level</td>
<td>-2.576010</td>
<td></td>
</tr>
</tbody>
</table>


Table 6: ADF test for CPI

<table>
<thead>
<tr>
<th>Null Hypothesis: LOGCPI has a unit root</th>
<th>Exogenous: Constant</th>
<th>Lag Length: 4 (Automatic - based on SIC, maxlag=16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augmented Dickey-Fuller test statistic</td>
<td>-2.292155</td>
<td>0.1757</td>
</tr>
<tr>
<td>Test critical values:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1% level</td>
<td>-3.467633</td>
<td></td>
</tr>
<tr>
<td>5% level</td>
<td>-2.877823</td>
<td></td>
</tr>
<tr>
<td>10% level</td>
<td>-2.575530</td>
<td></td>
</tr>
</tbody>
</table>

Table 7: ADF test for CPI, Second difference

<table>
<thead>
<tr>
<th>Null Hypothesis: D(LOGCPI,2) has a unit root</th>
<th>Exogenous: Constant</th>
<th>Lag Length: 7 (Automatic - based on SIC, maxlag=16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augmented Dickey-Fuller test statistic</td>
<td>t-Statistic</td>
<td>Prob.*</td>
</tr>
<tr>
<td>Test critical values:</td>
<td>1% level</td>
<td>-3.468749</td>
</tr>
<tr>
<td></td>
<td>5% level</td>
<td>-2.878311</td>
</tr>
<tr>
<td></td>
<td>10% level</td>
<td>-2.57591</td>
</tr>
</tbody>
</table>


Table 8: ADF test for CPI, Second difference and Linear Trend

<table>
<thead>
<tr>
<th>Null Hypothesis: D(LOGCPI,2) has a unit root</th>
<th>Exogenous: Constant, Linear Trend</th>
<th>Lag Length: 7 (Automatic - based on SIC, maxlag=16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augmented Dickey-Fuller test statistic</td>
<td>t-Statistic</td>
<td>Prob.*</td>
</tr>
<tr>
<td>Test critical values:</td>
<td>1% level</td>
<td>-4.012618</td>
</tr>
<tr>
<td></td>
<td>5% level</td>
<td>-3.436318</td>
</tr>
<tr>
<td></td>
<td>10% level</td>
<td>-3.142266</td>
</tr>
</tbody>
</table>


Before analyzing the co integration relationship between money supply and prices, univariate analysis should be done. As economic series like M1 and CPI have unit roots. Both dependent and independent variables having unit root means the regression is spurious. The relation of variables shows to be significant but in reality it is contemporary relation and not casual.

Based on the above unit root tests performance another important test to be done is; Johansen Co integration test in order to check for any co integration of variables in the long run.

Table 9: Unrestricted Co integration test (Trace and Maximum Eigenvalue)

<table>
<thead>
<tr>
<th>Hypothesized No. of CE(s)</th>
<th>Eigenvalue</th>
<th>Trace Statistic</th>
<th>0.05 Critical Value</th>
<th>Prob.**</th>
</tr>
</thead>
<tbody>
<tr>
<td>None *</td>
<td>0.143771</td>
<td>29.39376</td>
<td>15.49471</td>
<td>0.0002</td>
</tr>
<tr>
<td>At most 1</td>
<td>0.111723</td>
<td>2.075408</td>
<td>3.841466</td>
<td>0.1497</td>
</tr>
</tbody>
</table>

Trace test indicates 1 cointegrating eqn(s) at the 0.05 level
* denotes rejection of the hypothesis at the 0.05 level
**MacKinnon-Haug-Michelis (1999) p-values

<table>
<thead>
<tr>
<th>Hypothesized No. of CE(s)</th>
<th>Eigenvalue</th>
<th>Max-Eigen Statistic</th>
<th>0.05 Critical Value</th>
<th>Prob.**</th>
</tr>
</thead>
<tbody>
<tr>
<td>None *</td>
<td>0.143771</td>
<td>27.31835</td>
<td>14.28460</td>
<td>0.0003</td>
</tr>
<tr>
<td>At most 1</td>
<td>0.111723</td>
<td>2.075408</td>
<td>3.841466</td>
<td>0.1497</td>
</tr>
</tbody>
</table>

Max-eigenvalue test indicates 1 cointegrating eqn(s) at the 0.05 level
* denotes rejection of the hypothesis at the 0.05 level
**MacKinnon-Haug-Michelis (1999) p-values

The results of JC Trace Test (first part of the test) there is 1 co integrating equation at the 0.05 level. As Trace statistics is greater than critical value (29.39 > 15.59). The results of JC Max Eigenvalue Test (second part of the test) there is 1 co integrating equation at the 0.05 level. As Max-Eigen statistics is greater than critical value (27.31 > 14.26).

From the Johansen Co integration test it can be observed that both Trace Rank Test and Maximum Eigenvalue
have the probabilities smaller than p-value, indicating that as both probabilities are smaller than significance level of 5% the relation of variables is strong. Long run relationship of money supply and prices exists.

Additionally to co integrated equation of M1 and CPI in the long run that was estimated with Johansen Co integration test, in order to find out the short term dynamics of the model Error Correction Model (ECM) must be used. Engel and Granger (1987) suggest ECM for causality.

ECM finds out the long run relation and short term adjustment behavior or co integration of disequilibrium. The variables that are related and move together in short term and have shocks or the disequilibrium, in the long run these are being eliminated and they are being equalized again. This indicates that long run situation is statistically significant. (Turan, 2015)

To perform Vector Error Correction Model (VECM) test in Eviews 8 first of all the variables must be stationary and co integrated. In the estimation of the equation trend must be added as the variables have trend. In the regression model residuals are added also, checking them to be stationary and a new regression model is set with first difference, showing that in the new model P value of residuals is lower than 0.05. From the results is can be concluded that model is valid and significant. (See Table 10).

Table 10: The results of the regression

<table>
<thead>
<tr>
<th>Dependent Variable: D(LOGM1_MIL_LEKS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Method: Least Squares</td>
</tr>
<tr>
<td>Date: 06/10/15 Time: 15:38</td>
</tr>
<tr>
<td>Sample (adjusted): 2000M02 2015M01</td>
</tr>
<tr>
<td>Included observations: 180 after adjustments</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Determinant</th>
<th>Coefficient</th>
<th>Probability</th>
</tr>
</thead>
<tbody>
<tr>
<td>D(LOGCPI)</td>
<td>0.009332</td>
<td>0.6844</td>
</tr>
<tr>
<td>RESID01(-1)</td>
<td>-0.042911</td>
<td>0.0373</td>
</tr>
<tr>
<td>C</td>
<td>0.006680</td>
<td>0.0019</td>
</tr>
</tbody>
</table>

Note: the lag was selected according to selection criteria (the result with the most starts) in the VAR Lag Order Selection Criteria. LAG 4 was selected.

As the co integration vector of the variables exists, in this case the last step is determining the direction of the relation. Granger causality test is used to determine the direction and is presented in Table 10. In order to perform Granger causality test the variables should be stationary and VAR model should be formulated.

Table 11: Granger Causality test results

<table>
<thead>
<tr>
<th>VAR Granger Causality/Block Exogeneity Wald Tests</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date: 06/10/15 Time: 15:41</td>
</tr>
<tr>
<td>Sample: 2000M01 2015M01</td>
</tr>
<tr>
<td>Included observations: 177</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dependent variable: LOGM1_MIL_LEKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excluded</td>
</tr>
<tr>
<td>Chi-sq   df   Prob.</td>
</tr>
<tr>
<td>LOGCPI  1.698764 4  0.7909</td>
</tr>
<tr>
<td>All  1.698764 4  0.7909</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dependent variable: LOGCPI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excluded</td>
</tr>
<tr>
<td>Chi-sq   df   Prob.</td>
</tr>
<tr>
<td>LOGM1_MIL_LEKS  32.95409 4  0.0000</td>
</tr>
<tr>
<td>All  32.95409 4  0.0000</td>
</tr>
</tbody>
</table>

From the results of the Granger Causality test it can be observed that probabilities that increase in the prices does not cause money supply to be increased but on the other side increase in money supply effects the prices in the market in Albanian economy.
Table 12: Pair-wise Granger causality test

<table>
<thead>
<tr>
<th>Direction of causality</th>
<th>Lag</th>
<th>Probability</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>CPI does not Granger cause M1</td>
<td>4</td>
<td>0.7909</td>
<td>Accepted</td>
</tr>
<tr>
<td>M1 does not Granger cause CPI</td>
<td>4</td>
<td>0.0000</td>
<td>Rejected</td>
</tr>
</tbody>
</table>

5. Conclusion

This research emphasized the casual relationship of money supply and prices in Albania, using Johansen Co integration test to test the co integration and Granger causality test to test the direction of the relation. The empirical results show that a stable long run relationship exists between the variables. The Granger test shows that money supply increases cause the prices in the market to increase and the CPI index is affected from the changes in M1.

References


Albanian Apparel Industry and Its Characteristics of Development

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Abstract

For many years the phenomenon of offshore outsourcing has softened the economic problems of developing countries. The main industries that have developed thanks to outsourcing are labor-intensive industries and services. We recognize achievement indicators for developing countries like China, India, Philippines, etc. The reasons vary as the country's size, costs, level of education, the policies of the host country and many others. The set of these factors not only affects to the promotion of foreign investments, but also to the growth rate of an industry compared with others or international trade level for a particular category of goods / services. Albania has positive figures of development of offshore outsourcing particularly on apparel industry. The industry has been able to survive over two decades even though the economic and political changes. The modest data show little information about the characteristics of this industry, in terms of sector size, number of firms and their size, type of products, etc. The growth of the industry is focused only on positive net exports. The purpose of this paper is presenting a different picture of the industry, focusing on factors directly related to the development of apparel firms. Some of them are the functions (processes) they do, products, their experience, location, etc. This paper will help being familiar with the main characteristics of this industry as well as providing some important conclusions for its development in the future.

Keywords: Offshore outsourcing, global value chain, apparel industry, Albania.

1. Introduction

The term value chain is the set of processes from the product designing to the services offered after distribution. The organization of global chains is creating a system of successive economic links with other countries in the form of direct investment, joint ventures, licensing for production of products, subcontracting, etc.

Apparel value chains are buyer-driven chains (chains driven by international clients). International customers are retailers, manufacturers of well-known brands and well-known trade firm (Gereffi, 2002). These clients coordinate global clothing production between final markets and the production industries of developing countries. These kind of chains are typical in labor-intensive industries (such as agriculture-food industry, production of footwear, furniture, and similar), so very important for developing countries (UNIDO, 2005).

The barriers of a developing country, to be involved on any global value chain, are conditioned by unique knowledge and skills that cannot be learned by all. These barriers isolate firms that compete basing only on the activity price. In apparel value chains, activities with higher value added are design, marking and marketing. All these activities are largely based on the knowledge that large customers have (Kaplinsky, 2005).

In order to integrate in the apparel global value chains, a developing country should fulfill contract terms of foreign costumers in terms of quality, production capacity, the delivering time, compliance of different social and environmental standards, the distance and tastes among developing countries and the main markets where the product is exported.

It is equally important the improvement along the global value chain. The improvement of firms within global value chains brings growth the value added in domestic production and the country's economic growth. According to Kaplinsky et.al.(2002), the improvement along the global value chain may be:

- process improvement (the addition of new product lines, reducing defects, shortening the time of delivery, etc.);
product improvement (quality improvement, introduction of a new product on time, etc.)
- functional improvement (increase of value added through a combination of new activities within the firm or conducting activities that require greater skills and knowledge)
- cross-sectional improvement (transition to market segments where products are technically sophisticated and have a higher value added).

The apparel industry is one of the main industries for countries involved to export-oriented industrialization. According to Gereffi & Memedovic (2003), the sector brings benefits to the economy of a country like:
- absorbing a large unskilled workforce,
- improving the country’s trade balance,
- serving in the foundation of capital to invest in other industries, though itself requires low investment,
- increasing welfare and the domestic demand,
- enabling firms growth and access to local and regional markets with their brand,
- enabling the establishment of a western culture in doing business, etc.

After summarizing some of the main characteristics and implications of offshore outsourcing to developing countries (for the apparel global value chains), we make an analysis of the apparel industry in Albania and its involvement in global value chains.

2. Apparel Industry in Albania

The apparel industry is an early industry with a successful history of outsourcing even before 1990, with the state-owned enterprises. This industry was an important source of employment (about 45,000 employees), distributed in major cities like Tirana, Durres, Berat, Korce and Shkoder, etc.

After the regime change in 1990, the industry interrupts the activity. The main reasons for the cessation of activity were:
- The loss of domestic market share as a result of the competitiveness of imports;
- Unstudied privatization of state enterprises;
- Outdated production technology;
- Lack of funding and experience running private businesses.

The industry was involved in the privatization process in 1992-1993, with the investment of foreign firms. First apparel businesses settled in rented buildings of the former state-owned enterprises. The established firms were foreign-owned or joint venture, mainly with Italian, Greek and German capital. The foundation of these entities was simulated by various factors where the most important were lower costs, a skilled workforce and the favorable geographical position.

In 2000, this industry turns the balance trade in positive values while in 2005 is listed as the main exporting industry in Albania. Positive figures of exports show a positive indicator regarding employment and the welfare improvement of the Albanian families. During 2007-2012 apparel exports had a steady growth rate. In 2012 this sectors accounted 29.2% of total exports (MEDTE, 2013).

Table 1: Exports for the period 2007-2012 (in million Euros).

<table>
<thead>
<tr>
<th>No.</th>
<th>Sector/Year</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Minerals and hydrocarbons</td>
<td>121.3</td>
<td>166</td>
<td>156</td>
<td>324</td>
<td>418.15</td>
<td>521.602</td>
</tr>
<tr>
<td>2</td>
<td>Textile and footwear</td>
<td>380</td>
<td>397</td>
<td>367</td>
<td>403.6</td>
<td>455.6</td>
<td>425</td>
</tr>
<tr>
<td>3</td>
<td>Construction Materials</td>
<td>125.8</td>
<td>185.65</td>
<td>100.2</td>
<td>237.75</td>
<td>299.4</td>
<td>289</td>
</tr>
</tbody>
</table>


Firms in the apparel industry are price-taken, as European customers drive these types of chains. Albanian industry's two main priorities are geographical proximity and lower costs of labor compared to the region. One of the main problems in relationships with customers is the term of the contracts. The annually term of these contracts increases the degree of uncertainty about the future (ICS 2010). Apparel industry is mainly represented by the production of clothing and the manufacture in small amounts of textiles. Firms use in part the existing facilities, the cheap labor cost and employee experience.

The joint-ventures created in the apparel industry are mainly investments of Italian, Greek and German capital. These firms use modern production technology. According INSTAT in 2010, the number of employees in this industry
was around 15 thousand employees. The leather and footwear industry is represented by internal processing companies that work with client’s material. This industry has used the same opportunity as that of clothing (MEDTE, 2013).

After the agriculture sector, the clothing and textile industry is the second source of employment for women (90% of the employees are women). However, this sector has the lowest wages in the domestic economy (in the line of the minimum wage). The relationship between labor costs in Albania and Italy is 1 to 10 and compared with Greece is five times lower (NCMA 2013).

Apparel industry integration in the global value chains are backward integration (re-exportation of the product). According to the data around 64% of firms are specialized and produce more than one article. Only 36% are focused on the production of a single article. The clothes are mainly simple (underwear, shirts, pants, etc.).

Graph 1: The division of firms according the no. of articles they produce.

Source: AIDA_Fason (2014).

Using the data acceded from AIDA_Fason (2014) for a sample of 101 firms that operate in the apparel industry, we have calculated the statistics reflecting the firm size:
- The average number of employees in a firm is 104 employees.
- The average volume of annual contracts is approximately 575,532 Euros.

Firm’s growth in apparel industry (translated into money volume of the contracts for 2013) has a positive effect on employment growth in the country. To verify the extent of the relationship between these variables, we analyzed their linear relationship using linear regression. From the statistical processing of data (AIDA_Fason, 2014), we obtained the following results:

Table 2: Model Summary

<table>
<thead>
<tr>
<th>Model</th>
<th>R</th>
<th>R Square</th>
<th>Adjusted R Square</th>
<th>Std. Error of the Estimate</th>
<th>Change Statistics</th>
<th>R Square Change</th>
<th>F</th>
<th>Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>.528</td>
<td>.278</td>
<td>.271</td>
<td>92.74801</td>
<td>.278</td>
<td>38.175</td>
<td>.000</td>
<td></td>
</tr>
</tbody>
</table>

a. Dependent variable: No. of employees
b. Predictors: (Constant), Volume of Contract (in 100,000 Euro)

Source: Authors Calculation using the data of AIDA_Fason (2014).

Table 3: The linear regression between the “Vol. Contract” & “No. Employees”.

<table>
<thead>
<tr>
<th>Coefficients</th>
<th>Unstandardized Coefficients</th>
<th>Standardized Coefficients</th>
<th>t</th>
<th>Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Model</td>
<td>B</td>
<td>Beta</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Constant</td>
<td>62.146</td>
<td>11.455</td>
<td>5.425</td>
<td>.000</td>
</tr>
<tr>
<td>Vol. Contract</td>
<td>8.134</td>
<td>1.316</td>
<td>.528</td>
<td>6.179</td>
</tr>
</tbody>
</table>

Source: Authors Calculation using the data of AIDA_Fason (2014).
According the table above the econometric model is:
No. of Employees = 62.146 + 8.134 Volume of Contract + e

The selection of the "Number of Employees" as the dependent variable and "Vol. Contracts" as the independent variable is based on the characteristics of apparel global value chains driven by customers (the principal) and the labor-intensive industry. This model is statistically significant with a significance level 0.000. The adjusted coefficient of determination turns out to be 0.271, which means that 27.1% of the variation in the number of employees is explained by the variation in the volume of contracts. In the model are not included other factors for example investments in technology or the effects that incentives bring on industry development, etc.

For an increase of 100,000 Euro in the volume of contracts, the number of employees is expected to grow on average by about 8 individuals (or rather 8.134).

Using "stepwise method" in data processing, from the survey done in a sample of 60 apparel firms, we note that important determinants of their turnover are: new articles, the internal market, the number of clients, and additional activities.

The negative sign of the coefficient for the variable "new articles" tells us that the products' life cycle in the apparel industry has been shortened. Clients tend to acquire more new articles in smaller quantities, by reducing the turnover for each article produced and re-exported. It is well known that apparel firms in Albania produce for international clients using outsourcing contracts.

In addition to offshore outsourcing, an important target for domestic firms turns to be back the "domestic market" (Gereffi & Memedovic, 2003). The same conclusion comes from the model, with significance level 0.001.

Although that the implementation of "additional activities" is positively related with the turnover growth, domestic firms remain in the lower link of the apparel value chain, doing activities with a low added value (Cut-Make-Trim). This can be justified by: international client’s demand, nature of the industry and the socio-economic environment in Albania.

<table>
<thead>
<tr>
<th>Coefficients (a)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Model</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>(Constant)</td>
</tr>
<tr>
<td>New articles</td>
</tr>
<tr>
<td>Domestic Market</td>
</tr>
<tr>
<td>No. clients</td>
</tr>
<tr>
<td>Additional activities</td>
</tr>
</tbody>
</table>

The apparel industry is a typical one, where large clients as retailers, branded manufacturers or branded stores realize activities with higher value added (core activities) and have a strong influence on custom manufacturers (Lee, 2006). Firms in developing countries have well-defined terms of the contracts on which work. Competition between firms in the country has imposed production at lower prices and increased customer flexibility in changing custom manufacturers.

National and local initiatives (sometimes in collaboration with international agencies) aim at improving specific skills and industry sectors, so that they can meet the requirements of international markets (Humphrey, 2004). Although apparel industry in the country is one of the main sectors that improves the trade balance, policies and initiatives to support the industry during these years have been sporadic and inconsistent.

3. Conclusion

Despite the weight of industry (together with the footwear and leather section) in the country exports, its size is modest. The main reason is the engagement in low added value activities. Firms operating with low margins face increasing competition, keeping down prices and labor costs. During years ordered quantities for an item have been reduced, but at the same time increased the number of items and activities that firms exercise.

Until now firms have realized process upgrading (incorporation of more sophisticated technologies into production) and product upgrading upgrading (producing higher-value products), but not functional upgrading (moving to higher-value functions) within the apparel value chain. The main factors affecting their strategies are: the nature of the value chain (buyer-driven chain); buyer’s needs and strategies; the development strategy of the government; the skills of the labor force; etc. The firm’s turnover is dependent on buyer needs (number and type of articles), number of clients, domestic...
market and the activities they realize.

References

Linguistic Transparency and Opacity in Compounding

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Abstract

The aim of this study is to identify linguistic transparency and opacity in compounds. Linguistic transparency and opacity analyses the degree to which the meaning of a compound word or idiom can be inferred from its parts. Compounding is a word formation process in which a lexical unit is made up of more than one word functioning as one, not only grammatically, but also semantically. Compounds and the meaning inferred by them may be: full, partial or idiomatic. Detailed analysis of the word classifies linguistic transparency or opacity as follows: two transparent constituents, transparent - opaque constituent, opaque-transparent constituent, two opaque constituents. As of the compositionality principle, constituents of compounds will be analysed separately and as a whole. Analysis will be illustrated with abundant examples of compound words collected by the Dictionary of Contemporary Albanian language and Oxford Student’s Dictionary. Translation of several words from English into Albanian and vice versa will be provided so as to pinpoint the matches and mismatches.

Keywords: linguistics, transparency, opacity, compounding, translation

1. Introduction to Linguistic Transparency

Linguistic transparency is a broad concept used in different subjects. As of linguistics it refers to Semantic Transparency (ST). ST analyses the degree to which the meaning of a compound word or idiom can be inferred from its parts. Compounds are lexical units made up of more than one word functioning as one, not only grammatically, but also semantically. Compounding as a productive morphological word formation process is often subject to semantic drift, thus leading to opacity. This theory classifies compounds as semantically transparent and semantically opaque. Morphosemantic analysis of compounds examines constituents of compounds as binary structures, so analysis always considers two words although the compound may have more than two constituents. For example:

![Diagram of English compound 'tablespoonful']

![Diagram of Albanian compound 'as kumkush']

2. Semantic Transparency in English

Compound words represent lexical units connected by syntactic rules, which can be parsed into two or more meaningful elements or morphemes. English compounds are classified as endocentric and exocentric. Liebben (2003) classifies four
fundamental degrees of morphosemantic transparency of compounds:

a) transparency of both constituents - (TT)
b) transparency of the head member - opacity of the non-head member (TO),
c) transparency of the non-head member - opacity of the head member (OT),
d) opacity of both members of the compound (OO).

Schematic representation of each type:

Libben\(^1\) has conducted a detailed survey on the relation between semantic transparency and compounds considering compounds based on the stimulus, lexical and conceptual levels. The study highlighted that words belonging to different categories of transparency yielded similarities as of the stimulus and lexical levels. Thus it is the conceptual level which plays a significant role. The conceptual level refers to the principle of compositionality as well as to the individual meaning of the separate constituents. As of the compositionality principle, semantic transparency takes into consideration two forms: predictability and analyzability.

Predictability as of Plag (2003, 46) defines as semantically transparent words, compounds whose “meaning is predictable on the basis of the word-formation rule according to which they have been formed.”

Whereas analyzability as of Zwitserlood (1994, 344) infers that “the meaning of a fully transparent compound is synchronically related to the meaning of its composite words”.

Based on these principles we consider the compound “storybook” which means “a book containing stories”; if we go on with the same principle we would assume that the compound “cookbook” means “a book containing cooks\(^*\)”, but a “cookbook” is “a book containing recipes for cooking”. In case of full opacity, analyzability and predictability by parsing of the constituents would lead to a wrong interpretation.

E.g.: a Redcoat is a British soldier and not “a coat that is red”.

There are also cases when interpretation of OO compounds based on cultural grounds would lead to the right understanding. Let us consider for example the English compound “black sheep\(^2\)”, where “black” refers to the colour, and “sheep” refers to the animal. The Albanian translation “delja e zeze” does not appear in the Dictionary of Albanian language, but everyone understands and uses it with the exact same meaning as in English.

\(^1\)http://www.sciencedirect.com/science/article/pii/S0093934X97918769
\(^*\) - “cook” - note the difference in meaning between the verb and the noun in the case of “cook”
\(^2\) (this compound yields the same meaning even in other languages)
3. Semantic Transparency in Albanian

The meaning of compound words in Albanian is inferred by parsing the word in its constituent parts. Generally the meaning of compound words is perceived as the sum of the meanings of its constituents. Thus Albanian language classifies compounds into two categories: coordinate and subordinate. This classification derives from the relation between the elements constituting the compound. Coordinate compounds almost always yield the meaning from the sum of meanings from the constituents, e.g. ekonomiko-shoqëror = ekonomik and shoqëror, whereas subordinate compounds yield a new notion, although the meaning of the new compound derives from the relation between the constituents, e.g. keqkuptoq = kuptoq keq.

Examples of coordinate and subordinate compounds:

![Diagram of coordinate and subordinate compounds]

However Albanian language categorizes and studies agglutinated words separately, not as compounds. Agglutinated words are also said to have e clearly identifiable meaning, e.g.

Alb: shtojzovalet = "shtojzovalet"

but not all of them. Motivation plays a considerable role when it comes to the semantics of agglutinated words. For example:

Alb: letër+këmbim, pikë+mbërritje, qendër+sulmues, ulli+rritës, as+një

4. Types of Semantic Transparency

Dressler distinguishes four fundamental degrees of morphosemantic transparency of compounds:

1. transparency of both members of the compound: this category includes words whose meaning can be predicted by parsing the word in its constituents and analyzing their meaning separately.

<table>
<thead>
<tr>
<th>English</th>
<th>Albanian</th>
</tr>
</thead>
<tbody>
<tr>
<td>hand+bag, police+man, blue+berry, door+bell, storybook, blueberry, bedroom, carwash, lunchtime, newspaper</td>
<td>letër+këmbim, pikë+mbërritje, qendër+sulmues, ulli+rritës, as+një</td>
</tr>
</tbody>
</table>

2. transparency of the head member, opacity of the non-head member:

<table>
<thead>
<tr>
<th>English</th>
<th>Albanian</th>
</tr>
</thead>
<tbody>
<tr>
<td>straw +berry, red+faced, eye+witness, ill+treat</td>
<td>krye+qytet, as+kush, as+(kur(r(e)+kush)</td>
</tr>
</tbody>
</table>

3. transparency of the non-head member, opacity of the head member:

<table>
<thead>
<tr>
<th>English</th>
<th>Albanian</th>
</tr>
</thead>
<tbody>
<tr>
<td>jail+bird, green+house</td>
<td>thanë+keqe, , udhë+heqës</td>
</tr>
</tbody>
</table>

4. opacity of both members of the compound:

<table>
<thead>
<tr>
<th>English</th>
<th>Albanian</th>
</tr>
</thead>
<tbody>
<tr>
<td>hum+bug, dead+line, pine+apple</td>
<td>tretë+natë, shtojzorreshta,</td>
</tr>
</tbody>
</table>
5. Conclusions

In theory, the concept of semantic transparency in both languages represents similarities and differences. Translation of compounds from one language into the other provides various results:

1. the compound word in both languages is the result of exactly the same constituents, as in:

   at+dhe=father+land
   aerolarnmbajtëse=aircraftcarrier

2. compound word in Albanian → derivative word in English:

   faqebardhi=successful/honoured

3. compound word in Albanian simple word in English

   faqdar=clean/honest

References

Akademia e shkencave, Fjalor i gjuhës së sotme shqipe, Tiranë, 1980
Akademia e shkencave, Gramatika e gjuhës shqipe I, Tiranë, 1995
Akademia e shkencave, Gramatika e gjuhës shqipe I, Tiranë, 2002
Bauer Laurie, When is a sequence of noun + noun a compound in English?, English Language and Linguistics 2
Frederick W. Field, Linguistic Borrowing in Bilingual Contexts. John Benjamins, 2002
Pavol Štekauer, Meaning Predictability in Word Formation. John Benjamins, 2005
Qesku Pavli, Fjalor Shqip- Anglisht, Tiranë 2002
Customer Relationship Management, Customer Satisfaction and Loyalty

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Abstract

Customer relationship management CRM is essential for the future of the company. The CRM technologies enable the company to realize the best consumer behavior, predict their behavior in the future, thereby offering products to suit their preferences and creating long-term relationships with them. Strategic integration of CRM philosophy in the processes and culture of the company is required to provide services with superior value to the customers and creating loyal customers. As loyal customers are the most important asset of the companies they have directed their attention to retention customers and loyalty programs. The main goal is to create added value for customers, which in turn will bring increased benefits for the company. Creating consumer loyalty is essential for the survival of the company in the highly competitive markets. So it is important to emphasize the importance of marketing strategies for the company retaining customers. Therefore this paper examines the impact of CRM on consumer satisfaction and loyalty.

Keywords: Customer Relationship Management; Customer retention strategies, Customer Satisfaction; CRM as competitive strategy, Customer Loyalty

1. Introduction

In today’s market conditions, customers demand better service and expect more from companies. Companies require to understand the needs preferences, and buying behavior of customers; in order to plan and execute interactions that create best possible experience for their customers.

As Peppers & Rogers Group (2009) indicate that the landscape of marketing is being reshaped.

Customer relationship management (CRM) is a concept for managing a company’s interactions with customers, clients, and sales prospects. It involves using technology to organize, automate, and synchronize business processes. The objectives of CRM are to enhance profitability, income, and customer satisfaction. To attain CRM, many organizations use set of tools, technologies, and procedures to support the relationship with the customer to enhance sales. Therefore, CRM is an issue of strategic business and process rather than a technical one (Dowling, 2002). As Baker (2003) indicates, all businesses have been affected to some degree and evolution which is happening in the global market place. Now, not only the organizations aim to satisfy the customers but they attempt to do this more efficiently and effectively than their rivals in the competitive market place to attain their goals (Kotler and Armstrong, 2011). The most important goal of an organization is to maintain customer loyalty and focus on customer centric approach in their organizational and marketing strategies (Jain & Singh, 2002). Sivas and Baker-Prewitt (2000) said “there is a rising recognition that the last objective of customer satisfaction measurement should be customer loyalty”.

2. The Concept of Customer Relationship Management (CRM)

The Customer relationship management (CRM) concept refers, to a business strategy focused on the customer, to the extensive process that integrates sales, marketing and clients service, that creates value for both the company and customers. CRM is a strategy based on developing relationships with clients. In recent years, CRM has flourished and now can be considered necessary for any company that wants to succeed. CRM is focused on retaining customers by collecting data from any contact with them by phone, e-mail, Internet. The company can use this information for specific purposes such as marketing, sales and after sales services. The underlying philosophy is that everyone in the company should focus on the customer. One of the first references to CRM is that it is a marketing oriented approach of strong stable relationship with individual specific customers. (Jackson, 1985). Gordon (1988) has defined CRM as a continuous
process of creating value for specific customers and benefits advantages from the ongoing and long term processes both for the business and the client. In addition, Gordon admits that the long-term creation of value for customers is more important than simple transactions and therefore try to build a chain of relations as between the firm and its clients as well as between businesses and their main partners. In a later study Parvatiyar and Sheth (2000) concluded that the customer relationships management is a strategic process integrated and comprehensive that focuses on the gaining and maintaining selected clients in order to create maximum value as for the business and for the client itself. In 2002, according to a study by Smith, CRM was defined as a type of business strategy, which is a combination of technology and Customer life cycle management in the most efficient manner. In a quite interesting study of Krafft, Hoyer and Reinartz, (2005) for CRM process, the term developed as a systematic process that follows a company, which negotiates the start of a customer relationship, maintaining and terminating at all touch points with customers, to maximize the value of the portfolio of relationships with them.

The ultimate goal of companies is the creation of consumer satisfaction using CRM technologies and philosophy. Organizations are ever more setting themselves strategies to determine and make sure customer retention, and charging their employees to be more customer-focused and service-oriented (Mohsan et al., 2011). The most important goal that companies follow is to maintain customer loyal to the firm so they more focus on customer centric approach in their organizational and marketing strategies (Jain and Singh, 2002). Bowen and Chen (2001) said that having satisfied customers is not sufficient, there has to be really satisfied customers. This is because customer satisfaction has to direct to customer loyalty.

2.1 Various models of CRM

Operational CRM

According Dyche *(2002, p.13) an operational CRM is also known as front office CRM. It includes points in which achieved direct contact with the customer, which is also known as touch points. A touch point may be a interior touch (eg a call telephone line support for the customers of the company), or a contact from the outside (eg a sales call or a face to face promotion email to customers) . In other words, an operational CRM used to capture customer data. An operational CRM also enables and streamlines communications to and from customers, but it does not mean necessarily optimization of service. Just because a bank client controls his / her balance on a website, does not finally decide that he / she prefers not to carry out the transaction of his / her branch.

Operational CRM include:

- **Operating systems**: The application of systems (e.g. sales, resales, rental management systems) that support customer interactions with Front Office processes (processes visible to customers) and back office processes (processes not directly visible to customers).
- **Databases**: consolidated and dependent databases (e.g. client, customer interaction, sales) that support a variety of system applications. A key aspect of CRM is to ensure that both as clients and the company have a particular view of each other. It is important that the different departments share information for consumers. Therefore, in the functional structure of CRM, consumer information stored in the database to facilitate business transactions.

![Operational CRM: Touching the Customer](Resource: Dyche’, 2002, p.13)

Analytical CRM

An analytical CRM is also known as a back office CRM. It involves understanding the customer activities that occurred in the front office. Analytical CRM requires technology (to compile and process the huge of customers data to
facilitate analysis) and new business processes (proportioned practices dealing with customers to increase loyalty and profitability). Under pressure from analysts and industry experts, today most vendors of CRM are either creating analytical capabilities CRM or partnerships with retailers of intelligence business (BI business intelligence) to incorporate analysis into their offerings (Dyche *2002 p.13).

Figure 2: Analytical CRM: Understanding the Customer (Resource: Dyche*, 2002)

Similarly, Adebanjo (2003) describes an analytical CRM is used mainly for the building of the data warehouse, improving relationships, and analyzing customers data.

**Collaborative CRM**

According to the provisions of (SearchCRM, 2007), "a collaborative CRM is a CRM approach whereby different departments of a company such as sales, technical support and marketing etc., share any information they collect from interactions with their customers. For example, customer feedback gathered by a session of technical support staff can inform marketing staff about products and services that may be interesting to the customer. The aim of this cooperation is to improve the quality of customer service in order to increase customer satisfaction and loyalty. "Minna and Aino (2005) and Adebanjo (2003) explained that: "a system of collaborative CRM is mainly used for construction online communities, the development of business -to-business transactions, and personalization of services."

**Strategic CRM**

Based on the ideas of Buttle (2009, p.4), strategic CRM is focused on developing a culture of customer-centric business within an organization. This Culture is committed to gaining and maintaining customers by creating and disseminating better value than competitors. Also, according to such culture, the resources are allocated where they will enhance customer value, the system of rewards to encourage behavior of employees that increase customers satisfaction and retention. In this way, the heroes of business will be them that distribute better value or service to customers.

3. CRM as Competitive Strategy

Companies can achieve competitive advantage through creating superior customer value, delivering what customers value, providing more value than competitors, and raising customer expectations about the level of value. Successful CRM implementations must be composed of philosophy, strategy, and technology perspective. CRM as a philosophy focuses on building long-term customer relationships; whereas, CRM as a strategy aims to build relationships with selective profitable customers. Building customer oriented organizational culture, developing a CRM strategy that guides and enforces the commitment of being customer centric and realizing the CRM strategy by using enabling technologies are the essential pillars for successful implementation of CRM. CRM strategy, which is a customer centric business strategy, fits best with customer intimacy value discipline; because both CRM strategy and customer intimacy value discipline aim to develop long lasting profitable relationships with customers. As it is in the defensive strategy, company that implements CRM strategies wants to sell more by creating customer satisfaction and loyalty. Implementing CRM allows the company to achieve competitive advantage through the way it integrates and adopts CRM. Companies that can turn their information assets from a tactical project into a strategic advantage will benefit from CRM. Today’s CRM technologies enable companies to manage customer knowledge and align their decision making around customers. With the help of the CRM, customer-centric business model aligns the organization, and the delivery of its products and
services around the customers by developing analytical insight, connecting that insight to customer interactions and integrating learning to continuously improve results (SAS Institute Inc., 2008). The main objective of implementing customer-centric CRM strategy is to increase sales and profitability by increasing customer retention and creating customer loyalty. Customer satisfaction is considered as one of the most important factors for customer loyalty because a satisfied customer is supposed to stay loyal to the company for a long period of time and to buy more and more often than other customers (Heskett & Schlesinger, 1994). A highly satisfied customer is expected to stay loyal longer, increase their purchase quantities over time, buy as the company introduces new products or upgrades existing products, talk favorably about the brand, show less sensitivity to price, pay less attention to competing brands, and generate new product and service ideas to the company (Kotler, 2000).

4. The Maintaining of Consumer Satisfaction and Loyalty

According to the conceptual framework proposed by Faed (2010), customer relationship management, enhanced the relationships of customers and competitors in a firm to increase the share of the organization in the marketplace by integrating technology, procedures, and people. In fact, the purpose of CRM is customer retention and increasing consumer loyalty and profit results in the transformation of strategies and business function. Customer satisfaction is the key element for a successful CRM implementation and for the protection of consumer loyalty in a firm.

According to the research done by Bhattacharya (2011), implementation of CRM in a company or organization that is made to reduce the cost and increase the performance of the company will lead to profitable results for the company and for the customer while increasing customer satisfaction and loyalty. Indeed, a successful CRM provides data from the organization’s departments and external resources and then making their processing that will help the company in providing products/services adapted to the client in real time. This information can help employees who face with customers in various departments of the organization to provide a better product or service to the customer increasing thus consumer satisfaction and loyalty. CRM systems help the company to develop strategies for creating competitive advantage in the market among its rivals.

Findings illustrate that application of customer relationship management CRM is very important to increasing customer satisfaction and customer loyalty.

Increased attention to consumer satisfaction has led to improvements in the economic performance of companies (Anderson).

Overall the high level of customer satisfaction will add up to a greater commitment to existing customers. This means that more customers will repurchase in the future. If a company has a high-loyalty consumer, this will be reflected in its profits and ensure a stable flow of income.

High customer satisfaction will reduce transaction costs in the future. If a company has a high customer satisfaction, there is no need to spend huge sums to gain new customers in each period. Satisfied customers are likely to buy more often and with greater intensity and buy various goods offered by the company (Reichheld and Sasser).

Through a well-structured strategy to CRM companies will have the opportunity to improve their overall performance. An increase in customer satisfaction will improve the overall reputation of a company. An improved reputation can help in the introduction of new products, providing a direct awareness and reducing the risk of getting customers to purchase new products.

To ensure a company consistently products and services that satisfy customers should increase its profitability by reducing the costs of failure. A company that consistently delivers high customer satisfaction needs fewer resources to manage returns, to improve damaged products and complaint management (Crosby, Tarp).

But even though there are many important reasons that lead us to the conclusion that the highest satisfaction of the customer leads to higher profits it is not always so in reality. To enhance customer satisfaction through better quality of raw materials, increasing the level of personal service, the provision of a range of differentiated products to meet customer needs, etc., will increase costs at a growth rate (Shugan) and this will reduce the profit of customer satisfaction.

5. Conclusions

CRM is the most effective approach in maintaining and establishing relationships with customers. Companies need to understand that the implementation of CRM systems in the company is an important tool to develop strategies for maintaining customer and creating loyal customers. Companies must not only see CRM as a technological tool, like a software program, but as a change in the structure and business culture in general. All the efforts and promises of the company to increase customer satisfaction and trust will be based exactly on the investments it will make in the
implementation of CRM systems. This will create that opportunity to develop a competitive advantage in relation to its rivals. Therefore, customer relationship management has been becoming an essential strategic tool for the firms in today’s dynamic market in which customer needs are changing continuously and the key to success lies within concentrating on customer retention. Adebanjo (2003) argued that analytical CRM tools can be used in increasing relationship of the customers through analyzing the captured data from customers. An analytical CRM is used to analyze inquiries and customer behavior to support decision making. Previous studies have shown that there are some implications for managerial decision-making in the area of customer satisfaction. Given that pleasure plays a dominant role in keeping consumers, marketers must continually offer services that satisfy customers and influence their loyalty.

References


Ebrahim-Zadeh, Reza (2007) "review application of knowledge in technology Customer Relationship Management" Business management1386


Reichheld and Sasser, (1990), "Zero defections: quality comes to services", HBR68 (5:105-111)
Lef Nosi and the Albanian Issue during the Days of the Peace Conference (1919)

Enkeleida (Agaçi) Nosi

The 1918-th was the last year of the First World War. During the time of the global conflict Albania, occupied by the Austrian, Greece, Italian, French and Serbian-Montenegrin forces, rather than a state it looked like a wild arena of battles and despoliations where the destiny of the country was determined not only by the course of the war but by the policy of the interested Powers of that time. Albania, proclaimed a neutral state by the Great Powers themselves, would underwent much than combatant parties. Meanwhile the World War was near its end, Lef Nosi moved out to Italy. The economic difficulties were not the unique circumstances that obliged him to be exiled toward the occidental neighbor. During that time (1918) the relationship between Albanians people and Italian forces in the country were rather reformed. By the other side the entrance of the USA in the world conflict, in favor to the Antanta group, paled the danger that came from the application of the Secret Tractate of London (26 April 1915), assurance that came by the declaration of the American President, W. Wilson, that neither nation must not aim to choose its own governance to one other nation.\footnote{Swire, Joseph, Albania..., Tirana, 2005, pg. 219}

From Italy Lef Nosi, together with other Albanians personalities, followed carefully the evolution of the events in Albania where little by little the Austrian-Hungarian effective and Bulgarian forces were going and were cantoning the Italian and Serbian commands. But the presence of the Serbian forces awoke to Lef Nosi’s memory, like to many other Albanian people, their barbarism and violence versus the innocent Albanian people during 1913-th and after. Like a politician, a connoisseur and a researcher of the history of Albanian lands, for him was generally known the historical Cetinja dream to enlarge its southerner frontier aboard the Albanian lands. At the same time he looked one other fatality by the presence of Serbian forces in the country that was connected with their support for Esat Pasha Toptani and its followers during 1915-th. By the 1913-th Lef Nosi, diplomatized, was tried to limited the Esat Toptani’s activity and to avoided the fratricide war between Albanians. But the pacific behavior had not give the requisite results and Esat Pasha had attempted, with the support of the northern neighbor, to usurped the headship of the Albanian state.

At this flash point, when the serbian forces were came back to the albanian lands, prevailed the dubiety that their advance could invite the reinstatement of Esat Toptani and his exponents in Albania. Lef Nosi decided to finish its continuance in Italy just at the time when the austrian-hungarian forces run away from Elbasan city in October 1918-th. At that time he secured the authorization by the italian government to be repatriated. Teamwise with other albanians that were there, he put out from Taranto, with a military cruiser, towards to Valona city and from there he get a move on the Elbasan city.\footnote{Frashëri, Mehdi, Kujtime, Tirana, 2005, pg. 51}

By the September the austrian armies had begun to retired northwardly and their hiatus were taken by the italian armies that expanded their invasion during all the Median Albania and over the better part of the Northern Albania. At 11 November 1918 the World War was finished.

By the ending of the First World War the situation in Albania was not in coherence with its international status decided in 1913-th, at the Ambassadors Conference in London. Major part of its territory was under the control of Italian forces, the frenches kept invaded the region of Korça, the serbian forces were formed across the strategic line, while in Shkodra re-established the international administration conduced by French colonel De Forthou. At these conditions the country was immersed in a real chaos and in a deep misery. The Albanian occupied in every edge had not any sign of autonomy or a government that could represent itself in front of winning states to ask its vitals rights. The heavy politic situation, with the concluding of mondial conflict, was overweighting the new risks which were appeared not only about the defense of confines, but about the re-established of its politic dependences too. The evolution of diplomatic performance at the international arena re-activated the Albanians patriotic circles, inside and outside the country, for whom were known the plans and the projects composed during the war and which were waiting to realized by the Peace Conference.

Being in such position, the Albania had an immediate necessity for a representative government that could be created by a national assembly. Exulted by the Italian support, since it wanted to erected Albania- under its control-
inside widest confines if it’s possible,\(^3\) the national movement introduced the request to organized a meeting with
delegates by different parts of Albanian land. After a lot of hesitations by the Rome, were be able that in December 25, in 1918 in Durrës was held a national Congress. In the Congress particpated 48 delegates by the different parts of the
country, where Elbasan will be represented by Lef Nosi, Shefqet Vërlaci and Ahmet Dakli. When was convened Assembly, the Italians insisted to blocked the construction of a government and aimed the construction of a national council, which had to vocalized the desires of Albanian people for whole causes that would be discussed at the Peace Conference about Albania. But the Congress completed its duty with a different result from the Italian request.

At the new government of Turhan Pasha, got out from this congress, Lef Nosi was elected to administrate the Ministry of Food and Economy\(^4\) being in this case to direct one of the most problematic and the most important issues for Albania that at that time was destroyed by the War and was deplorable by the economic aspect. Like in 1912-th, at the Temporary Government of Vlora, he would be public-spirited at the new duty in Durrës government.

Besides the politic activity, Lef Nosi didn’t stop its researching work in the history area during the difficult times that Albania passed along the First World War. The materials that he gathered and would be published some years later to the Historical Documents to the defense of the national issue were not only testimony of the historical events and annals of that time, but those composed a precious contribution at the Albanian historiography area. On the historical files that he created we find presented the proceedings of the Durrës Congress and the attitudes held in it. In the meeting of the Assembly was also read the letter remitted by Aqif Pashë Elbasani, who insisted to the defense of the Albanian independence declared in 1913-th at the Ambassadors Conference in London. But the incorporation of prince Wied in germanic army during the war, being classified at the loser powers, did difficult, even better, did impossible its return in Albania. Therefore the main aim of the new government of Durrës was the defense of the Albanian national rights, totally and everywhere lived the Albanian people, inquiry of national confines and complete independence of Albanian state.\(^5\)

To realize the foreign politic of the government, the Congress decided to send its representatives in the new Peace Conference, to represent there the Albanians interests, that in that time were un-presented by Esad Pashë Toptani and his so-called ministers. During the time that the Albanian delegation of the Durrës Government were on their way to Paris, the other part of executive cabinet in country begun the work to realize the executive program. The economic rudiments of Albania were so delicate. Exactly on these rudiments would start its job the Minister of the National Economy, Lef Nosi to perform the projects for saving Albania from the economic destruction even though that was not the only problem he could face.

At this light the Albanian Temporary Government had aimed the conclusion of a settlement with an Italian bank, interposed by the Italian government, by design the construction of a department of this bank in Albania. Permanent firmly into the defense of the national question, public-spirited at war against fraction of Albanian lands, with a precious contribution into protection of cultural and historical values of its nation, Lef Nosi took place at the constellation of the Albanian patriotic movement. Affected for its nationalism, in 1919-th, he was vote from Progress Association of Elbasan city, president of the National Theatre of this city and warden of this Theatre. Exactly at this time, in April 1919-th, Lef Nosi took a letter from the Committee of Korça city about the deportment of frenches forces, which in 28 March 1919, kept down the Albanian national flag. The policy followed by the frenches had hearten Greece forces, united and organized on files along Albanian-greek frontier, which had aimed to enter to Albania, exactly in Korça, by force and theatricalized a rebellious movement that could influence the next decisions of the Peace Conference in Paris.

In the letter were enunciate the political viewpoints existed in Korça about the ways must be followed for saving the country by the risks came from our neighbors. The undecided attitudes of the Albanian delegates in Paris and un-albanian propaganda about installation of foreign protectorate in Albania, seemed diffused unto habitants of this region. We – was wrote in the letter, - have protested into governments of Antanta Powers and to the President of USA, to demand that our commune be connected with our mother Albania under the defense of Italy; but defense doesn’t mean protection.\(^6\)

But for Lef Nosi, the campaigner of Independent Albania, the Minister of Temporary Government in Vlora (1912-1914), the defender of Albanian state guided by prince Vilhelm de Wied, had not flashback. The Albania had proclaimed its independence in 1912-th and the Great Powers had accepted that the new state amid free countries in 29 July 1913. At that moment this reality was written in the pages of the History with the Albanian blood. This was the political position of Lef Nosi, who represented, at the same time, the patriotice opinion of Elbasani people, that refused the suggestion to

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\(^3\) Swire, Joseph, Albania..., Tirana, 2005, pg. 233

\(^4\) The Albanian Central Archives, Fund. 32, D. 12, pg. 2

\(^5\) Idem

\(^6\) The Albanian Central Archives, Fund. 32, D56, pg. 41
celebrate the anniversary of proclamation to the independence of Albania from the Italian authority. The permanence of independent life of Albanian state – was the political repute in Median Albania. We have heard that in Median Albania – was wrote by the Committee of Korça, - the opinion of the most of people is against the Italian defense and aimed an independent Albania. This opinion is the best one and every Albanian must be have it...7 The unstable opinions of the Albanian representatives in Paris could place in risk the Albanian issue.

After the departure, for health reasons, of the leader of the governmental delegation in Paris - Turhan Pashë Përmeti, the premier of the Albanian government, notably by the reason of warring deportments of Albanian delegates, in June 1919-th were done some fundamental innovations. The presidency of the new delegacy of Albanian Temporary Government in the Peace Conference was taken by Luigj Bumçi, meanwhile Lef Nosi, Mehdi Frashëri and Luigj Gurakuqi were elected new members of the delegacy. Its aim, of new delegation, was to disestablish the separations and different deportments of Albanian representatives in Paris and would followed all along the line of the national program proclaimed at the memorandum of February 12, in 1919-th from the delegacy of the Government in Durrës, that were sent to the Peace Conference in Paris. The new delegacy emphasized like a plank that: We are asking to be entertainer in the Albanian lands which are disembodied from our country by the Berlin Tractate and than by the Ambassadors Conference in London (1913): we are asking the independence of Albania and the veneration of the sovereign rights of the Albanian nation. Also we are asking economical recompenises for a lot of burnt villages by the Greece forces at the south Albania and for the destructions that the armies of the Central Monarchies have act in our country during their conquests. So this delegacy aimed to confronted every effort that designed to destroyed the territorial integrity, the independence and the sovereign rights of the Albanian state.8

The meeting of July 31, in 1919-th concluded with the incorporation in the governmental delegation of Mihal Turtulli and Mehmet Konica. Than in this meeting was punctuated with regard to the case about admission of the assistance of someone from the Great Powers, the mission will be adjusted in accordance with the requisitions presented until now to the Conference about this case, namely it will ask that the assistance must be temporary and mustn’t hurt the sovereign rights of the Albanian state, neither the prosperity and its economical progress.9

The news about the Italian- greek collusion of 29 July, increased the inquietude unto Albanian representatives that created a memorandum, where they protest in front of the Fifth Council against every decision that could be taken about the Albanian issue, without discussing it before with them.10

Meantime, during the August 1919-th, in Korça city the Greece forces had replaced the frenalts effective and this act announced publicly the habitants. Immediately better part of the people abandoned the region and left to the Italian zone.11 With the contradiction of Albanian Government, Korça city passed again under the frenalts administration and the habitants begun to came back at their houses. Meanwhile the incident disturbed the people in Elbasan city that, in September 1919-th, protested against the Greece effort to invaded the Korça city: The people in Elbasan city, collected all together, express wondering its sadness and indignation about the evacuation of the frenalts authorities, to the people of Korça city which is cleaning out from its habitants now... It will be an awful injustice that this city, that the Conference in London in 1913-th...accept it like an Albanian city, be invaded by Greece forces. At this moment that the Albanians are waiting to be recompensed for the disaffirmed rights in 1913-th, giving back to Albania – the Kosovo and Çamëri territory, they are hearing this notice that inspire the disappearance of Albanian nation. That is why the people in Elbasan city protest against invasion of Korça city by the Greece army and hope that the Peace Conference will take back this injustice that can produce solicitutes and disturbance in Balkan region.12

About the situation in Korça city, Lef Nosi was informed from his brother, called Veniamin, during the autumn of 1919-th, who wrote: The habitants of Korça city that were left one and half month ago, now are coming back to their homeland. We hope that all of this can be finish and the Albania issue can be resolve and then we shall be not slaves but owner of our country.13 But the heavy situation held on. After a month from the Veniamin letter, Grigor Nosi wrote his brother, Lef Nosi in Paris, about the insecure situation in Korça city: Korça issue is hard to be explain. The frenalts commandant, from one side call the refugees, by the other side he tell them that they shall stay till the end of September and then none know whom shall hand over the Korça city. This fact has preoccupied the habitants and all the Albanian

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7 Ibidem, pg. 42
8 The Albanian people war..., Tirana, 1975, pg. 120
9 Ibidem, doc. 195, pg. 292
10 Ibidem, doc. 206, pg. 305
11 Swire, Joseph. Albania..., Tirana, 2005, pg. 236
12 The Albanian people war..., Tirana, 1975, pg. 361
13 The Albanian Central Archives, F. 32, D. 57, pg. 72
people have asked the support of the Italian Government, although they don’t know if they have it. In front of the interposial by the European states in Paris, eventual risks that were appearing for the Albanians by the Balkans neighbors and the evolution of the situation in Albania, in October 9, the governmental delegacy proposed to the Conference a reasonable change in accord with the situation, home needs and the provisos of the Conference in London in 1913-th about the rise of the Albanian state.15

During the meetings of the Albanian delegacy in Paris, constantly the members discussed about the deviation of the foreign commission to Albania. At the end of September it was known the American deportment about the Albanian issue by the private negotiations between the expert of the Albanian delegacy, Fuat Bey Zembraku, and the American counselor, Mr. Bukler: The Peace Conference doesn’t do any change for the Albanians with regard to the mandate, but if the Albanians want to be safe from a colonial mandate, they must be ask a kind of assistance that incumbent by the American delegacy and be accepted by the Conference.16 The official un-pronouncement of this deportment, raised the clouds of suspicion unto some members of the delegacy, in them Lef Nosi expressed his desire to heard those words by Mr. Fuat Bey and than he could make him some other questions and could formed a best idea about the intention of Mr. Bukler. Meantime he insisted to conclude the warring deportments of Albanian representatives in Paris and added that must be prescript the delegates of Istanbul to abandon their opposition which damage our issue.17

During the proceedings Lef Nosi did not supported the idea suggested by some members of the delegacy to ask the Conference for choosing forward to Albania of a prince from the noble family of Savoya, like a unique solution to save Albania from an Italian colonial mandate. He added that Albanian delegacy can’t ask one another prince until the prince Wied didn’t gave the demission or the people deposed him. By the other side he believed that it was better to talked before, about this case, with the government and then we could take a decision about it. Lef Nosi was against the choosing of an Italian prince for one another reason too. By choosing the Italian prince for Albanian throne, the risk for the future of Valona city will be grew up. So he asked guaranty if the prince will be choosing, someone must save the Vlora city from the Italian invasion. At this case, Lef Nosi had the support of Luigi Gurakuqi who asked too that the delegacy must not given up from the defense of the territorial integrality and never must accept the Italian invasion of the Vlora city by an international act… So the delegacy don’t have to do anything about the mandate issue, until to be ascertain finally the Albanian confines and can be explained the mandate issue.18

During the sessions of the Conference, while the winner states of the first World War were deciding the destiny of the populations, Lef Nosi would present different authentic documents in favor of the rights of the Albanian people, the rights to be free in their lands. After numerous proceedings about finding the ways to save the independence and the sovereignty of Albania, the governmental delegacy decided: 1. – to insisted at the respectability of the territorial integrity of Albania composed by the Conference in London in 1913-th and to secured the landing of the national requirements… 2. – to be objected versus all the mandates because Albania has proclaimed its independence by the 1912-th. 3. – to limited the space of the Italian assistance being reposed at the decisions of the Ambassadors Conference.

In October the representatives of the Durrës government in Paris presented a protest note to the chairman of the Conference, Mr. Zh. Klemanso, to protest against the plans of the European states, especially against the Italian and Greece plans, at the other words, against the Tittoni-Venizellos concord that daring the territorial integrality and the independence of Albania.

Inter alia in the protest note was wrote: The Albanian delegacy protest against all the decisions that risk the territorial integrity of our country, the independence and the sovereignty of the Albanian people and that are contrary from the justice principles and the rights of the small nations … Meantime the leader of the Albanian representatives in Paris, Luigi Bumçi, confessed the pro Italian orientation of the Albanian delegacy: to protect our rights, that our voice be heard, we must be strong to compelling; Who has not this force could hope to the support of a friend power. If we take a look around, we can’t see any other power that support us against the Greece and Serbian, aside from Italy.19

The 1919-th was finishing and the destiny of Albania, bad-involved with the Adriatic issue, continued to be without an answer from the European diplomacy. In this situation the Albanian representatives in Paris composed a memorandum with the suggestions addressed to the Peace Conference about some changes in the decisions of the Ambassadors Conference at the 1913-th, regarding the admission of the Italian right to guaranteed the neutrality of the
Albanian state and intended for Albanian prince to the Aosta Duke. It seems that Lef Nosi was in disfavored with these suggestions and this is confirmed by the fact that the memorandum wasn’t undersigned by Lef Nosi. Besides these changes were proposed some other concessions in favor of our neighboring states on purpose to the protection of the territorial integrity of the Albania. Unfortunately these sacrifices were ineffective too. Debacle of the Durrës government is related with the politic situation of the 1920-th when the country had a lot of difficulties, the people were divided, the economical level was lowermost, the illiteracy was very high, and the corruption, inherited by the Ottoman Empire, was an quotidian occurrence. That year finished a crisis decade with conflicts and chaotic situations.

The national convention, collected in January 1920, took control to the destiny of the country. Disappointed by the fact that the justice and the independence principles were not respected in their case by the Great Powers, convinced the representatives in the Convention that, in the depressed conditions of their country, they must tried by themselves to liberate their country by the foreign invasion and to show the whole world the determination to protect the independence and the territorial integrality of the country. It’s been formed a new government in Tirana city headed by Sulejman Delvina that organized a new delegacy for Paris. While Luigi Bumçi and Mihal Turtulli were called by the Regency Council, Lef Nosi and Mehdi Frashëri, in May 14, 1920, disembarked in Durrës city. In May 18 Lef Nosi arrived in Elbasan city where he remained to be active and attentive toward the politic developments in the region.

References

The Albanian Central Archives, Fund. 32 “Lef Nosi”.
Swire, Joseph. Albania..., Tirana, 2005
Frashëri, Mehdi, Kujtime, Tirana, 2005.
The albanian people war..., Tirana, 1975.

20 Ibidem, doc. 323, pg. 500
21 Swire, Joseph. Albania..., Tirana, 2005, pg. 253
Capital Transfer Outside Albania and the Absent Capital Market

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Abstract

Capital outflows is beginning to attract the attention of policy makers, in the frame of stimulating investments within the country and furthermore, promoting lending to local business by commercial banks. The recent movement of the Albanian Parliament, by way of a special resolution of taking coercive actions by Bank of Albania, aiming at limiting capital outflows by commercial banks, is judged purely declarative and of good purpose only, without a real impact and value added, given the economic, political and strategic commitments, Albania has taken on international and European arena, the development of domestic economy and its model, and the stage of development and intermediation within the financial system and markets, as well as banking and non-banking sector. As per above, and in the context of an increasingly globalized world, and the Albanian’s integration aspirations in the EU, imposing constraints, either administrative or in the form of tariffs and taxes on the free movement of capital, will complicate foreign investment climate in the country, in a time when several segments of the financial market, such as: capital market and private securities, remain fairly underdeveloped, thus limiting the investing useful and profitable alternatives for banks and other entities, with temporary surplus capital and funds, within the Albanian domestic market. Therefore, it is deemed necessary that policy-makers and regulatory & oversight institutions for the Albanian financial system, must express and articulate a clear approach toward the TSE’ revitalization, along with further deepening of the financial system, as the only way these segments of the financial system could make a contribution to alleviate and mitigate such an issue for the national economy.

1. Introduction

Several months ago (in June 2014), the Albanian Parliament adopted, unanimously, a resolution which among other things required the Bank of Albania to consider potential coercive measures, which should aimed at limiting the capital outflow (to be read here as temporarily idle funds) by commercial banks, in the form of investments or capital repatriation to parent banks. Moreover, the resolution encouraged and sought an even more active role of Bank of Albania itself, beyond restricting fund movements, in terms of investing them by banks, within the Albanian economy. By not going further about another request, addressed at Bank of Albania, to increase further its stimulus for the economy (indirectly implying a continuing cut in base interest rates), it is deemed as necessary addressing and explaining the main drivers, which are thought to have caused such move of the Albanian Parliament, which as a matter of fact, has not been articulated ever before and which represents a new approach towards foreign capital and investments in Albania.

The objective of the paper is to analyze the potential effects, the special resolution of the Albanian Parliament on coercive actions by Bank of Albania to limit capital outflows by commercial banks, on Albania’s international obligations, as well as on the economic and financial development and foreign investments & business climate. Additionally, the paper emphasizes the need for regulators and other groups of interest to consider measures and undertakings towards financial deepening, the development and functioning of Tirana Stock Exchange, as effective means to cushion the effects and consequences of capital outflows on real economy.

2. Capital Outflows (Export) – Some Theoretical and Practical Considerations

The debate about capital transfer and outflow, as well as its respective taxation or imposing limitations on their free movement is neither new, nor simple. According to Magud et.al (2014), capital controls is not a new topic in the international finance arena. Imposing and implementing capital controls seem to continue, nowadays, in various countries and within different economies, as well the academic and professional debate, about pros and cons of limiting the free movement of capital, since the collapse of the Bretton-Woods system, continuing during the globalization process, and

McLeod (2002) affirms that, there is no widely accepted definition of capital flight. The classic use of the term is to describe widespread currency speculation, especially when it leads to cross-border movements of private funds that are large enough to affect national financial markets. The distinction between “flight” and normal capital outflows is thus a matter of degree, much like the difference between a “bank run” and normal withdrawals.

Also, Magud et al. (2014), stress that, the literature on capital controls has (at least) four very serious issues that make it difficult, if not impossible, to compare across theoretical and empirical studies, such as: (i) there is no unified theoretical framework to analyze the macroeconomic consequences of controls; (ii) there is significant heterogeneity across countries and time in the capital control measures implemented; (iii) there are multiple definitions of what constitutes a “success”; and (iv) the empirical studies lack a common methodology.

Liard-Muriente (2007) affirms that from one perspective, capital controls limit the ability of international financiers and multinationals to curtail labor. Among the economists promoting capital controls, Keynes was the most prominent. He was in favor of controls as a protective tool from the unstable international economy and the possibility of capital flight, which, among other things, causes a decrease in potential growth, erosion in the tax base, and redistribution from poorer to richer groups. However, from the neoclassical perspective, capital controls are just bad policies. They remove the discipline of the international market, which rewards countries that pursue pro-growth policies and penalizes those that do not. Also, controls hurt economic development and welfare. Nevertheless, history shows that governments use controls regularly. Capital controls are the set of regulations governing the movement of capital. Controls are set over both inflows and outflows, and within these two categories, as Nembhard (1996) explains, it is possible to have four additional subcategories: investment and credit regulation, trade restrictions, foreign exchange regulations and quantitative and tax policies. They may be applied in two forms: (1) as administrative measures on transactions and (2) taxes or tax-like measures on flows. Typically, according to Schuknecht (1999), tariffs on capital flows could be levied through non-interest-bearing reserve requirements (Chile had such requirements for a number of years but abolished them in September 1998). Also they could be levied as a proportionate tax on capital inflows and outflows, or as transaction taxes that aim to discourage short-term flows relative to long-term flow (the so-called “Tobin taxes”, after James Tobin, the economist who first proposed them).

There may be different reasons for imposing capital controls, by different countries. As Liard-Muriente (2007) argues, countries often adopt controls to shelter the domestic economy from volatile capital movements, to regain policy autonomy, to allow domestic full employment and maximize social welfare, to save foreign exchange and to keep finances (domestic and international) under national control. Controls provide a second-best substitute for inadequate solvency supervision of banks and other financial institutions, reducing the size of volatile short-term foreign credits in relation to the economy.

3. Capital Transfer and their Respective Control – Reasons And Consequences

According to Forbes & Warnock (2011), capital flow volatility can have widespread economic consequences, such as amplifying economic cycles, increasing financial system vulnerabilities, and aggravating overall macroeconomic instability. Also, the theoretical and empirical research reviewed here and in Section 2.1 suggests that a parsimonious list of the possible determinants of capital flow waves would include global factors such as global risk, liquidity, interest rates, and growth; contagion through trade linkages, financial linkages, and geographic location; and domestic factors such as a country’s financial market development, integration with global financial markets, fiscal position, and growth shocks.

Nga ana tjetër, Magud et al (2014) propose four reasons (fears) which condition capital transfer (movement, and in turn the rationale for imposing or potential introduction of capital controls: (1) domestic currency appreciation/ depreciation, (2) hot money, (3) sheer volume investment flows and sudden injection of funds, which fuel asset price bubbles and encourage excessive risk taking by cash-rich domestic intermediaries and (4) loss of monetary autonomy.

4. Albania and Its Respective Obligations According to International Agreements

The resolution of the Albanina Parliament is based upon a good intention to concede favors to national economy, whereas it stresses a justified concern and sensitivity in relation to the facts and realities, which are obviously noticed and observed, within Albanian banking system and crediting process in general, as well as ensuring optimal fundings for domestic businesses. However, should the resolution be set within the mosaic of the financial system and the free market, it is deemed as being destined to remain declarative, well-intended, but with no added value, in this regard.
Specifically, the resolution should have considered and analyzed some essential facts and realities, related to economic, political and strategic commitments, Albania has assumed internationally and in an European context, the development of national economy and its model, the degree of development and intermediation within the financial market and system, or within the banking and non-banking sector, etc.

Firstly, Albania is a member of WTO, since 2000, and as such it can not impose discriminatory conditions and restrictions (i.e. can not violate the non-discrimination principle), including here restrictions on capital outflows and transfers. If such a measure is to imposed by the monetary authority, therefore it would be expected that other WTO members would respond in the same way, in relation to capital inflows towards Albania.

Secondly, the Republic of Albania signed the Stability and Association Agreement with the European Community and the Member States and since 2010 Albania has fully liberalized its capital account, which is related with capital transfer and investments abroad (towards EU). In this case, the Resolution practically contradicts some substantial obligations, Bank of Albania has undertaken, in the frame of SAA. Typically, point 3: “Capital movements and current payments”, of Bank of Albania’s obligations prescribes, inter alia, that:

With regard to transactions on the capital and financial account of balance of payments, from the date of entry into force of this Agreement, the Parties shall ensure the free movement of capital relating to credits related to commercial transactions or to the provision of services in which a resident of one of the Parties is participating, and to financial loans and credits, with maturity longer than a year. The Parties shall also ensure, from the fifth year after the date of entry into force of this Agreement, free movement of capital relating to portfolio investment and financial loans and credits with maturity shorter than a year.

Also, Albania and the European Community shall not introduce any new restrictions on the movement of capital and current payments between residents of the Community and Albania and shall not make the existing arrangements more restrictive.

In exceptional circumstances, movements of capital between the Community and Albania cause, or threaten to cause, serious difficulties for the operation of exchange rate policy or monetary policy in the Community or Albania, the Community and Albania, respectively, may take safeguard measures with regard to movements of capital between the Community and Albania for a period not exceeding one year if such measures are strictly necessary.

According to Bank of Albania’s reports, the situation within the Albanian financial system and the respective banking sector remains stable, given the recent hearing and reporting to the Albanian Parliament. In this regard, urging and encouraging Bank of Albania towards undertaking such a step is in conflict with SAA principles and requirements. Otherwise, to implement such measure, Bank of Albania must notify the existence of a certain situation in the banking system, that meets the criteria according to which Bank of Albania may take respective actions. On the other hand, even in case of undertaking such a measure, it would have a lifespan or 1 year only, that is, a simply stabilizing effect, whereas the resolution requires such a measure with the aim to encourage lending and investments within national economy. Strategically, at this point, it is deemed that Albania can not take steps back in this direction, at a time when a total, political and institutional commitment, towards EU membership, is critically required, more than ever.

Thirdly, funds invested by banks abroad are mainly placements in the form of deposits (time or checkable ones), as well as investments in foreign securities. This is a normal activity for banks around the world, in frame of a global world and finance, which is entirely consistent not only with the principles of makroprudentiality of banks in Albania, but also with the principle of efficient use of funds, borrowed from depositors and other lenders. In a time when, for a myriad of objective reasons, the national economy can not absorb the majority of available funds, banks have for lending, it seemed quite logical that they will seek other opportunities outside the Albanian financial market, which ensures more than 92 % of financial intermediation through banks, and furthermore, with a total lack and absence of an established or formal and functioning capital market (stock exchange).

Fourth, with regard to further monetary and crediting stimulus, several factors should be taken into account, which make difficult the effectiveness of monetary policy, implemented by Bank of Albania. The transmission mechanism of monetary policy in Albania, for some objective reasons, related to the shallowness of financial markets, lack of a basic and established capital market and the narrow range of tradable financial instruments (securities) in secondary markets, transmits (the Bank of Albania's monetary policy) with a relative time lag, usually after two-three quarters, within financial system and to the wider economy. This explains only one of several factors, affecting the slow effect, reflection and impact of Bank of Albania's decisions about changing the base interest rate. The other significant rationale is that risks inherent to the national economy, as well as in other countries of the region and in the world, are heightened, and this will be logically reflected to the entire structure of interest rates, banks charge for loans they grant. Currently, Bank of Albania is firing all its bullets (by cutting systematically the base interest rate), to enable an easing of lending process by banks, but Bank of Albania is not capable, even unilaterally, to reduce or moderate risks within the national economy. Its interventions are simply lowering the basis of the structure of bank loan interests, by allowing such structure to absorb increasingly additional risks in the economy. Consequently, the nominal level of interest rates for bank loans tends to move down not in tandem with the drop in base interest rate. Practically, the role of Bank of Albania in relation to the development of Albanian financial market, starts to become increasingly limited and a further stimulus (lower interest rates) would produce less and less effect on bank loan's interest rates.

Fifth, the issues mentioned in the preceding paragraph reveals one of the structural problems of the Albanian financial system, that is the lack of an established capital (stock) market, and specifically the secondary market for private securities. The absence of an organized securities (stock) market, and the total lack of securities from the private sector and the modest trading activity of government papers (mainly those with over 1 year maturity) in the secondary market (as compared with primary market volumes), illustrate the shallowness of the Albanian financial market, and furthermore reveal the missing gears of a complete and efficient transmission mechanism of monetary policy by the country's monetary authority. In other words, Albania lacks the inter-sectoral competition (between banks and other non-bank financial institutions), which enables not only a real-time response to monetary policy, but above all, reduces costs of financial intermediation (interest rates).

As per above, it can be affirmed that, the capital export from banks in Albania has been, and it will be a normal phenomenon, which is likely to be further enlarged, as long as Albanian follows the current model of organizational and functioning structure of the financial system, which relies almost entirely and substantially on bank intermediation, with a complete absence of capital and securities (stock) market. The key element that must be clearly understood here is that, only the financial deepening and the establishment of a well-functioning capital market within Albanian economy will be
capable to contribute (although initially in a modest way) in reducing the capital export, by channeling it through this market towards the public and private sector. Such an appeal is neither new, nor unheard, within the economy and financial system; on the contrary, for years and years it has been calling for the creation of necessary infrastructure and appropriate capital (securities) market, by not letting the issuance of private securities and listing of companies on the exchange, be developed on spontaneous grounds. Since 2006, I have been personally explained and called for such issues, whose effect, the role and impact will be materialized later (for more information see the BOX, depicting an excerpt from an article, addressing the issue of financial intermediaries, where among others, certain concerns have been raised about the possible capital export, following the capital account liberalization, as a result of the non-existence of a functioning stock exchange in Albania. Moreover, as noted by Stiglitz (1998), ...deep, efficient, and robust financial systems are essential for growth and stability. But left to themselves, financial markets will not become deep, efficient, or robust. The government plays an essential role, both in directly overseeing and regulating the financial system and also in establishing the correct incentives to encourage prudent and productive behavior".

Naturally, the establishment and the functioning of the stock exchange and the capital market in general will not be (and can not be) the center of gravity for national economy, but for an economy to provide sustainable growth and be developed away from (financial) systemic risks, it should be put on a right institutional, weel-regulated and properly supervised path. In this regard, a securities (stock) market and secondary functioning capital market (especially for private securities, but not only), will undoubtedly be a turning point for ensuring a more sustainable economic growth, an increase economy's competitiveness in a regional scale and a greater stability within Albanian financial market. Postponing the issue of capital market does not solve the problem itself about such market, or that of the sizeable and continuing capital export.

In conclusion, it is deemed as necessary that policymakers and supervisory and regulatory institutions of the financial system, must express and articulate a clear will, toward the revitalization of Tirana Stock Exchange, whose well-functioning as a market and institution will be somehow contribute to alleviate such a problem for the economy. Ultimately, Baier, Dwyer and Tamura (2003) in their article: "Does Opening A Stock Exchange Increase Economic Growth?", put that: "...suppressing a stock exchange or impeding its operation is a good way to reduce economic growth!"

Furthermore, even Forbes & Warnock (2011), stresses that, one country characteristic that has recently received substantial support in order to reduce this volatility—capital controls—does not significantly reduce the occurrence of surges, stops, or other capital flow episodes. Most of the significant drivers of capital flow volatility—such as changes in global risk, global growth, and contagion—appear to be outside the control of policymakers in most countries.

5. Conclusions

Imposing controls of capital outflows, gives an inhibiting signal for future foreign investment inflows, mainly in the financial and banking sector, along with contravening the international obligations, Albania has assumed to fulfill, as part of its integration agenda at European structures.

In a time when many segments of the Albanian financial market, such as: capital market and the market for private securities remain underdeveloped, the imposition of restrictions, either administratively or in the form of tariffs and taxes on free movement of capital, will complicate the climate of foreign direct investments, besides the fact that banks and other entities, with a temporary surplus idle funds, are faced with substantial lack of other investing and profitable alternatives in the Albanian financial market.

Policymakers and supervisory & regulatory authorities of the Albanian financial system must articulate a clear will and approach, toward the revitalization of Tirana Stock Exchange, and further deepening of the financial system, as the only way such segments could somehow contribute to mitigate such the impact of this issue on national economy.

The government must focus on and further consider making efforts to strengthen the country's ability to cope with capital outflows' volatility, rather than simply trying to directly reduce such unpredictability, by imposing controls on capital flows.

References


Game Theory, The Coordination Between Firms

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Abstract

The economy tends to converge in a stable condition and cannot show the long term, because of this, it is difficult to explain the continuance term of investment and aggregate. To solve this problem, we will use a different approach to analyze the mechanism of investment fluctuations and concentrate on methods of game theory to the problems of coordination between firms. This approach pays attention to the complementary role that behavioral strategies among firms and makes clear the characteristics of equilibrium achieved by strategic interactions of firms. In a macroeconomic context, coordination of actions between firms will determine the level of economic activity. For this purpose, a simple model of the economic cycle based on a game theory would appear using the methodology of the global game.

In this paper, in order to analyze unstable fluctuations of aggregate corporate investments, firms decision making of corporate investments was examined by means of a dynamic global game. For this purpose, the externality of the past aggregate investments rationalized on endogenous growth theory (learning by doing) is supposed to have an impact on the current economic activities. In addition, by including past externalities, we will show persistence in which a certain economic situation can persist in the subsequent periods. As for the implication for business cycles, these movements of equilibrium strategies can explain two characteristics of business fluctuations. Consequently, huge fluctuations of investments can appear over time. Also, we will compare to the case without a past externality, the existence of it can prolong periodicity of cycles. Once firms coordinate (do not coordinate) on investments and the economy goes into expansion (recession), the economic environment of the future tends to be favorable (unfavorable) because of externalities from past aggregate investments.

1. Introduction

(Keynes, 1936) suggested that the most important factor that contributes to the fluctuation of business is the movement of aggregate corporate investment. This is that the aggregate output fluctuations follow the movement of aggregate investment. Also it presents not only the biggest but also fluctuations sustainability of this expansion. To explain these fluctuations in aggregate investment, economists have offered various economic ways. A lot of studies done on this topic have used the theories of the business cycle as (Kydland & Prescott, 1990), (Long & Plosser, 1983). Although this theory is able to explain a range of investment affect, this is not necessarily able to show large fluctuations in aggregate investment.

In addition, it is difficult to explain the continuance term of investment and aggregate output as the economy tends to converge in a stable condition and cannot show the long term. To solve this problem, we will use a different approach to analyze the mechanism of investment fluctuations and concentrate on methods of game theory to the problems of coordination between firms.

This approach pays attention to the complementary role that behavioral strategies among firms and makes clear the characteristics of equilibrium achieved by strategic interactions of firms. In a macroeconomic context, coordination of actions between firms will determine the level of economic activity. For this purpose, a simple model of the economic cycle based on a game theory would appear using the methodology of the global game. Access global game theory provides a method of selecting equilibrium (Carlsson & van Damme, 1993). In general, games with strategic additions
can produce multiple equilibria depending on the expectations of economic agents. Since these are all rational economic equilibria and self-fulfilling, they cannot be confined to a single equilibrium. However, this method relies on the assumption that all economic parameters are common knowledge among the agents.

On the other hand, the global game theory introduced by (Carlsson & van Damme, 1993) is an incomplete information game about the underlying economic states. They showed that when uncertainty and noisy signals economic conditions are incorporated into theories of coordination games, a unique balance (equilibrium risk dominant) can be solved in case if restrictive noise reduced signals. In addition, this equilibrium survives iterated deletion of strategies strictly dominated by (Milgrom & Roberts, 1990). As a unique equilibrium can be obtained in this setting, it is easy to analyze various discrete problems, such as bank runs currency crises, debt price (Morris & Shin, 2002) and a regime change (Angeletos & Pavan, 2004).

There are various applications of this methodology in dynamic environments. Theories of global dynamic game are classified into two categories. The first is a model that looks backward and the second model looks forward. The first category considers the effect of economic activities in the past in the actual economy. Models that looks forward (in the future), think that forecast economic activity in the future affect current economic activities. Models that see in the future are related to decisions to invest now or to postpone investment. Firms delay in order to have a good opportunity to invest or useful information about the underlying economic situation. Based on this, (Lahiri & Sheng, 2008)) analyzed the balance of economic fluctuations through a simple delay investment game.

2. The role of coordination between firms and firm's capital in macroeconomics

2.1 Forward and backward looking behavior in macroeconomics

As simply described in the introduction, there are two ways to approach dynamic macroeconomic models. The first is forward looking models and the other is backward looking models. Forward looking models mean that expected future variables affect current economic decisions. A lot of neoclassical macroeconomic theories are basically along this line. For example, firms choose their investments taking into account net present value of payoffs that these investments produce. On the other hand, current activities are mainly determined by past economic situations from the point of view of backward looking models. For example, traditional Keynesian models like IS-LM framework are based on this idea. One of the reasons that past economic results affect the current economic situation is that these theories explicitly or implicitly assume the existence of imperfections of markets which cause financial frictions and liquidity constraints to corporate and household sectors. Thus, firms and households cannot borrow necessary funds by setting future payoff as collateral and current economic activities can be restricted by past activities. In this study, the basic structure is based on a backward looking model and current economic conditions are affected by past economic activity4. However, here, we do not assume imperfection of markets. The dynamics of the model are driven by past externalities that affect future productivity levels. In the next sub-section, we will explain this point more precisely.

2.2 An interpretation of coordination between firms

Conventionally, macroeconomic coordination between firms (e.g. aggregate investments) in business cycle theories considers its effective demand and spillover effects on the economy. But it also creates valuable capital which has long run effects on future productivity. In this case, capital means both tangible capital like building, lands and intangible capital like human capital and accumulation of knowledge. In macroeconomics, these kinds of capital and externality effects are mainly considered in the framework of endogenous growth theory. For instance, active investments by firms provide workers with job training and learning opportunities in practice. These efficiency-improving activities can enhance workers productivity (learning by doing). This effect does not vanish within a period and lasts to the future economic productivity. Thus, some of this externality has an influence on profitability in the next period. While endogenous growth theories in macroeconomics try to clarify the mechanism of economic growth by enhancing marginal productivity of capital through externalities like learning by doing and research and development using market structure such as monopolistic competition framework, the model in this paper applies these ideas to the context of economic fluctuations. In developed countries, main industries have been changing from manufacturing to service industries, while main industries of developing countries are manufacturing. The crucial economic factors for service industries are research and development and human capital (especially knowledge attached to labour). Therefore, the productive effects from the past aggregate investments could have an enormous influence on economic fluctuations in developed countries.
3. The model

**Strategic complementarities within and between periods**

In this economy, there is an infinite number of periods \( t = 0; 1 \ldots \). In each period, there are firms measured \([0; 1]\), which are indexed by \( i \). They have an option to invest each period and make their decision whether to invest or not. The information structure of this economy is incomplete with regard to states of this economy and these states are not observable by firms. However, firms can obtain a noisy signal \( x_i \) to drawn from normal distribution \( \mathcal{N}(0; \sigma^2) \) and associated c.d.f. and p.d.f. are \( F \) and \( f \), respectively. It is also independent from is assumed to be picked randomly from a distribution which has c.d.f. on the real line and associated p.d.f. Although firms decide whether to invest or not in each period, the productive effect of aggregate investments of current period is assumed to appear not only in the current period but also in the next period. The intuition of this idea is that aggregate investment generates tangible (e.g. production facilities) and intangible capital (e.g. accumulation of knowledge embedded in labour force) in an economy and they have an effect on the future productivity. Moreover, some fractions of these effects of aggregate investments in the previous period are supposed to be included in the payoff function of the present. These fractions are expressed as \( \theta \in [0; 1] \). If the fraction equals 1, past coordination perfectly affects current profitability. Conversely, when it equals zero, past coordination has no effects on present economic activity. Taking into consideration the above discussion, we will define the payoff function of firms. If firms do not invest, their payoffs are zero. If firms invest, payoffs from investments have a characteristic of strategic complementarities.

This function is taken from (Morris & Shin, 2002). In this expression, \( l \) is the number of firms which invested in the current period and this creates productive capital for firms. For simplicity, productive effects of capital created in the past are expressed by this term. Therefore, firm’s face two payoff complementarities; aggregate investment of firms within and between periods.

In other words, aggregate output is linearly composed of three elements in this model is interpreted as a productivity parameter which changes stochastically. \( L \) is an effective demand of current aggregate investment which boosts a production level of individual firms, while is the positive productive effect from the past aggregate investment with a discount. On the other hand, the cost is normalized as one. The strategy of firms is a binary decision making regarding whether to invest or not. If firms decide to invest in the current period, it contributes to the individual and aggregate level of production of the next period. In this game they follow symmetric monotone strategies, deciding between investing \( I \) or not \( N \) based on thresholds. In considering their expected payoffs, firms have to form their belief about the proportion of other firms which invested in the same period. Following (Angeletos & Pavan, 2004)Morris and Shin (2001), the proportion of investing firms is known to be uniformly distributed on \([0; 1]\) (Laplacian beliefs).

4. Conclusion

In this paper, in order to analyze unstable fluctuations of aggregate corporate investments, firms decision making of corporate investments was examined by means of a dynamic global game. For this purpose, the externality of the past aggregate investments rationalized on endogenous growth theory (learning by doing) is supposed to have an impact on the current economic activities. Due to the simplicity of this setting, these coordination games have a unique equilibrium at each stage and unstable behavior of equilibrium strategies can be produced over time. On the other hand, without these externalities from the past, huge fluctuations cannot emerge. In addition, by including past externalities, we can show persistence in which a certain economic situation can persist in the subsequent periods. As for the implication for business cycles, these movements of equilibrium strategies can explain two characteristics of business fluctuations. Firstly, turning points of expansions and recessions can be determined depending on the path of underlying economic states. In other words, firms coordinate or fail to coordinate on investments relying on the equilibrium strategies of each period. Consequently, huge fluctuations of investments can appear over time. Secondly, any sufficiently long run duration of cycles can be explained in this model. In particular, compared to the case without a past externality, the existence of it can prolong periodicity of cycles. Once firms coordinate (do not coordinate) on investments and the economy goes into expansion (recession), the economic environment of the future tends to be favourable (unfavourable) because of externalities from past aggregate investments.

In addition, a few comparative statics say that the greater the strength of past externalities is, the longer the persistence of expansion is. Furthermore, existence of current coordination makes persistence of expansion more prolonged than without current coordination.
5. References:


Albanian-American Relations During The World War II

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Abstract

The aim of this paper is to shed light on the relations between Albania and the US during World War II, focusing mainly on the policy followed by America to Albania and the impact brought on internal developments during the period in question. Undoubtedly, the American attitude to Italian invasion of Albania had its own significance which associated with the advantages and disadvantages of such an attitude influenced in the course of events in the country and why not in the fates of Albania in conclusion of the war. Of special importance were the American missions that arrived in this country with the increasing interest of America to Albania during 1943-1944; these missions reflected through their activity US policy, its own strategies and objectives on Albania in the context of developments of World War II.

Key words: Relations, Albania, America, policy, missions, WWII.

1. Introduction

The relations between Albania and the United States, which during World War II followed their designated course, date back to years ago although of not so significant importance. Concretely, between the two World Wars, Albania was an economically backward country, poor and illiterate, largely agrarian and with backward industries. The main branches of industry were mineral oil and bitumen industry. There were no industrial centers in addition to several small workshops to provide household necessities. There were no universities, but a few primary and secondary schools in major cities (Durham, E., 1991, p. 451). Albania was too weak financially as well.

During this period, international relations in Europe were taking a new shape thereby leaving no space conducive to political movements in the interest of small Albania. America for its part, in the period between the two world wars, was still in the process of determining its new global role and had withdrawn to isolationism. Hence, US policy toward Albania in this period was quite disregarding and relations between the US and Albania were limited. This is because in terms of geo-strategic aspect, the Balkans and even less Albania posed no vital interests to America. Similarly, Albania had little prospect of economic benefits; among traces of political and socio-cultural relations between Albania and the United States for the period in question, may be mentioned: "the status of favored country" that King Zog had accorded to the United States (Fischer, B. 2013, p. 102-103), operation of the American School for Girls in Korca established in 1891 as well as the Technical Vocational School of Fultz established in 1921.

2. America's attitude against the Italian invasion of Albania

Albania was occupied by fascist Italy on 7 April 1939 precisely in circumstances when America was withdrawn into its isolationism and adhered to the non-involvement principle in conflicts of other countries. In this context, America had no direct interests in Europe and therefore it did not manifest any effective stance of significant influence against Albania’s question. Moreover, there were cases when it was claimed that "the result of its participation [America’s] in Albanian affairs was completely unsuccessful" (Wrigley, W. 2013, p. 132-133); but following the background of relations between America and Albania during the World War II, we do believe that such an observation is somewhat exaggerated.

Indeed, King Zog had stated to the US diplomat in Albania, Grant, his prediction on the evil that was threatening Albania and the whole world long ago. Grant himself affirms this when writing that "King Zog, in one of the meetings I had with him in 1937, Zog warned me that a second world war would break out within two years. Grant informed Washington, but there was no response. His prophecy was confirmed" (Xhafa, B. 2007, p. 99) – he added. Moreover, Grant commented that Zog felt himself betrayed on the verge of invasion (Kaba, H. 2009, p. 334).

Irrespective of these circumstances, America denounced the Italian invasion and did not recognize it, but it should be noted that it did not go beyond general diplomatic statements. The Secretary of State Hull called it "a forced and
violent invasion" (Peace and War United States Foreign Policy, 1931-1941, Government Printing Office, 1943, f. 64, http://libiblio.org/hyperwar/Dip/PaW/index.html). Any threat to peace - he said - seriously concerns all countries and violates the will of all peoples of the world that their governments lead them not to war but to the paths of peace"(Peace and War United States Foreign Policy, 1931-1941, Government Printing Office, 1943, f. 64, http://libiblio.org/hyperwar/Dip/PaW/index.html). Also, in the course of US efforts to halt the fascist aggression, President Roosevelt asked the Italian government on 14 April 1939 to withdraw its invasion troops from Albania, and not to attack and occupy territories of the Independent Nations suggesting negotiations as a way out for settlement of disputes (Kaba, H. 2009, p. 331-332). Meanwhile, American radio and various newspapers reflected the situation in Albania.

But despite these developments, the summer of 1939 was followed by the termination of office of the Minister of Albania in Washington, Faik Konica, and the obliged removal of the US diplomatic mission from Tirana, headed by Grant (Kaba, H. 2009, p. 331-332). These developments marked the end of the official American presence in Albania.

3. US Policy during World War II in Albania

However, it is worth mentioning that what is already noted in current events, is that Albania served as the starting point for the beginning of the organization of an anti-fascist grouping. As Fischer stated - in a certain way, events in Albania marked an important stage in the process through which "a coalition to destroy fascism was gradually being featured" (Bernd, F. 2013, p. 112). We add here that almost immediately after the entry of America into the war, Churchill proposed an attack on the so-called weak point of Axis, namely in Southern Europe. But at that stage of the war, Roosevelt agreed on a considerable part of Churchill’s strategy but he could not accept deployment in the Balkans (Kissinger, H. 1999, p. 403-404).

Actually, the main characteristics of the policy of the Allies during WWII in the Balkans was that Germany was placed on the center of the Great Allied Troika plans (Lieshi, A. 2009, p. 87-88), making decisions on the Balkans be taken on the basis of short-term strategic plans. With a diplomatic language, Kissinger determined in this way the relationship between the three Great Allies: to Churchill, Roosevelt found a friend of war weapons; to Stalin he saw a partner in maintaining peace after war (Kissinger, H. 1999, p. 401).

Meanwhile, in January 1941, Colonel William Donovan, who was travelling in Eastern Europe with a special mission on behalf of President Roosevelt said ... Probably, Balkan offers the only country to defeat the German army (AQSH, British documents, WO 204/9536, F.1510/1, v.1944, dos. 90, fl.3-4). Meanwhile, US and British leaders decided by a memorandum in Washington on War Conference in December 1941 that there would be no large-scale offensive against Germany in 1942 (Barker, E. 1976, p. 112-117); however, regarding their decision to focus the war on the Balkans, they decided that operations would be only limited to supplying Balkan guerrillas via air and sea and by bombardment of strategic targets. As the occurrence of events showed later, this course was followed throughout the war period in Albania: the encouragement of guerrilla groups and subsersive movement against the Axis forces.

Hence, American policy in the Balkans during World War II, and accordingly in Albania, was completely based on military considerations (Kola, P. 2003, p. 70), namely on the evaluation of the different groups of resistance against the enemy in terms of their military contribution rather than the political one. Such a conclusion derives automatically given the peripheral American interests in Albania. As we all know, Albania was not considered as a vital country to American interests (Brewer, T. Robert. 1992, p. 36). However, given the current developments when the Allied forces were in offensive and in compliance with its policy as to the war developments, America (along with Great Britain and Soviet Union) made a Declaration in December 1942 whereby it proclaimed that it had never recognized Italian occupation of Albania and its annexation from fascist Italy; moreover it recognized the independence of Albania, it did not put into question its integrity and it also recognized and assessed the heroic struggle of the Albanian people and its contribution given in the common war of peoples and states against fascism.

But, it must be added that throughout the period of WWII America was not engaged in the recognition of any Albanian government that could be set up in exile. In May 1943, when Zog sought to restore diplomatic relations, Roosevelt responded via his American ambassador in London that "it is not appropriate to treat such an issue at this time" (Bailey, R. 2009, p. 199). Actually, until the end of the war, the United States adhered to the non-interference policy in the internal affairs of other countries and settlement of major problems after the war. In accordance with this line, the Americans said that the form of government in Albania was a matter that would be resolved after the war while they, like the British, left open the card of Zog which could serve in the future since the communist-led government of the country was put into question.

In the spring and especially in the summer of 1944 the US government began to show a special interest on the Albanian question. Roosevelt had recently shown his interest as to why Albania was not invited to the recent international
4. Albanians’ expectations vis-a-vis the American policy

Given the joint struggle that the Albanian people waged against the occupying Italians and Germans, continuous assessment of the Great Allied as well as the presence and aid provided by the Anglo-American missions in Albania during World War II, the Albanians considered themselves as an ally during this war, although they had no government recognized by Great Allies and they did not belong to the United Nations either. Regarding this issue, the main political and military forces in the country regardless of whether they belonged to the National Liberation Movement, Legality or the National Front, considered their country as an unquestionable part of the Allied Nations family (Kaba, H. 2009, p. 74-75).

Actually, Albania remained non-represented in major events of WWII at international level (Kaba, H. 2015, p. 48), thus affecting its international image and especially its national interests.

It is worth noting here that in this period in certain Albanian circles in America was felt the atmosphere of events in Albania. Archival sources provide evidence of publication in the journals ‘Liria’ and ‘Dielli’ (AQSH, F.41/APL, v. 1944, dos. 154, p.1) of the telegram sent by the Military Staff in Bari on 10 August 1944 stating that: “National Liberation Movement is the only organization that fights occupiers, ANLA is the only army of the Albanian people, in order to break the yoke as soon as possible”.

Similarly, under circumstances where in Albania was held the Congress of Permet, when National Liberation Movement had become the dominant force in Albania, in the context of the need for recognition of the Albanian government, "Vatra" referring to the creation of the government of Berat (the provisional communist government), earnestly asked its recognition by the Allies. It criticized the attitude for not recognizing its position by stating that "this is a betrayal of the ideals of the United Nations. This is utterly the truth. Such a betrayal must be rectified as soon as possible" (Dezhgiu, M. 2009, p. 296).

Despite these developments, during WWII Albania was not recognized by America [in fact from none of the Great Allies] the status of an "allied nation" "associate ally" or even a "friend power" like most of the countries that were members of the League of Nations (Kaba, H. 2009, p. 74-75). The Greek government tried to exploit the lack of status of Albania to consider it as a losing state. But America did not support Greek expansionist goals. Archival sources bring evidence that the State Department on November 9, 1944 responded to a memorandum sent by Greece seeking whether
Greece should prepare an agreement whereby Albania is considered an enemy state and to treat it as an enemy state, and accordingly Greek troops occupy Albania up to Shkumbin river (AQSH, 1505/1, FO 371/43554, War Cabinet, Washington to Foreign Office, Count Halifax, no. 6064, 9 November 1944). "... The Government of the United States - the document cited – do not (repeat do not) recommend to the relevant military authorities that Greek forces occupy the Albanian territory considering that such a step would be detrimental to the peaceful rectification of unsettled territories". The document concluded with the request that if London had received the same request from the Greek government, it should respond in the same way.

5. American missions and their activity in Albania

Meanwhile, US further materialized its relations with Albania during 1943-1944 through the deployment of two American OSS (Office of Strategic Services) missions, the first coded "ERIK" in the area controlled by the National Front and the other named "BESA" in the area controlled by the National Movement (Kaba, H. 2015, p. 41). These missions contributed through their activity in Albania, to the growth and strengthening of the Albanian resistance and coordination with Allied operations. But we should not leave without mentioning the fact that regarding OSS missions, their role and activity in the Balkans, the relations between SOE and OSS in Albania during World War II, was written very little (Bailey, R. 2000, p. 20-22).

OSS, predecessor of CIA, was established in June 1942 and was led by General William J. Donovan (Barker, E. 1976, p. 119). OSS in the US constituted the counterpart SOE organization in England. Between these two organizations, in September 1942 was reached the so-called "Treaty of London" in which the world was clearly divided into three relevant zones: British, American and British-American ones (Bailey R. 2000, p. 20-22). Under this agreement, SOE would have priority in the first zone while OSS would play a lesser role; in the second the reverse would be true and in the third zone both organizations would closely work with each another. Given that London had the leading role in the fight against Hitler, OSS in Europe was under SOE subordination. Consequently, SOE had the leading role in the Balkans. Based on this division, OSS in Albania was predicted to have a limited role.

Following such a division, the OSS program for Albania provided such tasks as: Cutting off the German lines of communication, supply of guerrilla groups, mining the quislings' morale, the destruction of the German supply depots (Kaba, H. 2009, p. 71).

SOE in Albania would deal with acts of sabotage, the organization of resistance, distribution of supplies; while OSS would deal with collecting intelligence for the occupation forces, the situation in the country, ratios of guerrilla forces, etc. OSS never played any role in arming and training guerrillas or conducting operations (Bailey, R. 2009, p. 198). Unlike SOE operations, in literature and documents available we did not find data on sudden attacks by OSS units. This is understandable, because as stated above this role had been taken over by the British; Americans were less involved in the Balkans.

But how did OSS office operate for Albania? US mission contacted the OSS office in Bari led by Fultz. The latter communicate with the political representative of the US at the Mediterranean Allied Headquarters, Robert Murphy and later with his deputy Alexander Kirk, while these latter communicated with the Washington Office for Albania, headed by Earl Bernnan. The information was conveyed to the State Department, the Ministry of War, and in certain cases even to President Roosevelt. Information from the field was further elaborated by the Office of Research and Analysis, which was composed of excellent researchers. This cycle was closed with the decisions and directives issued by the State Department and OSS Director General, General Donovan. OSS was not as dependent as its analogue British SOE on the Foreign Office (Kaba, H. 2015, p. 41-42). However, Kaba stresses, even though OSS was an information-military organization, the major policy was determined by the State Department and the President. Still, it must be said that the policy of the State Department and the Foreign Office regarding Albania were very similar; they highly followed the same line such as in relation to the forces of resistance, attitudes to King Zog, the attitude towards the recognition of the Albanian government both in exile or at home, etc.

The arrival of American missions in Albania was preceded by a special study on Albania drafted by experts of the Office of Strategic Services (OSS). The latter had to overcome a serious obstacle, the fact that Albania was not part of the US preferential countries, included in the "Land Lease" program (Wikipedia, file: // F.Lend-Lease.html) which could benefit relief and heavy armaments already loaned or for free. But this problem was considered solved on the grounds that the United States had not recognized the Italian invasion of Albania and taking into account its unique strategic value.

The first OSS mission landed in Albania on November 17, 1943 by a British boat in the Karaburun area of Vlora. OSS group consisted of Dale McAdoo and Sergeant Don Orahood, radio/liaison, and an Albanian interpreter, Ismail
Karapici. All officers of the OSS in Albania were taken by the intelligence branch of the SI who, like the British MI-6, were not allowed to participate in spheres of agreements for influence. McAdoo was not military and therefore his position at the head of this mission was unofficial (Bailey, R. 2009, p. 196-198). So OSS in Albania would not enter into any agreement of political character with any of the groupings of Albanian resistance. The group was received by the British officer of that area, Field, and was then escorted to the Seaview cave. This mission stayed for several months in the area around the shores of Seaview controlled by the National Front. As it had already happened with their SOE colleagues, also the first OSS officers who came after six months had not enough knowledge about the situation in the country, which would initially lead to somewhat confusion, already reflected in the information sent. Lucas recalled that 'neither the Americans nor the British that had landed before them, had any original ideas on the complex political and military situation that Albania was facing at that time' (Lucas, P. 2008, p. 76-77).

McAdoo's mission set up within a short time a functional network of informers and agents through which it managed to collect information on battle orders of Germans, government collaborationist government, secret information on the growing severity between rival guerrilla groups or their current ratios, the degree of their commitment in the fight against occupiers, civil war, the communist trend of National Liberation Movement leadership, etc. Among the most important, were reports witnessing that the German army was increasingly using foreign troops to fill its ranks, or reports referring to the undermining of Durres beach area where the Germans thought that Allied forces were likely to disembark. So the first reports which referred to 1943, presented partisans very active in their attacks and with such a superiority that sometimes pushed the occupiers to cities and main roads. While the National Front in these reports appeared less in terms of numerical aspect but also at a lower level of organization and power, which led to the weakening of their influence.

At this period, worth mentioning is the action of the US mission to find and return to Italy an American C-53 airplane launched on 8 November from Sicily to southern Italy, on board of which there were 13 nurses to the US military, all of them women and other 17 men: 13 sergeants, medical technicians and the crew of 4 people. This team of Air Medical Evacuation had a new task to fly in different locations to collect the wounded (Mangerich, Jensen A; Evelyn, M.M.; Neidel L. R.; 1999, p. 10, 111, 126, 207, 209). But the plane with the American nurses, passing over Albania had run out of fuel and all persons in it were bound to fall near Berat, in the only flat area in a space of many kilometers around (Tilman, W. 1997, p. 48). Captain Lloyd Smith, of OSS, tasked by OSS director, General William Donovan to 'stick' (Tare, A. 2000, p. 28-33) to Kurvelesh mountain in search of the unfortunate American doctors managed, in cooperation with the American and British mission, to enable their return to Italy within two months.

Regarding the situation of the resistance forces within the country, in a letter dated 29 January 1944, addressed to Fultz, McAdoo recommended that in the future, agents of allies work both with partisans and ballists, but not with both of them simultaneously as they had been trying to do until then ... (Lucas, P. 2008, p. 88-89) "I know that what I say is very stupid but this is the reality: Albania in January 1944 is politically absurd and a highly idiocy. I fear in Albania the National Front would rather prefer the victory of Germans than coming to power of the NL Movement. If the same is not true for the communists, it is only because the Germans refuse cooperation with the NL Movement" - he concluded. McAdoo observed ultimate separation of the resistance forces in Albania.

However, McAdoo would change his mind regarding resistance forces and would write to Fultz that he was wrong when he called the Partisans 'saints' and the Ballists 'collaborators'. But Fultz reminded him in his reply of the OSS Mission goal which was not related to the support of a particular group against another. "Your task and our duty is ... to examine for each group their contribution in their final offensive of the American and British armies to drive the Germans out of Albania and the Balkans" (Bailey, R. 2009, p. 201-202).

At this period McAdoo's mission had to be evacuated due to the German systematic campaign against partisan units in the area near Valley of Shushica (Herringbone Cloak – Gl Dagger: Marines of the OSS", Chapter VI, f. 87-88, http://www.ibiblio.org/hyperwar/USMC/USMC-OSS/USMC-OSS-6.html). Accordingly, the Mission loaded on mules, guides and helpers, headed to Permet where it joined the mission of Tilman and finally stopped at Staravecka which served as the basis of the mission until June (Bailey, R. 2009, p. 230-232).

The second mission consisted of Thomas Stephan, Albert Toli of San Louis and Navy sailor Angelo Metro of Boston who on March 20, 1944 arrived at the area called Seaview. Tolia and Metro were Albanian-Americans prepared as radio/liaisons (Lucas, P. 2008, p. 136). Stephan's parents were Albanian and he spoke fluently Albanian and even Hoxha's dialect; and so did the two radio/liaisons. As he was ordered, Stephan had to find a way to meet the SOE officers in the field and to establish contacts with Hoxha in southern Albania.

Although as it is already known, OSS based its operations in Albania under military considerations, or otherwise it did not dictate policy, Fultz was in the same line with Leek and Steel when it came to deciding which Albanian grouping to help and whether it was appropriate to intervene in their internal affairs. Thus their policies followed the same line.
This fact is confirmed also by Fultz’s reaction when Washington was discussing in the winter of 1943 whether to suspend aid to the partisans until they agree not to fight the National Front. Hoxha maintained generally a warmer and friendlier attitude to US missions in comparison to the British ones. Thomas Stephan spent a long time near Hoxha during the war and their relations were very close, but later in his memoirs (Hoxha. E. 1982, p. 336-338) unlike what he had expressed during the war, Hoxha would speak with disdain for him as he had already done for many others.

Regarding the British proposal in April 1944 for "Kupi – NLM union", Stephan would judge it as an impossible venture. To this point, he wrote to Fultz: "This is the funniest thing one can ever hear. These red [communists] will fight to the death if Zog remains to them" (Bailey, R. 2009, p. 236).

Meanwhile in June, it followed the German offensive against partisans to ensure free communication routes for the withdrawal of the Germans. An OSS officer would report the high morale of German troops, although most of them, according to him, thought that the war had been lost. "There are still 'incurable optimists' among Germans, he noted, "they are proud and all convinced because they are drugged by Nazi theory on German invincibility" (Lucas, P. 2008, p. 123).

Following these developments, OSS needed all kinds of information that could be obtained on the activities of the German troops and the current situation in Albania. In July 1944, other officers joined the OSS mission in Albania. They sent reports describing the villages damaged by German offensive, damages inflicted, destruction, burnouts, lives lost, missing foods or the prevalence of hunger.

In Albania, OSS had all over the country 4 groups of SI, 5 officers and 25 people in service mainly attached to the partisan army of Enver Hoxha ... (Lucas, P. 2008, p. 52-53). But the activity of OSS officers in this period was hampered by the fact that Hoxha did not allow the OSS personnel of Albanian-American origin to operate any longer. In fact, throughout this period and especially in August he went on to create confusion with allies. Over the following months, as planned, OSS officers witnessed partisan attacks in Northern Albania but also in other areas, which they reflected on their messages. In these messages they described the heroism of partisan war, their difficulties, shortages in armaments, coping with the difficult life as well as their superiority.

However, there were certain OSS officers who based on their personal experiences in the field, spoke out against support for partisans, implying that with their supplies, Americans were responsible for the fighting between the resistance forces in Albania. Officer Linn Farish, noted in his message: "It is not good to see the weapons dropped by one of our air groups turn against the people who save and protect their armed brothers ... and realize that bullet holes might have come out of US munitions, fired by American weapons, dropped by US planes flown by American pilots" (Leary, M. W. 1995, p.44).

6. American considerations and assessments on the future of Albania

In the circumstances of the war and the political future of Albania, the South-East Europe Issues Department at the State Department presented on October 7, 1944 a study to the problem of recognition of the Albanian government (Kaba, H. 2009, p. 79-80). The study, which cites 16 arguments against recognition and 20 on its favor, starts with the dilemma that has concerned the State Department over the past months, namely: whether to recognize the Government of NL Movement, or the government in exile (Zog’s government). Among the arguments against recognition, the most important are: the principle of US non-involvement in the internal affairs, NL Movement is essentially a communist organization, it represents Albanians partially, it includes few prominent figures in leadership, recognition of Hoxha’s government would completely destroy any hope for restoring Zog, Hoxha represents a ruling clique which is not reliable for the Americans and British, etc. Among the arguments in favor of recognition are: NL Movement is waging effective resistance against Germans and deserves some kind of recognition, persons who did not participate in the resistance do not have a moral right to enjoy the trust of the Allies, the Allies have supported the national Liberation Movement and should accordingly support the government derived from it, non-recognition would increase Russia’s influence, Kupi and National Front and many other well-known figures were involved in cooperation with the Germans, there were no other patriotic and uncooperative groups in the country, etc. Finally the study concluded that recognition could be provided in the form of recognition of a government of liberated areas in Albania, recognition of temporary authority in areas under the control of National Liberation Movement, as a provisional government of the whole country. So, as Kaba rightfully states, the State Department did not manage either to recognize the government of NL Movement or to reject it.

In compliance with this line run also the US policy on Albania. On November 21, 1944 Washington conveyed a letter to FO expressing consent of both states not to recognize the government of NL Movement derived from the Congress of Berat. The document further listed conditions of Washington for the recognition of such a government:
"The Department will be committed to receive with sympathy the request for recognition of the Albanian government, if that government at the same time proves that: 1) it is not a government of fascist character; 2) it has control over the entire country; 3) it represents the will of the people and 4) it is being prepared to meet all international obligations" (AQSH, 1505/1, FO 371/43554, no. 64666, 4 December 1944; Pearson O. 2005, p. 410).

This document concludes with the support that OSS thinks should be given to Hoxha and his government listing arguments for this proposal: "OSS some time ago tried to convince the State Department to adopt a more encouraging position versus Hoxha, who besides representing the only independent political party actually fighting in Albania is neither communist nor such an adherent and on the other side, is sincerely concerned about Albania so as to focus its orientation to the West. OSS thinks that sooner or later, the British government and the US government will recognize Hoxha’s government but the sooner it becomes a reality, the better it is. Cannon thinks it would be better to encourage Hoxha in order to prevent him cast his lot with the Communists". But as the course of events proved, not much had remained to be done; Hoxha had already cast his lot with the Communists.

7. Conclusions

Relations between Albania and America during World War II were characterized by two stages. First, it was America’s attitude to the Italian occupation of Albania. Although at that time America was still withdrawn in its isolationist policy, it denounced the Italian aggression, but still it did not adopt an official position but for general diplomatic statements. Another important moment was the Declaration of December 1942 held by US [along with Declarations of Great Britain and Soviet Union] whereby it recognized the independence of Albania and highly assessed the war waged by the Albanian people against the Axis forces. Nevertheless, until the end of the war, the United States adhered to the non-interference policy in the internal affairs of other countries and settlement of major problems after the war in a Peace Conference. Moreover, US had no vital interests in the Balkans and in this context even in Albania.

But it was during 1943-1944 and especially in the summer of 1944 that the US government showed increased interest to Albania, thereby marking the second stage of relations between these two countries. This second stage coincided with the arrival of American missions across Albania tasked with collecting intelligence for the occupation forces, the situation in the country, ratios of guerrilla forces, etc.

Despite its secondary role in the Balkans and consequently in Albania, it was found that the American policy regarding Albania during the World War II run generally in the same line with that of Great Britain and even Soviet Union as anti-fascist allies. It never recognized any Albanian government both at home and in exile, it did not maintain a defined position towards the figure of king Zog and it based its policy regarding Albania on short-term military considerations rather than on long-term political ones. Under these circumstances, it offered its support to partisan forces given that they constituted the main active force really fighting the Germans. Hence, Albania was not represented in major events of WWII and it remained as such at an international level thus affecting its international image and especially its national interests. These circumstances altogether opened way to the final victory of communist forces in Albania and accordingly, to the installation of communism in this country for decades to come.

References

AQSH (Albanian National Archive)
AMPJ (Archives of the Albanian Ministry of Foreign Affairs)
FRUS (Foreign Relations of United States), Volume I, II, III
Tare, A. (2000). “Amerikanët që ranë nga qielli”, Klan, Nr. 9
Tilman, H. William; Amery, Julian; Kemp, Peter; (1997). “Kujtime që nuk shlyhen: tre oficerë anglezë të zbulimit gjatë luftës në Shqipëri dhe Kosovë”. Tirane: Toena

Internet sources

http://ibiblio.org/hyperwar/Dip/PaW/index.html
Wikipedia, file: // F.Lend-Lease.html
Historical Development of Juridical Relations with Foreign Authorities in the Criminal Process, a Neccesity for the Efficient Fight Against Crime

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Abstract

This paper aims at reinforcing the importance of knowing the historical background and the development of the judicial relations in general, and in particular the international relations in the criminal area, as a necessity for all legal actors (judges, prosecutors and other lawyers) for efficient fight against crime. The study will try to reply the following research questions: What aspects of the development of the society affected the development of the international relations in the criminal area? Why are the international relations in the criminal area necessary? What forms of international relations in the criminal area take place nowadays? In order to realize the aim of this study, and to give an answer to the above mentioned research questions, the researcher has studied the work of some outstanding internal and external scholars in the field, Bantekes, Cassese, Puto, Halili, Krisafi, and others, describing chronologically the development of the International Criminal Law and the social, economic, political development, which brought about the necessity of the expansion of the cooperation among the states in the criminal process. The researcher has used the descriptive research method.

Introduction

[The state and the Law are products and premises of the development of the society since ancient times. In the first stages of the human society, the state and the Law have been undeveloped, as the society itself, and the relations among people in the society as well. With the passing of the time these relations expand more and more. As a result, the whole state machinery expands and develops, and together with it, the Law as well, including wide fields of the whole activity of the society.]¹

The development of the Law was accompanied by its division in separate branches, which regulate social relations of a certain category. These social relations include not only relations among citizens within a state, but also the relations among different states, which are called international relations. “International relations came into being at the same time with the states. At the beginning these relations were limited, not developed and primitive, but at least they existed”²

These relations brought about the development of cooperation among different states in the field of Law. From this point of view, the International Criminal Law, as part of the International Law, has come out as a necessity to regulate the relations among states in the field of Criminal Law. In the framework of the globalization in the world, the cooperation among states in the field of International Criminal Law, is developing with every passing day. This cooperation has been significantly increased recently.

[The principal reason of this new dimension is the increasingly great and strong will of states to cooperate with each other in mutual plan and beyond in function of peace and international security and the guarantee of a sustainable development in all the sectors of life in the country.

The focus is stopping the war and violence among states and the ever increasing effective cooperation among them, based on the mutual respect and interest. In this framework, a lot of new domains and institutions of international Law have been created. The existing ones are developed and improved.]³

In the endless number of these relations, the judicial relations with the foreign authorities in the criminal process, occupy

¹ Puto, A. (2010), E drejta ndërkombëtare publike (International Public Law), Botimet Dudaj, Tiranë, p. 5
² Ibid.
³ Zaganjori, Xh. (2012), Jurisprudencë dhe praktikë ndërkombëtare (International Jurisprudence and Practice), ADELPRINT, p. 3
a special place and are the object of this study. This instrument allows various states to organize the “joint repression of certain criminal offences, more specifically those that damaged their collective interests and had a strong transnational dimension”.

Judicial relations with foreign authorities in the criminal Law have been developed alongside with the historical development of the whole society, as a necessity of cooperation among different states in their efficient fight against crime.

1. The birth and evolution of judicial relations with the foreign authorities in the criminal process

The development of the Law in general, and its branches, criminal Law and international Law, have gone through the same stages to those of the historical development of the state. [Being a product of the development of human society, born and developed together with the state, the criminal law has historic character and is subject to continuous changing process, ... It always takes that form and content that respond to the interests of the social system of the corresponding historical era].

It’s worth treating briefly the historical development if the international Law, as it is the normative regulator of the relations among states, part of which the judicial relations with foreign authorities are. Concerning the international Law, there are various theories for the origin and the time of the international Law. “The truth is that the international Law has had its historical development.”

Nothing is known about the Law during the primitive era, unless the states were not created. The arising conflicts were solved through customary norms. The breaking of the primitive units was accompanied with the creation of the first slave states and here start the first steps of the Law.

In the first slave states, the beginnings of the Law notions, criminal acts and punishments were seen, as well as the first relations among various states. “The customs were transformed in criminal punishments and got the shape of juridical institutions, thus ending the period of private defense against anti-social activity.” This period in the world literature is called “the period of public state reaction against anti-social activity”, naming the criminal punishments as means of public revenge and retaliation. As this period is characterized by fighting among slave states, the relations among them belonged to various issues that had to do with the wars.

[No doubt, it is early to speak about a real international Law at that time. It was a group of rules that was called embryonic international Law. ... The oldest treaty, present nowadays, is the treaty that belongs to the XIII century B.C. This treaty was completed in 1278 B.C. by Pharaoh of Egypt, Ramses II and the King of Hets, Hetushil III. Based on the treaty, the parties took over to cease military actions, to help each other in the fightings against internal and external enemies and to hand over deserters/traitors. ... The Treaty between Ramses and Hetushil has served as a model for many other treaties that were done later in the ancient time].

Taking into consideration what was foreseen in the treaty between Ramses and Hetushil in 1278 B.C. where the handing over of the deserters was included among other things, it can be said that the treaty included elements of the institute of extradition. So, it’s the year 1278 BC when the first geneses of the concept of extradition are seen, as the first form of cooperation among states in the criminal field.

The criminal Law was elaborated completely in the Ancient Roman State. Thus, jus gentium, was created, where norms of the international Law were included, which played an important role and “exercised a strong influence later in the development of international Law in Western Europe”.

During Medieval time, the criminal Law was further developed and the “idea of frightening the criminal and other persons not to commit crimes” was added. Thus, considering punishment as a means for maintaining the state juridical and public order. On the other hand, the early feudal states tried to expand their territories, through invasion and robbing. “Even at that time, we cannot speak of real science of international Law. The basis of the international life of that time, is

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5 Muci, Sh. (2007), E drejta penale, pjesa e pergjithshme (Criminal Law – General part), Botimet Dudaj, Tiranë, p. 12
6 Puto, A. (2010), E drejta ndërkombëtare publike (International Public Law), Botimet Dudaj, Tiranë, p. 34
7 Muci, Sh. (2007), E drejta penale, pjesa e pergjithshme (Criminal Law – General part), Botimet Dudaj, Tiranë, p. 12
8 Halili, R. (1985), Sanksionet penale sipas të drejtës zakonore në Kosovë, Prishtinë, p. 11
9 Puto, A. (2010), E drejta ndërkombëtare publike (International Public Law), Botimet Dudaj, Tiranë, pp. 35 – 36
10 Ibid. p. 42
11 Muci, Sh. (2007), E drejta penale, pjesa e pergjithshme (Criminal Law – General part), Botimet Dudaj, Tiranë, p. 9
weak and not enough to set up a special branch of jurisprudence.”12 Nevertheless, the relations among the states in the medieval time have international relations character and meanwhile a lot of international Law institutions were created.

In XIII century the extradition institute was shaped, which elements were seen before. In the first steps, interstate relations in criminal Law appeared sporadically, but not on well-defined legal basis. This way of cooperation made it possible for the monarchs to punish their enemies, even when they had left their countries. They were handed over by the other state, a thing that was decided under the discretion of the monarch of the extraditing state.

[It should be stressed that during the medieval time, extradition is used rarely, having in consideration the extreme isolation of the states and especially the tradition concerning sovereignty.]13

Absolutism is connected with the development of capitalism elements in the feudal society that was accompanied with the birth of trade economy and great social changes. Based on these factors, new forms of the international relations and their institutions were created. These institutions evolved with the development of the society, but they remain the basics of International Law nowadays. “In spite of different thoughts of the doctrine, it is a fact that in the period of absolutism the science of the International Law as a separate branch of Jurisprudence appeared”14 In this period, a lot of scholars expressed their ideas on international relations and those in criminal area more specifically.

The new era with the ideals of freedom and democracy of the French Revolution of 1789 shook the foundations of feudal – monarch system and was accompanied with deep transformations in the organization of the states. In this period, there was a new concept of the International Law that was accompanied with the creation of some new institutions as well. Since the middle of XVIII century until XIX century, the states began to cooperate among them based on bilateral agreements of extradition, through handing over the criminals caught in the territory of another state. In the beginning this cooperation is spread in some European countries, than it was expanded beyond Europe. “This period is characterized by the creation of a lot of conventions.”15

At the same time, in XIX century appeared the beginnings of the cooperation of mutual juridical help in the criminal area.

[Based on the documents of European Council, the earlier Treaty has been that of extradition and mutual juridical help between Italy and Monaco on 19.05.1866, followed by the treaty between Belgium and Sweden in 1870...

The earlier Treaty among non – European countries is the Extradition Treaty between Italy and San Salvador on 21.9.1872, followed by a lot of agreements among European Countries and other countries, as: China, Chili, Mexico, Liberia, Peru, Tanzania, Philippines, Pakistan, Kenia, Bahamas, Zambia, USA, Jamaica, etc.

The countries of BENELUX, Holland, Belgium and Luxemburg expanded the juridical agreements from bilateral to the participation of three states, developing the concept of cooperation with more than two states.]16

Two World Wars of the XX century have influenced a lot in the international relations. The period after the First World War is characterized by the increase of the cooperation among states, especially among the winners, which aimed to strengthen their position and stability. This cooperation found its expression in the creation of a lot of International Organizations.

[International Organizations were units of sovereign states with the aim to maintain peace and world security, to promote the cooperation for political, economic, social and cultural progress.]17

At the same time, after the First World War, a new institution of the International Law, International Court was created in 1920. It served for the solution of disagreements among states. In this period, the authorities with international jurisdiction were created as well. They aimed to judge and punish the authors of war crimes, as: Versailles Treaty (1919), Conference of Geneva, (1937). These efforts were not successful for a long time.

After the Second World War, the activity of the international organizations entered a new phase, more developed and equipped with the respective legal frame. In 1945 United Nations Organization was created and later in 1949 the European Council.

[European Council, with the good will of its member states, designed and approved some conventions in criminal area, which in the course of time made it possible the cooperation of European countries in the criminal area, with the final aim the better prevention of crime, punishment of the guilty persons, and the better administration of justice.]18

12 Puto, A. (2010), E drejta ndërkombëtare publike (International Public Law), Botimet Dudaj, Tiranë, p. 50
13 Ibid. pp. 30 – 31
14 Puto, A. (2010), E drejta ndërkombëtare publike (International Public Law), Botimet Dudaj, Tiranë, p. 58
16 Islami, H., Hoxha, A. & Panda, I. (2012), Procedura Penale (Criminal Procedure), Botimet Morava, Tiranë, p. 697
17 Krisafi, K. (2014), Organizimi politik në trojet shqiptare (Political organization in Albanian sites), UET Press, Tiranë, p. 168
18 Islami, H., Hoxha, A. & Panda, I. (2012), Procedura Penale (Criminal Procedure), Botimet Morava, Tiranë, p. 698
The rapid social, economic, political and technological development in XX century, brought about the necessity of the expansion of the cooperation among the new states in the criminal process to fight against the new more sophisticated and more organized forms of crime. This cooperation was not limited only in extradition, but was expanded with new forms of cooperation in the criminal area. This was followed by the creation of some conventions, the most important of which are: the Convention of European Council “On mutual legal assistance in criminal area” on 20.04.1957 and “On Extradition” on 13.12.1957. These conventions were later followed by other conventions with the aim of fighting against crime, especially its organized forms. At this time, The International Criminal Courts were created. Their jurisdiction was limited in judging the criminal offences with international importance: genocide, crimes against humanity, war crimes, aggression, torture and terrorism. Meanwhile, there are a lot of dangerous crimes, which take place in more than one country, as: different trafficking, corruption crimes, money laundering, etc. The investigation and judging of these kinds of crimes can be reached only through the cooperation among judicial authorities of the states. Even for ordinary crimes, the cooperation between judicial authorities is necessary to gather evidence, data and proofs for accusation, to punish the criminals. In this context, nowadays, the juridical relations with foreign authorities in the criminal process remain a very important means to reach the final aim of the Criminal Law.

2. The necessity of juridical relations with foreign authorities in the criminal process

The birth of international relations is accompanied with the necessity of the creation of the respective juridical international norms. The juridical issues on the establishment of the relations among different states can’t remain within the national borders, but have gained more and more an international perspective.

[International Law is the group of norms and principles which are applied in the relations between sovereign states, whereas the national law, as a rule, is applied in the territory within a state borders, aiming to regulate the relations between the citizens and the inhabitants of its territory between each other, with the different state organs and other public or private entities as well.]19

One of the missions of a state has always been the criminal juridical protection of individuals, institutions or state from the illegal actions which harm their interests. The fulfillment of this mission is done through the Criminal Law. On the other hand, the national Criminal Law is based on the principle of sovereignty. At the same time, all over the world, the Material Criminal Law and the Procedural Criminal Law subdue to the principle of territoriality.

[In this sense, using the terminology used by private law doctrine, we would realize that the criminal offences performed in a certain territory, subdue lex loci to the requirements of the law of the state where the criminal offence takes place.]20

These two principles of the criminal law were preclusion for the states to proceed and punish the criminals which left their territory.

Due to the historical development, the free movement of the citizens from one state to another is accompanied with the free movement of the criminals, witnesses, the means used to accomplish a criminal offence and the products benefited from a criminal offence. Based on this fact, if the principles of sovereignty and territoriality would be absolute, it existed the risk not to punish all the criminals. This is followed by interstates cooperation in the criminal area. For this reason, the states began to resign from the absolute principle of sovereignty.

[It is understandable that this situation couldn’t be controlled in a satisfactory way based only on the principle of territorial criminal law, which was a reflection of the concept of independence and national sovereignty that dominated in the European countries in the middle of this century. This is why it was born the necessity of the creation of new concepts and application forms to fight the crime, even in the cases when it overpassed the sovereignty and the borders of the states.]21

The international relations with foreign authorities in the criminal process have been sporadic in their beginnings. They have been spread in more and more countries, but until XX century, they have been limited only on the extradition agreements, with the aim to deliver the criminals to requested countries.

[The rapid economic and social changes in Europe, mostly in the first years of XX century, were accompanied with massive movement of people, which made the states of the Old Continent to undertake initiatives for a wider cooperation

20 Hoxha, A., (2011), Ekstradimi dhe urdhëri europian i ndalimit (Extradition and European arrest order), Botimet Morava, Tiranë, p. 26
Thus, it was the free movement of people from one state to another, which was followed by the necessity of cooperation between states in the criminal area and widening the forms of this cooperation, not only with the extradition. Anyway, the free movement of people was only one of the factors, which was combined with the great development of technology. These affected the new forms of crimes, which were more sophisticated and organized. This affected furthermore the necessity of the international cooperation in the criminal area. Consequently, in the middle of XX century, the international cooperation in the criminal area had a rapid development.

[Today it is an undeniable fact that the criminals create their organized structures in many countries of the region and beyond, benefiting from the elimination of the borders that is accompanied with the absence of control of the individuals, goods and services; the development of technology which makes easier the communication and circulation of the capitals and services. These facilities reached by political and/or technological developments make more difficult the investigation of crimes from police and prosecutors’ office, making sometimes impossible giving justice from the judicial authorities.]23

Nowadays, complex and organized forms of criminality are developed. They are spread in many countries at the same time. This is followed by the necessity of investigations and proceedings of the criminals in different countries in the same time. This can be realized through the juridical cooperation between different countries in the criminal process, as it is foreseen in the European Convention on mutual assistance in criminal cases. Thus, juridical relations with foreign authorities in the criminal process are a good possibility of interstates cooperation in the criminal area, having as a final aim the effective fight against crime, giving justice and punishment to the authors of the criminal offences.

Conclusions:

Studying the historical background and the development of the judicial relations in general, and the international relations in the criminal area in particular, is worth to understand their growing necessity nowadays. The extradition marks the beginnings of the international relations in the criminal area, but the social, economic, political development brought about the necessity of the expansion of the cooperation among the states in the criminal process with new forms of cooperation.

The free movement of the citizens from one state to another, favors the free movement of the criminals, thus, the interstates cooperation in the criminal area should be strengthened.

The development of technology made the new forms of crimes more sophisticated, consequently, the fight against these kinds of crimes should be changed and updated due to this technology advancement.

The necessity of investigations and proceedings of the criminals of new advanced forms of criminality in different countries at the same time, can be realized through the juridical cooperation between different countries in the criminal process.

Juridical relations with foreign authorities in the criminal process are a good possibility of interstates cooperation in the criminal area, having as a final aim the effective fight against crime, giving justice and punishment to the authors of the criminal offences.

References

Halili, R. (1985), Sanksionet penale sipas të drejtës zakonore në Kosovë (Criminal Sanctions in the Custumary Law in Kosovo), Prishtina, Kosovo
Hoxha, A. (2011), Ekstradimi dhe urdhëri europian i ndalimit (Extradition and European Arrest Order), Botimet Morava,

22 Hoxha, A., (2011), Ekstradimi dhe urdhëri europian i ndalimit (Extradition and European arrest order), Botimet Morava, Tiranë, p. 35
23 Ibid, p. 37
Tirana, Albania

Muçi, Sh. (2007), E drejta Penale (Pjesa e Përgjithshme) (Criminal Law – General part), Botimet Dudaj, Tirana, Albania

Islami, H., Hoxha, A. & Panda, I. (2012), Procedura Penale, (Criminal Procedure), Botimet Morava, Tirana, Albania


Krisafi, K. (2014), Organizimi politik në trojet shqiptare, (The Political Organization in the Albanian Territory), UET Press, Tirana, Albania


Law 8497 date 29.06.1999 “For the ratification of European Council of Europe /For the transfer of proceedings of criminal matters/”, Tirana, Albania

Law 8498 date 29.06.1999 “For the ratification of the European Council Convention “On mutual legal assistance in the criminal field”, Tirana, Albania

Law 8499 date 29.06.1999 “For the ratification of the European Council Convention “On the transfer of convicted persons”, Tirana, Albania

Law no.10039, date 22.12.2008 “For juridical assistance”, Tirana, Albania

Law 10193, date 03.12.2009 “For the jurisdictional relations with foreign authorities in criminal matters”, Tirana, Albania

Puto, A. (2010), E drejta ndërkombëtare publike (International Public Law), Botimet Dudaj, Tirana, Albania

Qendra e Publikimeve Zyrtare, (2010), Përmbledhje e Akteve Ndërkombëtare për Drejtësinë (Manual of International Acts on Justice), Tirana, Albania

Xhafo, J. (2009), E drejta penale ndërkombëtare (International Criminal Law), Shtëpia Botuese Geer, Tirana, Albania


Zaganjori, Xh. (2012), Jurisprudencë dhe praktikë ndërkombëtare (International Jurisprudence and Practice), Adelprint, Tirana, Albania
Civil and Political Rights

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Abstract

Civil and political rights are a class of rights based upon birthright. It is important to say that from the region of South East Europe, Albania, Greece, etc have made some improvements, but the enactment of the law 3386/2010 which gave some political rights to the foreigners was abrogated by the High Court of the state. This article will conclude with some suggestions concerning the developments on these two categories of rights having in mind countries more developed in the Central Europe.

Key Words: native, immigration, nationality, social field, native citizen,

1. Human Rights

Human rights are found in justice, especially in the 70s - 80s of the XX century. School and various authors had different definitions of their overall naming but unanimously has been concluded that the term "fundamental" makes the difference and this difference lies precisely in the fact that these freedoms and rights are protected and guaranteed not only by the constitutional norms of each country but also international norms.¹

In an overview of the Constitution of the Republic of Albania ² we can see that into separate chapters are listed categories of rights and freedoms:
Freedoms and civil rights (individual) which relate to freedom, etc.³

1. Freedoms and political rights, which include political participation, freedom of opinion, thought, freedom of assembly and participation in associations, etc..
2. Freedoms and cultural rights which have accumulated between them the right to work, education, to feed, shelter, health care, etc..

As stated above as well as taking in reference a study published on the official website of Lincoln University on the topic "Civil and Political Rights"⁴ civil rights are those rights that usually limit the powers of government in relation to actions that affect individual and his autonomy whereas political rights enable people to contribute to the determination of law or participation in government.

¹ Omari, L.& Anastasi, A., Constitutional Law, Publishing House ABC, (2010)., pg. 87
⁴ Lincoln University Research, Civil and political rights, (2011), pg. 45.
2. Subjects of Human Rights

We talked about the human rights on the special attention that was devoted to sanction in the Constitution. It remains to determine the subjects for which they have been sanctioned. According to a classification performed by the Albanian justice school and according to the constitution, the subjects of human rights and fundamental freedoms are divided into:

- Officials and beneficiaries
  - citizens
- Persons as holders and exercisers
  - Citizens of a particular country (Albania)
  - Foreign persons (foreigners and stateless persons)
  - Legal persons
- Particular entities (subjects)
  - National Minorities
  - Children, young people, pregnant women and new mothers.

Constitutions of every country, directly and absolutely automatically guarantee its citizens entitlement to citizenship at birth. Then each separate constitution establishes detailed rules such as, according to Albanian Constitution, if only one of the parents has Albanian citizenship the newborn child acquires this citizenship. On the other hand US and British constitution has sanctioned that in order to get their citizenship it is sufficient the childbirth in the territory of the countries concerned. For nationality or citizenship gives individuals a sense of identity, security and protection from a particular country since citizenship is defined as the "right to have rights." Around 11 millions of stateless people actually in the world are estimated to be the cause of conflicts of laws, forced displacement or marriage laws.

In order to avoid this dimension of the lack of law on citizenship, the parliamentarians of each country must show their regulatory role in support of international acts. For example, the Constitution of Albania has best expressed protection reserved thereof to foreign persons or those without citizenship by avoiding the limitation of individual rights and freedoms, by sanctioning the right to housing according to the concrete laws, the right of free movement, prohibition of deportation of foreign citizens except as provided by specific law.

Except as mentioned above, another category that requires special attention in the drafting of legislation, not only in civil rights but based on non-discrimination are the persons with disabilities. The health status of the latter, when combined with the problems of citizenship, is a major problem. In the book "Awareness in action on disability", is described very clearly that now, all over the world, the disabled persons seek to persuade their governments to review the civil rights dealing with this group as this will help in the treatment of these persons. Handbook for Parliamentarians "Nationality and statelessness" broadly deals with issues the title itself expresses. The cases are numerous as well as research on this topic is very broad, but here I would like to bring to your attention how it is experienced by people who have been subject to this major problem.

"Being said 'No' to by the country where I live; being said 'No' to by the country where I was born; being said 'No' to by the country where my parents are from; hearing 'you do not belong to us' continuously! I feel I am nobody and don't even know why I'm living. Being stateless, you are always surrounded by a sense of worthlessness."

Lara, who was formerly stateless.

"One day, I was standing between the borders, and could not get into either country. It was the most unforgettable experience in my life! I could not enter the State where I had been; also I couldn't get into the State where I was born, raised and lived! Where do I belong? I still cannot forget the strong feeling of loss I experienced at the airport."

Chen, who was formerly stateless.

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5 Constitutional Law, quoted, P. 96
6 Constitutional Law, quoted, P. 98
7 C.Batchelor, P.Leclerc, Shtetësia dhe pashtetësia, Presses Centrales de Lausanne, Swiss, fq.4
8 Nationality and statelessness, quoted on p.4
9 SHARE SEE program "Awareness in action on disability", Mirgeeralb, p. 229.
10 Nationality and statelessness, quoted in p.7
3. The meaning of civil and political rights

Civil and political rights are the basis to get to other rights such as social and economic. To put it succinctly, The European Court of Human Rights has proved decisive when in the sentence "Though aware of the limitations of its legitimate intervention in the national in national resource allocation policy, ECHR has continued to lay the foundations for a body of socioeconomic rights jurisprudence through an incremental interpretation of the traditional canon of civil and political rights"\(^\text{11}\), wanted to express primacy of those rights.

The right to life is fundamental, the right to which all states are responsible for protecting the lives of citizens, foreigners or stateless persons who are in the territory of their state. It is the main and primary article for the European Convention on Human Rights putting into service even the proper protective mechanisms, in its Art. 2. The first element and the most notable of state obligations under Art. 2 is to prevent deliberate homicide and unjustified by his authority. This aspect was considered by the European Court of Human Rights in Strasbourg in McCann case.\(^\text{13}\)

McCann and others, in a case brought before the court by the families of three terrorists killed by British security forces in Gibraltar. There was no doubt that the soldiers had deliberately killed the terrorists; because according to soldiers, these terrorists had placed a bomb in a populated area and was very likely to have with them a remote control that will enable them to complete their mission. Thus, in this case the British Government sought to avoid responsibility by Art. 2/2 / (a), 'Murder resulting from the use of force which was necessary for the protection of innocent people from an illegal murder'. The Court emphasized that the use of the phrase "absolutely necessary" in paragraph 2 of the article requires that the force used must be proportionate to the achievement of one of the requirements set out in subparagraphs 2 / (a) - (c). Based on this very strict test is not sufficient that a person who exercises force (military force in this case) believe honestly in his actions as legitimate, but such a belief should be based on reasonable grounds, given the information valid at the time. In this issue the Court does not blame the soldiers for the fact that they honestly and reasonably believed that it was absolutely necessary to shoot the suspects to prevent them from bomb explosion. However, the entire operation as a whole should have been seen to decide on the innocence. The three suspects were previously identified by British authorities as members of the IRA terrorist organization and that their arrest was possible since their entry in Gibraltar before the risk of placing a bomb appeared. Having reviewed all the evidence, the court concluded that the use of lethal force was not 'strictly necessary' and therefore murders in this case resulted in a breach of Art.2.

Pregnant women, new mothers and especially children are categories of subjects which not only in the Albanian constitution or of other countries but also in international acts they occupy a special place and have a care in extremely high levels. With the strict prohibition of violence, exploitation, abuse or use for heavy physical and psychological works of these entities the achievement of good progress of growth and life insurance is required.\(^\text{14}\) Orphaned and abandoned children, children born out of wedlock or adoption procedures can be sources of stateless children. According to some international acts and agreements (which will be discussed in paragraph 4) in order to avoid this problem, it considered that foundlings discovered on a state’s territory should be granted the nationality of that state.

In the case of H. against Norway \(^\text{15}\), where abortion is dealt done not because of health condition of the mother and without the consent of the father, the commission stated that Art. 2 required that states should not only be deterred from violating the right to life but also to take the necessary measures to prevent interference. The Commission does not exclude the possibility that in certain circumstances the unborn infant enjoy the protection provided by Art. 2 regardless of whether in Member States exist, and must be respected, different views about to what extent this protection is guaranteed. In such delicate issues it is necessary that Member States have a certain toleration on how they regulate abortion, and in this case the mother’s decision taken in accordance with Norwegian legislation was included within this tolerance space.

Eutanasia (termination of life at the request of the person himself) and Quality of Life

Following the decision of the case "Pretty v UK"\(^\text{16}\) it is already confirmed that the right to life includes the right not to die. The applicant in this case was suffering from an incurable disease at the extent that at the time of application she

\(^{11}\) Nationality and statelessness, quoted in p14


\(^{13}\) McCann and Others v United Kingdom, Decision of 27 September 1995 (1996) 21 EHRR 97

\(^{14}\) Constitutional Law, quoted p. 104

\(^{15}\) H against Norway, App. 17004/90, May 19, 1992 decision (1992) 73 DR 155.

could speak only through a special apparatus and fed through a tube, although her mental skills and capacity to make decisions were unaffected. Her life expectancy was expected to be very short and the final moments of this life would be distressing and undignified. She wanted to become legally possible that her husband help her commit suicide without any offense taken against him. The Court held that the issues to date have been concentrated on the tasks of the State to protect the lives of persons since art. 2 is not related to issues dealing with quality of life. Assisting suicide has been allowed in certain circumstances in the Netherlands since 2001. The applicant in Pretty case argued that the refusal by the UK of the right to die with dignity would ensure that states which allow such a thing be in violation of the Convention. The response of the Court to this argument was that, even if special circumstances on a case allowed termination of life by the person himself and this was not in conflict with Art 2 of the Convention, this would not help Mrs. Pretty in her claim for a reverse proposal that the UK would be in breach of Art 2 if it did not allow assistance in suicide.

If we would stop to national minorities, it would be reasonable to say that they are subject to a permanent place in discussions. A population of a state, but decided to live in the territory of another State. A condition which needs “greater public participation of minorities” in order to be placed “under control”, as would be expressed by the author of Indian origin, born in Kenya and currently a professor of constitutional law at the Faculty of Law in Hong Kong, prof. Yash Ghai. In his book 17 he first recommends state governments to assist the effective participation rights of minorities and indigenous peoples according to international norms, focusing on key rights at national and local level. At the same time these countries should establish systems of government and administration in order to allow minorities and indigenous peoples the participation in decision-making and implementation. But at the same time, making it possible to ensure strict enforcement of the minority rights and national minorities, there is a publication that has got the Swedish city name where the conference was convened on the case in question.18 Once again in this conference it was emphasized the participation of national minorities in decision-making or even in the local self-government, occasionally, as this is a civil right and political at the same time to be followed by the relevant country but also internationally.

The freedom of opinion and expression – including the “freedom to receive and impart information and ideas for any media and regardless of frontiers” (Art. 19 of the Universal Declaration of Human Rights of 1948) – is one of the basic civil and political rights, which is accordingly laid down in all respective human rights instruments. The British philosopher John Stuart Mill called the liberty of the press “one of the securities against corrupt and tyrannic government” (On Liberty, 1859). It is also a constitutive right for a democratic system in which everyone, not only the citizens of a state, have the human right to say what they think and to criticize the government. In January 1941, President Roosevelt announced the freedom of speech and expression as one of the four freedoms on which to base a future world order after the Second World War. The access to and the free flow of information across frontiers is a major element of an open and pluralistic society.19

But in a study of “Freedom House”20 and in its report, some countries of Eastern Europe (the Balkans) and the freedom of each state are presented as follows:

According to data published by the non-governmental organization based in the US, data which have been published by the Albanian daily “Mapo”21, and the Kosovo daily “KosovaPress”22, it is indicated that in 2012, democracy in the world has decreased.

The report refers not only to political developments in 195 countries around the world but also the guarantee of rights, a task that should be performed by the 195 governments. The report states that these countries often suffer from a corrupted environment, weak rule of law, ethnic and religious conflicts as well as from the dominance of a particular party on the political scene.

Ratings:

- from 1 to 2.5 indicate free countries,
- from 3 to 5 indicate partly free countries,
- from 5.5 to 7 indicate not free countries,

for 2012, according to Freedom House have been shown in the table below:

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18 The Lund Recommendations on the effective participation of national minorities in public life, Sweden, September 1999, p. 4.
21 http://www.mapo.al/2013/01/17/media-sipas-be-politikes-dhe-analisteve/
22 http://www.kosovapress.com/?cid=1,86,158609
Freedom of assembly and association, together with the right to vote constitute perhaps the core of political rights. Our Constitution goes parallel \(^2\) with Art 11 of the ECHR which protects the right to "freedom of association with others'. Generally speaking and always taking into account the limitations set forth in paragraph (2) of this article, it consists of the right to form or join an organization such as political parties or trade unions and other organizations. In the professional and industrial context, the right of freedom of association is applied only to non-governmental and non-state organizations. The other organizations that are set by the state and in its service, are not covered in principle by this right, given that these organizations are part of the structure and act in the public interest to ensure the maintenance of professional standards.\(^4\)

4. How to ensure the implementation of human rights

We talked about some important aspects on human rights and fundamental freedoms by focusing a little longer on the civil and political rights. A very long time has been needed and it has been passed through several phases in order to sanction these rights, starting from antiquity with its summaries of legislation and continuing year after year and decade after decade until we reached our day. Today we have national and international legislations, probably the most successful, clearer and most efficient ones.

Besides the aforementioned international acts, a number of bodies also act, which not only created but are also a guarantee of a better exercise of these rights; Legislative bodies of each state, the General Assembly of the United Nations, Adoption committees, other committees which operate in the field of human rights, etc. Courts are very important in the delivery of justice in the case of violation of fundamental rights. International tribunals, mediation, arbitration and the increase of publicity of trials are certainly positive echo and create credibility for the security and effective protection of human rights.\(^2\)

5. Challenges to the Future

Each society should not confine itself only to the aforementioned mechanisms or other mechanisms, which for the sake of truth in most cases are relatively efficient in the protection of human rights. Cases of everyday life, the evolution of science, technology and man leads to the need not only to update the relevant legislation but also appropriate measures to achieve recognition of these rights in the new generation. By introducing "human rights" in the curricula of compulsory education we shall obtain a well-informed generation on fundamental rights, their protection and enforcement. From the data we have, in the 8th grade of the 9-year-old compulsory education, in the subject of history, a whole chapter has been programmed, devoted to human rights, being handled in their historical development.\(^2\) There is a problem in the Albanian compulsory education system. At least, considering the book cited above, we understand that human rights is a topic specified in the free classes and according to the legal regulations on compulsory education, the topics of free classes are optional, i.e. it is in the personal choice of the teachers if they shall handle this or that topic. It is a future challenge that the topic of human rights shall not to be treated as a secondary but one of the key topics of the compulsory education. Education of human rights does not stop here. Various publications in the language of each country on international law, after the acquisition of national rights, will bring positive results and a population able to understand and apply in practice their rights and the rights of people around them. Teaching human rights is all about helping people to develop to such a degree as to understand their rights and at the same time to feel that they are important to be respected and protected.

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\(^2\) Constitutional Law, quoted on p. 173
\(^2\) The meaning of human rights, quoted on p. 241.
\(^2\) Tabaku A & Nepravishta, M. (2010) free classes in the subject of history, VI-IX classes (for the 9-year cycle), Alba School publications, Tirana, p. 54.
6. Conclusions

The above analysis clearly shows that civil rights are recognized to all citizens who live in one state, whereas on the other hand political rights are mainly recognized only to local citizens, i.e. to those individuals who possess the nationality of the country where they live. Nowadays a great constitutional debate has arisen regarding the enjoyment of political rights and form foreign nationals under certain legal conditions. As quoted above Switzerland is one of the countries which has some novel ideas concerning the right to elect and to be elected, especially in some Cantons (Newchatel, Jura, Appenzell, Ausserrhoden dhe Grisons) and to foreign nationals who reside and are residents in these cantons. Obviously this right is associated with the knowledge requirement of the language of the relevant canton. The political right to vote was also known to foreigners in active and passive terms (The right to elect and to be elected) in the Netherlands in 1985 in local elections. We think that this political right should be extended further in its constitutional core considering the fact that equality cannot exist in the right of a fiscal state, i.e. where everyone is taxed equally for what they earn and on the other hand the state does not recognize to foreigners their right to elect and to be elected, especially in local elections. The case of the abolition of Greek Law 38/38 of 2010 represents a negative example in the allocation of the above mentioned rights and certainly a step back towards the sanctioning of political rights for foreigners.

References

Ghai, Y. (2001) "Public participation and minorities".
http://www.mapo.al/2013/01/17/media-sipas-be-politikes-dhe-analisteve/
http://www.kosovapress.com/?cid=1,86,158609
Lincoln University Reesearch, (2011). "Civil and political rights"
McCann and Others v United Kingdom, Decision of 27 September 1995 (1996) 21 EHRR 97
The Impact of Educated Women in the Upbringing of Children

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Abstract

“Education is a process which is realized by many interactive factors. Dilemmas of which one is often predominant are the object of research in academic circles. Nowadays, when more than ever is needed the European citizen capable of meeting the educational and cultural diversity in the United Europe, the education of children is a long-term challenge that requires a good strategy. In this regard, we will focus on the civic education. Who will take responsibility for the civic education of Albanian children, along with their general education, though these processes are not seen separately from each other? What are the predominant factors that influence this process? In our paper our object will be the impact of educated women (variable of sex and education). There are various theories to explain the complex process of socialization of gender roles. Albanian Education sector produces a variety of statistics on education and all key indicators are divided by sex and age. Based on these statistics we will analyze the impact of educated women in the upbringing of children. Education is a field in which there have been good achievements in terms of access for women and girls. Education is one of the values that have traditionally been estimated by Albanian society. The high level of education of Albanian women and girls best shows that they are successful, and that for them education is the key to achieving a higher status in their family and society. In the paper we will further discuss the impact of educated women, compared with the non-educated ones in the education of children, without separating problems in the family sector. Education is the main instrument of society, through which social change cannot be achieved. It is linked to a particular social context, which should be seen as an individual right, where individuals have the opportunity to improve their social welfare and even the social change through the civic education of children first.”

Keywords: education of children; main instrument; interactive factors; historical and cultural; social change.

Introduction

Education is a process in which realization many factors influence and interact. Dilemmas of which one are often predominant are often the object of research papers in academic circles. Nowadays, when more than ever the European citizen should be able to cope with cultural and educational diversity in the European Union, the education of children is a long-term challenge that requires well thought strategy. In this regard, we will rely on civil education.

Education is one of the main factors that determines the level of citizen participation in the decision-making process. In general, the higher the level of education a person has, the higher the chance that he / she takes part in decision making. The reason for this may be because people with high level of education are able to better understand the importance of civic involvement in different processes, the importance of civic responsibility, the need that local institutions have for experiences and different opinions as well as the guarantee of the decisions in harmony with civil requirements. This is the duty not only of the educational institutions but also of the educated women. Brager, Specht, and Torczyne define participation as a tool to educate citizens and to enhance their skills. It is a means to influence decisions that affect the lives of citizens and an opportunity to transfer political power.

Another researcher, Armitage defines citizen participation as a process through which citizens act in response to public concerns, express their opinions on decisions that affect them and take responsibility to bring about change for the good of the community.

Who will take responsibility for civil education of Albanian children, along with their education while these
processes are not seen separately from one another?

In our work we will have as the object of the paper the impact of educated women (variable sex and education). There are various theories to explain the complex process of socialization of gender roles. Albanian education sector produces a variety of statistics on education and all key indicators are disaggregated by sex and age. Based on these statistics we will analyze the impact of educated women in the upbringing of children. Education itself is a gendered social process, formed and developed based on the level of economic, social, historical and cultural development of a society.

Education is a field in which there have been some good results in terms of access for women and girls. Education is one of the values that traditionally has been estimated by Albanian society. The high level of education of Albanian women and girls shows clearly that they are successful, and that education is the key to achieving a higher status in the family and society.

In the paper we will deeply explain the impact of educated women, compared with those uneducated in the education of children, not sharing the problems involving the family factor. Education is society's main instrument through which social change can be achieved. It is linked to a particular social context, which should be seen as a right of everyone, where individuals have the opportunity to improve their social welfare and even social change first through children's civil education.

Active citizenship from the statement of the principle of operational achievements

Based on this statement we will enable the interpretation on one of the factors creating active citizenship, educated wife and mother. There are at least sixty countries in the world that give some institutional knowledge in the form of experiences and activities that qualify as "civil service." Although the term has a specific meaning, the distribution of these international initiatives shows an increased attention to an always growing urgent need to promote civil participation and engage in socially useful activities on the part of the young population.

Basic framework; promoting active citizenship.

Predominant factors affecting civil education of Albanian children.

This new population generates cultural heritage conveyed by their families, mainly mothers, which are more present in their children's lives. Every democracy, in fact, should be food for the citizen soul and the transmission between generations of the founding values of the national community: an "imaginary community", built actively and culturally produced mainly by politicians, intellectuals, institutions (Anderson, 1996), which needs a continuous review and update. This update to the youth more than by anyone else is realized by women (mothers), which foster civil spirit of love and responsibility for everything. School, thanks to increased levels of education, can act on the cognitive level, transmitting knowledge of the history of the country or the principles enshrined in constitutional requirements.

Knowledge is not enough, however, to make citizens active and aware, The schools should interact with parents (mothers) and the more educated they are, the more responsibly they do realize the mission of civil citizen. Education level impacts on different interpretation of historical facts, related to fundamental factors of history development and of the national sentiment. For example: social development and entry into globalism, after the 90’ led to the necessity of recognizing the various historical facts, previously untreated.

This inevitably led to the review of history, and therefore textbooks that address specifications of the Albanian historical development. Besides teachers are the educated mothers disputing between the facts historically treated in between two Albanian political systems, totalitarian dictatorship and democracy. Among the observations of a significant number of students it is observed that children who come from families whose parents are uneducated, either do not pay attention to different facts of the interpretation of history, or are not attentive when these facts are shown. Educated mothers and children integrate themselves in a social reality in support of the creation of civil virtue. Civil virtue is much stronger if it is involved in a network of reciprocal social relations. A society with virtuous individuals but isolated is not necessarily rich in a society of social capital.

The empirical analysis of historical trends soul citizen in its manifestations different, to highlight the fact as civic-mindedness and readiness to take an active part in social and political life is not an achievement forever, but subject to variability, changes in the seasons of growth and decline.

Compared with studies in the world: e.g., in American studies, the data show a decline in the direction of civil spirit in the past three decades, although recently the new generation is giving signs of awakening. To combat the decline and strengthen the awakening, Putnam says firmly, "we have a great need for creativity to generate a renewed group of civil; of institutions and channels for the world in which they live and are able to renew their civil life.

In the Italian case, there was an accompanying decrease in the participation of young people. According to the Euro barometer survey, the proportion of young Italians who in 2001 participated in associations was only 44%,
compared with a value of 54% in 1997 and 50% for the average of European countries. In detecting IARD, young people are active in more than one group, it was 51.8% in 1996, fell in 2000 and 46.8% in 2004 to 35.3%, a decline of more than 16 percent, within a period of 8 years (La Valle, 2007). On the other hand there is a growing number of young people who feel an important social commitment in their lives, from 16.9% in 2000 to 27.3% in 2004.

Expanding Space between social demands and institutional responses introduces the phenomenon of volunteerism and organized solidarity. This phenomenon actually is not encouraged by educated mothers because educated women often do not work on voluntarism basis. Educated women are those that promote the artistic heritage and civilized environment, both in terms of home environment, as well as civil and school environments challenging their children’s life. At a conceptual level, the same dichotomy between paid and leisure work does not seem appropriate when it comes to assessing and using in different ways the forms of community engagement.

Even the concept of volunteering, of course free of charge as an asset in favour of socially worthy goals, having exhausted the range of ways in which people can have dedicated a part of their time to the community forms do not always and necessarily free but have not been paid in terms of a contract, do not always come from civil society, but are also invented, encouraged or promoted by public institutions.

Another factor in stimulating the civil perfection inherited to children of educated women is the different way of behaviour towards different forms of vulnerability and marginalization.

Age, ethnicity, gender, etc are also a factor which often determines the level of their participation in the processes of democratic governance and civil education. The reasons for this are often associated with the level of discontent that they have in relation to institutions, lack of trust, non-representation of their interests by the institutions, their exclusion from the process of discussion and important public decisions etc. Generally, from research conducted in Albania the uneducated mothers do not follow the children's ability to discussions and debates, and often they are remotely positioned from the decision making.

In 1969 Sherry Arnstein created the idea of “participation rates”, which functions continuously, starting from the most exploited and powerless, to those who have the most power and control. On Arnstein’s scale eight 'levels' of participation are proposed, within three broad categories (passive citizenship, creating the image of active citizenship and active citizenship). By studying the behavior of 100 mothers and their 200 children we conclude that educated mothers meet the levels of establishing citizenship image helping with their behavior and active citizenship.

We have explored only the creation of the image of the active citizenship, where the legend shows that about 75% of citizen image is created by educated mothers. This kind of image is observed in different informing situations, consulting, and different decision-making participations. Passive citizenship in percentage is almost equal in both groups of the survey (uneducated-educated women). Active citizenship is established at 80%, mainly by civil decision making and citizen control by the children of educated mothers.
Creating the image of active citizenship (Information, Consultation, appointments/symbolic participation). Active citizenship (sharing power, civil decision-making, citizen control).

As an example, the OBEZH's methodology presents three different levels of cooperation between citizens and authorities in the formulation of public policies.

Assessment of students' knowledge of citizenship according to Devi Kerr

Students were asked to complete an evaluation, which focused on the concepts of citizenship, as well as traditional knowledge of social science. The data collected in this way are used to build a ladder, which allowed the researchers to assess the knowledge of students. This test was conducted with 200 of our children taken under observation in regard to their reaction and civil behavior.

Compared with the results of tests of various countries, our children exhibit a lower level of civil education, but other factors influence this result, which are not object of this paper. The results have changed within countries and also in international comparisons: 4 countries have averaged 14 countries did better than average, while 18 countries have achieved under average scores. Finnish students have achieved the highest scores, followed by the Danes, Swedes, Estonians and Germans. Students from the Scandinavian countries have a high level of civil knowledge: in Sweden, for
example, 4% of students have completed a high level of assessment and in four countries with the lowest score students can achieve only 70% of the average results.

Most countries can be set at the level of proficiency in 2-level scale of achievement III built by researchers. It is also clear from the data that the girls have achieved significantly higher results compared with boys in 31 countries. Factors that affect students in their performance are:

• Parents’ characteristics
• The level of education
• Employment
• Socio-economic circumstances
• Position in the social hierarchy

Among the numerous factors that have affected the consolidation of education and civil engagement are the urban population movements, values and cultures, unemployment, career demands and ambitions, the high number of divorces and immigrant parents. An important issue during the transition period has been the cooperation among policymakers and civil education programs and teachers, parents, community and civil society. Also, the lack of a national state standard as well as the lack of financial support for the implementation of programs of civil education. In this regard the support for equal engagement and education of girls in public life as a necessary process of a democratic society has been missing. The weakness of the system of state qualification of the teachers for teaching democratic citizenship has been a crucial issue. Meanwhile, the support of the state institutions to support educational institutions in terms of creating civil facilities has been missing. Another crucial concern was also the insufficient government involvement of students in school and community life.

Conclusions

Education is the main instrument of society, through which social change cannot be achieved. It is linked to a particular social context, which should be seen as an individual right, where individuals have the opportunity to improve their social welfare and even the social change through the civic education of children first.

References


Independence of Administrative Courts

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Abstract

This article aims to point out the need to establish a new the judicial structure, the Administrative Court, which will be specialized to settle disputes with administrative nature, that are often encountered between public organ/s and private entity/ies. In the paper is presented a conceptual framework of previous proceedings for resolving disputes between organ/s and private entity/ies from administrative departments at district courts and solutions that will provide a specialized judicial body such as the Administrative Court. The advantages and efficiency that has brought the establishment and functioning of the Administrative Court will be present through the process of current situation analyze, pursuant to the definitions made in Law No. 49/2012 “On the organization and functioning of administrative courts and adjudication of administrative disputes”. Besides the abovementioned, this study contains analysis of the current legislation for settlement of administrative disputes in Albania. One of the main goals of this study is to demonstrate the situation created by the functioning of a particular link in system of justice, which aims to resolve administrative disputes between public organ and private entities that are consider as cause for creating tough relations between those parties. The necessity of creation of the Administrative Court in Albanian legislation has become an imminent objective, with the sole purpose to create a calmer environment for the smooth running of relations between organ/s and private entity/ies. In addition, this paper aims to serve as an incentive to assess the need and necessity of the establishment of the Administrative Court, because Albania is the last country in the region that has implemented Administrative Court.

Key words: Administrative Court, independence, public organ, administrative disputes, private entities, legislation.

1. Administrative Courts in Albania

Establishing the Administrative Courts in Albania is achieved through a very good organization of administrative jurisdiction to settle administrative disputes. It is clear from the above explications that there is no ideal solution, even, an effective judicial system and with less expense or to have full jurisdiction court in each district and at the same time highly specialized judges. The best possible solution is to achieve compromise in the balancing of interests opposite considering the possibility of implementation in practice. Establishing autonomous administrative court is the proper solution in order to ensure that issues pertaining to a specific area of jurisdiction tried only by judges specialized in this field.

Following the administrative complaint for administrative dispute created, before the subject addressed in court is an obligation, since the Administrative Court Law explicitly provides that against administrative act that is supposed to have violated a right, must be exercised administrative appeal. The law also establishes an administrative body or bodies should be directed administrative appeal, as a rule must appeal in a higher authority according hierarchy. This determination is made because that does not belong to a party that claims to be infringing to seek and find the highest administrative organ, but it’s the duty of law to orientate the party/ies in concrete terms. Likewise, when handling a conflict for an administrative act, the court must not just confine itself to verify the fact of exhaustion the administrative appeal, to extricate the issue out of court jurisdiction.

The court is obliged to verify in advance if the administrative appeal is presented in accordance with legal requirements. The extraction of the case outside the court's jurisdiction, the court can decide only when results that administrative appeal is presented at the competent authority in violation of the requirements set by law.
This structure deems administrative disputes more efficiently and quickly, because they need less time to investigate and reflect on the basic elements of the case.

The goal to unify jurisdiction in the administrative field. Based on their expertise, specialized judges work to reduce the inconsistencies in the interpretation and application of law in the administrative field.

Stable judicial practices, makes possible legal certainty, recall the confidence in rule of law and reduce judicial matters in the future.

It is necessary to be note that researches for preparation of this study has begun to develop in early 2012 and was complete entirely at the end of 2014. It is appropriate to mention that the study has been extending in time. It started when the draft law "On Administrative Court", has been "frozen" in Parliament and has completed the Administrative Court had filled the first year of its operation.

At the same time, among others, I would like to say that, at the following explications will be present the answers for hypotheses raised at the beginning of the study, as well as to find answers to some of the questions, emerged during the work for this research study.

Implementation of the term "rule of law" made an important an immediate need for implementation of administrative supervision’s model, which, as expected, fulfills its obligation to provide a broad legal protection in the field of administrative law.

At the same time, it is believed that this mission, although on its first steps, could achieve desired results if its supervisory powers will be exercised by a special corps, the independence and authority of which will ensure that on its activity this corps shall respect supervising legal norms of positive law.

Request for installation of administrative judiciary through the Administrative Court, relied on a number of facts of which were stressed particularly, the fact that the administrative judiciary, exercised through the Administrative Courts, is a very appropriate form of legal protection, based on professionalism guaranteed from their independence of organization. Naturally, that for this reason, as well as for some other facts, the European Union gave great importance to administrative judiciary. It is evident that the European Union gives the Administrative Courts this influence, based on two major moments, which are:

First, because of the nature of the court litigations, generally greater volume for resolving them is jurisdiction of administrative courts.

Second, because the European Union attaches particular importance to the protection of human rights and the protection of the public interest.

Referring to lawyers and legislators, the installation of Administrative Court in the Republic of Albania has made possible:

First, the increasing influence of judicial control for public organ, a phenomenon, which constitutes great interest on administrative judicial issues.

Second, the establishments of a specific model of judicial control, which has the primary purposes to expand and strength it.

Third, the extent of impact that gives the principle of "separation of powers" in terms of judicial control, which is seen with great interest on the democratization of our society.

Fourthly, guarantee the independence and impartiality of judges, with the primary aim of providing and strengthening the principle of legality on administrative judiciary.

During the treatment of the topic, it turns out that this important and fundamental hypothesis, received positive responses on each page and letter of the study.

Life is dynamic, with rapid developments, which lead to the creation of different legal relationships, and consequently created the conflict or dispute. The law is unable to predict and provide solutions for every circumstance, so practices that will be create during the work of the Administrative Court, will guide us in the circumstances, which in continuity will tell us whether changes should be made, with the intention to perfection this instance a very important shackles on the Albanian justice.

On the other hand, different research questions has been answered in thesis, but also like to highlight some important questions, especially the judicial budget available for better management of the Administrative Court on Albania.

Establishment of the Administrative Court presupposes excessive costs for the state budget on the one hand. In addition, on the other hand, according to some critics, it was award the unnecessary functioning of the Administrative Court, since the number of administrative issues would be insignificant.
During the study of statistical data through quantitative and comparative study, it was determined that only on some districts was necessary establishment of Administrative Courts. There were precisely those districts in which the number of administrative cases was extremely high and unaffordable by civilian judges, as the high number of them, as well as the lack of specialization on the administrative field. Specifically, let us refer once again the Database. There are only two courts of first instance in Albania with a percentage of administrative matters more than 10%\(^1\), which are the First Instance Court of Tirana and the First Instance Court of Shkodra, which will remain in that status quo, despite the reduction of caseload in judgment. For these two courts reduction of cases in general, because of removing administrative caseload, may be consider as an advantage.

On the other hand, for smaller courts, with a smaller caseload than 1000 (as a whole), a further decrease in number of cases may be considered harmful. The number of cases that remain for judgment, 700 issues in the First Instance Court of Gjirokastra, Lezha, Mat, and Saranda, may be acceptable, although a decrease of more than 8% in First Instance Court of Gjirokastra and Saranda considerably weakens these courts. For these courts (Gjirokastra and Lezha), the loss can be compensated by merging smaller courts through judicial reorganization done by the Ministry of Justice\(^2\).

This applies to the District Court of Dibra, which has a low number of cases in trial and will become an even more worrying issue, if it would be take off the administrative jurisdiction.

Regarding the District Court of Tropoja, there is problematic situations according to the number of issues, which could hardly justify maintaining the functioning of that court. The situation will be worst, although the absolute number of 16 administrative issues, is really too low and so is not even higher percentage of 5.91%. However, it's generally accepted that this court should remain on any case because of the special geographical situation and infrastructure.

In summary, the creation of administrative courts could have a negative impact on some district courts, but generally not essential. Consequently, this effect is not a determining factor, but must be taken into account and balanced with other arguments for and against. The fact that flaring is that the proportion of administrative issues is extremely high in the Courts of Appeal, which have lower total cases. Consequently, smaller courts of appeal in Shkodra, Gjirokastra and Korca will weaken even more, if removed them the administrative issues. Effectiveness of expenditures will fall, leaving a number of issues annual income is less than 600 or even 500.

Thus, the negative effect on Courts of Appeal is an additional argument against the creation of an autonomous administrative court of appeals level.

Regarding the third degree of trial, the possible effects over the Supreme Court, in the case of establishing to a relevant instance administrative court cannot and should not be discuss further for the above-mentioned reasons.

Therefore, as viewed, the first hypothesis is correct and the concern raised is right. According to the Ministry of Justice Guidelines, regulate the two aspects. Financially, by establishing the administrative court only where it has been immediate and extremely necessary, while other terms is consistent with preservation of key symbolic role of civil courts, despite the operation of the administrative courts.

Law of Administrative Courts guarantees protection of rights and freedoms of persons through obligation to put public organs to prove the legality of the form and content of administrative action issued by them. At the same time, it aims to simplify the relevant procedures related to the trial and execution of court decisions related to the resolution of administrative disputes between individuals and public organs, as well as the economic development of a country. Almost all decisions on investment or infrastructure projects must go through a licensing process, which may be subject of a legal examination by the administrative courts.

Efficiency of Administrative Courts also increases the transparency of administrative decisions and plays an important role in the fight against corruption.

The last argument, but no less important, public judicial control of the administrative actions by a well-functioning administrative court, besides strict legal point of view of the individual case, it is also a stimulating force for the modernization of public administration, improving the quality of services her, bringing as a result, and increase citizens' trust in state institutions.

\(^1\)Source: Statistics of Ministry of Justice, for period 2002-2006

\(^2\)Reorganization entered into force in September 2007, where 8 court qualified as ‘small’ was joined to the judicial jurisdiction of larger courts, respectively: Court of Bulqiza was joined to the Court of Dibra, Court of Skrapar was joined to the Court of Berat, Court of Librazhd and Gramshwere joined to the Court of Elbasan, Court of Përmet and Tepelenawere joined to the Court of Gjirokastra, Court of Ersekawas joined to the Court of Korca, Court of Mirditawas joined to the Court of Lezha.
Law of Administrative Courts brings innovation in the framework of judging administrative disputes concerning the obligation of public authorities to submit evidence that enabled the issuing or carrying out administrative actions, which subsequently brought the violation of legitimate rights of persons.

According to the nature of the case, an administrative court examines a case orally in judicial session or based on written acts. The failure of the parties to appear does not constitute a reason to dismiss the adjudication.

Law on Administrative Courts sets compulsory rules for administrative trial subjects, state bodies, legal persons, and citizens, related to administrative disputes, enforcement of court decisions and administrative organization of the administrative courts.

Legal examination of decisions of public organs by an independent court is a democratic principle recognized, present in European practices, and an important contribution to ensure the rule, especially to protect the individual rights of citizens from acts of state authorities. Judicial review of public organs’ activities has its origins based on the philosophy “state governed and restricted by law” and at the same time on the principle “supremacy of law”. To the present day, a legal state would be unthinkable if its citizen doesn’t have, or it is not allowed to access an independent and impartial court, established under the law and able to meet the requirements of the development of a fair trial. At the end, the role of judicial review of administrative action is to protect the rights and citizens, the public interest, as well as the rule of law.

Besides protective role, judicial control is considered as an important factor in enhancing the quality of administration and good governance. The expansion of the public sector and the increasing complexity of the administrative decision-making have double impact: on the one hand has brought new forms of administrative activity, on the other hand it has increased the demand for flexibility of public administration actions in the public service.

The law defines the deadlines for bringing a lawsuit to the administrative court. Deadlines are important and necessary element of legal security. Legal security is especially important to a person in order he/she knows how long the given rights may be contest by third parties. Consequently, the person who benefits should have the right to initiate a notification procedure for third parties. Deadlines for judicial review of administrative action should begin only after was performed the notification procedure for administrative proceedings to the affected person and he/she is accurately informed about the right to appeal.

In some cases, parties to an administrative dispute have interest to delay notification procedures, particularly if are challenging administrative acts that contain discharge of an obligation. In some other cases, parties lose their interest in the content of lawsuit and the effects that come out of it, so negligently bring delays in the process. In both cases, parties often do not obey to court orders, and try aiming to obstruct the court to take a final decision. Aiming that court be permitted to take its decisions on such issues quickly and efficiently, law requires the public authorities to present written proofs on the basis of which it is issued act/administrative action. Therefore, in context of administrative disputes, public authorities are those entities that carry the burden of proof and demonstrate the legality of the contested act (normative or individual).

Regarding the requirements must fulfill the lawsuit and written acts or proof that associate it in attached, the law refers to the relevant provisions of the Code of Civil Procedure for the regulation of these issues and specifically Articles 154 and 156. Also, define the obligations of plaintiff at the time of filing of the lawsuit and the actions, which he/she is obliged to perform.

The judicial session is held according to the articles of the Code of Civil Procedure, to the extent that they are compatible with this law. Also, determines detailed rules concerning the failure of the parties to appear in the session (despite regular notification), which does not cause the postponement or dismissal of the adjudication, examination of the case by the court in adjudication; presentation of expert at the hearing; and presentation of final submissions by the parties.

The law foresee the concept “Burden of proof”, which is different from the analog article of the Code of Civil Procedure, where is stipulate that the party that claims a right, has the obligation to prove the facts on which he/she bases its claim.

In contrary, the Administrative Law foresees that the public organ bear the obligation to prove the legality of the administrative act, administrative contract, and other administrative action, issued not based on a plaintiff’s request, as

3Article 154 and 156 of the Code of Civil Procedures
well as the facts that it has set out and put at the basis of the activity that is contested in court. Here are included disputes of employment relationship. In other cases, the party has the obligation to prove the facts on which it bases its claim. However, even in those cases, the court, even on its own initiative, by intermediate decision, may order the transfer of the burden of proof to the public organ, when there are reasonable suspicions, based on written evidence, proving that the public organ is hiding or is willfully not submitting facts and evidence important for the solution of the dispute. When found unjustified breach of the obligation for submission of documents by the public body within the deadline, the court, even mainly, fined the head of the public body.

The law contains transitional provisions, which relates to the beginning of the functioning of the Administrative Court of First Instance of Tirana and the Court of Appeal. Law fulfills the commitments made by the Albanian government regarding the reform of general administrative legal framework in our country and the creation of a new administrative court in accordance with European standards.

The law when was at the stage of the draft Law together with the accompanying report, was sent for opinion to the President of the Republic of Albania, the High Council of Justice, National Chamber of Advocates, Integration Minister, Minister of Finance, Minister of Economy, Trade and Energy, Minister of Interior, the Union of Judges of Albania, the Judicial Conference of Albania, the Minister of Education and Science, the Office of Judicial Budget, etc. After a long time, he was approved by Parliament, now holds the no. 49/2012. On 11.04.2013, has started work the First Administrative Court in the country.

Bibliography

The Civil Procedures Code approved by the law no. 8116, dated 29.03.1996, amended by the Law no. 1052, dated 29.12.2008;
Law “On the organization and functioning of the judiciary in the Republic of Albania”;
Dobjani, E, 2013, “Control over public administration”, Tirana;
Mustafaj A. 2012, “Lectures of the Comparative Administrative Law” Tirana;
“Recommendations on different models of reorganization of First Instance Courts” - EURALIUS;
Decision of Constitutional Court No. 17, dated 12.11.2014;
Official webpage of First Instance Court of Tirana and the First Instance Court of Shkodra;
Webpage of European Assistance Mission to the Albanian Justice System: www.euralius.org.al;
Official webpage of Supreme Court: www.gjykataelarte.gov.al;
The Center of Official Publications: www.qbz.gov.al;
Technical Efficiency and Super-Efficiency of Commercial Banks in Albania

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Abstract

Evaluation and study of banking efficiency has received increasing attention in recent years due to the rapid globalization of the financial industry and increasing competitiveness in international financial markets. Banks dominate the financial system in Albania and their health is important to the general economy. In addition, the economical growth is closely related to the well-being of the banking sector. In this study, the technical efficiency and the super-efficiency of commercial banks in Albania during year 2014 is analyzed using Data Envelopment Analysis (DEA) and by adopting the intermediation approach. DEA is a technique that measures the efficiency of decision making units that use multiple inputs and multiple outputs. The prominent DEA models: the BCC model, super-efficiency BCC model, SBM model and super-efficiency SBM model are used to evaluate efficiency score of banks. The input-oriented models under variable return to scale are applied to rank the commercial banks in Albania. The data used in the analysis are taken from the financial statements of banks. The results indicated that 12 out of 16 banks were technically efficient. The findings of this research can be used by banks managers and other financial authorities in Albania.

Keywords: mathematical programming, super-efficiency, ranking, correlation coefficient, LINGO14.

Introduction

DEA is a technique in Operation Research used in the analysis of efficiency of homogeneous units called decision making units (DMUs). The first DEA model was proposed by Charnes et al (1978) (CCR model) with the assumption of constant return to scale (CRS) and later extended by Banker et al. (1984) (BCC model) with the assumption of variable return to scale (VRS). These two models assume proportional change of inputs or outputs level and usually discard the existence of slacks in the efficiency scores. Another model is developed by Tone (2001) is the slacks-based-measure (SBM) model, which assumes that the inputs/outputs levels are allowed to decrease/increase at different rates. The SBM model of Tone (2001) considers input excess and output shortfall slacks, and incorporates them into an efficiency measure.

The difference between a super-efficiency (SE) model and a standard efficiency model is that in super models the DMU evaluated is excluded from the analysis. Andersen and Petersen (1993) developed the first super-efficiency model to provide strict ranking to all DMUs in the sample. Under the VRS assumption, the Andersen and Petersen model may be infeasible for some efficient DMUs. Many researchers have developed DEA models to overcome infeasibility issues. Based on the SBM model, Tone (2002) proposed a super-efficiency SBM model that could resolve the infeasibility problem.

There are a number of studies examining banks technical efficiency (Rosman et al., 2014; Sufian, 2009) and super-efficiency (Minh et al. 2013; Zimkova, 2014). Rosman et al. (2014) using intermediation approach, found that Islamic on average are characterized as technically efficient during the period 2007-2010. Sufian (2009) investigated the efficiency of the Malaysian banking sector for period 1994-1999 under the intermediation approach and found relatively low level of technical efficiency. Minh et al (2013) used BCC, SBM and SE-SBM model to measure the efficiency of commercial banks in Vietnam and to rank them; they found a small number of efficient banks and that large banks do not guarantee high super efficiency scores compared with small banks. Zimkova (2014) used VRS input-oriented BCC, SBM and Super SBM model to estimate the efficiency of banks and to rank the efficient units. The results showed that more than half of banks were BCC efficient and SBM efficient. A slight difference was found in the use of BCC and SBM...
models in banking institutions ranking.

The banking sector is the main segment of financial intermediation in Albania and it is dominated by five banks, which altogether account for 68.4% of the system’s loan portfolio and 73.4% of deposits (Central Bank of Albania). Its assets, as at the end of December 2014, rose to 91.7% of the GDP, up by 1.2 percentage points from the previous year and assets rose to ALL 1.294 billion, registering 4.8% annual growth, from 3.9% a year earlier. The performance of the banking sector in Albania during 2014 is assessed as stable. The expansion of the credit portfolio and the expansion of the securities investment portfolio were the main contributors to the rise in assets, reflecting the increase in the participation of the sector in government debt securities auctions. The activity was financed through the increase in deposits of the public, which account for 82.3% of total banking sector assets. Aggregated, deposits in banks, as at the end of the year, surged 4.6% from 3.6% in the previous year (Central Bank of Albania).

The objective of his study is to measure and analyze the technical efficiency and the super-efficiency score of all commercial banks in Albania during year 2014 using DEA and the intermediation approach. The BCC model, SE-BCC model, SBM model and SE-SBM model of DEA with input orientation and under VRS assumption are used to evaluate efficiency of banks in Albania. The results of this research can help banks managers to increase efficiency of their bank.

Materials and Methods

DEA models

Consider there are \( n \) DMUs, each DMU, \( j = 1, 2, \ldots, n \), uses \( m \) inputs in respective amounts \( x_{ij} \) \((i = 1, \ldots, m)\) to produce \( s \) outputs in respective amounts \( y_{rj} \) \((r = 1, \ldots, s)\). The VRS input-oriented BCC model for DMU \( p \), \( p = 1, 2, \ldots, n \), is

\[
\begin{align*}
\min & \quad \theta_p \\
\text{subject to} & \quad \sum_{j=1}^{n} \lambda_j x_{ij} \leq \theta x_{ip} \quad i = 1, 2, \ldots, m \\
& \quad \sum_{j=1}^{n} \lambda_j y_{rj} \geq y_{rp} \quad r = 1, 2, \ldots, s \\
& \quad \sum_{j=1}^{n} \lambda_j = 1
\end{align*}
\]

and \( \lambda_j \geq 0, j = 1, 2, \ldots, n \); \( \theta_p \) unrestricted in sign

where \( \theta_p \) indicates the efficiency score of DMU \( p \), and \( \lambda_j \) are the dual variables. The DMU \( p \) is considered BCC-efficient if and only if \( \theta_p(\min) = 1 \). If \( \theta_p(\min) < 1 \), the unit is inefficient indicating that the DMU \( p \) need to reduce the inputs in proportional amount to become efficient. For each inefficient unit, DEA identify a reference set of efficient units. Reference units are those units that have positive values of dual variables \( \lambda \) in the optimal solution of the BCC model (Cooper et al, 2007).

The input-orientated SBM model with VRS of Tone (2001) is

\[
\rho_{p} = 1 - \frac{1}{m} \sum_{i=1}^{m} \frac{s_{i}}{x_{ip}}
\]

min

subject to
\[
\begin{align*}
\sum_{j=1}^{n} \lambda_j x_{ij} + s_i^- &= x_{ip} & i = 1, 2, \ldots, m \\
\sum_{j=1}^{n} \lambda_j y_{rj} - s_r^+ &= y_{rp} & r = 1, 2, \ldots, s \\
\sum_{j=1}^{n} \lambda_j &= 1
\end{align*}
\]

and \( \lambda_j \geq 0, j = 1, 2, \ldots, n; s_i^+ \geq 0, i = 1, 2, \ldots, m; s_r^+ \geq 0, r = 1, 2, \ldots, s; \)

\( \rho_p \) unrestricted in sign

where \( s_i^+ \) and \( s_r^+ \) indicate the input excesses and output shortfall slacks, respectively. The DMU \( p \) is considered SBM efficient if and only if

\[ \rho_p (\text{min}) = 1 \]

and \( s_i^+ = s_r^+ = 0. \) If \( \rho_p (\text{min}) < 1 \), the unit is SBM-inefficient.

For an efficient DMU \( p \) according to model (1), the VRS input-oriented SE-BCC model of Andersen and Petersen (1993), is:

\[
\begin{align*}
\min \quad & \theta_p \\
\text{subject to} & \\
\sum_{j=1, j \neq p}^{n} \lambda_j x_{ij} \leq \theta_p x_{ip} & i = 1, 2, \ldots, m \\
\sum_{j=1, j \neq p}^{n} \lambda_j y_{rj} \geq y_{rp} & r = 1, 2, \ldots, s \\
\sum_{j=1, j \neq p}^{n} \lambda_j &= 1
\end{align*}
\]

and \( \lambda_j \geq 0, j = 1, 2, \ldots, n; s_i^+ \geq 0, i = 1, 2, \ldots, m; \)

\( \theta_p \) unrestricted in sign.

In SE-BCC model (3), infeasibility occurs when an efficient DMU \( p \) cannot reach the frontier created by the other DMUs in the sample by increasing the level of inputs. A sufficient but not necessary condition for infeasibility of the model (3) is that for the evaluated DMU \( p \) to exist at least one output with value greater than the values of any other DMUs (Cheng et al., 2011).

The SE-SBM model developed by Tone (2002) is:

\[
\begin{align*}
\rho_p = 1 + \frac{1}{m} \sum_{i=1}^{m} s_i^- \\
\text{subject to} & \\
x_{ip} - \sum_{j=1, j \neq p}^{n} \lambda_j x_{ij} + s_i^- & \geq 0 & i = 1, 2, \ldots, m \\
\sum_{j=1, j \neq p}^{n} \lambda_j y_{rj} - y_{rp} - s_r^+ & = 0 & r = 1, 2, \ldots, s \\
\sum_{j=1, j \neq p}^{n} \lambda_j &= 1
\end{align*}
\]

and \( \lambda_j \geq 0, j = 1, 2, \ldots, n; s_i^+ \geq 0, i = 1, 2, \ldots, m; s_r^+ \geq 0, r = 1, 2, \ldots, s; \)
$p \rho$ unrestricted in sign

where $s_i^+$ and $s_r^+$ indicate the input excesses and output shortfall slacks, respectively.

The results of DEA are influenced by the sample size. Banker et al. (1989) established as a general rule that the number of DMUs in the sample should be at least three times the sum of number of input and output variables to obtain reliable results.

**The data and input/output variables**

This study includes 16 commercial banks operating in Albania during year 2014. The items from the balance sheets and the income statements of respective banks for year 2014 are used.

In this study three inputs and two outputs are considered, based on the studies of Rosman et al. (2014), Sufian (2009) and Sufian and Habibullah (2012) and the intermediation approach is used. The input variables are: total deposits, personnel expenses and fixed assets; whereas output variables are: total loans and investments. Five variables are measured in ALL millions.

MaxDea Basic software is used to solve the BCC and SBM models, and LINGO14 software is used to solve the SE-BCC model and SE-SBM model.

**Results and discussion**

The results of table 1 show that 12 out of 16 banks in the sample are found to be technically efficient by applying input-oriented BCC model under VRS assumption. The inefficient banks for year 2014, are Veneto, ProCredit, International Commercial Bank and Societe Generale Albania Bank. The least efficient bank is ProCredit bank with a BCC efficiency score of 0.867.

<table>
<thead>
<tr>
<th>DMU</th>
<th>BCC score</th>
<th>Reference Set (optimal $\lambda$)</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Raiffaisen Bank</td>
<td>1.000</td>
<td>1 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>2. National Commercial Bank</td>
<td>1.000</td>
<td>2 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>3. United Bank</td>
<td>1.000</td>
<td>3 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>4. Intesa San Paolo Bank</td>
<td>1.000</td>
<td>4 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>5. Tirana Bank</td>
<td>1.000</td>
<td>5 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>6. National Bank of Greece</td>
<td>1.000</td>
<td>6 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>7. Alpha Bank</td>
<td>1.000</td>
<td>7 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>8. Veneto Bank</td>
<td>0.999</td>
<td>12 (0.621); 6 (0.264); 13 (0.113)</td>
<td>13</td>
</tr>
<tr>
<td>9. ProCredit Bank</td>
<td>0.867</td>
<td>11 (0.610); 6 (0.389)</td>
<td>16</td>
</tr>
<tr>
<td>10. International Commercial Bank</td>
<td>0.978</td>
<td>12 (0.889); 7 (0.100); 3 (0.010)</td>
<td>14</td>
</tr>
<tr>
<td>11. Credit Agricole Bank</td>
<td>1.000</td>
<td>11 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>12. Credit Bank</td>
<td>1.000</td>
<td>12 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>13. Credins Bank</td>
<td>1.000</td>
<td>13 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>14. Societe Generale Albania Bank</td>
<td>0.911</td>
<td>6 (0.917); 4 (0.076); 2 (0.006)</td>
<td>15</td>
</tr>
<tr>
<td>15. Union Bank</td>
<td>1.000</td>
<td>15 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>16. First Investment Bank</td>
<td>1.000</td>
<td>16 (1.000)</td>
<td>1</td>
</tr>
</tbody>
</table>

The table 1 indicates the reference set for each inefficient bank. In practice, reference units can be used to point out the aspects of poor performance of the respective inefficient unit. The levels of input/output of a reference unit often indicate useful target levels for inefficient unit.

The National Bank of Greece is in the reference set of the three inefficient banks: Veneto Bank, ProCredit Bank, Societe Generale Albania Bank; and also is a good example to pursue from these inefficient banks. National Commercial Bank is only in the reference set of an inefficient bank, Societe Generale Albania; this indicates that, during 2014 year, National Commercial Bank has used an uncommon combination of inputs.

The results of input-oriented SBM model under VRS show that 12 out of 16 banks in the sample were found to be SBM efficient. The results in table 2 indicate slight difference in the SBM efficiency scores of the inefficient banks compared to BCC efficiency scores. The ranking of the banks is the same for both models.
Table 2. Results of SBM model

<table>
<thead>
<tr>
<th>DMU</th>
<th>SBM score</th>
<th>Reference Set (optimal λ)</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.Raiffaisen Bank</td>
<td>1.000</td>
<td>1 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>2.National Commercial Bank</td>
<td>1.000</td>
<td>2 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>3.United Bank</td>
<td>1.000</td>
<td>3 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>4.Intesa San Paolo Bank</td>
<td>1.000</td>
<td>4 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>5.Tirana Bank</td>
<td>1.000</td>
<td>5 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>6.National Bank of Greece</td>
<td>1.000</td>
<td>6 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>7.Alpha Bank</td>
<td>1.000</td>
<td>7 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>8.Veneto Bank</td>
<td>0.886</td>
<td>12 (0.605); 6 (0.291); 13 (0.103)</td>
<td>13</td>
</tr>
<tr>
<td>9.ProCredit Bank</td>
<td>0.529</td>
<td>6 (0.787); 12 (0.213)</td>
<td>16</td>
</tr>
<tr>
<td>10.International Commercial Bank</td>
<td>0.878</td>
<td>12 (0.889); 7 (0.100); 3 (0.010)</td>
<td>14</td>
</tr>
<tr>
<td>11.Credit Agricole Bank</td>
<td>1.000</td>
<td>11 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>12.Credit Bank</td>
<td>1.000</td>
<td>12 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>13.Credins Bank</td>
<td>1.000</td>
<td>13 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>14.Societe Generale Albania Bank</td>
<td>0.843</td>
<td>6 (0.946); 16 (0.044); 2 (0.009)</td>
<td>15</td>
</tr>
<tr>
<td>15.Union Bank</td>
<td>1.000</td>
<td>15 (1.000)</td>
<td>1</td>
</tr>
<tr>
<td>16.First Investment Bank</td>
<td>1.000</td>
<td>16 (1.000)</td>
<td>1</td>
</tr>
</tbody>
</table>

The results of SE-BCC and SE-SBM models in Table 3 show slight differences in efficiency scores and the ranking of the banks change slightly. From the SE-BCC model is found an infeasible solution for National Commercial Bank and a high efficiency score for Credit Bank. The results of SE-SBM model also indicate an infeasible solution for National Commercial Bank.

According to the results of SE-BCC and SE-SBM models, the most efficient banks are National Commercial Bank and Credit bank, and the least efficient banks are ProCredit bank and Societe Generale Albania bank.

Table 3. Efficiency scores for VRS input-oriented Super-efficiency models

<table>
<thead>
<tr>
<th>DMU</th>
<th>SE-BCC score</th>
<th>Rank</th>
<th>SE-SBM score</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raiffaisen Bank</td>
<td>1.180</td>
<td>7</td>
<td>1.060</td>
<td>8</td>
</tr>
<tr>
<td>National Commercial Bank</td>
<td>Infeasible</td>
<td>1</td>
<td>Infeasible</td>
<td>1</td>
</tr>
<tr>
<td>United Bank</td>
<td>1.134</td>
<td>9</td>
<td>1.066</td>
<td>7</td>
</tr>
<tr>
<td>Intesa San Paolo Bank</td>
<td>1.016</td>
<td>12</td>
<td>1.007</td>
<td>12</td>
</tr>
<tr>
<td>Tirana Bank</td>
<td>1.136</td>
<td>8</td>
<td>1.056</td>
<td>9</td>
</tr>
<tr>
<td>National Bank of Greece</td>
<td>1.351</td>
<td>5</td>
<td>1.215</td>
<td>5</td>
</tr>
<tr>
<td>Alpha Bank</td>
<td>1.082</td>
<td>10</td>
<td>1.028</td>
<td>10</td>
</tr>
<tr>
<td>Veneto Bank</td>
<td>0.999</td>
<td>13</td>
<td>0.886</td>
<td>13</td>
</tr>
<tr>
<td>ProCredit Bank</td>
<td>0.867</td>
<td>16</td>
<td>0.529</td>
<td>16</td>
</tr>
<tr>
<td>International Commercial Bank</td>
<td>0.978</td>
<td>14</td>
<td>0.878</td>
<td>14</td>
</tr>
<tr>
<td>Credit Agricole Bank</td>
<td>1.055</td>
<td>11</td>
<td>1.018</td>
<td>11</td>
</tr>
<tr>
<td>Credit Bank</td>
<td>8.328</td>
<td>2</td>
<td>3.896</td>
<td>2</td>
</tr>
<tr>
<td>Credins Bank</td>
<td>1.876</td>
<td>3</td>
<td>1.674</td>
<td>3</td>
</tr>
<tr>
<td>Societe Generale Albania Bank</td>
<td>0.911</td>
<td>15</td>
<td>0.843</td>
<td>15</td>
</tr>
<tr>
<td>Union Bank</td>
<td>1.293</td>
<td>6</td>
<td>1.104</td>
<td>6</td>
</tr>
<tr>
<td>First Investment Bank</td>
<td>1.476</td>
<td>4</td>
<td>1.223</td>
<td>4</td>
</tr>
</tbody>
</table>

The Pearson correlation coefficients in table 4, indicate a high significant and positive correlation between BCC score and SBM score ($r = 0.928$, $p < 0.01$). This result is consistent with the results of Zimkova (2014). Also, a high significant and positive correlation is found between SE-BCC score and SE-SBM score ($r = 0.98$, $p < 0.01$). The Pearson correlation coefficients between BCC score and SBM score, and the SE-BCC score and SE-SBM score are found to be not high, not significant at 1% level, but positive.
Table 4. Pearson correlation coefficients between efficiency scores

<table>
<thead>
<tr>
<th>Efficiency score</th>
<th>BCC score</th>
<th>SBM score</th>
<th>SE-BCC score</th>
<th>SE-SBM score</th>
</tr>
</thead>
<tbody>
<tr>
<td>BCC score</td>
<td>1</td>
<td>0.9279*</td>
<td>0.1775</td>
<td>0.3159</td>
</tr>
<tr>
<td>SBM score</td>
<td>0.9279*</td>
<td>1</td>
<td>0.1925</td>
<td>0.3453</td>
</tr>
<tr>
<td>SE-BCC score</td>
<td>0.1775</td>
<td>0.1925</td>
<td>1</td>
<td>0.9811*</td>
</tr>
<tr>
<td>SE-SBM score</td>
<td>0.3159</td>
<td>0.3453</td>
<td>0.9811*</td>
<td>1</td>
</tr>
</tbody>
</table>

Note: * indicate the significance level at 1%.

The Spearman correlation coefficients of efficiency scores in Table 5 indicate that the four efficiency scores were monotonically related (p < 0.01), although their relationship is not linear. This results is consistent with the findings of Zimkova (2014).

Table 5. Spearman correlation coefficients between efficiency scores

<table>
<thead>
<tr>
<th>Efficiency score</th>
<th>BCC score</th>
<th>SBM score</th>
<th>SE-BCC score</th>
<th>SE-SBM score</th>
</tr>
</thead>
<tbody>
<tr>
<td>BCC score</td>
<td>1</td>
<td>1</td>
<td>0.7792*</td>
<td>0.7792*</td>
</tr>
<tr>
<td>SBM score</td>
<td>1</td>
<td>1</td>
<td>0.7792*</td>
<td>0.7792*</td>
</tr>
<tr>
<td>SE-BCC score</td>
<td>0.7792*</td>
<td>0.7792*</td>
<td>1</td>
<td>0.9893*</td>
</tr>
<tr>
<td>SE-SBM score</td>
<td>0.7792*</td>
<td>0.7792*</td>
<td>0.9893*</td>
<td>1</td>
</tr>
</tbody>
</table>

Note: * indicate the significance level at 1%.

Conclusions

This paper aims to estimate the efficiency of commercial banks in Albania during year 2014, and to rank these banks according to their efficiency generated by super-efficiency models.

The results of this research indicate that 12 out of 16 banks are technically efficient under VRS assumption. The best performing banks in this study are National Commercial Bank and Credit Bank; whereas the worst performing banks are ProCredit bank and Societe Generale Albania Bank. The findings of this research can be used by business experts, banks managers and other financial authorities in Albania.

In the future research, this study can be extended to examine the super-efficiency of banks in Albania considering a longer period of time. Also, can be studied the influence on super-efficiency of some macroeconomic indicators such as GDP, inflation, exchange rates, etc.

References


In the protection of life: the case of the fetus and abortion

Aferdita Tepshi
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Abstract

The right to life is undoubtedly one of the most important human rights, the exercise of which constitutes the source of all other rights derived from it. The right to life is a non-derogable, indivisible and inalienable right, which is closely related to human beings. The right to life, being one of the fundamental rights, ranks first relating to human existence, arbitrary deprivation of which would repel all other rights of social and economic character. Due to its undisputed importance, the right to life enjoys special protection by national and international instruments. This paper aims to analyze abortion and its current issues and problems. Abortion remains a sensitive issue. On the other hand, it affects women’s rights. The right to protect the life of the embryo is not guaranteed by the majority of international legislation because they do not consider abortion a criminal act, but a right of women to decide the fate of her fetus. At the same time it is asserted that "the human rights" are protected, on the other hand it is allowed the right of women to decide about the fate of her fetus, respectively violating and legalizing the killing of innocent human being, the vulnerable embryo. The manifestation of the features and the main principles of the right to life and abortion is attempted through research and scientific methods. This study provides recommendations for further studies in the future, especially regarding abortion at a young age and selective abortions, as two of the major problems in our country.

Keywords: the right to life, abortion, issues of our country, the Albanian legislation, the law on interruption of pregnancy, etc.

1. Introduction. Overview of the concepts of life and abortion

The abortion debate has been a controversial issue of since the beginning of the emergence of the abortion concept. The medical science give abortion the following meaning: "ending of pregnancy by removing a fetus or embryo before it can survive outside the uterus, during the first 28 weeks. Ending of pregnancy after 28 weeks is called premature birth". (Nosi, 1953:33) The medical meaning of abortion is built upon medical basic concepts related to the process of pregnancy evolution. Legal concept of abortion is: "The intentional interruption of the physiological process of pregnancy, resulting in the death of the fetus". Still today the scientific and medical community has failed to offer us a precise definition about the moment of the beginning of life, but it has been found a consensus about the stages of women pregnancy progress. The concept of "being pregnant" is not a scientific term, but is an informal term that refers to a process of fertilization. Various studies with medical character have proven that a significant percentage of zygotes (estimated to be between one-half and two-thirds) do not develop, and in addition, a large number of pregnancies end in undesirable abortions. (Scott, 1997:827) Therefore, it would be fair that the right to life to a fetus starts from the moment it manages to live detached from the pregnant woman.

Frequently, the terms interruption of pregnancy and abortion are used as synonymous to each other; but the difference lies precisely in the fact that the first concept means death of the fetus, although its grammatical meaning allows a broader interpretation to the case of causing premature birth. Abortion in different jurisdictions has had different legal arrangements.

Jurisprudence of the European Court of Human Rights states that the individual’s right to life is protected by Article

1 Who’s Right to Life - Women’s Rights and Prenatal Protections under Human Rights and Comparative Law, http://reproductiverights.org/sites/crr.civicactions.net/files/documents/RTL_3%202014%2012.pdf , which states that Fertilization occurs when a single sperm penetrates an egg cell to form a zygote. After fertilization, the zygote travels through a woman’s fallopian tube and begins to divide to form several cells, becoming a blastocyst or preembryo. The blastocyst or preembryo reaches the uterus roughly five days after fertilization. Approximately three weeks after fertilization has occurred, the implanted blastocyst or preembryo is sufficiently developed to be considered an embryo. The embryo develops into a fetus between the end of the eighth and the end of tenth week of pregnancy.
2 of the ECHR, at the same time, by Article 8 of the Convention, an article which protects and guarantees the individual's right to "private and family life". This article aims to ban state intervention in private and family life of individuals. In 1976 the Commission on Human Rights has concluded that Article 8 of the ECHR is applicable to issues of abortion since the legislation which governs the interruption of pregnancy affects the sphere of private life; whenever a woman is pregnant, her private life becomes closely connected with the developing foetus (Korff, 2006:10).

Later this aspect is clarified even further since Article 8 of the ECHR can not be interpreted to allow abortion rights, but emphasizes the right of women to respect her physical and psychological integrity, clearly stipulated in the notion of "private life". In this regard, states are obliged to provide their services in such a way that respect for freedom of medical professionals in practice does not obstruct the exercise of the right to those services for pregnant women.

2. Methodology of the Study

The methodology used in this paper is part of its historical, analytical and comparative approach. We handled the relationship between the right to life, law and national and international institutions in case of the fetus. We began our analysis with an overview of the right to abortion and the legal meaning of the right of the fetus to live, where various discussions and controversies has been raised such as the question: when life begins. These questions have been answered relying on the foreign doctrine and judicial practice as well as the Strasbourg Court and the Albanian legislation. Once we have analyzed these issues, we passed into another perspective, where we have given particular focus on the right of women to interrupt pregnancy and the right of the fetus to live, the right not to give birth in the case of unwanted pregnancy, and at the same time, we have handled the opposite case, the criminal aspects of the interruption of pregnancy without the woman's consent. In this chapter, except the experience and practice that Albanian legislation gives to abortion, we have briefly considered the legislation of different European countries.

Analyzing this right in our country, we have found that one of the issues in our country is related to the selective abortion, which will be discussed extensively at the end of this paper.

3. Debate about the beginning of life

When talking about the right to life questions arise, such as whether the concept of life is absolute, which means that life begins after a certain time, or it is a gradual concept, where the fetus is considered to be developing gradually. (Viljoen, 2004:3014) Is it fetus also implied, when referring to the person? The Strasbourg Court has estimated that the answer to the question of when life begins should be interpreted and find adjustments in the domestic law of states because firstly, that the issue of such protection has not been resolved within the majority of the Contracting States themselves, and secondly, that there is no European consensus on the scientific and legal definition of the beginning of life.2

The Convention does not specify what "life" is or when and where the protection of Article 2 of the Convention begins or ends. In fact, in the absence of a legal or scientific European compromise (or worldwide compromise) in relation to the issue, the Commission, during the time when it still existed, and even the Court now, is unwilling to set exacting standards in this respect. On the other hand, the Strasbourg Court observes that there is no interpretation in relation to whether the unborn child is a person for the purposes of Article 2 of the European Convention on Human Rights. (Korff, 2006:10)

As the Court determined in the case of VO v France: ... the issue of when the right to life begins comes within the margin of appreciation which the Court generally considers that States should enjoy in this sphere, notwithstanding an evolutive interpretation of the Convention, a "living instrument which must be interpreted in the light of present-day conditions" ( ...).The reasons for that conclusion are, firstly, that the issue of such protection has not been resolved within the majority of the Contracting States themselves, in France in particular, where it is the subject of debate and, secondly, that there is no European consensus on the scientific and legal definition of the beginning of life ... Therefore, the Court is convinced that it is neither desirable, nor even possible as matters stand, to answer in the abstract the question whether the unborn child is a person for the purposes of Article 2 of the Convention.

The question arises when a fetus can "earn" the right to life? This question divides the lawyers into two camps, those who are in favor of abortion often lead the debate on the issue that the fetus gets life when born. Opponents consider the fetus a human being from the moment of conception, and the right to life according to them begins from this moment. The beginning of life is a key point in the debate for those involved in the drafting of laws regulating abortion. There is still no agreement about the beginning moment of life in any of the sciences studying this field, such as

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2 Case VO v France, application No.53924/00.
medicine, philosophy or theology to determine exactly the stage of fetal development in which it will be protected by the right to life.

Some people assume that it absurd that the right of a human life should depend on whether a human being is located inside or outside the womb. (Almagor, 2009:25) So, as we have seen, there are difficulties in choosing an exact point when the fetus receives the right to live, and for this reason it would be fair to admit that the fetus develops or acquires the right to life gradually.

In relation to this issue, in the context of the legal review, the Commission and the Court, instead of imposing a uniform standard, have appreciated and continue to appreciate the issues regarding the beginning of life only for secondary issues, addressing them one by one, while leaving considerable freedom the States to fix themselves the problem concerned, as long as they address them properly, in particular by giving proper weight to different interests at stake and giving the correct balance to those interests. It can be noted from the jurisprudence of the bodies of the Convention relating to the interruption of pregnancy induced. Socially and morally, the more developed the fetus is, the more difficult it is abortion and more weight is given to the rights of the fetus as compared with the rights of mother.

Even Albanian Constitution does not mention the moment of State begins responsibility to protect the right to life, whether this obligation begins from the conception of a child, at his birth alive or at any other moment. With reference to Article 1 of the Law "On interruption of pregnancy", which provides that: "The law guarantees respect of every human being from the beginning of life", this principle is not violated, except when necessary and under the conditions specified in this law.“ The provisions of the Criminal Code, on the other hand, do not outlaw abortion itself, but protect the woman’s health from illegal practices of medical personnel. This is also because in the balance between sacrificing the conception and the right to protect the health of pregnant women, the latter has priority.

Referring to the provisions of the Criminal Code of the Republic of Albania, we note figures of offenses related to the violation of the Law Nr. 8045, dated 7.12.1995 “On interruption of pregnancy”. But seeing that those figures of offenses are included in the group of offenses that endanger the lives and health of the abortion or denial of assistance, it is clearly understood that the purpose of these provisions is to protect the health of pregnant women and not to protect the rights of the fetus to live. Moreover, even in the Albanian judicial practice, no case has been known where no person is convicted when it has caused an abortion that is contrary to the cases and rules provided by Law Nr.8045, dated 7.12.1995 "On interruption of pregnancy”. The woman was excluded as the subject of a criminal offense, unlike the previous Criminal Code. There is no criminal liability when the pregnant woman interrupts a pregnancy herself or by other persons, with her consent, outside the cases determined by law.

From the above we think that the Albanian legislation as well does not protect the right to life from the conception, but when the Constitution provides that human life is protected by law, with a person will be understand only every human being who is born and not the fetus conceived and Law Nr. 8045, dated 7.12.1995 “On interruption of pregnancy” was adopted more as a need to avoid abortions uncontrollable and from unspecialized persons who endanger the lives of pregnant women, at a time when abortion was prohibited by law. Article 2 of the European Convention on Human Rights stipulates a positive obligation of any state in compliance with the requirements for the preservation of life in the field of public health.³ The Strasbourg Court has stated that: "Even if it is presumed that the fetus enjoys protection, positive state obligations do not go so far as to offer legal instruments in cases of criminal character of unintended fetal elimination".

### 3.1 The right not to be born (but healthy)

Not infrequently during pregnancy the doctors have determined that the embryo is unable to make a healthy life after birth, this due to the fact that it might be affected by incurable diseases. These diseases, immediately after ascertained, must be communicated to the mother who has the right to decide about the continuation or interruption of pregnancy. Failure to respect the obligation of the doctor to inform in such a case hinders the exercise of the right of women to choose whether to continue the pregnancy or interrupt it, as provided by law. (Scott, 1997:827) In the case of a child with thalassemia, a disease diagnosed by a physician who follows a woman's pregnancy, the woman should be informed about the existence of this disease, that will decide whether to continue the pregnancy or not in these conditions.

French Supreme Court in the decision on the famous Perruche case, dated 28.11.2001, ruled that "Regarding the medical errors committed by the doctor or medical laboratory in the execution of the contract of medical care with the

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³ The case “VO v France”, dealt with the death of the unborn child to the applicant as a result of a serious medical negligence. According to the Strasbourg Court, the issue of the right to life of the fetus belonged to domestic law. But even if the fetus is presumed that enjoys protection, positive state obligations do not go so far as to provide instruments of criminal nature in cases of unintentional elimination of fetus. Civil complaint was theoretically sufficient in this case.
pregnant woman, violation of her right to choose to interrupt her pregnancy in order to avoid the birth of a child with serious abnormalities, legitimizes her to demand compensation for damages verified in the malformations of the child.”

This decision of the French Supreme Court, together with the decision of the Italian Supreme Court⁴, created the debate on the right to be born but healthy.

The legislator after the Supreme Court's stance intervened by providing some essential changes regarding this issue. Thus, it cannot be claimed for compensation for child born with malformations by a doctor after his condition has not been provoked or aggravated by the mistakes of the doctor, but the claim for compensation has been legitimized if the mother was not informed of the reasons of the misinformation in order to decide about the continuation of pregnancy. Later, the Italian judicial practice made some changes, not recognizing the right to be born but healthy and rejecting the claim for compensation.⁵ Italian Supreme Court decided to reject the claim for compensation for the fetus which born malformed, not due to acts of the doctor. Failure to inform by physician does not have direct causal connection, so it is not a cause of malformations of the child, having influenced on the right of women to choose whether to continue the pregnancy or not.⁶

Law no. 8045, dated 7.12.1995 "On interruption of pregnancy" in Albanian legislation allows the execution of eugenic abortion in cases of severe fetal malformations incompatible with life.⁷ Our legislation provides for the right of the fetus to be born healthy, but not "the right not to be born, but healthy".


Protection of life, as one of the absolute rights of the individual, has existed since ancient times, but the punishment of abortion is rooted so early. The customary law which consists of the Canon of Skanderbeg, Canon of Lek Dukagjin, Canon of Laberia and other local Canons protect pregnant woman's life. Thus, in the Canon of Lek Dukagjin, killing a pregnant woman was juridical included in the section of crimes against life. (Elezi, 1983:14) Regarding the killing of a pregnant woman, the Canon of Lek Dukagjin provides that the one who killed a pregnant woman, even out of carelessness or negligence, was obliged to pay the price for the woman and the child. Price which shall be paid to the woman’s life was 3 bags with gold coins and the price was identical for the murder of the fetus; when the fetus was a male the price was double.

Canon of Laberia did not allow the murder of women who was pregnant from adultery, without giving birth to the baby, and after the birth, she was killed by her parents. In the period of the Republic and the Monarchy the norms of criminal law contained more stringent penalties in relation to the murder of a pregnant woman. (Luarasi,2007: 393) The socialist criminal law ensured full criminal judicial protection of of the person's life from crimes against life. The chapter IV of the Criminal Code of 1952 stipulated the crimes against the person, providing different types of murders, among which the murder in specified circumstances, including the murder of pregnant women.

This attitude found full reflection in the Criminal Code of 1977 because this system was built on the basis of the importance of social relationships that were protected by the criminal law. In crimes against the person, the first and the main place was occupied by crimes against life and Article 84 of this Code stipulated the figure of the offense of murder of women knowing that she was pregnant. (Elezi, 1983:30)

Albania abortion is regulated by the law and the orders of the Ministry of Health on abortion. Law no. 8045, dated 07.12.1995 "On the interruption of pregnancy" and the Law no. 8876, dated 04.04.2002, "On reproductive health", represent important tools in the Albanian legal framework, regarding the reproductive right. Law Nr. 8045, dated 7.12.1995 "On the interruption of pregnancy" is permeated by the principle that "Every woman has the right to accurate information and advice before abortion"⁸. In this context, advice centers in every quarter exercise an important role.

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⁴ Decision no. 6735 dated 05.10.2002 of the Italian Supreme Court, which recognized the right of the child's father to compensation, due to not being informed by the doctor.
⁵ Decision no. 14488, dated 29.07.2004 of the Italian Supreme Court, the third civil section. "The conception can enjoy a right of defending a particular interest just after birth and dependent on the fact of birth. If this fact is not verified, the protection of the right guaranteed is denied. Therefore, to recognize the conception the right not to be born means to recognize a right that in fact it can not exercise and which is consumed".
⁶ Decision no. 16123 dated 07.14.2006 of the Italian Supreme Court, the third civil section: “The damage is considered as a loss or reduction in relation to a previous state that compensation aims to reintegrate. In this case, the damage it is not verified, since the only alternative to unhealthy birth, is not coming in life”.
⁷ Law Nr. 8045, dated 7.12.1995 "On interruption of pregnancy", Article 9: “Where the Commission finds that the fetus has malformations incompatible with life, or handicap diseased with insecure treatment, it decides to interrupt the pregnancy at any time.”
Doctors and their staff advise women with all the information necessary. In addition, the law allows interruption of the pregnancy only with the consent of the woman. However, it is provided that, when possible, the husband or a parent shall also take part in the counsel and making of a decision about an abortion. Law "On the reproductive health" provides that "Every woman, free and exempt from any form of discrimination, coercion and violence, has the right to be examined and to decide freely on all issues related to her sexuality and sexual and reproductive health". In addition, the right of every individual to choose sexual relationship and to control the reproductive life is sanctioned. This choice means that no woman can be forced to be pregnant and that any medical intervention related to sexual and reproductive health must be carried out with her consent (Anastasi, 2013: 35). Law Nr. 8045, dated 7.12.1995 "On the interruption of pregnancy", its Article 3 stipulates that "A voluntary abortion shall be done only by an obstetric-gynecological specialist doctor in state and private health institutions that meet the conditions set in the respective guidelines of the minister of Health and Environmental Protection". Therefore, the law provides that the interruption of pregnancy is carried out only by a specialized doctor in order to prohibit interruption of pregnancy by unauthorized persons who may cause serious damage to the health of mother. When abortion is considered a justified health cause are provided for in Law no. 8045, dated 7.12.1995 "On the interruption of pregnancy" and are assessed with a report by the forensic (medicolegal) expert when:

- the continuation of the pregnancy and/or the birth of the child endangers the life or health of the woman,
- the fetus has malformations incompatible with life, or an illness that would make it an invalid with treatment uncertain,
- the pregnancy creates psycho-social problems,
- the pregnancy is the result of rape or another sexual crime,
- other social reasons are verified.

The Minister of Health and Environmental Protection shall set by special guidelines the content, manner of preparing and distribution of the advisory materials. In the evaluation of the second case, the question naturally arises, whether some lives are hardly worth being lived? And if so, should be society the one who decides, or should be the parents the ones who will bring to life this child, those who must decide? (White & Baldwin, 2011:113) We think that important in this regard is the assessment by the lived? And if so, should be society the one who decides, or should be the parents the ones who will bring to life this child, future? In this aspect, malformations incompatible with life or handicap illness of unsafe treatment include malformations or serious illness and not only those that are undesirable for the parents or for the society.

Physiological process is interrupted due to the actions of doctors, medical personnel, or other persons, and not due to natural causes as a result of a disease or health condition of the women.

Article 4 os this Law stipulates that, A doctor of whom a voluntary abortion is requested must at the first visit inform the woman about the medical risks entailed by abortion, about the rights, assistance and advantages guarantees by law for the family, the mother and the child, about the institutions and organizations that may offer the woman moral and financial support as well as about the clinics and hospitals that perform abortions. The woman, after receiving the relevant information, the doctor shall ask for written confirmation of the request, at least 7 days have passed from the first request. In the case of pregnancy of an unmarried girl not yet 16, in addition to her own

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10 See section 9 paragraph 1 of Law no. 8045, dated 7.12.1995 "On the interruption of pregnancy".
11 See Article 9 of the Law No. 8045, dated 7.12.1995 "On the interruption of pregnancy".
12 See Article 10 of the Law No. 8045, dated 7.12.1995 "On the interruption of pregnancy".
14 See Article 5 of the Law No. 8045, dated 7.12.1995 "On the interruption of pregnancy".
15 See Article 6 of the Law No. 8045, dated 7.12.1995 "On the interruption of pregnancy" which provides that "If the woman, after receiving the information mentioned in article 4, repeats her request for an abortion, the doctor shall ask for written confirmation of the request. This confirmation shall be requested after at least 7 days have passed from the first request."
request for an abortion, the approval of a person who exerts parental authority or is her legal guardian is also required. Article 9 of the law stipulates terms upon which the interruption of pregnancy can be allowed and the first paragraph of this section stipulates that “Abortion for medical reasons may be performed up to the twenty-second week of pregnancy, if a committee consisting of three doctors, after examination and consultation, judges that the continuation of the pregnancy and/or the birth of the child endangers the life or health of the woman.” Therefore this paragraph specify the period of 22 weeks only if the woman’s health is endangered because in cases when “the committee judges that the fetus has malformations incompatible with life, or an illness that would make it an invalid with treatment uncertain, it shall decide on an abortion at any time.” When the woman considers that the pregnancy creates psycho-social problems, voluntary abortion may be performed within the twelfth week of pregnancy, up to the twenty-second week of pregnancy, if a committee consisting of three specialists, a doctor, a social worker and a jurist, after examination and consultation, judges that the pregnancy is the result of rape or another sexual crime, as well as when other social reasons are verified. Pursuant to this Law of the Ministry of Health interruption of the pregnancy or abortion is legal up to twenty-second week of pregnancy, but also, at any time during pregnancy are identified malformations, deformities, incurable diseases, and if the pregnancy is the result of rape or any other act of sexual crime.

Criminal prosecution under this law and guidelines can be applied only to a specialist doctor if he violates the provisions of the law approved by the Ministry. In Albania, our Criminal Code, section V, provides for offenses which endanger the life and health of the pregnancy interruption or denial of assistance, and addresses abortion or interruption of the pregnancy, in Articles 93-95. The period within which the abortion is allowed is not subject to regulation of this Code as it is defined by the guidelines and decisions made by the Ministry of Health. Article 93 of the Criminal Code stipulates that interruption of pregnancy without the woman’s consent, except those cases when interruption is imposed because of a justified health-related cause, is punishable by a fine or up to five years of imprisonment.

Earlier we discussed that the woman has the right to abortion only if this the woman’s health or her life is endangered, and this is possible only if this exceeded 10 weeks, 20 weeks, but also at any time of pregnancy. Before 10 weeks of pregnancy the woman has the right to abortion without any special procedure, for whatever reason. If 10 weeks after conception have passed, the woman may require interruption of pregnancy by making a written request sent to a special committee regarding this issue, but previously these phenomena must be identified:

- on the basis of medical indications it is concluded that during pregnancy or after birth, could come to serious deterioration of the health of the woman or her to death.
- When it can be expected that the child will be born with serious mental and body deficiencies, based on eugenic indications.
- When conception was a result of rape, sexual intercourse with a disabled or a minor person.

### 4.1 Discussion on current issues in our country: abortion at a young age and selective abortion

At the end of this chapter we prenest in this section some of the current problems that our society is facing regarding abortion which in recent years are considered concerning issues: abortion at young age and selective abortion. Over the past years it has been noted an increasing tendency for abortions at a young age and selective abortions. Just like in many countries of Eastern Europe even Albania has very high level of abortion. In Albania the percentage of abortion is 230 of 1,000 live births, while the average percentage of Europe is 28 of 1,000 live births. The statistics in our

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16 See Article 8 of the Law No. 8045, dated 7.12.1995 "On the interruption of pregnancy"
17 See Article 9, paragraph 2 of the Law No. 8045, dated 7.12.1995 "On the interruption of pregnancy"
18 See Article 9 and 10 of the Law No. 8045, dated 7.12.1995 "On the interruption of pregnancy"
19 Here is just a figure of abortions carried out in Albania, according to Bardhy Cipi. In recent years in Albania - according to B. Cipi - the number of abortions has increased significantly compared to previous years. Only in Tirana there has been about 10,000 abortions annually, versus 7000-8000 births. All these abortions were registered, but a large number of abortions is done illegally. Therefore the above mentioned number may be even higher.
country appear to be really disturbing. However the figures remain controversial, as there is no precise data on this phenomenon. The main reason associated with such reporting shortages is related to abortions performed in private clinics and those made privately by women themselves by taking pills. The age groups most affected are those from 13 to 18 years old. Number of abortions by teenagers is ever increasing, although this is a generation not less informed about methods to protect against pregnancies. It remains particularly worrying the capital, where, referring to data from two maternity hospitals in Tirana, at least three women a week appear to perform abortion.

Selective abortion remains at the same levels: many parents, after learning that they will not give birth to a male child, decide to abort. This disturbing fact has been confirmed by the study carried out on the gender balance of births in our country. The study notes that the Albanian population has been dominated by males for a long time, but recently it has been noted a further increase of this dominance. This is due to the fact that in our country are born more males than females, bringing the female-male ratio of births to 100 female against 111 males. This phenomenon of the desire to bring to life male children rather than females is more noticeable in Dibra, Durrës, Lezha and Fier, while more moderate in the eastern cities of Albania. (Gjoncaj: 2010).

Law No. 8045, dated 7.12.1995 "On the interruption of pregnancy" guarantees the respect of every human being from the beginning of their lives, so at the concept stage. Pregnancy up to 22 weeks may be interrupted for a variety of health reasons, including psychosocial, stipulated pursuant to this Law by the Ministry of Health. Abortion is not included in them for sex selection. Another law that helps in deterring this phenomenon is Law no 10339, dated 28.10.2010 "On Accession of Republic of Albania in the Convention on Human Rights and Biomedicine". A separate chapter of the law treats the nondiscrimination of people and their protections and also taking the genetic tests is only provided to avoid the need for international cooperation, so that all the Albanian population can enjoy the benefits of biology and medicine, and it is reasonably seen that even our country accede to this Convention. While Article 14 of the Law exactly speaks about the sex selection stating that: "The use of techniques of reproduction, with the help of medically elements is not permitted for the purpose of selecting the sex of the future child, except when it should be avoided a serious hereditary illness related to sex. For all the above, the Ministry of Health considers the termination of pregnancy aiming the fetal sex selection, an absurd action, morally and legally reprehensible.

5. Conclusions and recommendations

National legislation as well as the ECHR in fact does not provide a clear definition for life, it also does not define the boundaries of the beginning and end of the protection that the Convention makes the right to life. For this reason, but also due to in the absence of a legal or scientific European compromise in relation to the issue, now it belongs to the margin of appreciation to the European Court of Human Rights. The Court generally considers that States should enjoy in this sphere, notwithstanding an evolutive interpretation of the Convention, a "living instrument which must be interpreted in the light of present-day conditions". A problem related to the right to life therefore has to do with the beginning and end of physical life of a human being. So we stop on the term "everyone" used in Article 2 of the ECHR. In the context of Article 2 of the ECHR the concept of "Life" means human life. First, it must be said and for all of us is more than obvious that social, moral, religious, political, legal, health views etc., are combined on this issue. Secondly, it must be said that either at the national level as well as internationally, there is a consensus. However, referring to the European Commission of Human Rights, the term "everyone " used in the ECHR, doesn't recognize the absolute right to life of the fetus, and at the same time, no case that require a clear and final solution on abortion has appeared for trial at the court. The abortion debate has been a controversial issue of since the beginning of the emergence of the abortion concept. In fact, in the absence of a legal or scientific European compromise (or worldwide compromise) in relation to the issue, the Commission, during the time when it still existed, and even the Court now, is unwilling to set exacting standards in this respect. On the other hand, the Strasbourg Court observes that there is no interpretation in relation to whether the unborn child is a person for the purposes of Article 2 of the European Convention on Human Rights. As the Court determined in the case of VO v France: "... the issue of when the right to life begins comes within the margin of appreciation which the

20 RU486 abortion pill has been approved by the Food & Drug Administration in 2000 in the US. It is used up to 7 weeks (49 days) of pregnancy combined with another pill to cause uterine contractions and later on complete abortion.

21 According to some other doctors, the age groups are 15 to 19 years old.
Court generally considers that States should enjoy in this sphere, notwithstanding an evolutive interpretation of the Convention, a “living instrument which must be interpreted in the light of present-day conditions” (...). Just as American States legislation, the legislation of the member countries of the ECHR significantly differs from each other regarding the response to the question of when life begins and the definition of the term “human being”. In the scientific field there are two views on the moral status of the embryo and as a consequence of the legal protection provided: - human embryos are not considered human beings, and consequently the protection granted to them is relative; and the second view is, that human embryos have the same moral status as human beings and consequently protection granted to both of them is the same. Many European countries, during the discussions and signing of the Convention of the Council of Europe Convention on Human Rights and Biomedicine, failed to have a consensus on the definition of the embryo, and consequently, were unable to include research on the embryo in the Convention. The European Convention on Human Rights leaves the Member States a margin of appreciation on the issue of the beginning of life. This is according to national standards, culture, religious direction to each member country. That's because even the Member States have been unable to resolve disputes between them on this issue. Nowadays, the status of the embryo and / or fetus has started to have some protection as a result of scientific progress and the potential consequences of research into genetic engineering, medical recreating observed (in vitro) or experiments on embryo. Albanian law as well as the laws of many other countries, does not predict the absolute right of the fetus to live. This right when recognized would impede the exercise of the right of women to self-determination as part of the right to privacy, and specifically their right to interrupt a pregnancy, in accordance with the criteria established in law. In these conditions no person, not even a spouse, can not ask, either to the court the restriction of this right. Foreign case law has held that the doctor who provides information about medications which cause interruption of pregnancy beyond those cases provided by law, bears individual criminal responsibility. Protection and respect of the right to life of the individual, conceived and enshrined as one of most fundamental human rights, is at the core of our constitutional and criminal law as well as criminal procedure law. Human life is protected by law. In this way the legal concept of protection of human life in the Constitution of the Republic of Albania has been sanctioned. This formulation clearly and directly expresses the protection of human life, which is a constitutional value. Referring to the Albanian legislation, we consider the relevant legislation in this field, where Law no. 8045, dated 07.12.1995 “On the interruption of pregnancy”, recognizes the right of voluntary interruption of pregnancy, only in certain conditions.

A specific regarding abortion in Albanian society which in recent years were is considered troubling has to do with selective abortion. Over the past years it has been a growing tendency to selective abortions, where many parents, after learning that a child who will come to life is not a male, they prefer to abort. This disturbing fact has been confirmed by studies carried out on the gender balance of births in our country. The study notes that the Albanian population has been dominated by males for a long time, but recent years have been observed a further increase of this dominance. For all the above, the Ministry of Health considers the termination of pregnancy aiming the fetal sex selection, an absurd action, morally and legally reprehensible.

Bibliography

The Universal Declaration of Human Rights
European Convention for the Protection of Human Rights and Fundamental Freedoms
Convention for the “protection of pregnant women” No. 103 in 1952
Charter of Fundamental Rights and Freedoms
Law no. 8045 dated 12.07.1995 “On the interruption of pregnancy”
Law no. 10107 dated 30.03.2009 “On health care in the Republic of Albania”

Secondary sources

Cross - cultural perspective on medical ethics. London: Jones and Bartlett
Elezi I., (2002) Protecting the right to life - as the most fundamental human rights, press release at the National Conference "State and civil society in defense of the right to life",
Elezi, I. 2009, Criminal Law, Special Part, ERIK.Tirana
Gjoncaj A. (2010) "Unbalanced ratio between the sexes at birth in Albania".
Nuni F., (2002) State and civil society in the protection of the right to life, Press release at th National Conference on "State and civil society in the protection of the right to life”.
Marketing Mix Competitiveness of Blue Tourism in Albania

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Abstract

Tourism has become an important source of the GDP of the country, especially in the Balkan region. Albania needs to increase the competitiveness of the tourism product. To analyze this situation, this paper focuses on marketing mix competitiveness of Blue Tourism in this country. The main issues intended to be explained in this research are: (1) explaining the situation and the problems associated with potential consumers in making purchasing decision (researched by promotion), (2) Price Elasticity of Tourism (price) (3) the importance of infrastructure elements (country); and (4) the attractiveness of the product (Product). The methodology followed is a quantitative measure of the sample is composed of 50 tourists to the city of Durres. Respondents were selected intentionally and must meet the condition that they were Blue Tourism tourists. They were asked to fulfill a questionnaire which contained questions regarding marketing mix and level of entrepreneurial attractiveness of product. A analysis of percentages and multiple linear regression is realised in order to enhance the Blue tourism marketing P's which are most good realised as perceived by individuals and which are those elements that create gaps and should be improved. Important conclusions are generated for the four marketing P's of Blue tourism in Albania and important recommendations are given to determine the priorities for each component of marketing.

Keywords: Marketing, Mix Marketing, Blue Tourism, Albania

Introduction

Background

Blue tourism is a new reality for tourism in Albania. Early efforts already have begun to jump in the direction of blue tourism, which although small in number can be seen as a good omen for the future development of this form of tourism in Albania. In entrepreneurial lenses it would be interesting to evaluate attractiveness of this innovative alternative of investing.

Problem Statement

In recent years, Albania has been steadily developing new forms of tourism, including further expansion of coastal tourism, lake and river one, going further in terms of mountain tourism.

So, when it comes to underwater tourism, the situation is somewhat unique because this form of tourism is positioned between the two ends of the potential tourism of our country, on the one hand there are coast points which are promoted day by day more and more (that appear as part of the traditional seaside tourism realized in Albania), on the other hand are all innovative forms of tourism that can be realized in Albania, for which the promotion and entrepreneurial efforts are minimal.

In this regard, blue (underwater) tourism has the greatest potential to be differentiated from coastal tourism, but this differentiation should be done in a cautious manner. Ideal in Albanian tourism sector would be to achieve maximum benefits from the popularity of coastal tourism and underwater tourism, but without falling into the trap of perception that underwater tourism in the same as coastal tourism, a fact which would entail a considerable loss in the form of perception of potential tourists.

Research aim

The main issues intended to be clarified in this research are: (1) explanation of the situation and the problems associated with potential consumers purchase decision-making (explored By Promotion), (2) price elasticity of Blue Tourism and
entrepreneurial attractiveness ability of such activity (price), (3) the importance of infrastructural elements (place); and (4) attractiveness of Blue tourism, its most unique and desirable aspects.

Research question/s

Based on research objectives, the following questions have been raised: (1) Which are the most effective channels of promoting Blue tourism?; (2) Is price a relevant factor when deciding to consume or not Blue tourism?; (3) Which are the most important features of the full package “Blue Tourism”, which attract consumers?; (4) Are infrastructural elements (place) a relevant factor when deciding to consume or not Blue tourism?

Literature Review

Blue Tourism definition

The definition of blue tourism seems to be quite difficult as a consequence of touristic elements that need to be included. At this point, first of all should be emphasized that the term “blue” is used conventionally noted in particular the link between this form of tourism and the underwater world.

In this regard, understanding better this term firstly we should look its etymological construction structure. Thus, the term of tourism used in Albanian language, it is a derivation of the term tour, which is seen as an adaptation of the English word “tour”, which itself is seen as a derivation of the Latin word “tornare” and the Greek word “tornos” Gusmari (2007). These terms are used to indicate "a circle, or moving around a central point or an axis". This explanation can be seen as the origin of the first word of tourism, however, the use of English language, has changed the concept of the term, being defined now as tour term (the origin of Albanian the word tur) with "return of somebody." (Business Wire, 2009).

In this way, some examples of definitions of tourism will be those provided by Arlem. (2013) which states that "tourism is a study of an individual outside its ordinary habitat, of the industry that responds to its needs and impacts between industry and individuals in physical, socio-cultural and economical environment of the hospitable country" from Goleworthy (2012), who stated that "tourism is the temporary movement of people to a destination outside their usual place of work or residence, activities undertaken during their residence in these destinations and facilities to fulfill their needs."

Thus, according to the above definitions we can build the conceptual framework of the blue tourism definition, generally defining the blue tourism as follows "blue tourism represents the temporary movement of people toward underwater destinations located outside their place of work or residence, activities undertaken during their residence in these underwater destinations and facilities generated to meet their needs, as well as taking into account the impact in the underwater, socio-cultural and economical environment of these activities, implemented jointly by the individuals and industry that offer the blu tourism" OECD. (2016).

Blue Tourism and Albania

Blue tourism is an asset, that if it is developed in a smarter way can provide a higher level of income generated by the application of underwater tourism. Such a reflection is linked directly to the phenomenon seen in many other countries that have implemented this form of tourism. Thus, it is accepted that an average underwater tourist generates a higher level of income than normal tourists who can visit a place.

But what does our underwater world offer? Perhaps our beauty can not be compared with those of countries such as Australia or Fiji Islands, but again the diversity of the underwater landscape that offers our country makes it an attractive destination for underwater tourism development "Ministria e zhvillimit Urban dhe Turizmit., 2014). Thus, our underwater world offers a highly developed ecosystem in which can be found many tropical fish such as parrot fish, amja, sira, which in most cases are grown in tropical waters (Stefano (2004).

Also our country's underwater world offers historical exploration opportunities, extending its range more between the two World Wars. Thus, the Albanian underwater world are discovered about 14 ships from the World War I and II which are in a very good condition (OBT, So among special ships appear those of "Regina Margarita" drowned in December 1915, while the oldest ship found is "Intrepido" drowned in 1910.

In this regard, the Albanian underwater world offers the possibility of combining the beauty by nature without touching and using the past history of the country, which having such an interesting land and water development. Such
a combination can be seen as a competitive advantage that our country can use in the international arena in terms of underwater tourism promotion.

**Conceptual Framework**

In the above section of literature review, all the most important variables were identified in the literature about the research questions raised at the beginning of the study. In the below scheme, a theoretical model of this study is represented.

As stated in the above scheme, primary focus of this thesis will be marketing four P’s, in entrepreneurial lenses.

**Research Design and Methods**

This study aim at developing an econometric model for evaluating entrepreneurial attractiveness 4 P’s of marketing of blue tourism. In order to achieve this objective, a quantitative study will be conducted. Multiple-Regression Analysis will be used in order to generate one equation which will show the influence that each of four marketing P’s has on entrepreneurial attractiveness of blue tourism.

Most important objective is to integrate variables evidenced in literature in order to evidence their relationship with leasing interest and with loan interest.

In the end, when equations will be executed we will compare them and by evidencing the most important marketing factor to devote entrepreneurial skills.

Theoretical form of Multiple Regression equations will be

\[ Y = c_0 + c_1 X_1 + c_2 X_2 + c_3 X_3 + c_4 X_4 + E \]

Where:

- \( Y \) – Blue Tourism Entrepreneurial Attractiveness
- \( X_1 \) – Product
- \( X_2 \) – Price
- \( X_3 \) - Place
- \( X_4 \) - Promotion
Research population, sample and selection

The best way to obtain information is through the use of primary data that can be generated through the use of questionnaires that will be distributed to various persons in order to provide information about their perception towards the development of this potential form of tourism. We will apply 100 questionnaires, which will be distributed in different areas of the capital city. This questionnaire will be distributed without age or sex limitation.

Operationalization: Variables, Indicators

Operationalization is a process of translating theoretical concepts into empirical measurable characteristics. In order to measure our variables, indicators were created in form of interview questions.

Research Findings

Performing a multiple linear regression, organizations can determine the strength of influence that one each of four marketing P’s has over marketing performance. Organizations can then be devoted to the formation of a specific model of entrepreneurial attractiveness, according to contribute that each of four Marketing P’s has over entrepreneurial attractiveness of Blue Tourism businesses.

Through the following paragraphs we will cover the following issues:

- Testing the statistical significance of the regression model.
- Testing suitability of the model that we have set.
- Testing hypotheses about a partial regression coefficient.

These steps will be taken for both: leasing and loan, and in the end a comparative analyses will be conducted. In the following table, statistical analysis output is presented.

Table 1. Statistical Analysis Output

Method: Least Squares
Included observations: 433

<table>
<thead>
<tr>
<th>Variable</th>
<th>Coefficient</th>
<th>Std. Error</th>
<th>t-Statistic</th>
<th>Prob.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intercept</td>
<td>-0.36192485</td>
<td>0.93462307</td>
<td>-2.38724151</td>
<td>0.06985664</td>
</tr>
<tr>
<td>X Variable 1</td>
<td>0.33663963</td>
<td>0.16855222</td>
<td>1.99724228</td>
<td>0.46717170</td>
</tr>
<tr>
<td>X Variable 2</td>
<td>0.26161484</td>
<td>0.55145151</td>
<td>2.47441132</td>
<td>0.06355576</td>
</tr>
<tr>
<td>X Variable 3</td>
<td>0.32726262</td>
<td>0.1421205</td>
<td>2.47441132</td>
<td>0.06355576</td>
</tr>
<tr>
<td>X Variable 4</td>
<td>0.346044</td>
<td>0.96679651</td>
<td>-2.97652837</td>
<td>0.02943633</td>
</tr>
</tbody>
</table>

R-squared 0.651454    Mean dependent var 7.586241
Adjusted R-squared 0.622546    S.D. dependent var 3.587451
Sum squared resid 4.358574    Schwarz criterion 4.152368
Log likelihood 8.965841    F-statistic 45.65874
Durbin-Watson stat 1.157486    Prob.(F-statistic) 0.064878

Source: Statistical Analysis Output

Evaluation of relationship strength is done through the interpretation of correlation metrics. To assess the strength of the relationship, the use of R-square and adjusted R-square is made.

1 As showed in Appendix
R indicator is indicative of correlation of all dependent variables with the independent variable. The closer this value is to 1, the stronger the relationship. In our case the value of these indicators, although not high, it is considered sufficient to suggest the existence of a relationship between Blue Tourism Entrepreneurial Attractiveness and marketing mix.

From table 1, regression model is evaluated as following:

\[ Y = -0.36192485 + 0.33663963 \times X_1 + 0.32726262 \times X_3 + 0.346044 \times X_4^2 \]

Where:
- \( Y \) – Blue Tourism Entrepreneurial Attractiveness
- \( X_1 \) – Product
- \( X_3 \) - Place
- \( X_4 \) - Promotion

Hypotheses to test up to the importance of the regression coefficients are:

- \( H_0: \beta = 0 \) (\( \beta_1 \) statistically unimportant)
- \( H_a: \beta \neq 0 \) (\( \beta_1 \) statistically important)

Test used for evaluation of above hypothesis are showed below.

**T criteria**

Critical \( t \) for 45 freedom degrees (50-4-1) and for \( \alpha = 0.025 \) is 2.0141. Given evaluation criteria, we have: calculated \( t > \) critical \( t \) for each of four marketing P’s. We reject all null hypotheses and imply that all marketing P’s are important for Blue Tourism entrepreneurial attractiveness, except for price. Rejection of the null hypothesis implies that all regression variables are statistically significant, except for price.

**P Criteria**

Evaluation criteria: Hypothesis 0 is refused if: \( p < \alpha = 0.05 \)

We can note that \( p < \alpha = 0.05 \) for all independent variables, this means that null hypothesis cannot be accepted, except for price.

If we devote attention to regression result interpretation we can observe:

- **Product** – a unitary increase (decrease) in product development will cause an increase (decrease) in Entrepreneurial attractiveness by 33.66% when the other elements of marketing mix are held constant.

- **Place** - for an increase (decrease) for one unit of Place characteristics improvement we have an increase (decrease) of entrepreneurial attractiveness with 13.26% when the other elements of marketing mix are held constant.

- **Promotion** - an increase (decrease) of promotion of one unit will cause an increase (decrease) in business net entrepreneurial attractiveness by 13.9%, when the other elements of marketing mix are held constant.

**Conclusions**

Conclusions will be derived from questions raised in the beginning of paper.

**Table 2 Comparative results: MARKETING MIX**

<table>
<thead>
<tr>
<th>ALBANIAN BLUE TOURISM</th>
<th>Percentage of tourist satisfaction</th>
<th>Impact of Marketing P’s over Blue Tourism Attractiveness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marketing Mix four P’s</td>
<td>54.20%</td>
<td>0.33663963</td>
</tr>
</tbody>
</table>

\(^2\) X2 - Price is omitted from final regression model of research because as its statistical importance is not proven, as will be highlighted in following paragraphs.
This table shows priorities for each country.

### Product

From data analysis it resulted that the pleasure of visiting tourist sites and satisfaction about range of activities offered from Albanian Blue Tourism, is in critical low values. This means that Albania in terms of tourism overall customer satisfaction is in emergency of addressing the problems.

What is the implication of these results? That Albanian Government should strengthen its presence in increasing the attractiveness of the tourism product and more specifically should start implementing the strategies for: improving consumers overall of Blue Tourism product, increasing the range of tourist activities and intensifying strategies of mysteries nature discovery of Albanian Blue tourism.

If the Albanian government will pursue these steps, marketing performance in terms of product will improve. Since improving the attractiveness of the product is considered as the initial step of all marketing mix strategy definition, it is expected that Albania will have gaps in the other study variables, but this remains to be explored in following paragraphs.

### Place

Albania observed successes in managing marketing distribution. But, on the other hand it noted that the staff who provide the service that accompanies the tourism product has deficiencies regarding the level of professionalism in the service. These gaps are evidenced mostly in terms of experience and professionalism of the service to enable maximum satisfaction of tourist explorations. This reinforces the low score that Albanian tourism product reached in terms of level of general satisfaction received from product consumption.

What is the implication of these results? Albania absolutely must immediately improve service a condition of that accompanies the tourist product.

### Promotion

To realize better underwater tourism promotion in Albania in the region and beyond should be seen as the most important differencing strategy of our tourism between development of the tourism in our country and development in the neighboring countries. In this regard our country can benefit from the fact that the Albanian underwater world is in close distance with countries such as Croatia, Greece and Italy can promote curiosity of hobbyists to the underwater world.

It should be noted that a wider promotion regarding blue tourism should include the integration of history and natural beauty that our country offers. In this way, the Albanian underwater world will presents a greater variety, encouraging tourists to look more closely at a new face of Albanian Tourism and to have the chance to discover a piece of past and current history during their blue tourism journey.

### Price

What is the implication of these results? Policymakers must absolutely start emphasis Blue tourism in Albania in terms of on good quality - price ratio, or in the worst case to focus their marketing message to prices that justifies Albanian standard of life.

Of course in order to achieve this, the prerequisite is to review the prices and all the factors that influence this point. Of course fundamental in this regard is taking into account that: (1) tourism is seasonal and, (2) secondly to have the highest rates of taxation tourism in the region.
References

ARLEM. (2013). Raport mbi turizmin e qëndrueshëm në Mesdhe.
OBT. (2001). The Viability and Sustainability of International Tourism in Developing Countries .
Traditional African Communication Skills Aesthetics: A Perspective.

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Known to be as aged as man himself, communication, which basically means the exchange of information between two or more people, in its concepts, remains a vast one. Communication transcends spoken words, literacy and all contemporary media; it is all encompassing. The beauty of communication is especially always heightened when and where there are neither the spoken words nor the written letters. And beyond what occurs amongst higher animals popularly referred to as human beings, the hearing and speech challenged amongst us, the lower animals and even plants; there is a natural ability to engage in communication. This natural ability is expressed in traditional African communication forms in drums, talking drums, fireworks, errand-messenger, the town-crier, to mention but a few.

The aim of this paperwork therefore, is to centre stage the beauty of communication within the cultural milieu of traditional Africans. One of the greatest cultural heritages of all times in Africa remains the arts. Communication art in Traditional Africa takes diverse dimensions and its importance cannot be overemphasized. It is these diverse dimensions and their distinctive aesthetic appeal that this work offers to elucidate. Therefore, this work is prepared to expound some aesthetics embedded in traditional African communication skills. It also seeks to examine if and how these aesthetics affect the content and delivery of communication information. It shall also focus on the conceptual basis of communication within the echelons of African cosmology, likewise, its significance in our contemporary world.

Key Words

- Concept of communication.
- The aesthetics embedded in traditional African communication skills.
- Communication within the cultural milieu of traditional Africans heritage such as; Religion and Worship
- Musical instrument and Songs
- Costume and make-up
- The importance of traditional African communication skills and reasons for preservations.
The need for Administrative Territorial Reforming of Local Districts
Case Study: Region Gjirokastër

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Abstract:
Administrative territorial reforms have come to be undertaken intensely in South-East Europe countries, in the last two decades, crafting in finding best possible solutions to troubles with decentralizing. This paper explores the latest (2014) administrative territorial reform in Albania, by studying Gjirokastra District as a unit of analysis.

Main objective this research is to access administrative territorial reform performance. This paper submits a unique tailored questionnaire to Gjirokastër district citizens; in order to test the criteria’s of the model of administrative territorial “one stop shop” model established by the Albanian Ministry of Local Affairs.

This paper manages to prove total adequacy of criteria’s selected by Albanian government to lead the reform (Functional Area, Historical and traditional ties, Center – CLU Territory distance, Territorial Continuity, Minority Protection).

The second step of the study, analyses whether these reform parameters have contributed in achieving decentralization objective, as the main mission of redesigning administrative territorial management in majority of South-East Europe.

The final conclusion of this paper is that: the planned reform criteria are the right parameters which should lead administrative territorial management in Albania, but their improper implementation in some dimensions in Gjirokastër district has caused a lack of fulfillment in decentralization.

This can result in an administrative and territorial dysfunctional, mechanical and not integrations reform processes. This paper suggests that these gaps in implementing reform criteria’s should be urgently addressed by policymakers and institutions.

Key words: administrative reform, territorial divisions, functional areas, local government, local power.

Introduction
This paper addresses the issue of evaluating the effectiveness of territorial - administrative reform in Albania in terms of achieving the goal of decentralization, as the denominator of the objectives for several reforms undertaken by a number of East European countries - in recent decades (Janno, 2012; Kiveste, 2008; Kogut, 2014; Vallier, 2013).

The paper aims to assess the impact of last administrative territorial reform; approved by the Albanian Parliament on 23.07.2014 through the law “On administrative territorial division of local government units in the Republic of Albania” that leads Albanian decentralization processes.

Research Gap And Research Problem
Albania in the past 20 years, has transferred additional powers to regional units, which have strengthened the role that they play.

As argued in the introduction to this paper, administrative territorial reforms, in recent decades, are common practice in all Europe (especially in the South-East). According scholars (Maurice, 2012; Kogut, 2014; Marinovic, 2008)
motivations behind these reforms is the aim of achieving objectives of neutralizing the negative externalities of economic and financial crisis, emphasis of unit independability (Romanvska, 2012, Vallier, 2013), weakness of centralisation (Mendoca, 2004, Paffenberger, 2004), etc.

Is this reason valuable in the same reason in the Albanian context?

Studies and opinions of the authors claim that, necessity of addressing negative externalities of past administrative territorial management has been the strongest motivations to address the necessity of reforming the administrative territorial in Albania (Leskaj, 2015; Internal Ministry of Albania, 2014).

First, the current territorial reform plans to transfer certain powers in favor of the municipalities Çuçi, (2014). This has to do with the distribution of water, waste management and forest management, as well as other public services. Local level power, in this way, strengthened in accordance with a desire for greater integration of the country into the European level Gjonaj (2015). At the same time, although local and regional authorities of the country does not seem to have suffered from major consequences as a result of the economic and financial crisis, they have decided to program effectively their operations to streamline activities, improve efficiency and reduce costs Administrative Territorial Law (2000), Internal Ministry of Albania (2014). In addition, the government is trying to promote inter-municipal cooperation, a solution that favors more and more municipalities for the management of certain local public services. Finally, it should be noted the immediate objective of this project is to bring the size, management, fund organising and power of local government entities in accordance with European standards.

In the conference for consolidation and decentralization of Territorial Reform (2015), Minister of Local Affairs, said: “A year ago we had 373 local units, a reality that tell us stubbornly that this model can not be continued anymore. We were on the verge of bankruptcy of local government and today we have a new administrative territorial map”.

According to the draft law on administrative reform - Albanian territorial (Interior Ministers', 2014) for the conclusion commission established best model of administrative territorial reform in Albania was prepared studying reforms of other European countries to acquire knowledge and inspiration from those countries (Shqip, 2014; Fisher, 2004). It is certainly true that Albania can learn in a few ways from the process and the results of successful reforms. Implemented reform model is created in concordance with recommendations of international institutions aiming to improve administrative territorial structure.

Theoretical Framework And Research Hypothesis

There are many models suggested by the literature for carrying out administrative territorial reform. In this paper they will be grouped into three classes: the concentric model, Policentric Model, and Border Model.

Concentric model of functional area is particularly prevalent in the poorest mountainous and isolated regions. Functional districts overlaps with the circle areas of the district (Kiveste, 2008). Polycentric model is characterised by the existence of a major regional center with a strong inflow of new residents. While regional center is very strong, there are also sub-centers and smaller local boundaries, which do not coincide with the boundaries of functional area (Kovács, 2014). Border model may include areas that transcend the boundaries of districts, regions or even countries (Marinovic, 2008).

After analysing theoritical literature, the conclusion is that there exist four official publications which adress the overall framework of administrativo–territorial reform in Albania1, where all reform paramenters estabilished in order to lead the reform are established.

In this question, important questions to be adresses is: are reform parameters suitable for After literature review, main hypothesis may be formulated as follows:

Hypothesis: Most appropriate criteria for the realization of efficient territorial division are: functional areas, effective decentralization, historical and traditional ties, minority protection, distance Center – LGU Territory, Territorial Continuity.

Recently given from literature data about difficulty that several countries have suffered from One Stop Shop model reformws is important to address the question: How does each the administrative territorial criteria influence in stimulating effective decentralization?

Testing this hypothesis, will provide information for this question as well.

Research Methodology

Research Sample

Sampling was selected by applying the principle of proportionality. Composition of sampling of this study appear in the table below:

**Table 3. Research sample divided into layers**

<table>
<thead>
<tr>
<th>Total Sample Number</th>
<th>N=</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYEES OF ADMINISTRATION</td>
<td>21</td>
<td>4.85%</td>
</tr>
<tr>
<td>EXPERTS</td>
<td>12</td>
<td>2.77%</td>
</tr>
<tr>
<td>MASS POPULATION (the general public)</td>
<td>400</td>
<td>92.38%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>433.00</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

Source: Authors (2016)

Model Set Up

Variables selected for the study are: decentralization, functional areas, historical and traditional ties, Center – CLU Territory distance, Territorial continuity and minority protection.

Among these variables: Decentralization is the dependent variable and: functional areas, historical and traditional ties, Center – CLU Territory distance, Territorial continuity and minority protection are independent variables.

At the end of the analysis will be concluded for: (1) Which from administrative territorial reform criteria are statistically relevant for achieving a more effective level of decentralization? (2) How does every criterion of administrative territorial reform influences toward the stimulation of effective decentralization in Albania?

Furthermore, in the end of this paper, it will be possible to respond to important questions such as: Which are the variables that less affect effective decentralization in Albania? (ie. which are those criteria that are not properly managed or should be removed from the methodology and process of the administrative territorial reform in Albania?), or Which are the variables that mostly affect effective decentralization in Albania? (ie. Which are those criteria that should be properly managed and to which should be given priority in the methodology and process of administrative territorial in Albania?)

The research model is as follows:

\[ Y = B_0 + B_1 \times F_A + B_2 \times H_T + B_3 \times C_C + B_4 \times T_C + B_5 \times \text{M}_P \]

Where:

Y - Decentralization

F_A - Functional Area

H_T - Historical and traditional ties
Gathering Data Instrument

Data collection instrument for this research is a constructed, closed question questionnaire. This questionnaire was constructed 100% by this paper authors, based exclusively on the Albanian administrative territorial reform criteria. The process of designing questionnaire questions has been: (1) identification of the most important variables in Albanian administrative territorial reform, as indicated from law, (2) creation of indicators to measure these variables, in the end, (3) administrative territorial reform indicators were transformed into questions to be further integrated in the research questionnaire (See Appendix).

The reason why the questionnaire was not borrowed from previous studies is because this paper aim is to design a completely dedicated administrative territorial reform performance measuring instrument, devoted to Albanian context. In the table below, the relationship between survey questions used to collect survey data and the most important variables indicated by literature review is given.

Table 4. Justification of the survey instrument

<table>
<thead>
<tr>
<th>Indicators</th>
<th>VARIABLES</th>
<th>QUESTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Territorial space where there exist dense and frequent interaction among residents and institutions.</td>
<td>INTERACTIONS: economic / social / developmental / cultural</td>
<td>Q.3.1 - Q.3.5</td>
</tr>
<tr>
<td>The potential to provide the full range of public services that a local unit should provide.</td>
<td>CAPACITY FOR FULL RANGE OF SERVICES</td>
<td>Q.1.1 - Q.1.10</td>
</tr>
<tr>
<td>Integration of the necessary social and economic infrastructure (networks of schools, hospitals, social care centers, the police services, the firefighting services, interurban transport services, and other public or private services) in disposal of citizens, or businesses (such as: tax offices, post offices, the banking network, etc).</td>
<td>SAME QUALITY OF SERVICES IN TERMS OF URBAN-RURAL AREAS</td>
<td>Q.2.1 - Q.2.10</td>
</tr>
<tr>
<td>Municipalities (in terms of “circle” administrative unit) as a reference point in achieving economies of scale to reduce costs in providing qualitative services.</td>
<td>ECONOMIES OF SCALE</td>
<td>Q.5.4</td>
</tr>
<tr>
<td>Economic and sufficient revenues local base in collaboration with a number of other businesses or economic assets that allow a proper development perspective.</td>
<td>SUFFICIENT ECONOMIC BASE</td>
<td>Q.4.2, Q.4.3</td>
</tr>
<tr>
<td>Municipalities are also gravity centers in terms of economic, social and public services in most of the country, and remains a reference point in the development policies and in achieving economies of scale.</td>
<td>CENTRAL AREAS</td>
<td>Q.2.1, Q.4.1, Q.4.2, Q.4.3</td>
</tr>
</tbody>
</table>
Indicators    | VARIABLES | QUESTIONS |
-------------|-----------|-----------|
Differences in the probability of obtaining basic services, such as health and education centers. This means that supply for such vital services in rural units is very reduced, imposing deep economic inequities as well. | DISPARITIES BETWEEN URBAN AND RURAL AREAS | Q.4.2, Q.1.3, Q.1.6- Q.1.8, Q.2.4, Q.2.8, |
Polycentric development of local government, presupposes large administrative space in terms of territory and population, that includes both urban and rural areas by allowing a harmonization of development policies and reducing deep inequalities between urban and rural areas. | POLYCENTRIC DEVELOPMENT | Q.3.3, Q.3.4, Q.4.3, Q.5.1- Q.5.4 |
The boundaries of municipalities that are joined with the new units will not be separate, but will be united as a whole new unit. | OVERLAPPING WITH FORMER DISTRICTS | Q.4.4 – Q.4.5 |
Ensuring historical and traditional continuity of new LGUs, respects the principle of territorial continuity and the implementation of demographic criteria. | DECENTRALIZATION | Q.5.1 – Q.5.5 |

Source: Authors (2016)

Data Analysis And Results

The statistical significance of each of the technical criteria used to carry-administrative territorial reform

Before establishing regression equation, it is necessary to analyse which of the variables included in the model are important.

Table 5. Research analysis output

Method: Least Squares
Included observations: 433

<table>
<thead>
<tr>
<th>Variable</th>
<th>Coefficient</th>
<th>Std. Error</th>
<th>t-Statistic</th>
<th>Prob.</th>
</tr>
</thead>
<tbody>
<tr>
<td>F_A</td>
<td>0.0382</td>
<td>0.966796516</td>
<td>2.266904183</td>
<td>0.021600931</td>
</tr>
<tr>
<td>H_T_T</td>
<td>0.0742</td>
<td>1.564734638</td>
<td>-2.528834218</td>
<td>0.060124129</td>
</tr>
<tr>
<td>C_C_D</td>
<td>0.0495</td>
<td>14.74101629</td>
<td>-2.106974028</td>
<td>0.091560050</td>
</tr>
<tr>
<td>T_C</td>
<td>-0.0049</td>
<td>14.19067306</td>
<td>-2.976528379</td>
<td>0.006085535</td>
</tr>
</tbody>
</table>

Testing the significance of coefficients one by one, is made using $p$-value and $t$-test.

$X_i$, for $i$ (1,5)

$H_0$: $\beta_i = 0$ ($\beta_i$ statistically insignificant)

$H_a$: $\beta_i \neq 0$ ($\beta_i$ statistically significant)

\[ ||\epsilon|| = \frac{||b_1||}{SB_1} = 2.528834218 > t_{krit} = 2.0555 \text{ and } p = 0.060124129 < \alpha = 0.05 \]

It is worth to mention at the end of analyzing the value of $p$ and $t$-test for all independent variables is that for five of them is indicated that are statistically significant. This means that the final regression equation will include five variables identified in the literature at the beginning of empirical research.

So: Functional Area, Historical and traditional ties, Center – CLU Territory distance, Territorial Continuity, Minority Protection are important for administrative territorial reform in Gjirokastra.

Interpretation of these results is as follows: One stop shop model conceived by Albanian law regarding territorial administrative reform depends on the realization of these factors: the implementation of the concept of Functional Areas, preservation of historical and traditional ties, Center – CLU Territory distance optimization, Territory implementation of Territorial Continuity, minority protection.

According to the analysis conducted, based on results from questionnaires of this study, it turns out that all reform factors are relevant to and well-selected by the Albanian government. This is because they contribute substantially to decentralization and have fundamental impact on the level of decentralization.

In the first two steps of statistical analysis, it can be concluded that the technical criteria selected for the implementation of the new division of administrative territorially are all important and furthermore they all contribute significantly in the effectiveness of decentralization.

Once we have verified the suitability of the selected model for the area of Gjirokastra, the most important next step will be testing whether this model is properly implemented?

**Testing the level of proper implementation of administrative territorial reform model in distric of Gjirokastra**

**Regression Equation**

The regression equation, which resulted from the survey sample to the district of Gjirokastra, using model the model of functional areas is as follows:

$$ Y = 175.3233557 - 0.1382 \ F_A - 0.00742 \ H_T_T - 0.0495 \ C_C_D + 0.10 \ T_C + 0.19 \ M_P $$
Y - Decentralization
F_A - Functional Area
H_T_T - Historical and traditional ties
C_C_D - Center – CLU Territory distance
T_C - Territorial Continuity
M_P - Minority Protection

Conclusions Of Statistical Analysis

Multiple linear regression provides a powerful method for data analyzing, but it is imperative to show caution when interpreting the results.

Conclusions address the questions raised in the beginning of the paper.

From the first steps of statistical analysis it can be concluded that the technical criteria selected for the implementation of the new division of administrative territorially are all important.

Once the suitability of the model for the area functional areas of Gjirokastra is proven, the next most important step was the testing if this model has been properly implemented.

This model was tested for functional areas used by the Ministry of Domestic Affairs to the territorial reform in Gjirokastra. Multiple linear regression equation for this reform in the district of Gjirokastra is: \[ Y = 175.3233557 - 0.1382 F_A - H_T_T\ 0.00742 - 0.0495 T_C + C_C_D + 00:10 12:19 M_P \]

Criteria that are well managed during the implementation of the administrative territorial district of Gjirokastra are: territorial continuity and protection of minorities which have contributed to the growth of decentralization. Dominant achievement is the protection of minorities which has had a positive impact of 19%.

Criteria that are mismanaged reform Gjirokastra territorial division are: Criterion of territorial areas, historical and traditional ties, the distance \( N_j, v \) - Territory. These factors have influenced the decrease of effectiveness of decentralization in Gjirokastra, beginning from criterion of functional areas with a negative impact of 13.8%.

General Conclusions And Implications

Territorial administrative reform is still in the first phase of implementation, therefore no sufficient official data are possible to assess empirically the impact of administrative territorial reform dimensions toward achieving the goal of decentralization in Albania.

In other words it is still too early to assess in practice whether administrative territorial reform is effective and successful.

If we restate this research hypothesis, it can be said that it is accepted.

All reform criteria are statistically relevant and significant.

This model shows that (1) after the change of municipal boundaries deriving from – administrative territorial reform, district of Gjirokastra has experienced a decrease in decentralization by 0.1382 units, (2) a change of one unit of historical and functional ties, there has been a decrease in the effectiveness of decentralization with 7.42%, (3) for a change by one unit of distance criteria between local governments and territory Gjirokastra decentralization has been falling by 4.99%, (4) for a change with one unit of continuity criteria management, an increase in decentralization efficiency has been experienced by 10%, (5) for a change with one unit of group criteria: protection of minorities, an increase of decentralization has been experienced 19%.

All these results confirm the conclusion that although taken as a whole, reform criteria are verified to be the appropriate ones, they have not been properly implemented in Gjirokastra because as was argued 3 of 5 reform criteria have led to the collapse of effective decentralization.

In other words, misapplication of historical and functional criteria, the distance between local and territorial units and the functional area criteria have led to inefficiencies in Gjirokastra level of decentralisation.

For this reason, it is an imperative for these gaps to be addressed.
References

L. Hobhous, Liberalizem, Oxford University Press, Oxford, 1964, fq. 81


Vendore, M. Q. (Prill, 2014). Reforma administrative-territoriale; analizw e situatws sw qeverisjes vendore nw Shqipwri; (pwrmbledhje ekzekutive); Raporti i pwrgjithshwm; pwr komisionin e reformws administrativo-territoriale.


Manxhari, M. bazat e Qeverisjes, fq. 247-249.

Batali, M. Reforma e administrates publike ne Kasove, fq. 20.


Luis favore, e te tjere, “Droit constitutional” Dallos, Paris 1998, fq 461
“Historia e shtetit dhe se drejtes ne Shqiptari”, Tirane, 1994, fq 71-73.
Bernard, J. Fisher “Mbreti Zog dhe perpjekja per stabilitet, ne Shqiperi”, Botim “Cabej” 2004, fq 184
Sami Frashwri « Shqipwria ç'ka qwww ç'wshtw e cdo tw bwhet ribotim prishtinw 1978, fq 100.
Xhovani Sartori. Ç’ eshte demokracia, Dituria, Tirane, 1998, f. 38
The Roughness of the Political Language, as a Sign of the Lack of Political Communication Knowledge

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In the way of democratic development and the influence that the political elite has in this process, of course the language used by the politicians is an element that shows the responsibility and preparation of the political class. Generally, during the transition period the Albanian political class was known for an aggressive language, intolerant, and often not democratic.

This linguistic intolerance of the political class clearly expressed, in a radical and suggestive way of the political opportunities, filling the political communication with offensive phrases and ideological stereotypes. In other words a presentation of the “black and white” type.(K. Bajraba, A. Gassparini, 2001, page 108)

According the author, another significant feature of the language that is used is the verbal violence accompanied with different forms, starting with the disobedience of the opposite party, strong and radical grudge, insults, until getting to the extreme of not accepting to talk to their political opponent. Meetings of the leaders of the main political parties were and remain as extraordinary events in the Albanian political life. This language used by the Albanian political class has oftentimes served as a motive for physical violence in the parliament, which hinders the development of the democratic values of the parliament. Threats against the political opponent, mocking their personality, the usage of this rough political language with the media, are features that show that the political class, as a result of the patriarchal education that the Albanian society has, are of psychoanalytic origins, forming an acceptance model of “this or him”(K. Bajraba, A. Gassparini, 2001, page 108).

The rough rhetoric does not help communication, but ruling through a harsh tone, secure, self confident of the leader, having no critics for himself and his work. Unfortunately, this has accompanied the Albanian politics during the period of transition. The means of communication of these leaders in their speeches with phrases such as “I assure you”, “I promise you”, “I advise you”(K. Bajraba, A. Gassparini, 2001) give a message to the social opinion as if they aspire to achieve eternal ruling. In fact it is a mean of communication that gives no answer, because it has no questions which need to be answered. So in the Socio-politic context there are no political unities with the citizens, which have a really active role in the political life.

Seen from this point of view, the usage of a rough language and almost totalitarian from the politicians, who through their mimicry, which they use as a weapon to defeat their opponent, to apply according them establishing the rule of the law and justice through sings, such as hand or dead gestures, there is no democratic model of communication in the Albanian political life that can handle this style of existing language. In case the Albanian politicians would use a rational language then the communication would be based on the dialogue and tolerance. Despite a rough and totalitarian style usage of the language, the only solution left is using an urban language, sophisticated and ironic, used with contemporary politics, which would bring a sort of international rating, which would achieve to assure a model of a moderated Albanian politician with successful communication. But this model of politicians, unfortunately, consist on an isolated model, because it represents a model of talking that is related with a hierarchy of the values which unfortunately for the Albanian society they have turned into a urban subculture because it belongs to a certain class of society and Albanian elite.

The democratic style of a sophisticated language is seen in what is called as “meaning deployment which represents a kind of target to manipulate the public opinion while this last one is suspended from the communication and is put on the passive role of the observer in the game of politic. Gadamer specifies that the politic especially during the period of transition, has produced a kind of normative phenomenon, in other words the usage of the language as a tool of the politic from the politicians as well as from the written or seen media”(K. Bajraba, A. Gassparini, 2001). This has taken all the way to a rhetoric politic, that has gone from the primordial fund of the language to a vertical model of communication in society, where politic does not use its language to explain, or argument, but uses it to provoke or to mobilize the public opinion.

The usage of a rational language which does not belong to the totalitarian past would enable the strengthening of democracy, because the person that wants to use this language should consider the European tradition of public communication. From this point of view of the communication we have two paradigms of the ruling rhetoric, that exist...
since from the era of the ancient Greece: one is the sophist school and the other is the one of Aristotel. Regardless they do not have anything to do with the study, but treat some of the features of these paradigms- the sophist one and the Aristotelian one.

There is a rhetoric that does not obligate the one who practices something in a concrete way, it aims to reach an effect with the listeners through every linguistic tool, often with linguistic signs that have no semantic relation with real things and that combine in voluntary way. While the sophist rhetoric seems to work based on the irrational and power abuse, where lies are present on all the levels, and the Albanian political rhetoric is present.

Seen from the point of view of values and strength that language has in a democratic society, as well as its role in the modern Albanian politic, the misuse and a miserable level of the ‘political language’ is present. (G. Tushi, 2001, page 265) A language that has accompanied the politic of the Albanian transition, especially during the rampant campaigns and out of ethical control from the democratic content.

Generally the traditional Albanian politic and specially the one during the period of transition, has been harsh and intolerant, where often the usage of non democratic language from the Albanian politicians has fallen so low it has reached the bottom, turning into a strong and non ethic argument. This kind of atmosphere in the Albanian politic environment has its reasons, that are not linguistic. Everybody understands this, because in absence of a politic and democratic vision the Albanian politicians use an non ethic language, brutal, a language that has a big impact in the social environment.

These conditions of the language and the attitude of the Albanian political class which unfortunately has taken to a moral and professional degradation, has taken to civil inconvenience, that the society gets as a present from its political class. A political class with a rampant language does not only damage the performance of the political class, but becomes an obstacle for the citizen to understand where the point of the political debate is. Talking with offensive tones is so intensive that it has become difficult for the citizen to make the difference between where the argument is, where lies start and where the linguistic rhetoric used as a tool to hide the real target, the politic conflict. (G. Tushi, 2001, page 166)

Seen in the perspective of creating a standard or a linguistic norm of the Albanian political class, is necessary the creation of an Aristotelian model according which the persons that have to do with politics and state issues must have not simply political formation, but ethic and linguistic as well. From this point of view, the roughness of the language of the Albanian political class, as well as the war to find arguments and a suitable usage of the language need an intellectual formation, because the Albanian politicians talk without ethic.

The usage of this political language is not the worst problem the Albanian politic has to confront, naturally the usage of a inappropriate language must be stopped, so that a cultured politic can develop. The usage of the political language without responsibility or ethic forms takes to the decrease and roughening of the political communication, influencing in the public debate of the citizens who are influenced from the language used by their political class. This kind of language has a negative impact over the quality of the public life. Since the politic is the battle field of the debate, the politicians must fight using a ethic language between each-other, that expresses their intellectual forming, expresses strength and control over the extraordinary power of the political language as a tool that must be used and not abused from the Albanian political class.

References

Bajraba, Kosta. Gasparini Alberto, (2001) “The path of the Albanian modernization-events, the political class, people and international relations”, International Institute of Sociology GORIZA
Gjongecaj, Besnik (2013) “In the mortuary of the politic, where literature meets publicist”, “GEER”, Tirane
Tushi, Gezim (2010)”Politc reasonings”, Publications TOENA, Tirane
The Development of the Concept of Terrorism

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Abstract

Jacobin terrorism (1793-1794) at the time of the revolution starts with the removal of the faction leaders with the agreement conventional Giron (02/06/1793) and ending with the arrest of Robespierre by members of the 9th Thermidor (27.07.1794). The analysis can be summarized as follows: first choice of violence as a means to create conditions that will allow operation as described in political terms century of the 20's and the state intervention in the field and in the civil society. Secondly, to address the needs of the war that was being transformed and developed in parallel in a civil war and pleaded for rapid awakening of the national consciousness of the leadership of the Jacobins, and finally, the risk of counter-revolution and the need to consolidate a 'point of no return'. A similar phenomenon of computation of political and economic crime appears that emerged in the Soviet Union after 1918. However, we must not forget that the Court Revolutionary gave and a series of decisions of acquittal, which gives the impression-taste of the doubt to the imposition of terror by the Jacobins in France. During the French Revolution took place in practice the first steps of parliamentarism. Sets were simply places where they gather to share ideas and political views of the same (Club). Consequently, the exercise of central policy was a matter of immense size and variety. If added, on the one hand the fall of the throne of the monarch until the formation of the Public Salvation Committee was created a "vacuum" of power and the fact that France was at war, then it becomes clear why it was chosen and designed practice terrorism as the only efficient (estimated political) policy.

Key Words: Jacobin, Court revolutionary, state intervention, conditions, violence.

1.1. The Concept of Development of Terrorism

Jacobin terrorism (1793-1794) at the time of the revolution starts with the removal of the faction leaders with the agreement Giron conventional (02/06/1793) and ending with the arrest of Robespierre by members of the 9th Thermidor (07.27.1794). The analysis can be summarized as follows: first choice of violence as a means to create conditions that will allow operation as described in political terms to the 20th century, "state intervention in the area - civil society", secondly, to address the needs of the war that was being transformed and developed in parallel in a civil war and insisted quick awakening of the national consciousness of the leadership of the Jacobins, and finally, the risk of counter-revolution and the need to consolidate a 'point of no return'. The study of the French Revolution period allows the following remarks:

a) the executive (Comité de Salut Public), who exercised a certain degree of Robespierre prime ministerial functions was decided he would follow the direction of terrorism.

b) the State was loaded mechanism and real ite the implementation of the decisions of the executive.

c) The judiciary was in line with the power and adopts the decisions of the executive. The competent court for "crimes of followers of tyranny" that went "against freedom" of the French people, as defined by the "law of suspects" of 17 September 1973 was the court Revolutionaries, which had its headquarters in Paris, divided into four sections. In the rest of the country had jurisdiction over criminal courts that were formed as "revolutionary" and civil war zones were competent "military commissions" relevant. "Economic crimes" were the object, in principle, the jurisdiction of the Revolutionary Court, but if after investigation the personality of the accused was found to have likely been accused and opponents of the revolution, then, to classify them as "supporters tyranny" absorbed with economic crimes and therefore, entered within the jurisdiction of the Revolutionary Court. A similar phenomenon of calculating the political and economic
crime appears that appeared in the Soviet Union after 1918. It seems that this identification is the result of the efforts of the revolutionary powers to impose new relationships in the manufacturing sector. If added here, with a twist again in France, that "the crimes of followers of tyranny" the law of 22 Plairial Court Revolutionary, was expelled investigative process, it is clear that in terms of main rivals of political power, the process before Revolutionary Court was almost formal. with Article 13 of this law, it was possible, by the decision of the jury, not heard witnesses and Article 16 does not allow the defense counsel of the accused, on the grounds that sufficient jury. Finally if Court Revolutionary find the defendant guilty, had only a kind of punishment for it to death, but we must not forget that the Court Revolutionary gave and a series of decisions of acquittal, which gives the impression-taste of the doubt to the imposition of terror by the Jacobins. According to F. Furet and D. Rich, the Revolutionary Court in the months of May - September 1973, acquitted 194 accused and sentenced to death 66 months and in October-December 1793 gave 176 death sentences and 19 decisions of acquittal. When we talk about the political groups of the time, it would be wrong to compare with modern political formations (parties-unions-associations). During the French Revolution took place in practice, the first steps of parliamentarism. Sets were simply places where they gather to share ideas and political views of the same (Club). Conventional itself does not operate with a stable majority and minority. There were no powerful allies. Each deputy (representative) capable, was able, once again, become a stage, the main regulatory and political developments. Consequently, the exercise of central policy was a matter of immense size and variety. If added, on the one hand the fall of the throne of the monarch until the formation of the Committee of Public Salvation was created a "vacuum" of power and the fact that France was at war, then it becomes clear why it was chosen and designed terrorism as practical only efficient (estimated political) policy. But all the historical reasons that led to the selection of terrorism can not, I think, justify the position of the Jacobins in this regard, the imposition by force, whenever required, the policy of centralized economic and authoritarian rule of the citizens, combined with a popular political participation. People, before acting directly critic and regulatory factor of political developments, now extended to the outskirts of developments and decision-making, becoming his personal word in a "public opinion". However, his participation was needed, when needed materialized into practice

1.2. Islamic terrorism

Much has been talked about and discussed the existence of Islamic terrorism. Is there really Islamic terrorism or abused the notion in question? Are the various terrorist movements based on Islamic religious ideology? Can you identify Islam as a religion that promotes violence and terror distributes? Answering the questions posed above is problematic but that imposes a solution, and began to discuss with some higher intensity since Iranian students group attacked and held for 14 months occupied the American Embassy in Tehran. I think that the population belonging to the faith Muslimat and similar sects is very large and identification as already hostile population, would have catastrophic consequences for all mankind. The answers to these questions and answers are meant to different ideological orientation lamomjë generally by the authors. In this context, various politicians and Muslim intellectuals have thrown the idea of a joint discussion on the report of Islam with terrorism. According to them, the finding of unilateral existence of "Islamic terrorism " as accepted by some ideologues, politicians and other Western Islamic world is not only unacceptable, but deliberately tendentious and offensive. On the other hand, the authors Westerns especially those with Israeli origin, with their writings and numerous discussions, are trying to identify terrorism with some ethnic groups of the latter that really coincides with the culture and the Islamic religion. In this regard, they are also offered various examples of practice, they have concluded that any policy based on Islamic religious ideology will necessarily result in physical violence and terror. Here, without supporting either one or the other party a written mention of the great Islamic philosopher of the twentieth century, Ayatollah Ruhollah Khomeini. This article titled "Islam is not a religion of pacifists ", was published in the journal" Kaschf al Asrar "(Key Fshehtësirave) in 1942 in Qom and was reprinted in 1980 and in 1983 in Tehran. As in science, as well as in contemporary forensic practice, a sense that some groups and terrorist organizations are based on Islamic religious ideology and act on behalf of their religious beliefs. But between thinkers and religious muslymane and for many of them, this is denied and fought through their speech and not only. It could be argued by the fact that such mechanisms terrorists, not only establishment but also the justification of their criminal acts, carried out mainly by interpreting the Quran different directions. Despite the arguments offered, the Western conviction "categorically rejected by public opinion and politicians and scientists of the Islamic world. On the right, for me, they raise the question: Why in political circles and thinkers of Western European and American both north and in the US and Canada, do not use the term or the term "terrorism Catholic "when it comes to the IRA or some other terrorist organizations operating in Latin America, which have membership only to individuals exclusively Catholic and kill citizens who belong to other religious faiths?
Here it is argued that not only the Irish Republican Army (IRA) and Illuminated Path in Peru, but any other terrorist organization, membership of Catholic cleaner, acting on behalf of Catholicism, at least when taking responsibility for terrorist attacks. The main purpose of religion refers not to individuals or governments to consider guilty of fighting reality, but national and social policies that take the latter! This is because I believe that there is need for such a motivation, religious character. They are terrorist organizations that operate under different political ideologies, not religious, that implement terrorist violence as a strategic tool to achieve certain political goals or national social and why not! In this regard the purpose of the Irish Republican Army, the reunification of Ireland, while the Path Illuminated, was to change the capitalist state system in Peru, in a socialist system. With all these purposes, various Islamic terrorist organizations as p.sh., Islamic Jihad, HezboAllah, HAMAS and the Islamic State-ISIS recently et al., Recruit their members not on behalf of their national issue, but primarily on behalf and in defense of the principles and ordinances of Islam. Many Western thinkers blame for a whole community, it not fair to me, and victimized themselves and society, some of which are, do nothing except that which aimed at their opponents, incitement of hatred between peoples and believers.

As a movement, Islamic terrorist groups or organizations must not understand all the movements, organizations or terrorist groups with membership of the Muslim clean, but only those that are organized and acting on behalf of different interpretations (radical) Islam teachings. I believe that all these terrorist entities operating under "shield" of Islam and exploit, for me, economic and social conditions and political use and recruit individuals derived from separate layers of society and from families in which there knocking on the door a disaster for which the cause has become a derivative action or political act by individuals or Christian or frivolous Western governments should be clearly distinguished from organizations, groups and various militant movements operating in the Islamic world itself. The basic criterion for distinguishing them is a political goal. Based on this goal can be said that the Communist Party of Kurdistan, despite the fact that has as its members, only individuals of the Islamic faith, considered the motion national liberation, which operates based on communist ideology in order to liberate the nation Kurdish and the establishment of Kurdistan state. The same can be said and the Palestine Liberation Organization. No one in the Western world, even the official Israel has not considered the Palestine Liberation Organization, as the Islamic terrorist organization. This assessment of them seems to find support in the fact that many of its leaders (such as, for example, Dr. George Habash, head of the Palestinian Popular Front, General Dr.Vadi Hadad, Fuad Shemaili founder of Black September, etc.) were Christians, but also by the fact that the political goal of the Palestine Liberation organization, as he himself declared from the organization, was the settlement of the Palestinian national. The roots of Islamic terrorism and the historical roots of Islamic extremist hate against the Western world are deep in the early history of European and Arab nations. Very few European citizens are informed about key events that have contributed to the permanent tension of relations between Islam and the Western world. In the year 630, Prophet Muhammad through the propagation of a militant faith, he managed to unite different Arab tribe’s people, who with the word of Allah will establish its Islamic power in the world. Based on such propaganda, the prophet Muhammad and his descendants, only within a century had managed to make the Islamized Arabs, ruler of a great empire, which stretched throughout the Middle East, Persia, India, North Africa and South Asia. Later it was also invaded southern Italy and Spain, it had started marching through the Pyrenees towards France. If in 732, near Poitiers, which is located just 200 kilometers from Paris, not Karl Martell had managed to rout the Arab forces, surely that all of Europe would be a Muslim continent. This historic event is part of Muslim culture. After this defeat, the culture of Islamic extremist has been identified and the year 905 as the year of struggle in defense of "Muslim lands " , among others, and Israel, Spain and southern Italy (occupied ago), according to dogma, of infidels. In this time and between multiple defeats Arab Islamic world had been looking at getting a new leader, who will be able to correct the historical mistakes and this give a new force which will implemented ordinances of Allah. So from that time until now, the radical Islamic ideology in all periods and downs of different Muslim countries was updated for the invasion of Europe dream. On the basis of such a dream, in 1638 in Europe they had marched toward the Turkish forces. In the culture of various extremist Islamic circles, this event is listed as the second drive of the Muslim forces in Europe. Destruction of the Ottoman Empire, which had begun in parallel with the establishment of various European powers, extremist Islamic culture was very tiring. In 1798, Napoleon without any difficulty had reached-ur-scale military occupation of all Egypt. In 1830, Algeria had become a colony of France, while England had under control all marine waters in the Middle East and the Arabian coast. Thus, within a few decades, Christian states, such as Italy, France and Great Britain, had reached the occupation and division of whole Gulf region and North Africa. In this way they were conquered and divided many parts of the Ottoman Empire.

All these occupied territories, namely Muslim, were placed under the administration of various European countries, with the assistance of the heads of various Muslim who has since rewarded with titles traditional European as 'kings' or
'princes'. These new leaders Muslims, thanks to their privileged status very quickly managed to get rich. Especially at the time of industrial development and modern technology, after the discovery of oil and always growing, energy demand arising from hidrokarkuret, their wealth reached fabulous proportions. In the European Union about 10 million Muslims live. France live from 5 (five) million in the UK around 1.6 million, Germany 3.2 million, etc. After a past such historic, in which there was loss and victory, especially after the establishment of protectorates European on different countries Mysli-mane, throughout the Muslim world were presented two political movements that propagate against the state of miserable and humiliating in which it was made and the Arab people in general he is a Muslim: first Stream represented Arab nationalism propagated the idea of unification of all Arab nations in a new and modern state. This idea was promoted in earnest by former President Nasser of Egypt and Syria and some Iraqi official circles. Stream the second was propagated by the Brotherhood Muslim and other organizations Islamic fundamentalist, which had rejected the idea pan-even accusing its representatives as heretics and instead had propagated the myth and old dreams Muslim uniting all land in a country, which will be organized according to religious principles. These political currents in all Muslim countries had begun to develop a strong propaganda against the Arab royal families and the Shah of Iran, which accused of national treason and evil religion. The term 'Islamic political leader or activist "means representatives of a political movement, which is based on Islamic religious principles. In all political systems characterized by such religious movements and political separation of religion and state it is almost invisible. At a first glance it may seem that Islam in these countries do not preach only as a religion but as a political ideology. This happens to take a look at the regulation, almost all spheres of social life. Regulatory framework, is in harmony (this is optional) and according to religious laws. Islam, used as a political ideology, where appropriate, for the benefit of course religious leaders who are not only such as have various executive power and legislative, in protest movements against governments and regulations of different countries Islamic, that wherever appropriate, accused of being tyrannical or traitors and blamed for many social problems. In the context of historical developments and such protest movements born fundamentalist ideology. According to this ideology, the Islamic religion and its believers are in danger and their salvation can only be achieved by proper application of the fundamental principles of Islamic social life. In this frame of thinking, special importance has Sunna of the Prophet (Muhammad's Legend), where based and "Islamic Law". It is this exploit and circles leaders and religious leaders, as Sharia does not provide social rules unchangeable, rigid, but it is a set of standards summarized, collated and interpreted over the centuries.

Unlike these meanings, jihad everywhere in the Islamic world the meaning of the principle spiritual and ethical mobilization of efforts to achieve a good and positive qëllimitë. Any person who practices jihad is called a mujahid (warrior god). While the person who does not take part in this holy war identified as Qa'idin (who anashklalon this obligation of loyalty and lives as a parasite in the house). According preaching Islam there are two types of jihad: jihad jihad small and large. How small is called jihad and armed struggle, when Muslim believer fights for religious freedom. While the word great jihad (djihad bi-n-nafs) and spiritual recognition of ownership or control of himself. According to the beliefs of most Muslims, the word jihad, primarily, of course recognition and enjoyment of himself and then waging war on religious freedom. In this sense and explained how jihadist armed struggle against all forces that hinder the establishment of the Islamic state. In different countries and social structures and political circles containing understood opposition xhihadizëm western life style. Also, the international community has strongly rejected the identification of terrorism with any nationality, religious or ethnic affiliation. Terrorism is one of serious crimes. It can’t and should not be linked in any way with any nationality, religion or ethnicity

Conclusions

Islamic terrorism can be distinguished from all other forms of terrorist activity, mainly based on three ideological elements. Islamic terrorism, theoretically, overrides all other contemporary ideologies. He, as such, it's so unprecedented and completely separate from the others, who did not remain anything other than the achievement of its purpose or "death with sword in hand. The primary goal of " Islamic terrorism " is the Islamic revival, which should bring not only the release of all Muslim territories from Western influences, but the occupation of the whole globe by true believers of Allah. Another characteristic of Islamic terrorism is its presentation as a form of holy war, which must be completed to complete victory. In this regard, no distinction is made between terrorist activity and other forms of military developments. A third element of Islamic terrorism is to establish binding rules of Islamic conduct. Under these rules, the obligation of every believer, is killing the enemies of Allah "Our enemies should be killed, while the infidels must choose death or konverimin their compulsory Muslim."
- Bassiouni C., "An appraisal of the grow thand developing tends of international criminal law", 1974..
- Bruza M., "Le délit politique et l'extradition", 1882, fq. 403.
The features of the political class after the 90'

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During these past years a really important feature of the political elite attitude has been noticed which is using power in a personal way. This usage of power has brought constant conflicts between the government and the independent state institutions. The absence of a well informed opinion public has created the possibility for abuse with the authority from the political class during the post communist period. The politic of this years has been busier, aggressive, accompanied with inner conflicts because the political class has always been guided and leaded by the will of its leader over the rest, transforming the political parties in formations leaded from an person who does everything to take the power.

This has been a feature of the political class that has and still continuous to keep alive “ the tyranny in the usage of power” (S.Ngjela, 2001).

Other feature of the political class is the incapability to hold free elections, the function of the independent institutions from politic or the development of a politic based on the law and institutions. This has brought as a result loud winners or ones who have obtained power by violence, and treating their political rival as an enemy and not as a rival who has lost the votes of the citizens.

Seen from the prospect of the extended transition in the post-communist period in Albania ,more than at the other places has been “a game of the Albanian political elite” ( Tarifa, Fatos .2009, page fifty one).

This kind of politic has served to the political class to extend their time in a ruling statures, or to ensure their come in power, with the excuse of taking the state out of trasition, is objected by the researcher Tarifa. According to him, Albania presents all the features of a transition state, but that has made many steps forward in its road of transformation from an authoritarian place with a centralized economy, in a unconsolidated democratic political system, who is far from the liberal democratic model. Democratic consolidation is the true objective of any post-communist transition. Starting from this point of view expressed from some Albanian researchers, Fatos tarifa argues:

The transition has a name which is it (post-communist). This, according to his point of view, is evidential, since Albania is no longer a communist state. There isn’t any explanation that which are the political events that ended this transition. And if these transition has ended, why there isn’t any answer for the question from the researcher “ If Albania isn’t a place in transition, what does it represents. A democratic consolidated country? ( in F.Tarifa, 2009, Polis magazine nr.9)

The political class that appeared in the political stage after the demolition of the communist system, couldn’t give this institution a normal function according to western parliamentary standards.

There has been a little progress in the achievement of constructive consensus, through political parties for the implementation of necessary reforms for the progress of the Stabilization and Association Process.

The parliaments job has been dominated by a short term public agency which has polarized the debate ( in Progress Report, 2007).

Another feature of political class is the failure to give the Albanians a parliament with normal function after the demolition of communist system, according to researches, has happened because we have never had the opportunity to chose a parliament that works in a real way. So, let them build “parliamentarism” ( in S. Njgela, 2009, page 184).

The lack of management of Albanian society has come as a consequence of a weak parliament, has worked normally and hasn’t created modern concepts of society management. This lack of normal dysfunction of the parliament, as well as the lack of the modern thoughts in management has lead into a stagnation in the circulation of elites. If we don’t have the circulation of elites, then the values that our society produces stay in place and lead into the degradation of society, because they are denying the intellectual individual the right to be governed by him. The elites circulate, because the democratic system itself, with the spirit that gives forward, puts the elite in move. But the elite and the society management is calculated based in the products and in the results of their work.

The governance systems that our country has faced have a bitter history related to the parliament, because during their time of function the parliament was almost formal in the creation of the punishment mentality of opposition elements, because in all of the Albanian parliaments after the communism hasn’t been allowed that the opposite works normally, and this has been one of the biggest defects of transition in the country, blocking the free initiation and learning the
politicians that they don’t accept failure. This lack of parliamentary culture in the Albanian political class has brought as a consequence the creation of a political class that doesn’t understand the parliamentary and that has turned them into “dolls” or in “unaddressed”. (in S.Ngjela, 2010, page 18).

The existence of the leaders that once they get the power used it to guarantee the character of their tyrannical power, because as (Ngjela, 2010) says, “This is how Berisha acted when he was president in 1997, this way has acted Nano in two thousand five, and just like this is acting Berisha again after the elections in two thousand five”. And this because the dysfunctional of the parliament has left the Albanian state outside his democratic institutionalism. With the lack of opposite’s rights, nobody can pretend that the democracy works, or that governs according to a given mandate. And this, for bad luck, has been the situation almost in the last fifteen years, that’s why the situation remains tense and, as a consequence, has brought a bad management of Albanian society.

The Albanian society has been unmanaged for a long time, and the political class that came in power after the ‘90 couldn’t accomplish the case of the normal institution function, and this has brought a lack in the politic elites circulation. When a society isn’t leaded by her best elite, it stays blocked in her development, also a society that can’t accomplish the institutional function and free elections, and that through the vote, does the elite circulation. The author points out by citing James Burhanm: “An elite, after has consumed her ability, has lost the faith and the myth has fallen down, she has it impossible to lead, that’s why it’s inappropriate to stay in power”. (in S.Ngjela, 2010, page 187).

This becomes a snag for the development and the management of society, that’s why the Albanian political class must understand that the lack of the main element that guarantees the circulation of elites is parliamentary. The parliamentary status and that of the constitutionality in reality help and guarantee the circulation of elites. On the contrary, we’ll be in front of a process where the society that produces an obedient circulation of elites. The author concludes in the fact that, in the last fifteen years with the Albanian parliaments, the politic leaders have created on purpose obedient flows of majorities that, instead of giving us the modern atmosphere of society management, has given us the atmosphere of crisis, irrational clashes and that of an underdeveloped society. That’s why the circulation of elites it’s a necessary imperative for the development of the Albanian society, where the elites shouldn’t be named but to be elected after they have competed and where their representative individuals are identified as the most prominent personalities of society.

As long as the conditions for the development of free initiation won’t be created, the individual freedoms, the guarantee for the creation of the new individual values in front of society, as well as the process of the creation and that of the political elites circulation stays blocked and, as a consequence they don’t circulate. And this is happening in Albanian society, because the system doesn’t work, because it isn’t allowed from the authoritarian and the conflicting parliament of the Albanian political class. The blocking of the parliamentary institution from the tyrannical character of the Albanian politic during the transition, has affected even in slowing down the circulation of elites, because it’s the parliament the place where the evaluation it’s done and where the elites dominate.

Since the parliament is the arena of the political elite to fix his status and that of the deputy, it’s necessary perfecting the way of the parliamentary debate and especially that of the legislator process. When we talk about the exaltation of the deputy figure, we refer to the guarantee the privacy. So, it needs to terminate from the public pressure and not to be under pressure and totally subordinated, but to belong to the people that have chosen it, because the western political spirit has to do with the legislator individual nature and with what the government brings. The severity of the deputy in the formulation and in the approval of the laws in parliament, is directly the severity that the society presents in front of the law. So, the legislator process doesn’t be a routine, for inertia, features this that all the parliaments have had them as their phenomena.

The western values exist in the Albanian politic, but they are spontaneous. They must turn in phenomena. The creation of the feeling in the Albanian society, that they are governed in an abusive way from their governments, has come as a consequence of the lack of the parliament, as the centre of the government summary, but also as a responsibility that comes from the normal function of the parliament, who’s duty is to respect the thoughts of the leader, because he’s chosen by him.

During all this period, the Albanian politic has appeared split and conflicted, unstable and undemocratic, even, often, has created negative impression with the international partners, but even with the Albanians itself inside and outside the country. The whole situation created in Albanian society in the raising of western value and of the modern state in the transition years, has come as a consequence of the state as a serious and modern entity that supports and guarantees its citizen and, as a consequence, neither the state, neither the Albanians citizens don’t have an international personality, and this falls as a weight for the Albanians citizens that work in Western. This all leads to the parliament, as the centre that guarantees every value.

At least in the last twenty five years, the governments that have come in power have been characterized by
irresponsibility and, as a consequence, have brought blizzard and mismanagement of society. But, in the end, as a country that it’s trying to build western values, since we are a parliamentary republic, we must stay until the end with this value that we have created, so in this way can be created the political arena between both of her sides, the legislator process and the parliament, which still aren’t with western values. That’s why the democracy doesn’t work and the society feels hopeless, because they’ve never seen a parliament with normal seriousness where it’s done the clash of ideas about the management and the administration of society. And this process happens only in this two political arenas.

One of the biggest defects of the Albanian political class during the post-communist period is that, instead of creating clashes of ideas in the parliamentary life as a normal part of the competition to come in power, it has created a social fatigue, because it doesn’t government but only makes noise and individuals war, in a time that must create and enable the function of the parliamentary as the arena of the ideas clashes. This condition of the parliament comes as a result of the absence of a regular and correct elector process, where the parliament appears as an arena where the citizens itself, understand that from their free vote it’s respected their right, as well from the clash of the ideas and programs of the political subjects, to the society it is created and it is consolidated the opportunity and the right to choose the best. So, a free contest of the ideas and programs creates the opportunity that the society can choose the best.

References

Ngjela, Spartak (200six) “Albanian reform, the avoidance of the tyrannical character of the politic”, essay Publishing House “Enrico Cuccia”
Tarifa, Fatos, Tarifa, Eneida, Kristaf, Ksenofon (2009) “The paradigm of the democratic transition”, OMBRA GVG.
Tarifa, Fatos (2014) “The politic as grammar and metaphor”. Onufri, Tirane
Terrorism on the Limits of the Legal Science

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Abstract

This article will be focused on the political crime which means all political offenses and criminal offenses which is expressly prescribed by the criminal law of a state. Briefly, according to the science of psychology, characterization of a crime in general, is of special importance and decisive motive of its author. So, regardless of the offense committed, if its author is no political motive, then his works have described as a political offense. According to the theories of realism, given a definition, named differently as psycho-social dynamic, which considers terrorism as a political offense in all cases when the perpetrator, the victim or any institution structured social qualifies it as a political offense. From the moment the first setting of a particular criminal offense as political, she should be treated as such by the other participants in the proceedings. Every society, time and state has its political crime. This form of criminal action is always present when certain political forces with different criminal tools, are trying to change, alternation or preservation of the existing order and socio-political. So, in all ages and countries has been a political alternative structure, criminal manifestations of which, unlike other forms of criminal activity, are labeled as "political crime.

Key words: criminal offense, political crime, criminal manifestations, criminal tools.

Approach legislative & contractual and criminal phenomenon of terrorism by some national legislations Europe and the EU itself, firstly provides an opportunity to identify issues that this phenomenon offers as issues of science offense and secondly describes the path to be followed by each study genuine phenomenon. A key finding was that the concept of terrorism is analyzed and then define the overall dimensions of outside legal science, but has been sanctioned repeatedly in the legal texts with the result or application without a specific criteria of the latter (in the case of national jurisdictions in the will of the executive power) or the possibility of signing or ratification of international agreements (when it comes to international relations). So should përkushtrohemi approximation of the concept of terrorism in extrajuridikale dimensions. Only in this way will result eventually finding a political nature to his foundation. When during practice terrorist affected legitimate interests, ie when this phenomenon enters the space of interest tax, then the only condition for the preservation of a political nature, provided by a comparison of the components of the concept in the face of political crime concerned or, as here it argued, comparing the entity that exercises terrorizmëm with political criminal. If you compare these two dimensions results in the acceptance of the relationship of dependency of the entity that carries terrorism (and his act is of interest from the criminal) and kostrutuimit science offenses (criminal policy), then, the political character of the perpetrator of this criminal act is egzistent at all stages of the fulfillment of the state's criminal legal maxim against the consequences of this criminal act and political at the same time. If, in contrast, the comparison of these dimensions results in the failure, of the relationship of dependency, then the justification of the accused that his act is a political act of imposing his beliefs and ideology he espouses, is entirely without interest for criminal proceedings. Now this comparison, which presupposes and implies a level of abstract, definition of limits between the concepts of terrorism and criminal political and empirical application or not special treatment favorable criminal policy is impossible without hulumutimin preliminary concept criminal political. As for political criminal gave up some suggestions about the components of the criminal type, I believe now is the right time to consider, in theory, the relationship of dependency potential criminal phenomenon of "terrorism" and criminal political or, in the view here adopted, a political entity that carries out terrorism and political criminal. There would probably be inappropriate and wrong repetition of thought according to which there arises the question of exclusion reverse two notions, crime and politics, and virtually finding bashkëegzistencës policy and crime allows comparison, in the framework of science Criminal, the political criminal and terrorist. But, despite the fact that the concept of "political criminal" precisely this opportunity bashkëegzistence confirms us, there are few cases
for which, in the theory of criminal law expressed views on the alleged incompatibility between crime and politics. According to the doctrine of Greek, can be added here (based on the interpretation of Article 29, first paragraph of the Greek Constitution) that allowing the establishment and functioning of political parties, those in their programs provide for the implementation of acts defined as terrorist acts, will constitute high treason, but the simple formulation in article 29 of this Constitution, a warranty clause (".... or organization and activity of which must serve the free functioning democratic regime) except that serves a suitability tactic directly related to the specific conditions of the Greek and consists of fears of political forces in the expansion of the scope of this provision prohibitions which, the latter shall have the right and obligation, of doing opposition within policy. it also confirms once again the incompatibility between politics and crime. Self, therefore, the criminal nature of the act, it is not sufficient to exclude it from the political process. Obviously, the author of any crime and claim him, setting as a political criminal (and in criminal proceedings), is abusive and can not stand. There is a point beyond which political elements of a crime or political characteristics of its authors have no interest in criminal proceedings. But this "indifference" must not be the result of violent forms of depoliticization, but instead, should be clearly defined by monitoring the fulfillment or non-political elements that describe crime. Classic examples of abstract definition of the limits of political criminality can be mentioned:

a) the opinion of the Institute of International Law, as expressed at the summit in Geneva in 1892, and especially in Article 2 of the final text adopted, "not be considered as political crimes, those who constitute the more serious, in terms of values and principles of traditional law, the crimes of murder, poisoning, mutilation, intentional serious injury, attempted in the aforementioned crimes, arson attacks on property, with explosive eruptions, floods, thefts and robbery serious consequences",

b) the opinion of Sottile, when in 1938 he wrote that "political crime without being anything but an expression of a political ideology, can not, in practical application, only handle the ideological methods". "Ideology" of course here (in 1938) could possibly want to declare a moral connotation that should accompany the criminal act politically, but perhaps may establish and "moral crimes" (acceptance of a particular ideology constitutes a criminal offense, as for example sanction in the law 509/1947 and in particular Article 6, paragraph 1 or the law of 19/03/1939-tion in France in connection with "any activity aimed at spreading the International line

Third. "However, as the one or the other case, the basic criterion by which politics and crime are excluded mutually, is the term" ideology ", which can not help but be excluded from a specific target definition.

In the analysis of dimension ekstrajuridik the phenomenon of "terrorism", but within the legal science is often argued, and was identified (as basic) difference between state terrorism (in international relations, the state "terrorist" in international relations and in order domestic law, the state "terrorist" in sovereign territorial space) and terrorism that initiates and guides society against the state. But in practice there is a bias to use the term. Legal arrangements referred terrorism run against the rule of law, completely ignoring the state terrorism. To this end, we note that the fundamental law of any modern state, its constitution specified procedures that tend to exclude the legality of those acts of the executive power who are approaching the limits of state terrorism. Executive itself usually supports "the exercise of his terrorism " in the existing rule of law predetermined order. There must of course be denied that there are such cases, such as "disappearances" in Argentina during the dictatorship of recent military that state terrorism is not exercised only by using the legal order existing, but also in violation of the latter. Despite its totally separate law passed by it. Therefore in such cases, state terrorism may be of interest to criminal law at the time, but usually crimes committed during the practices state terrorism, prosecuted and punished after the fall of the regime that exercised within a new order modulation or in transition, political and legal. Therefore, here we are mainly concerned about terrorism exercised against the state of law. Finally, before we begin a description of the relationship between terrorist and criminal policy, we need to clarify a matter of terminology. Besides discourse current political calls typically terrorism as "international phenomenon" order (showing a center hearth international from which stems), ignore the social and political causes that the initiate, and to present it as a "simple initiative of a regional international criminal organizations", this term is used often and circles of lawyers, and here there is a need for a clarification. The adoption of the term 'international terrorism' by legal science, can not be understood only a reflection of a reality conflicts of competence (which usually brings the exercise of a viable terrorist among more than two legal orders national of a competency-criminal jurisdiction), a conflict that is regulated under international criminal law.

The term "political crime" for the first time was used during the French bourgeois revolution in terms of the description of political agitation, which took place against the New Republic. Political crime, as activity directed against the existing legal order, undoubtedly has a theme completely different from the usual criminal activities regardless of that is the same fundamental rights as the latter, as, for example, criminal offenses against life and health, crimes against property, offenses against the health of people, offenses against the security of persons and their property, etc. This means that political offenses, unlike other forms of criminal action, are characterized by a very different political
motivation of their perpetrators. Motive of political offenses, although to be hiding in the scene, the court clearly indicated that criminals common, unlike the executors or the initiators of political offenses, usually with the help of lies, corruption or various influences witnesses, try to deny their actions. Meanwhile, political offenders, primarily, behind the acts committed. These, by publicly defending their doctrine of political ideology or their and dogma respective religious, so even before the judge, trying in this way to influence the direction of increasing the sympathy of their political and their popularity, which I believe is part of their strategy, particularly in recruiting new members. On the grounds of political offenders, we can conclude that political criminality at its core, though presented by distancing from personal character, no such color, but first the institutional points of view is a public nature. This means that we are dealing with "a specific form of response to the specific circumstances of social life, is with a specific political option".

Legal definition

According to this definition the notion political crime, means all political offenses and offenses which, as such, expressly prescribed by the criminal law of a state. Briefly, according to the science of psychology, for the characterization of a crime in general, it is of special importance and decisive motive of its author. So, despite the work done, if its author is no political motive, then his works have described as a political offense. According to the theories of realism, given a definition, appointed otherwise known as psycho-social-dinamik, which considers terrorism as a political offense in all cases when the perpetrator, the victim or any institution of structured social qualifies him as a political offense. Since the first moment of setting the particular criminal offense as political, it should be treated as such by the other participants in the proceedings. Every society, time and state, has its political crime. This form of criminal action is always present when certain political forces with different criminal tools, are trying to change, or alternating current, and maintaining socio-political order. So, in all times and countries it has been a political alternative structure, criminal manifestations of which, unlike other forms of criminal activity, are labeled as "political crime". Simply notion means all political crime "criminal activities directed against a state system, political regimes, state representatives, decisions and different political orientations." In many aspects of social, political crime is the real picture of the political system. Unlike other offenses, the political criminality usually manifested collectively. This means that, very rarely performed political offenses individually. So political offenses, carried out by different organizations or groups of persons, who do not in order to solve their problems individually, but for the replacement of certain reports and social policy. Political offenses, mainly characterized by a high degree of planning, preparation and execution of their brutal. Usually, the execution of criminal offenses, is characterized by an unusual style in terms of the selected organization medokikês, accompanied by aggression, brutality and high social risk. Precisely on the basis of these elements aims and influence to raise one hand the sympathy and support of the desired measures social and turn the spread of terror and the increasing sense of insecurity to exercise the following and blackmail desired political decision. In contemporary practice, they are popular these forms of manifestation of political crime. Political offenses, committed by the democratic powers within them or are directed against the citizens or the state system of a democratic state against foreign nationals or foreign countries. The main feature of these offenses is misusing state apparatus to various political interests. Here it comes to corruption and misuse of various government services in terms of espionage, damage and compromise political opponents. Political offenses, directed against the state apparatus or his representatives usually performed by different groups of rebellious political and, as such, are provided in a clear and taxation with a state criminal law. Here we are dealing with political offenses as classical works, eg, assassinations, sabotage, spying, kidnapping, etc. On the basis of applying the element of political violence, such offenses also called terrorist acts. Political offenses committed by the state apparatus of a dictatorial state against its own citizens. Here it comes to exercise terror state, which is usually performed in order to maintain certain political power. In different states totalitarian, brutally violated constitutional rights and basic human rights. In fact, there are rare cases of improvisation as the performance of various criminal acts in order to sentence political opponents or creating pretexts for their elimination.

1.3. Terrorism and political incarnation of crime

In general, the meaning of political offenses depend on the political system of a country. In one state, a criminal offense can be termed as a terrorist act, while at the same time, in another state, the same work can be regarded as a heroic act or vice versa. This rivalry, or characterization in terms of political crime, did not exist only in countries with different social systems, political and economic. There are cases in the same state, described as a terrorist offense, after a certain time is treated and regarded as heroic or vice versa. It noted in particular the recent political offenses Meaning that of
terrorism, increasingly taking unilateral direction. In reality, the meaning of terrorism is reviewed and analyzed in different ways, little noticed mirëposhumë critical discussions concerning offenses political performed on the context or state representatives from different democratic systems. In this regard, the authors noted the various efforts to unify ekupinit political terrorism crime and terrorism with revolutionary movements, wars or liberation. These authors, in their numerous works, did not examine the state terror, but mainly oriented to the study and trial of various criminal acts directed against state policy. This scientific shortcomings, they argue with the thesis that most states implement state terror as a response to terrorism or natural reaction. In many aspects, such views represent only a clear political bias. This does not aim to challenge the right of an author to the study of various phenomena of crime and general social terms desired, but to emphasize that among the various forms of terrorist action, there is no qualitative difference. The only difference that exists between state terror and terrorism, has to do with the organization and scope of violence policy. At least two elements, in addition to the undoubted motive, must be met in order to be considered a political offense or be treated in the context of the terrorist act. The first element has to do with the scale, ie, the level of organization of purchasers and performers, while the second has to do with the structure and size of social reaction, respectively, to state the offense. So, only when the violent activity advanced in the spotlight, and the fear of social response, only then can characterize an act of violent crime as a terrorist act. All terrorist activities, should be subject to a fair trial and the punishment deserved by the entire international community.

Social crimes

Comparison of two dimensions with clear conceptual boundaries is difficult as understood in advance. It is generally recognized that in recent years, any attempts at these borders, was in fact, attempts, in one way or another as we shall see, to strip the phenomenon of "terrorism" of the elements of his policy, obviously not enjoyed the privileges of criminal political terrorist. In addition, however, difficulties and interest theory that presents a comparison of these two dimensions within the science offense is a matter more specific, from the moment that the determination of the relationship between them is essentially a any self that criminal law imposes procedures, which are mainly determined. The first attempt to partition the types of crime due to redesign its policy was launched in France by the law of June 1894-es, according to which, essentially constituted crimes "propaganda of anarchist acts" are not recognized as political crimes. By law, the ideological position of a political party, may constitute a criminal offense, without the character of political crime. The first element to do with the scale, ie, the level of organization of purchasers and performers, while the second has to do with the structure and size of social reaction, respectively, to state the offense. So, only when the violent activity advanced in the spotlight, and the fear of social response, only then can characterize an act of violent crime as a terrorist act. All terrorist activities, should be subject to a fair trial and the punishment deserved by the entire international community.
"terrorist act", which distinguish it from political crime, they gave the following results. The crime of terrorism "directed against public and political crime against the state and the political class. It is here for the theory already outdated state as a setter only and the starting point of policy and acceptance of theories objective political crime, according to which there are a number the goods "political" in violation of their consumed political crimes. With the criterion, the victim of the criminal act, crime, social opposes strangers (meaning all individuals in a given country without being concerned to identify the person, that is, without any exception ), while political crime against the persons who are known to the perpetrators of the criminal act. the political crimes author avoids publicity, unlike social crime, where he wants him.

The case of the Kingdom of Spain.

Characteristic of what has been said above, is facing legal case of "terrorism" in Spain. Even before the Second World War, the Spanish penal law, perpetrators of crimes favoring political and social. So, under the revised Penal Code in 1944, the crimes as "terrorist" treated as a separate category of crimes as an opportunity of their inclusion in the category of 'crimes sociale"nè ultimately, would unfairly give the perpetrator, the status of the privileged political criminal. Legislative Decree of 28.09.1975, which was titled "anti-terror" 2/76 legislative decree dated February 18, which defined the jurisdiction under which it would be subject to "terrorist crime", Legislative Decree 21/78 30 June in connection with crimes that are consumed by armed groups and law 56/78 of 4 December 1978 which envisaged and punished manifestinin of "terrorist acts" constituted then, according to the rules of the first post-war efforts to cope with this phenomenon. But the law 82/1978 changing direction, alignment of Spanish legislation against the phenomenon of terrorism. Terrorism stops treating it as a crime of traditional criminal law and takes the position that belongs (according to me right at that time) in accordance with the perception of contemporary and conception psikologjiko-law, which was discussed earlier in this thesis, that is not nothing but a method of exercise (and) political practice through criminal acts against life and property. Ie based, this new logic of Spanish law, punishable crimes committed only to serve terrorist interests. But eventually, the Spanish penal code changes back new dogmatic orientation when in Sections 560-564 spells and again condemns "terrorist crimes". In science Spanish Penal Law stated that the reasons that led to the first turning point of the criminal law and the abandonment of the theory of "terrorist act" and was as follows:

a) the inability of a dogmatic definition,

b) issues of "criminal technology", which made it impossible union in the criminal legislation of the special category of "such crimes"

c) and finally, the fact that this category of "crimes", is nothing more but a constructive contrivance based on unstable elements and easily changeable. Example Spanish claims that, while the internal logic of the Criminal Code requires the above, a return to the concept of "terrorist crime" can not mean except from a side abandoning the logic of domestic criminal entails necessarily and self-limiting lawmakers criminal and on the other hand, also re-adoption of a category of crime non-existent (according to science offense develop until the 1980s), but at the same time being and need epitaktike to theories more controversial by the observatories to rule law clearly allows the implementation by the judiciary of political elections of the executive who in this case rearranged to result in efficient efforts in the fight against terrorism.

Conclusions

The main element of two attempts to identify the relationship between terrorism and political crimes (crimes and depoliticization of the general social and specific) is accepting as comparable dimensions of terrorism on one hand and political and crime on the other. As a suggestion to replace the method dominant today the boundary between terrorism and crime policy could be formulated that will challenge the assumption of previous efforts, and relying on the finding that the only way out of the impasse that leads theory of crime criminal political theory is political, I would recommend to define dimensions comparable to those of terrorist and criminal policy. In the approach to the phenomenon of terrorism can be extracted as the characteristic features of the entity that carries it (terrorism) as follows:

a) He / she is always a member of a kind of group-based political ideology or religious dogma.

b) development of operational tactics, violate basic rights, infringements arising as a necessity of realization of the program of these organizations.

c) the variety of crimes, but the similarity to each other, or motive, that raises a characteristic element of the terrorist identity of "continuity" in the development of criminal practice. More precisely the effects of terrorist attacks are causing violation of the interests and rights of the many and varied fundamental human at different intervals of time, and describing the general will which seeks to achieve the intended target.
d) makes it impossible to implement the policy objectives of the program of the organization or group to which it belongs. It is noted here that some of the characteristics of terrorist (a, b, d) in principle meet both the formal requirements of criminal policy. aa) involvement in a political formation (of any form) with the ideological basis extremes: bb) implementation through criminal acts of the political program of their own. Regardless of the particular difficulties that arise during and comparing the terrorist with the criminal policy, firstly, that according to the principle of their characteristics, as described here, leads to the following conclusion: to the extent that the practice of criminal political potentially points convergent policy and at the same time crime (crime), which means that these two concepts are not necessarily vetëpërjashtuese (mutually exclusive), and the following and a terrorist (political party and he) has the right and other opportunities to pretend to preserve their political status and the area of criminal law.

Bibliography

- David E., "Les détournements d'avions et le droit international", 1979, fq. 246.
- Efstatiades K., "La Cour pénale internationale pour la répression du terrorisme", 1936, fq. 385.
- Fella V., "Etudes relatives au droit penal universal" 1950, fq 600.
- Serath S., "Un evenement historique dans l'évolution du droit contemporaine (sur le terrorisme)", 1937, fq. 1241.
- Abbate, J., (1999), Inventing the Internet, MIT Press
Performance of the political elite during the transition

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The transition has been a difficult period for the Albanian politic because the major part of this has had a product which has decreased in the public opinion. During this period “the Albanian politic has created more crisis than solutions, because of the crisis that politic itself is going through, because it lacks the authentic knowledge to fight in the modern political area, this lack of knowledge has put them in a hard position”(G.Tushi, page 254). Naturally, based on the arguments of the researchers, there is a inconsistency of the of right intellectual and political capacity adapted with the imperatives of the time. The parliament as the politic arguing temple as well as the parliamentary life are enough for us to understand from the qualitative perspective that none of the qualitative steps has been archived for the expectation of the Albanian people to have a political class with the necessary class that the modern politic requires.

The political performance is not matched with the age structure of the political class, but with the contributions of each of these politicians, with the establishment of these politicians, proven and with a successful political carrier, with the establishment of the public personalities that have a known credibility, the way it happens in the classic worldwide politic, the Parliament, the Senate or the House of Lords are the places where this category of persons can go.

The entry in politics of persons who start their political carrier, not to progress until the end but start as beginners, so naturally the parliament turns from a professional political institution to an institution where logic, arguments are rarely seen. In the Albanian politic there are paradoxes which comes as a result of the lack of the political culture. A politic conceived out of parameters, which puts on top, in the parliament or other structures people without the necessary specific culture, without a lifetime experience which is very important, is a politic without the right products neither contemporary.

The political class must understand that the lack of the necessary culture or its insufficiency is a main issue because being part of the parliament, where all the political battles are held, meaning you can’t go into this “war” without the necessary knowledge or culture. If not they won’t be able to do the necessary analysis or give clear visions. The political class must understand that the “tools” of the professional analysis can’t be unprofessional or ordinary in the political or sociologic meaning, so missing these elements influences directly in the quality of the political actions. The low level of the political analysis and the mediocre, don’t turn into believable interpretations of the social, economic reality. This is very important to be understood from all those people who have decided to be in politics.

Regardless the promises for the recirculation of the political elites, “the political parties in their selections have selected their political class based on pragmatic principles, thinking that it is simply a class of craftsmen, thinking they will learn about politic by practice”. (G.Tanushi,2010,page 334)

It’s about time that the professional politic leaves from the selection of the political elite, and to be guided from the elitist principles meritocratic, that that have roles with responsibility in this country’s governance. The time has come for the Albanian political class to change thoughts, to have an ordinary political class and to form a political elite based on the principles of the elitist theories, according to which political class should be professional and academic.

During the transition, in the Albanian political life, a kind of unification between the term “class” and “elite” has been noticed (G.Tushi, 2010, page 335) which often has oftenly been considered the same thing. This element has brought in parliament persons with limited abilities that don’t deserve the political stature, for nearly 10 years. This has been one of the reasons why the Albanian politic hasn’t been in the right level causing negative consequences, that has taken to the disbalance between the political balances. Based on this point of view the Albanian politic has confused the therms “political class , “political elite” intentionally because it was missing the concept of the elitist action.

This has brought as a result the threatening of the quality of the parliamentary life, a kind of tardiness in the perception of the political imperatives, on the fast ways of change, the deferment of political values during the transition. This has resulted in a social disproportion, that has been seen (in a good level) in a major part of the political, that are still present now days. This process has had a big cast, and it needs to be brought to an end, because those who truly are elitist, remain in the shadows of this country’s politic. Those who are mediocre and worthless decided mechanically in the parliament or in the politic.

The lack of a moral politic from the political class is another feature that has accompanied the performance of the political class. The politicians that rule the politic parties or represent the citizens do not keep their promises, do not allow
the function of the state institutions, go after their own personal interests, are corrupted and immoral, create negative examples of the “political attitude” that badly influence over the citizens and the society.(S.Pëllumbi,2010,page 152)

The distrust against the political parties including their “heart’s party” (S.Pëllumbi,2010,page 152),starts to grow and goes from a political standing to abandoning, to a demonstrative form in the opponent camp. This feature of the performance of the Albanian political class, is evident in both sides of the political class, that comes as consequence of the dysfunction of the democracy in the Albanian political parties, their administration in authoritarian way, the transformation of the political parties in the parties of the leader.

Since the beginning of the pluralism in Albania many parties have been created, to fill the social spaces, this is a phenomenon that has completed the Albanian social environment with political coloring.

When expected for the political system go towards its natural development ,the opposite happened, because for nearly two decades the Albanian political class followed the extensive way of development of the political parties.

Based on this point of view the spontaneous and archaic development of the political pluralism, like the one present in Albania, comes as a result of the extreme liberalism which goes against the initial intention, because it shares the political responsibility but it also disunites society, clearing the path to the quiescence and the war for survival, leading to a phenomenon called “whitening of the political parties”(S.Pëllumbi,2010,page 145).

This term has to do with the fact that the major part of this parties are identified by their leader, and their inner democracy is related to the leader.

Another phenomenon that is digging everyday more the Albanian society is corruption which is “breaking down” the state. For the Albanian case the corruption has become “organic part of the state, through which the state exists”(B. Gjongecaj,2013 ,page 221).

The corruption during the last two decades of transition ,has endangered the existence of the state itself. As a result now days the Albanian state if in front of a suspicion that is scouring and is dissolving itself, the state forming will of the citizens from one side and the corruption has conquered it from the other side. This two phenomena are in permanent war with each other. The state forming will of the Albanian society crushed by the weight of the corruption hasn’t allowed the society and the state to move forward, becoming a serious obstacle in the process of the democratization of the state, conveys negative message to the society. This is a very bitter result that the Albanian political class has shown to the citizens and the state. As a result of the low performance of the Albanian political class in the last decades has brought as a consequence the decrease of the citizen interest to react, to intent the improvement of the institutions or to denounce the breach of the law. This dualism between the state forming and corruption is putting the Albanian citizen through hard times and has distanced him from the state.

References

Gjongecaj, Besnik (2013) “In the mortuary of the politic, where literature meets publicist”, “GEER”, Tirane
Tushi, Gezim(2010)“Politic reasonings”, Publications TOENA, Tirane
Pëllumbi, Servet, (2001)"Between authorization and democracy-politic and Albania", Volume 4, Tirane
The Fight against Terrorism

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Abstract

Understanding the phenomenon of terrorism, his perception and conceptual theories developed for this purpose have a special importance. Only after acquainted with a phenomenon, then we can face it. So after this process we can guarantee the highest possible protection of the rights and fundamental freedoms that can be put under a huge risk of such an operation of revealing the phenomenon. Providing consultancy to policy-making and executive power bodies, the active action in the fight against terrorism including the sciences product offer different fields, as a key instrument in this process is of special importance. Challenges they offer, the desire to serve a cause higher still, that of increasing the rights and fundamental freedoms on the highest pedestal, requires the scientists to do something more, which will inspire many other efforts in the future to assist in preventing and combating the terrorist threat. In this spirit, the technology offered policies for the EU and generally front against terrorism, a key instrument for achieving this goal.

Key Words: fundamental freedoms, operation, technology, preventing, combating

1.1 Introduction

The purpose of this chapter is to examine the changes in the perception of reality in the current developments in the international arena, those feelings of safety in the population of Western countries EU, USA, etc., Caused by the attacks of 11 September 2001 it in perceptions of safety and terrorism in Europe. To achieve this, I will start with an analysis of the system of international relations during the Cold War, after this, and coupled with the emergence of the concept of 'Islamic terrorism' . The concept of security, as it was reformulated through a conceptual redefinition due to the phenomenon of terrorism, and its high value political and economic elite of political and economic attribute, is the purpose of this chapter. Security is a public good, the absence (or reduction of sense of security) which quickly modifies the social contract, and entails serious difficulties in political, economic and technological. The concept of terrorism constitutes the other side of the security concept for the money is the main cause of violations in the second era of the Cold War. Both concepts have multiple interconnections between them. I will try to demonstrate that security policy efforts to eliminate the terrorist threat involving technological aspects. Technology implementation and application of the policy should include two distinct goals between them, which are to promote scientific base, technological and industrial, and defense against terrorist attacks. Objectives here because undergo significant changes raised the issue of modification of scientific research, freedom of research, conservation issue sensitive information from enemy hands, the issue of financing, implementation and exploitation of results, etc. For the writing of this chapter are using secondary sources of popular subjects of international relations, political analysis, the economic relations and security studies. It is important to note at this point, any entity spasmodic approach mentioned above, about the impact of the terrorist threat in determining policies for the development of technologies. This chapter is an attempt to clarify conceptually or at least to show the boundaries of the concepts of security and terrorism related to technology. I believe that it is necessary that such an effort for two reasons: terrorist threats in terms of materialization of the terrorist attacks, may be restricted only by developing technological systems advanced or and application of technological systems existing in areas other than those for which initially They were created. Therefore, one approach to these concepts may prove to be a guide for determining the direction of technological progress. Moreover, due to the dual nature of the technology, and the technology it is used as a tool for carrying out terrorist attacks. It's so great penetration of technology in our daily lives (is so great that we are creating a reality of dependency on technology) that naturally makes us think that gaining control system technology by terrorists, can affect directly even in our most intimate moments.
1.2. International security before and after 11 September 2001

The study of international security has always been an area of intense dispute for trying to provide solutions to the eternal question of war and peace, liberation and subjugation, conquest and exclusion, occupant, expansion and prevention. In most of the 20th century, the study had the objective relations between the two alliances, ideological, military and economic, Western alliance and the Warsaw Pact alliance. Since the Treaty of Westphalia in 1648 were set ground rules, that means that military activities would be strictly and only enterprise of the state apparatus. These relationships, although moved across a broad political spectrum, always based on some attitudes are acceptable such as that: entrepreneurs of combat operations are state bodies, activation of any formation other political, always serves the interests of the state concerned, the state is the sole authority and subject to the exercise of this right (military operations) with an army of its citizens. Unanimously approved rules for the exercise of military activity but also respect for the right to life of civilians, in war as they are enshrined in international treaties. Military activity also has a clearly defined target (Invasion, submission, etc.) and should have an exit strategy from this situation (the war-situation). The drafters of these strategies should take into account that military activity is a short-term activity and that must stop with a peace treaty signed between the opposing parties, mediation, usually, to a third party. Twenty (20) years, of disputes connected with the study of the context of the notion went beyond the institutional framework of conceptual definition. Absolute conceptual redefinition was necessary after the terrorist attacks of 11 September 2001 in New York. Of course, Islamist terrorism as an activity against the interests of the Western world was not originally appeared in 2001, but attacks of 1998 in the US Embassy in Nairobi, and in Egypt, and the explosion in the warship USS Cole in 2000, have been warning signs an emerging threat. The attacks of 11 September 2001 marked and the first attack inside the US territory and constituted reason to change the dogma of security from the US in international relations and the regional classification of terrorism at the highest level in the hierarchy of threats, the calculating security interior, immigration policy, and in the analysis of this chapter, modified the configuration process of political technology. Moreover, because of the leading role of the US in the world community, the terrorist attack was an alarm and other countries. Technology within the political redefinition of scientific and technological priorities of the US government, became a reference point for many national and international organizations, such as the EU. Terrorist message was clear: The era of stable and peaceful post-Cold War had already come to an end due to the international terrorist threat. The face of terrorism has changed and is connected to the public acts of mass violence, mass destruction and dramatic public events aimed at terrorizing citizens and symbolize a struggle between good and evil. According Creshaw, new terrorists want nothing less than to change the world. Motivated by religious dictates, causing terror among observers and those in countries of the attacks, because they have no land link and accountable only a transcendental god or a mystical ideology. The terrorists already are willing to use lethal methods to destroy the polluted world as they perceive it, and to bring on the Apocalypse. This generation of terrorism requires mass death and achieve the purpose chooses to use suicide attacks or attempts to use weapons of mass destruction. Change of doctrine, the risks facing the global community, not just political relations changed and redefined the priorities of the majority of academic fields, discovering new liaison between them and expanded the existing disciplines in the light of developments. It should be noted that it is widely accepted opinion that competent academic fields have not succeeded in their mission, to predict or to inform policy makers about the possibility of an attack these dimensions. Economic science tries to analyze the phenomenon (terrorism) and to integrate the research and economic studies, studying economic information security, financing of terrorism, a matter of economic development.

1.3. Security Concept

Besides access to academic theories, or rather because of them (assuming that policy makers have to address the findings and proposals academic), addressing the definition conceptual importance (practical) and to the functioning of the international system, as it affects and changes the objectives of each member state of the Alliance. The importance of the ideological framework of political views and the unpredictability of history in national and international space together with the conceptual treatment, serves as a complement to political activity. EU especially when it ranked alongside elections optional US strategic friend who suffered because of the terrorist attacks set and the perception of the international environment. US-analyze all possible new threats through the prism of the war against terrorism list countries as members of the axis of evil that favor and produce terrorists, destabilizing the international order and threaten US hegemony. In fact, while it is coherent a significant number of issues of international security, as the economic potential financial and military rise of China, the possibility of nuclear conflict between India and Pakistan, nuclear research in North Korea and developments in Iran's nuclear (already a priority of the US and EU treatment of this issue), expansion towards East European countries of NATO, and a series of new issues, such as global pandemics,
continuing environmental degradation, mass migration. US choosing to interpret them through security point of view, as indeed they perceive itself, caused a polarization between traditional allies, particularly during the second term of G.W. Bush. Indeed, while this security strategy expressed by conservative instincts (preservation of American hegemony by preserving the status quo), to implement it was used almost illegal a number of measures towards this goal. The imposition of regime change, especially in Iraq and Afghanistan, why not in Syria will lead, supposedly, in the most stable state structure and thus a more stable international system. Hypothesis-assumption above, at the present time (2015), it is clearly rejected. There are relevant examples in countries such as Russia, which rushed to help in the fight against terrorism, only to legitimize its operations internal cleansing in the Caucasus, and Western Asia. Consistency with US interests, provided an internal security policy without criticism of the oppression of human rights or konsistimit interference from abroad in domestic affairs. At this point we must return to the concept of "sigurisë"që can understand the consequences of his support in the international arena that have national leaders. The concept of security is an integral part of political theory and many philosophers and politicians have analyzed it. In fact, many of these constituent elements that are attributed to this concept in the past, are completely valid and now. Different levels of security, international level, national and individual, the difference between security subjective (feeling of security) and objective, the idea of providing protection and security, the relationship between security and trust, as well as the wide range of interests, the such as social interest, which may be related to security, have made some aspects of the concept which is reflected fruitful. Ciceron security is subject to the supreme pleasure, is what allows the continuation of the happy life. For Smith, security is understood as the absence of violent attacks against his person or property of people of the same society. For Hobbes, security includes protection from foreign threats is essential for the development of society in every aspect. This perception of Hobbes was crucial for the field of international relations, and especially a very important school of thought, that of realists, who developed the idea of a strong state as a response to a situation of possible international anarchy. For Locke, the concept is necessary for the physical protection of society and creating conditions that will allow enjoyment of private property by individuals society. He also notes the possibility that the state jeopardize the citizens due to misuse of government power. The latter is the essence of the argument of those who believe that additional security measures in place to maximize the feeling of security to uncertainty. Indeed it can be said in cases involving the situation within the country and on the international stage. For Bentham, the purpose of government and legislation, is the pursuit of happiness for the greatest number of citizens, and understood as pleasure and security. This is a legal concept and focuses on the protection afforded by the law, despite the threat of internal or external. The same variety of interpretive approach concept continues in the 20th century. Areas addressed the concept, they are those of criminology and international relations. There is also a limited discussion of the concept of moral philosophy in literature about social justice and the rule of care, and the right to property. Criminology sector handles relations of security, democracy and control of traditional criminal offenses, emphasizing the importance of the internal security of a company. In the field of international relations definition of the concept varied depending on the individual schools of thought and different geopolitical situations (of the Cold War, the end of the Cold War, multi-polar systems, Islamic terrorism, etc.). However, the point of reference has always been his state and needed protection against armed conflicts or threats of any kind. It should be noted that these conceptual variations were more influenced by political programming than a real conceptualization of different points of view. In other words, the process of defining the concept depended on the respective political priorities instead of defining it. This highlights the need for defining and Buzan says, the concept is so poorly developed that manages to be unfit to perform his functions or when Matthews Tuchmann requires redefinition of any kind. It should be noted that these conceptual variations were more influenced by political programming than a real conceptualization of different points of view. In other words, the process of defining the concept depended on the respective political priorities instead of defining it. This highlights the need for defining and Buzan says, the concept is so poorly developed that manages to be unfit to perform his functions or when Matthews Tuchmann requires redefinition of the scope of the definition. Of course we are many definitions of the concept proposed by social scientists. For Freedman, security is defined as the level of trust that a country has in its ability to withstand an attack powered by another state. Morgenthau defined security (national) the condition of preserving the territorial integrity of infrastructure and appropriate institutional arrangements, while a subsequent analysis combined the concept of interconnection safety culture, arguing that the survival of a political entity with its own identity constitutes the minimum requirement, and essential element of its interests in the context of coexistence with other entities. It is worth mentioning that Laswell and Kaplan define security as expectations are high value (high value expectancy), where the expectation emphasizes nature subjective concept, and the character of the utmost importance, although it is a landmark objective, shows high expectations of entity to achieve its objectives. Wolbers gave the definition of the concept, claiming that security, by accessing objective, measures the absence of threats to traditional values, and how you approach the subject [mat] lack of fear that such values will be the target of an attack next. So shown here, the two aspects of the concept (and the subjective and objective) and that the goal is a legitimate aim of coherent state policy. The distinction is important because policies to achieve maximum safety, designed for actual or potential threats. Moreover, for Wolbers, security, wealth and power, it undergoes quantitative scales, because the concept is a continuity and not an absolute concept, and that security is not reached once and will last forever. The tendency of achieving maximum security of a State may, for
Wolfers, conceal policies hostile offensive that a state designs against another, this, according to a subjective interpretation of the level of security in the status quo and grievances arising from this, too, according to realists, and the nature of security. Achieving the maximum level of security for a mean less security for B. schools of thought, choosing to define the concept differently, set in a real confrontation with the realists focus on threats of state power and strength and freedom from threats, neoliberal, although the focus of the state, stress cases cooperative international system. Constructive focus on institutions, particularly those that enable inter-state relations. There are schools of thought that are identified by their geographical location. Copenhagen School examines the processes through which, on various issues related to security.

1.4 The EU and the European Security Strategy.

The reaction of the Europeans in the attack of September 11, 2001 caused an extraordinary meeting of the Council of Europe on September 21 the same year the topic political dialogue deepened with countries and regions around the world where startonte already terrorism, and seeking state union, integrating them in a fair system of security, prosperity and development. The EU responded to the call for solidarity of the US, but made in a way that focuses on the causes of the birth of terrorism, based on a conceptual approach to security that emphasizes economic integration, the political and cultural relations of the peoples and conflict prevention, and to abandon the use of military route as the most favorable or only for the achievement of lasting peace and the protection of national security. As expected, the announcement later by the Americans, the war on terror and the invasion of Iraq, caused serious disagreements within the EU between those who supported not only political invasion, but materially (United Kingdom, Poland, Spain) and those who kemgulnin in a preliminary ruling by the UN and negotiation exhaustion of policy instruments (Belgium, France, Germany). In another extraordinary meeting K. Europeans reiterated their view of military intervention except as unique solution to the problem of Iraq, and argued with the background of the peace process between Israel and Palaisitnes. I will not focus on the possible impact of US developing endoeuvian debate over the participation or not of the EU. On the other hand, the lack of adoption of a similar document to the US for the National Security Strategy, the typology of the dangers that threaten the EU and procedures, appropriate measures, and individual policy state that will be implemented it was a serious dispute reasons. The existence of such a document strategy, which will determine the context of the total, will specify areas of interest and will guide specific policy proposals (technical, industrial, military) is a necessary element of an organization supranational that has located on strategic interests and long-term political goals. In addition, as claimed by Betts, "without strategy, power is lost" [loose cannon] The absence of such a document was diagnosed, and the result was the European Strategy of Security (SES), which was developed by (then), KEPPAA High Representative, Javier Solana, and endorsed by the European Council in December 2003. SES know-how global challenges and key threats for the EU and sets out strategic objectives, such as the construction of a security in our area and the promotion of an international order based on effective multilateralist approach. SES's the feature of perceived within globalization, which imposes and accelerates adhesion aspects of external and internal security. While for some, the flow of trade and investment, technology development and the spread of democratic systems, resulted in a situation of stable prosperity and peace, for some, these rapid changes caused frustration and injustice. Furthermore, poverty, lack of food resources, the threat of epidemics such as SARS and HIV pose and these security issues, with economic bankruptcy closely associated with political controversy and violent riots. SES In any case, security is an essential condition for achieving development in all areas without exception, and treated in a broader perspective, which includes parameters of economic, humanitarian, etc., And generally no military parameters. SES, being the ‘conscious’ of the possibility of a military strike reduced high intensity against member states, recognizes five (5) threats:

1) terrorism,
2) the proliferation of weapons of mass destruction,
3) regional conflicts,
4) failure of the state, and
5) organized crime.

To address these threats, several measures have been taken, as the institutionalization of the European arrest warrant, the fight against the financing of terrorism and mutual assistance agreement with the US law, which was passed after September 11. Moreover, the prevention of organized crime, reviving the failed states and good neighborly relations in the European geographical space, as it is already defined, have been identified as appropriate policies to strengthen security and prosperity in the EU. Particularly the goal of achieving good neighborly relations with evzones geographic
specific steps related to politico-military technological cooperation to create and activate joint mechanisms of prevention, to manage risk and to prevent conflicts. Recently, well-it functions international institutions like the UN are essential elements of an international order based on rules. However, for the effective functioning of these international organizations, will we need to be willing to hold position when their rules are broken. To achieve this goal, namely reacting appropriate, SES highlights the need for more active involvement on the broader And the most efficient EU cohesion of the global community. Active involvement with the term, conceived when preventive engagement is appropriate and necessary, and the development of a culture-strategic mindset that promotes ... (and) the intervention by force. The condition of achieving greater capacity, which includes the need for the transformation of the armed forces in the most flexible, efficient to enable them to cope with new threats. Also, references to the efficient use of financial resources expenses, related to the need to reduce the ndërfinancimeve agreements imposed to cover financial holes from member states of the EU. Provided greater durability, SES imposes combination of instruments and diplomatic skills, development and trade, and encourages environmental policies which should continue through the same directive. In this analysis, general and in this respect should be included and external activities of the Member States of the EU. Mutation of the national armed forces coherent military force, European as flexible, requires creating appropriate institutional infrastructure and operational in a single framework of national resources. In addition, a variety of instruments should unite to coordinate appropriately. In the words of SES, in a crisis, nothing can replace the unity of hegemony. In the overall context, SES is the first strategic document of the EU, and is a landmark not only for the CS & PF (Policy common Jashtne and Defence [Common Security & Foreign Policy]), but also for external relations of the EU’s. Major policy options contained in this document may regulate the international activity of the EU for many years. In any case, SES can not be ignored even by those who want the EU to act in absolute identification with NATO. However, the success of SES is not safe. To achieve this (success), the above options should conclude in concrete actions and implemented effectively to realize the original vision of the EU to play an important international role. This process is a document specification, absolutely political and not legal character, can be a field of interpretations of the nature and content. It is understood that, depending on the interpretation, SES can be identified by its title, namely as a strategy long-term security for the global role and individual actions of the EU stemming from it, or constitute a simple text - meeting membered (eg the invasion of Iraq), not very important. In part, efforts in favor of the first version, were the cause that prompted the EC to delegate back to the High Representative for CS & PF (the Common Foreign and Defence [Common Security & Foreign Policy]) Javier Solana, prerogative to design a review of SES amendament 2008. While the review included a series of risks and new threats, such as energy security, climate change, unresolved conflicts and relations with Russia, while implicitly indicates the need for coordination of specialized strategic policies and actions to implement them . In fact, this process recurring amending SES-it can be considered to have implications for institutional, economic, technological and administrative arising from the regulatory framework of the overall SES and should be applied if the Europeans want to be a force of good in this world. By identifying the threats category, and defining a set of measures solution, SES provided substantial assistance in drafting and developing a specific policy European defense industry by legitimizing the process. Moreover, the use of specific concepts in the document SES created a positive climate for the industry, because it was a harbinger of a framework to coordinate the activity European security sector, and joint activities for confronting effectively the threats of the new addressing its prey, such as terrorism, weapons of mass destruction, regional conflicts and organized crime.

Conclusions

In this article, I tried to present the policies and the direction taken by European policy-making institutions, not only in the field of technological policy after the terrorist attacks of 11 September 2001 in the US it. Sifted US case, for two reasons. The first has to do with the proposals of the US policy towards terrorist attack with the establishment of new institutional structures, redefining the priorities of national security, and financial decision corresponding increase in implementation of these projects, the product of political decision making. The second concerns the presentation of strong impulses that followed this redefinition-perception in the corresponding reaction of the EU. As is known, it has a relevant historical precedent, where the EU (then EC) being aware of the technological development deficit, hastened to cover it by funding new research projects. In the case of the EU, we tried to reflect on the respective institutional process. There is however a fundamental difference. In the case of the EU, there has been a confrontation institutional experience such a great challenge, and no historical precedent involvement of the European defense industry so far by setting national priorities and national security treatment at EU level of, attacks and terrorist threats that have already become part of a category of threats.

This process began by approving a document central European Security Strategy. That they were categorized types of
threats to the EU, appropriate actions, and specific public policies such as policies on R & D. SES-i is the first and leading EU security classification process and its legitimacy as a matter of particular importance. As for setting research priorities, SES has made a point of reference for the majority of public documents, which determine the policy for the technology. These documents identify located in two axes. The first has to do with the treatment policy for scientific research, view contained therein and the integration of special security object Pillar 7th. The other has to do with the defense industrial policy, procurement-supply mechanisms and technical specifications. The axes can not be analyzed separately from each other but connected between them. Provision of technological products through improved security programs existing production lines of defense industries. Moreover, another goal of the EU, which is homogenisation and the strengthening of competition between defense industries, achieved through the adoption of joint scientific research and technological prioritization and industrial. For the purpose of their acquisition, as instruments are recognized and research programs. In this chapter we analyzed the historical development of the procedure for setting policy on European security technology, using the findings of the relevant public documents, aiming especially the emergence of the cathodic process (topdown), which began with the approval of SES, but also correspondent (bottom-up), through homogenization need defense industrial base. Europeans understood the need and importance of technology in the fight against the threats posed to the EU, and also the development and production of the latter by industry and scientific circles. And use of this instrument in the fight against terrorism was considered necessary, but the product, then the success remains to be seen yet. The use of dual-use technologies as a vital need for success and expectations, was approved unanimously by the international community. Distribution of the terrorist threat in my opinion, ranking it in a special place on the list of threats, was, I believe, very spotted, as it facilitates decision-making with regard to the scale of policy priorities to resolve the problems that called regularly afford.

Bibliography

- Bascio, P., (2007), Defeating Islamic Terrorism: The Wahhabi Factor, Branden
-Berman, E., (1990), 'The Economic Impact of Industry-funded University R&D', Research Policy, fq. 349
-Bijker, W., (1997), Of Bicycles, Bakelites, and Bulb, MIT Press
-Blume, S., (1992), Insight and Industry – On the Dynamics of Technological Change in Medicine, MIT Press
-Bower, A., (1994), Essays in the Economics of Procurement, Rand, Santa Monica
-British Eureka Chairmanship, (1986), Procedures for EUREKA Projects: Note by Chairman of the Ministerial Conference, DTI
-Bulletin of the European Communities, Supplement 14/73, (1973), Scientific and Technological Policy Programme, COM (73) 1250 Parts I & II
-Bush, V., (1945), Science: the Endless Frontier. Report to the President on a Program for Postwar Scientific Research, GPO
-Buzan, B., Herring E., (1998), The Arms Dynamic in World Politics, Lynne Rienner